

**Town Board Meeting – October 21, 2021**

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**TOWN OF NORTH HEMPSTEAD  
TOWN BOARD PUBLIC HEARING**

Town Hall  
220 Plandome Road  
Manhasset, New York 11030  
October 21, 2021 7:00 P.M.

**COUNCIL MEMBERS PRESENT:**

JUDI BOSWORTH - Supervisor  
VIVIANA L. RUSSELL - District 1 Councilwoman  
PETER J. ZUCKERMAN - District 2 Councilman  
VERONICA A. LURVEY - District 4 Councilwoman  
LEE R. SEEMAN - District 5 Councilwoman  
MARIANN DALIMONTE - District 6 Councilwoman

**ALSO PRESENT:**

WAYNE H. WINK, JR. - Town Clerk  
LEONARD KAPSALIS, ESP – Town Attorney

PROCEEDINGS

SUPERVISOR BOSWORTH: Good evening, everyone. And would you please rise for the Pledge of Allegiance.

(Pledge of Allegiance.)

SUPERVISOR BOSWORTH: Thank you. Mr. Wink, if you could please call the meeting to order.

MR. WINK: Town of North Hempstead Board Meeting. Thursday, October 21st, 2021. Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Here.

MR. WINK: Councilman Ferrara.

(No response.)

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. And I would just like to mention that Councilman Ferrara is a bit under the weather and extends his apologies for not being here. Following our Town Board procedure, we'll open the meeting with 30 minutes of public comment on any matters not having to do with items on the agenda. So Mr. Wink, do we have any comments?

MR. WINK: I have no requests for public comment at this time.

SUPERVISOR BOSWORTH: Okay. And in that case, if you would please begin tonight's agenda.

MR. WINK: Public Hearings, Item 1. A public hearing to consider the preliminary budget of the Town of North Hempstead together with the budgets for all Special Improvement Districts and the assessment roles of Belgrave Water Pollution Control District, Great Neck Water Pollution Control District and the Port Washington Water

SUPERVISOR BOSWORTH: Thank you. So good evening. Tonight we're holding the public hearing for the Town's 2022 preliminary budget, which includes the budgets for Commissioner Operated Special Districts. I'd like to thank all the districts for their cooperation during the budget process and for being present via Zoom this evening. Since the meeting is being conducted via Zoom and there are a lot of commissioners and district representatives present, we will only hear from a district's representative if there are questions for that district. If any

member of the public has questions or comments for a specific district, please notify us now by using the chat function. Our district commissioners, chiefs and their representatives are present and available to address any questions or concerns that you may have. We will call on residents who have indicated that they have questions after I have announced all of the districts, their commissioners and chiefs. So first up, we have our library districts. Shelter Rock Library District trustees: Louise Sobin, Kenneth Vey, Tharakaram Ravishankar, Toby Shebire and Emilio Susa. Gold Coast Library District, Trustees: Nancy Benchimol --

(Zoom technical difficulties, feed frozen for three minutes.)

SUPERVISOR BOSWORTH: -- Timothy Stellato and Lawrence Zaino. Glenwood Water District: Commissioners Bernard McCabe, Peter Hess and Kenneth Uline. Port Washington Water District: Commissioners David Brackett, Mindy Germain and Peter Meyer. Roslyn Water District: Michael Kosinski, Sanford Klein and William Costigan. Next we have our garbage district. Carle Place Garbage District: Commissioners Joanne Del Vecchio, James Mezey, and John Hummel. Glenwood Garbage District: Commissioners Jennifer Paradiso, Patricia Kimmel and Stacy Lacomba. Port Washington Garbage District: Commissioners Patricia Van Dusen, Paul Olekswi, and Bill Scaglione. Roslyn Garbage District: Commissioners Alene Tekolsky, James McCann and Ralph Milliken. And now we have our park districts. Great Neck Park District: Commissioners Frank Cilluffo, Robert Lincoln, Jr, Tina Stellato. District of Manhasset Park District: Commissioners David Patterson, Mark Savine and Kenneth Weigand. Now we have our Port Washington Police District: Commissioners Angela Lawlor-Mullins, Frank Scobbo and Brian G. Sally Senior with Chief Bob Del Muro. And now we have our Port Washington Business Improvement District. Board President Bill Gordon and Executive Director, Holly Byrne. Last but not least, our Water Pollution Control Districts. Great Neck Water Pollution Control District: Commissioners Steve Ryder, Patricia Katz and Jerry Landsberg. Port Washington Water Pollution Control District: Commissioners Melanie Cassens, Donald Kurz and Eddie Marinelli. Belgrave Water Pollution Control District: Commissioners Brian Leving, Francis Bridges and James Pitzer. So we're so delighted that you're all with us today. Mr. Wink, are there any questions for our commissioners?

COUNCIL MEMBER RUSSELL : Sorry, Wayne, before you go on, there's just a correction for the Carle Place Water District. Larry Zaino is no longer on the Board of Commissioners. Kenneth Gass, Jr., is Commissioner.

SUPERVISOR BOSWORTH: Okay. Councilwoman Russell, thank you so much for the correction.

COUNCIL MEMBER RUSSELL : You're welcome.

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

SUPERVISOR BOSWORTH: Okay. So when you hear the names of all the commissioners and they say "takes a village," you can see that it takes not only a village, it takes commissioners and all of the commissioners and board presidents and chiefs who work so hard all during the year. And we thank you for all being here with us. Again, as I said, just a special thank you to our special district commissioners, chiefs and their representatives for joining us tonight and for your continuous cooperation during this budget season. I'm now going to continue with the rest of the Town's budget portion; so those who wish to sign off of Zoom, please feel free to do so. Again, thank you so much for joining us. So here's another good evening. Good evening and welcome to

our preliminary budget public hearing where we will review the Town's 2022 preliminary budget. The process under state law is that we submit the tentative budget to the Town Board, which we did at our September 30th, 2021 Board meeting. We held a public work session where the members of the Board were able to ask questions and provide comments on the tentative budget. Additionally, we held a public hearing on the tentative budget on October 7th to provide our residents an opportunity outside of normal work hours to give feedback and ask any questions that they may have. The final version of the budget will be presented for a vote on October 28th, which as we do, we vote on it before Election Day. This process is in keeping with my administration's commitment to open and transparent government. And it is, after all, the blueprint of your town government and it shows how our tax dollars are being utilized. As I've mentioned so often throughout this project, our fiscal operations have been impacted by the COVID-19 pandemic, and I applaud my administration's ability to adapt under the current circumstances as we thoughtfully work to balance the need for budgetary reductions while continuing to provide essential services for our residents. Our commitment to effective financial management was once again recognized by Moody's investor service. Moody's again affirmed our town's financial rating of AAA on September 2nd. This is the 11th consecutive instance in which the Town has maintained its AAA bond rating. That is the highest rating a municipality can obtain. In its credit opinions, Moody's acknowledged that the stable outlook reflected the Town's conservative fiscal budget management practices, which will support continued healthy operating performance and maintenance of a strong financial position. I can assure you that we will maintain the same level of fiscal diligence in the coming year as well. We're presented tonight with the preliminary budget, which has some changes, as to be expected, and which our comptroller, Tania Orenstein, will address with the details shortly. The budget is a picture of my administration's planning and is again ready for analysis, suggestions, and reactions by the public. Our Town Council members have, throughout this budget process, been continuing to submit their questions and suggestions and will continue to do so, I'm sure, until the final vote. Once again, I want to acknowledge the incredible efforts of our comptroller, Tania Orenstein, and our budget team, including Hilary Grossman, Sharon Glassman, Diana Long, Steve Pollack and my chief of staff, Jeanine Dillon. Thank you all for your dedication in preparing this budget and all of your hard work every day. I'd also like to thank our commissioners and department heads for their input. Everyone has been working so hard on this. So now without any further ado, I'm going to ask our comptroller, Tania, to begin her presentation.

MS. ORENSTEIN: Good evening, Supervisor Bosworth and members of the Board. We distributed the 2022 preliminary budget to the Town Board members last week. The preliminary budget states within the state-mandated tax cash and limits the impact on financial -- on taxpayers while maintaining our current services. The changes that the Supervisor mention are as follows: Although the tentative budget included a 5 percent reduction in retirement costs as noted in the press release issued by the State Comptroller, upon receipt of 2023 projected retirement bill, our savings were substantially greater than budgeted, resulting in a projected town-wide savings of \$1.1 million. The largest impacted funds were the general fund with a savings of \$618,000, the Town outside village funds with a savings of \$412,000, and the sidewalk district funds with savings of \$33,000. An additional noteworthy change was the acting pass of a vacancy in the Parks Department that was missed in the tentative version budget which has a net impact of \$94,000. This addition was offset by the removal of an administrative expense for the Solid Waste Management Authority, as it is now being joined into the general fund of \$177,000 since it is no longer necessary. Thank you everyone -- thank you for everyone's

support during this extensive process, and thank you to the supervisor for giving me the opportunity to guide the budget and process and entrusting me with the responsibility. We're happy to take any questions at this time.

SUPERVISOR BOSWORTH: Tania, thank you so much. And, Mr. Wink, do we have any comments?

MR. WINK: I have no comments at this time.

SUPERVISOR BOSWORTH: Anybody from the Board that would like to make a comment?

(No response.)

SUPERVISOR BOSWORTH: I move to close the hearing.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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.





# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No. 0021682475

:SS.:

COUNTY OF ALLEGANY)

The undersigned, being duly sworn, says that such person is a duly authorized custodian of records of Newsday LLC, the publisher of Newsday, a daily newspaper published in Melville, County of Suffolk, State of New York, and circulated in Nassau, Suffolk, and Queens Counties, and that the Legal Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Friday

October 08, 2021

Nassau

By: \_\_\_\_\_

*Ciara Woodin*

Ciara Woodin

Print Name: \_\_\_\_\_

Authorized Designee of Newsday LLC, Publisher of Newsday

*Sarah Perez*

Notary Public

**SWORN** to before me this

8 Day of October, 2021.

**SARAH PEREZ**

**Notary Public – State of New York**

**No. 01PE6397402**

**Qualified in Erie County**

**My Commission Expires 09/03/2023**

## **Ad Content**

**Legal Notice # 21682475  
NOTICE OF HEARING**

**NOTICE OF PUBLIC HEARING ON THE PRELIMINARY BUDGET OF THE TOWN OF NORTH HEMPSTEAD TOGETHER WITH THE BUDGETS FOR 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 2022.**

**NOTICE IS HEREBY GIVEN** that the preliminary budget of the Town of North Hempstead, Nassau County, New York, together with the preliminary budgets of all Special Improvement Districts (the "Preliminary Budgets") 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 (the "Assessment Rolls") for the fiscal year beginning January 1, 2022, have been completed and filed in the Office of the Town Clerk at Town Hall, Manhasset, New York, where they are available during regular business hours for inspection by any interested person; and

**FURTHER NOTICE IS HEREBY GIVEN** that, subject to the COVID-19 provisions contained in this notice, the Town Board of the Town of North Hempstead will meet and review the Preliminary Budgets and the Assessment Rolls, and hold a public hearing thereon via Zoom, at 7:00 P.M. on the 21st day of October, 2021, and at such hearing any person may be heard in favor of or against the Preliminary Budgets and the Assessment Rolls, or for or against any item therein contained; and

**FURTHER NOTICE IS HEREBY GIVEN**, pursuant to Town Law §108, that the following are the proposed yearly salaries of the Elected Officers of this Town:

Supervisor - \$133,000.00;

Town Clerk - \$105,000.00;

Councilmembers - \$49,000.00;

Receiver of Taxes - \$115,000.00; and

**FURTHER NOTICE IS HEREBY GIVEN**, that effective immediately, pursuant to a recent change in New York State's Open Meetings Law, and based on the ongoing COVID-19 pandemic, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, Town Board hearings and meetings will be held virtually via videoconferencing, as permitted by the NYS Open Meetings Law. The 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 meeting can visit: [northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive). If a resident has a comment related to an item on the agenda, they can email: [comments@northhempsteadny.gov](mailto:comments@northhempsteadny.gov). Written comments must be received 60 minutes prior to the meeting. Those wishing to comment via Zoom regarding an item on the agenda, should visit [northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive) on the day of the meeting. There will be a Zoom link available for this 30 minutes prior to the start of the meeting.

**PLEASE TAKE FURTHER NOTICE** that copies of the Preliminary Budget are available at Town Hall, 200 Plandome Road, Manhasset, New York, Monday through Friday, between the hours of 9:00 A.M. and 4:45 P.M.

Dated: Manhasset, New York  
October 7, 2021

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

## **NEWSDAY PROOF**

**Ad Number: 0021682475**

**Advertiser: TOWN OF NORTH HEMP TOWN CLERK**

MR. WINK: Item 2. The public hearing to consider the adoption of all local law amending Chapter 2 of the town code entitled "Administration and Enforcement."

SUPERVISOR BOSWORTH: So the proposed local law would improve the safety of construction sites within the Town by ensuring that work is employed or otherwise engaged at these construction sites, have received adequate safety training and that contractors performing construction work have essential safety training systems to prevent injuries and protect workers who are injured. And so we are really pleased to be able to move this forward. Mr. Wink, do you have any comments?

MR. WINK: As a matter of fact, we have a list of individuals who wish to speak. Roger Clayman from Long Island Federation of Labor, AFLCIO; Steve Flanagan, business manager and secretary treasurer of Laborers Council 66; William Keeley, town resident and member of Laborers Local 66; Joseph Ardino, town resident and member of Laborers 66; and Charlene Obernauer, executive director for the New York Committee for Occupational Safety and Health. We can begin with Mr. Clayman. Dan, if you would elevate him to the panel.

SUPERVISOR BOSWORTH: We can see him.

MR. WINK: There he is.

MR. CLAYMAN: Thank you. And hello, everybody. Thank you. It's great to see all of you. Particularly you, Supervisor Bosworth, who I have not seen in quite some time.

SUPERVISOR BOSWORTH: Thank you.

MR. CLAYMAN: But thank you for giving me a few minutes to talk about this issue. My name is Roger Clayman, I'm the executive director of the Long Island Federation of Labor. I would like to talk about the importance of safety, and I was going to start off by saying, in recent years, we've seen a lot of bad practices taking place in the construction industry. But I'm going to take that back. Instead, I'm going to say for a whole lot of years, for many years, we've been seeing continuous poor practices that really put our communities at risk, undermine the wealth of people working in the industry and cause great safety problems. For example, wage theft, not paying people properly, misclassifying workers, cheating on the prevailing wage and failure to provide certified payrolls, forcing workers onto Medicaid because they're not being paid decent wages and other kinds of public service -- public assistance. But probably most dangerously, the safety problems that have shown up in the construction industry. So I think that you have a chance to address it, and you'll hear probably more detail from some of the others who are speaking. But I think that this is an excellent opportunity to take a stand. We believe all Long Island workers deserve to have access to safe working conditions. Particularly on construction sites, it's critical that workers are trained thoroughly for their safety. This local law requires that all workers at construction sites in the town of North Hempstead complete a 30-hour OSHA class and all safety designees must complete a 100-hour OSHA class. It is actually for those sites that are above 36,000 square feet. But we've seen the real danger of illnesses and deaths. One construction worker dies every five days. That's an outrageous number. 86 percent of these are in the nonunion sector; so we're able to regulate safety because it's a goal of ours in the unionized industry. But it doesn't happen that way where unions are not involved. So I would urge you to pass this amendment to Chapter 2 of the Town code. I think you're doing a great service to the people of the community and the workers who live there, as well as the working

people all across Long Island. So thank you for giving me a few minutes.

SUPERVISOR BOSWORTH: Thank you, Roger. As you know, because you're part of it, we have initiated the Labor Advisory Council, and we've looked to you for suggestions, for guidance, because, of course, the most important thing is that all the people who work in North Hempstead are safe. So, hopefully, this will go a long way towards assuring that.

MR. CLAYMAN: Thank you.

SUPERVISOR BOSWORTH: Thank you.

MR. WINK: Thank you, Mr. Clayman. The next speaker is Steve Flanagan. If we can elevate Mr. Flanagan.

MS. BRINN: There's no -- There's no Steve Flanagan on the list. The other two people are phone numbers. I'm wondering if the other one is him. But if you want to go on to the next one, I'm going to try to figure that out.

SUPERVISOR BOSWORTH: Thanks, Rachel.

MR. WINK: Okay. What's that? Rebecca Lamorte and Steve Flanagan on the line. Is there Rebecca Lamorte listed?

MS. LAMORTE: Yes. Hi, we're here. I have Steve Flanagan, William Keeley and Joseph Aradito all together to testify. So if you illuminate my Zoom we can move forward. Thank you.

MR. WINK: Okay. All right. Can they turn their own video on, Dan? There we are. Mr. Flanagan, I presume?

MR. FLANAGAN: Good evening, Supervisor Bosworth and the Town of North Hempstead. Thank you very much for allowing us this opportunity to offer this testimony, this very valuable and important testimony. My name is Vincent Alu and -- and I'm the executive -- I'm on the executive board of Laborers Local 66. I'm also a field director for greater New York. Steve Flanagan has asked -- authorized me to read his statement on his behalf. So, again, my name is Vincent Alu, and I'm executive board of Laborers Local 66. So good evening.

SUPERVISOR BOSWORTH: Thank you.

MR. ALU: Thank you. Thank you, Supervisor. Good evening, Supervisor Bosworth and North Hempstead Town Council members. My name is Steve Flanagan, and I'm the business manager and secretary treasurer of Laborers Local 66. On behalf of Laborers Local 66 and the thousand men and women in our union working in general construction in Nassau and Suffolk Counties, I want to thank you for the opportunity to testify today in support of amending the Town code to add site safety and training requirements for workers and contractors, employed or engaged in construction in the Town of North Hempstead. Construction remains one of the most dangerous occupations in the modern economy. On-the-job accidents that result in injuries and/or fatalities are all too common in New York State. On Long Island, workers are unknowingly putting their lives on the line every day when they go to work. Workers like the 31-year-old man that lost his life on a Nassau County construction site on June -- in June of 2021, when he was struck in the head by an unsecured beam. Safety issues and workplace fatalities are more egregious because they're preventable. With basic safety training from the Occupational Safety and Health Administration, OSHA, a construction worker on that job would have known how unsafe it was to work under an unsecured beam and how to safely secure it. Furthermore,

if the contractor had been required to meet site safety and preparedness standards, the accident could have also been prevented. Amending the Town today to address these issues will ensure no Long Island family loses a loved one on the job. Workers and construction sites will be made safer by mandating all those employed or engaged in construction, receive OSHA safety training, the contractors performing construction work have essential safety training systems to prevent injuries and protect workers who are injured. Setting a firm requirement for safety training and site safety will not only promote safer jobs, it will also protect those that live and work near construction projects. Oftentimes, developers and contractors will put workers at risk. Also put the public at risk by not properly securing or maintaining their job sites. In recent years, for example, pedestrians and passers-by have been struck by falling bricks, beams and other materials in local construction. Together we can ensure the town of North Hempstead shifts the paradigm in local construction. With this policy, you can set an example for Long Island to follow when it comes to protecting construction workers and ensuring our tax dollars support safe jobs for local residents. Thank you again for the opportunity to testify in support of this life-saving policy. On behalf of the members of Laborers Local 66 and construction workers across Long Island, I urge you to support safe jobs and pass this legislation.

SUPERVISOR BOSWORTH: Vincent, thank you so much for joining us.

MR. WINK: Thank you.

SUPERVISOR BOSWORTH: And please thank Steve Flanagan for having you read that statement.

MR. ALU: Thank you very much, Supervisor. It's nice to see everybody. Have a good evening.

MR. WINK: Thank you.

SUPERVISOR BOSWORTH: Thank you, Vincent.

MR. WINK: All right. Who's next? There we go. Okay. Where did that go? I think we lost Rebecca Lamorte's 's connection, or did we take her down from the panel? Is she still on?

SUPERVISOR BOSWORTH: I don't see her, but it didn't seem like anyone else is getting ready to?

MR. WINK: There it is. Okay. Back on. And who do we have here?

MR. KAPLOWITZ: Hi. My name is William Keeley.

MR. WINK: How are you, Mr. Keeley?

MR. KAPLOWITZ: Very good. How are you?

MR. WINK: Good, thank you.

MR. KEELEY: Good evening. My name is William Keeley, and I'm a proud member of Local 66 Laborers and a resident of Floral Park in the town of North Hempstead. Thank you, Supervisor Bosworth and the North Hempstead town council members, for the opportunity to testify today in support of amending the Town code to add the site safety training requirements for construction workers and contractors in the town of North Hempstead. As a 13-year member that worked on the nonunion side of the industry before joining the union, I can tell you firsthand just how unsafe my job can be. Heavy and sometimes hazardous material, scaffolding to erect

and climb machinery that, if used improperly, could fatally harm you or another worker. It is important to note the right way to perform your job. I can also tell you about the things that I've witnessed firsthand on sites. No hardhats on the job, glaring safety issues being ignored, a worker falling from a scaffold onto another person working below them, permanently injuring themselves. Thankfully for me, Laborers Local 66 provided a robust safety training where -- when I joined the union. The Laborers offered me training for me that not only taught me how to do my job effectively, but, most importantly, safely. On a job site, my actions can harm not only myself, but my fellow laborers, and the Occupational Health and Safety Administration, OSHA, training that I have received through the union prepared me for that. These per on the job should have -- I'm sorry -- should have safety and with your help, we can make that a reality for my neighbors in the town of North Hempstead. Amending our Town code to add safety training requirements and site safety protocols will protect local workers and empower them to also speak on the job if they know safety requirements aren't being followed. The fight for worker safety is also personal to me. Fifteen years ago, a friend of mine lost their life on a construction site in New York City. New York City has since passed laws similar to the policy I'm supporting here today. With your support for these safety training standards, we can ensure no one loses a friend or a loved one like I did. Thank you again, Supervisor Bosworth and the town of North Hempstead Council Members, for the opportunity to testify today. As a resident and a proud member of Laborers Local 66, I urge you to support and pass this life-saving legislation. Thank you.

SUPERVISOR BOSWORTH: Mr. Keeley, thank you for that very compelling statement for sharing your personal experiences.

MR. KEELEY: Thank you. You guys have a great night.

MR. WINK: Thank you.

SUPERVISOR BOSWORTH: You, too.

MR. WINK: Thank you. You, too. Joseph Ardito.

MR. ARDITO: Thank you. Good evening. My name is Joseph Ardito, and I'm a proud member of Laborers Local 66 and a resident of New Hyde Park in the town of North Hempstead. Thank you, Supervisor Bosworth and North Hempstead Town Council Members, for the opportunity to testify today in support of amending the Town code to add site safety and training requirements for construction workers and contractors in the town of North Hempstead. I've worked in construction for the last decade, and most of my career was spent working on the nonunion side of the industry. I started out with no training, safety or skill specific. I was put on a job, put right to work with no knowledge of how to properly perform my job and stay safe. No questions asked for my employers either. Accidents and injuries were very common back then. I felt like every person was out there for themselves on those jobs. It was no care for the people they were working with that they could hurt or kill in their actions. Two years ago, I joined Laborers Local 66 and everything changed. I no longer felt like I had to look out for myself or like I didn't know what I was doing. For the first time in my career, I was offered safety training and was taught that safety on the job was priority. Not just myself but everyone around me. One person working in an unsafe manner can put us all at risk. Workers and members of the general public alike, making the need for widespread training paramount to ensure that everyone in our Town is safe. Since receiving safety training, I've been able to identify and stop accidents before they happen. I feel more confident on the job too. Every

construction worker should feel like I do and trust that when they leave for work in the morning, they will return home at the end of the day. With your support for these amendments to the Town code, you can help make that a reality for construction workers in our community. Thank you again for the opportunity to testify in support of this life-saving policy as a Town resident and worker with first-hand experience, I urge you to support and pass this safety legislation. Thank you.

**SUPERVISOR BOSWORTH:** Thank you for your comment, Joseph. You know, I always say, in North Hempstead, we're a family. We need to look out for each other and, hopefully, this will help.

**LEGISLATOR KAPLOWITZ:** Have a good night.

**MR. WINK:** Thank you, Mr. Ardito. The next speaker is Matthew Aracich. There he is.

**MR. ARACICH:** Good evening, Supervisor Bosworth and all the Board members, and thank you for the opportunity to allow me to make these comments. My name is Matthew Aracich. I'm the president of the building and construction trades counsel for Nassau and Suffolk Counties, representing 65,000 hard-working skilled tradesmen and tradeswomen throughout all of Long Island. I rise in support of this amendment which is before you. The reason is it's one of the most important things that we can do to help safeguard people's lives. You know, when we're talking about all the things that you just heard, I'll mimic all of those things that people had said in previous comments. They were all provided to you. You know, heritage, religion and economic status should not be the basis of why you get safety training and why you do not. There are documented instances where workers were hurt, and, at that point driven, to other counties and other states and dropped off at emergency rooms with the idea that they're not going to tell them who they work for and there's no coverage and everybody pays for it. The number one priority of the building and construction trades is safety. Going to work safely, doing your job and returning exactly the same way you arrived with all of your limbs and your eyes intact. The idea is that we want to make sure that those family values are family values that are through and through with safety with teamwork, and to do the right thing. That's what separates us from the unorganized. Our employers make sure that they play by the rules and follow all safety protocols and supply all the safety equipment, not having workers pay their own, which is a common practice by the nonunion sector. Now, developers and contractors who don't follow safety protocols, they take the risk and what that risk is, that's actually the risk with someone else's life. And when that person is either hurt or loses their life, they just replace them with another person and they have no regrets. The one other thing that is very important here is when these people do go out of business, all the other good contractors are left holding the bag. The cost of all the insurance is not borne by us. As you've heard, 87 percent of the workers are actually all on unorganized labor sites, which means that as a state, we pay for the whole state; and when they go out of business, they'll start under another name, under another group and start the whole thing all over. They'll have low insurance rates, they'll have inadequate insurance, they don't pay the rates that they're supposed to when it comes to worker's compensation or just have inadequate insurance. This particular amendment which you have strengthens the good contractors on Long Island. And that's what makes the difference between, you know, providing safety standards and working safely. On behalf of the people that I represent, I want to say thank you very much for taking this up; and in advance, I hope that you pass this and thank you for your support as always.



SUPERVISOR BOSWORTH: Thank you. We know how passionately you feel about this, and we appreciate you sharing your comments with us.

MR. ARACICH: Thank you.

MR. WINK: Thank you. I have no additional requests to comment on this item.

SUPERVISOR BOSWORTH: All right. That being the case, 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: 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. 573 - 2021**

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

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

**WHEREAS**, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to ensure the safety of construction sites within the Town by ensuring that workers employed or otherwise engaged at such construction sites have received adequate safety training, and that contractors performing construction work have essential safety training systems to prevent injuries and protect workers who are injured; and

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

**WHEREAS**, due notice was heretofore given of a public hearing to be held on the 21st day of October, 2021, 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 October 21, 2021, 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. 18 of 2021 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD  
LOCAL LAW NO. 18 OF 2021**

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

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

**Section 1. Legislative Intent.**

It is the purpose and intent of the Town Board to amend Chapter 2 of the Town Code entitled “Administration and Enforcement” to ensure the safety of construction sites within the Town by ensuring that workers employed or otherwise engaged at such construction sites have received adequate safety training, and that contractors performing construction work have essential safety training systems to prevent injuries and protect workers who are injured.

**Section 2.**

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

**§ 2-9.2 Construction Site Safety Training**

**§ 2-9.2(1) Purpose.**

**The provisions of this section are intended to promote the safety of Minor and Major construction sites within the Town. The provisions of this section are designed to provide that workers employed or otherwise engaged at such construction sites have received adequate safety training; that contractors performing construction work have essential safety training and that contractors performing construction work have essential safety training systems to prevent injuries and protect workers who are injured.**

**§ 2-9.2(2) Definitions.**

- a. **Permit Holder. The person to whom a building permit has been issued or for a building permit has been applied.**
- b. **Person. An individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.**
- c. **Contractor. Any person contracted or subcontracted to perform work covered by this section for or on behalf of any other person.**

d. Minor Construction Project. A construction site, with an area greater than 35,000 square feet, which involves the construction, demolition or alteration of a structure or building.

e. Major Construction Project. A construction site, with an area greater than 50,000 square feet, which involves the construction, demolition or alteration of a structure or building.

f. OSHA. The United States Department of Labor Occupational Safety and Health Administration.

g. OSHA 30-hour class. A class that includes 30 or more hours in construction industry safety and health that is intended for workers and satisfies the following conditions:

i. Such class is (i) approved by OSHA and conducted in accordance with the OSHA outreach training program or (ii) an equivalent 30 or more hour construction industry safety and health class approved by the Building Department.

ii. Such class consists of in-person training, actively proctored online training or, if such training is conducted before the effective date of this section, online training.

h. OSHA 100-hour class. A class or program that:

i. Includes 100 or more hours of training in technical subjects relating to a construction trade, including an apprenticeship program registered with the New York State Department of Labor; and

ii. Is approved by OSHA, the United States Department of Labor, the New York State Department of Education or the New York State Department of Labor. § 2-9.2(3) Safety Training Required.

i. Site Safety Designee. The Site Safety Designee must have completed an OSHA 100-hour class. On a Major Construction Project, the Site Safety Designee shall use reasonable prudence to ensure that safety is maintained as job conditions dictate and shall complete any tasks required of a Site Safety Designee under this Chapter.

§ 2-9.2(3) Safety Training Required.

a. In addition to any other applicable town, state or federal law or rule, each permit holder:

1. at a Minor Construction Site, shall be responsible for ensuring that each construction or demolition worker employed or otherwise engaged at such site by the permit holder or any person performing work for or on behalf of such permit holder at such site has successfully completed and maintains a current OSHA 30-hour class certificate.

2. at a Major Construction Site, shall be responsible for ensuring that a foreman or designated employee or individual otherwise engaged at such site by the permit holder or any person performing work for or on behalf of such permit holder is designated as a Site Safety Designee. The Site Safety Designee shall be tasked with ensuring that each construction or demolition worker employed or otherwise engaged at such site by the permit holder or any person performing work for or on behalf of such permit holder at the site is in compliance with

section 2-9.2(3)(a)(1) and shall report violations of this Chapter to the Building Department.

b. The Applicant, Permit Holder or any person performing such work on behalf of the permit holder shall certify to the Building Department, in a form and manner established by the Building Department, that the requirements of § 2-9.2(3)(A)(1) and/or § 2-9.2(3)(A)(2) have been met. No permit for construction or demolition work for which training is required pursuant to this section shall be issued or renewed until the applicant has certified that all workers who will be working under such permit will have the requisite training throughout the duration of such permit.

c. The Applicant, Permit Holder or any person performing such work on behalf of the permit holder shall certify that all New York State and OSHA safety requirements and workers compensation and insurance requirements have been met.

d. The Permit Holder shall maintain at such site a daily log that identifies each such worker and that includes, for each such worker, proof of compliance with § 2-9.2(3)(A)(1) and § 2-9.2(3)(A)(2), as applicable. Such logs shall be made available to the Building Department upon request and shall be submitted to the Building Department as a prerequisite to the issuance of a Certificate of Occupancy, Certificate of Completion and/or Certificate of Approval.

#### § 2-9.2(4) Penalties.

a. Any violations of this section by a permit holder shall be punishable by a fine of not less than \$1,000 nor more than \$10,000. Each worker performing work on a construction site covered by this section without required safety training shall constitute a separate additional offense. Each day that the violation continues shall constitute a separate additional offense.

b. For a second offense, committed by a permit holder within a period of five years, such violation shall be punishable by a fine of not less than \$3,000 nor more than \$20,000 or by imprisonment for a period not to exceed 15 days, or both.

c. Permits issued to permit holders found to be in violation of this section may be revoked by the Building Department upon discovery of such violation.

d. The Building Department shall be authorized to issue stop orders for violations of this section. Upon the issuance of a stop order, the owner of the affected property, the permit holder and any other person or contractor performing, taking part in or assisting in the work shall suspend all building activities in violation of this section until the stop order has been rescinded.

#### Section 3.

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

; and be it further

**RESOLVED** that the Town Clerk be and hereby is authorized and directed, in the manner required by law, to file a copy of 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 October 21, 2021, Local Law No. 18 of 2021 was adopted. The Local Law amends Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to ensure the safety of construction sites within the Town by ensuring that workers employed or otherwise engaged at such construction sites have received adequate safety training, and that contractors performing construction work have essential safety training systems to prevent injuries and protect workers who are injured.

**Dated:** Manhasset, New York

October 21, 2021

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

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara

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

Henry Krukowski, being duly sworn, deposes and says that on the 5<sup>th</sup> day of October, 2021, he posted the attached Notice of Hearing to consider the adoption of a local law amending Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to ensure the safety of construction sites within the Town by ensuring that workers employed or otherwise engaged at such construction sites have received adequate safety training, and that contractors performing construction work have essential safety training systems to prevent injuries and protect workers who are injured, at the following locations:

Town Clerk Bulletin Board

Manhasset Post Office

Great Neck Post Office

Port Washington Post Office

Greenvale Post Office

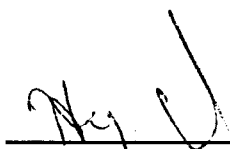
Roslyn Heights Post Office

Albertson Post Office

Carle Place Post Office

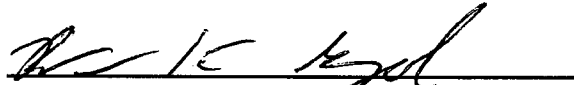
Westbury Post Office

New Hyde Park Post Office

  
Henry Krukowski

Sworn to me this

6<sup>th</sup> day of October, 2021

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

# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No. 0021681545

:SS.:

COUNTY OF ALLEGANY)

The undersigned, being duly sworn, says that such person is a duly authorized custodian of records of Newsday LLC, the publisher of Newsday, a daily newspaper published in Melville, County of Suffolk, State of New York, and circulated in Nassau, Suffolk, and Queens Counties, and that the Legal Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Monday                      October 04, 2021                      Nassau

By: *Clara Woodin*

Clara Woodin

Print Name: \_\_\_\_\_

Authorized Designee of Newsday LLC, Publisher of Newsday

*Sarah Perez*  
Notary Public

**SWORN** to before me this  
5 Day of October, 2021.

**SARAH PEREZ**  
**Notary Public – State of New York**  
**No. 01PE6397402**  
**Qualified in Erie County**  
**My Commission Expires 09/03/2023**



## Ad Content

Legal Notice # 21681545  
NOTICE OF HEARING

PLEASE TAKE NOTICE that, subject to the COVID-19 provisions contained in this notice, a public hearing will be held by the Town Board of the Town of North Hempstead, on the 21st day of October, 2021, at 7:00 P.M. via Zoom, to consider the adoption of a Local Law amending Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to ensure the safety of construction sites within the Town by ensuring that workers employed or otherwise engaged at such construction sites have received adequate safety training, and that contractors performing construction work have essential safety training systems to prevent injuries and protect workers who are injured.

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.

PLEASE TAKE FURTHER NOTICE, that effective immediately, pursuant to a recent change in New York State's Open Meetings Law, and based on the ongoing COVID-19 pandemic, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, Town Board hearings and meetings will be held virtually via videoconferencing, as permitted by the NYS Open Meetings Law. The 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 meeting 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.

Dated: Manhasset, New York  
September 30, 2021

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

## NEWSDAY PROOF

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Advertiser: TOWN OF NORTH HEMP TOWN CLERK



# NEWSDAY AFFIDAVIT OF PUBLICATION

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MANHASSET, NY 11030-2326

STATE OF NEW YORK)

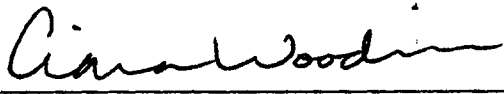
Legal Notice No. 0021685644

:SS.:

COUNTY OF ERIE)

The undersigned, being duly sworn, says that such person is a duly authorized custodian of records of Newsday LLC, the publisher of Newsday, a daily newspaper published in Melville, County of Suffolk, State of New York, and circulated in Nassau, Suffolk, and Queens Counties, and that the Legal Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Sunday                      October 24, 2021                      Nassau

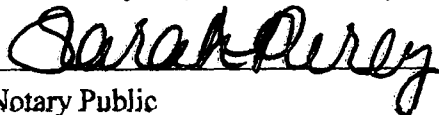
By: 

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

**SWORN** to before me this

27 Day of October, 2021.

  
Notary Public

**SARAH PEREZ**  
Notary Public – State of New York  
No. 01PE6397402  
Qualified in Erie County  
My Commission Expires 09/03/2023

## **Ad Content**

Legal Notice # 21485444  
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 October 21, 2021, Local Law No. 18 of 2021 was adopted. The Local Law amends Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to ensure the safety of construction sites within the Town by ensuring that workers employed or otherwise engaged at such construction sites have received adequate safety training, and that contractors performing construction work have essential safety training systems to prevent injuries and protect workers who are injured.

Date: Manhasset, New York  
October 21, 2021

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

## **NEWSDAY PROOF**

Ad Number: 0021685644

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

MR. WINK: Item 3. A public hearing to consider the adoption of a local law amending Chapter 23 of the Town Code entitled "Governmental Departments."

SUPERVISOR BOSWORTH: So the purpose of the proposed local law is update Article IX of Chapter 23 of the Town Code to account for the pending termination of the town of North Hempstead Solid Waste Management Authority to transfer all the Authority's function to the Town's Department of Solid Waste Management. Mr. Wink, are there any comments?

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

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: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell. I'm going to ask you to unmute, Councilwoman.

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. 574 - 2021**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 23 OF THE TOWN CODE ENTITLED "GOVERNMENTAL DEPARTMENTS."**

**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 23 of the Town Code entitled "Governmental Departments" in order to update Article IX of Chapter 23 of the Town Code to account for the pending termination of the Town of North Hempstead Solid Waste Management Authority and the transfer of all the Authority's functions to the Town's Department of Solid Waste Management; and

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

**WHEREAS**, due notice was heretofore given of a public hearing to be held on the 21st day of October, 2021, 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 October 21, 2021, 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. 19 of 2021 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD  
LOCAL LAW NO. 19 OF 2021**

**A LOCAL LAW AMENDING CHAPTER 23 OF THE TOWN CODE  
ENTITLED "GOVERNMENTAL DEPARTMENTS"**

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

**Section 1. Legislative Intent**

The Town Board finds that the purposes for which the Town of North Hempstead Solid Waste Management Authority was created have been accomplished, and that there are no functions performed by the Authority that cannot be directly performed by the Town. The Town Board also finds that the continued operation and management of the Town of North Hempstead Solid Waste Management Authority imposes additional financial, management and administrative duties and responsibilities upon the Town that are no longer necessary. As such, the Town Board has resolved to terminate, as of January 1, 2022, the corporate existence of the Authority and transfer all operations, employees, assets, liabilities, properties and facilities of the Authority to the Town as provided in Section 2049-c of the Public Authorities Law. As a result of this transfer, the Town Board finds that amendments to Article IX of Chapter 23 of the Town Code are necessary for the Town's Department of Solid Waste Management to administer the Town's solid waste operations, programs, policies, facilities and assets, and to make technical changes to account for the pending termination of the corporate existence of the Authority.

**Section 2.**

Article IX of Chapter 23 of the Town Code is hereby amended as follows:

**§ 23-9 (Reserved)**

**§ 23-9.1 Definitions.**

A. Whenever used in this local law, words used in the singular include the plural and vice versa.

B. As used in this local law, the following terms shall have the meanings indicated:

**ACCEPTABLE WASTE**

**This term shall have the same meaning ascribed to it under Section 46-2 of the Town Code.**  
~~(AUTHORITY the Town of North Hempstead Solid Waste Management Authority.)~~

**COMMISSIONER**

The Commissioner of Solid Waste Management(~~who also serves simultaneously as Executive Director of the Town of North Hempstead Solid Waste Management Authority~~).

**DEPARTMENT**

The Town of North Hempstead Department of Solid Waste Management.

~~(EXECUTIVE DIRECTOR~~

~~The Executive Director of the Authority who shall be responsible for the administration and the day-to-day operations of the Authority and who also serves simultaneously as the Commissioner of Solid Waste Management.~~

~~**LANDFILL CONCESSION AND SOLID WASTE SERVICE AGREEMENT BETWEEN THE TOWN OF NORTH HEMPSTEAD SOLID WASTE MANAGEMENT AUTHORITY AND THE TOWN OF NORTH HEMPSTEAD**~~

~~The agreement dated March 15, 1988, and effective December 31, 1988, authorizing the Town of North Hempstead Solid Waste Management Authority to operate the landfill.)~~

**PORT WASHINGTON LANDFILLS**

**The closed Town of North Hempstead L4 and L5 Landfills located at 802 West Shore Road, Port Washington, New York.**

**RECYCLABLES**

**This term shall have the same meaning ascribed to it under Section 46-2 of the Town Code.**

**SOLID WASTE**

**This term shall have the same meaning ascribed to it under Section 46-2 of the Town Code.**

**SOLID WASTE MANAGEMENT FACILITY**

**This term shall have the same meaning ascribed to it under Section 46-2 of the Town Code.**

**TOWN**

**The Town of North Hempstead, Nassau County, New York.**

**TOWN BOARD**

**The duly elected and constituted legislative body of the Town of North Hempstead.**

**TRANSFER STATION**



**The North Hempstead Transfer Station located at 999 West Shore Road, Port Washington, New York.**

§ 23-9.2 Department established; Commissioner.

**A.** There shall be in the Town of North Hempstead a Department of Solid Waste Management. **The principal executive officer and administrative head of such Department shall be the Commissioner.** The Commissioner (of Solid Waste Management, who) shall be appointed by the Town Board **at such salary as may from time to time be fixed by the Town Board** (~~shall also serve simultaneously as Executive Director of the Town of North Hempstead Solid Waste Management Authority. The Commissioner of Solid Waste Management shall receive no additional compensation for serving as an officer of the Town).~~ The Commissioner (of Solid Waste Management) shall be appointed on the basis of (his)**the individual's** administrative experience and qualifications for the duties of such office and such additional standards as may be required by the Town Board. **The Commissioner shall be the head of the Department with power and authority to appoint and remove officers and employees under his/her jurisdiction in accordance with Civil Service Law and other applicable laws. The Commissioner may appoint one exempt Deputy Commissioner. The Deputy Commissioner may act generally for the Commissioner in the absence of the Commissioner.**

**B.** **Before entering upon the duties of office, the Commissioner shall execute and file with the Town Clerk an official undertaking, if the same is required by the Town Board, in such sum as is prescribed by the Town Board and in such form as is approved by the Town Attorney.**

§ 23-9.3 Powers **and Duties** of Commissioner **and Department**; ~~departmental organization.~~

**A.** The Commissioner shall have such powers **and duties** as described in this Article and Chapter 46 of the Code (and, together with the Town Board, shall be responsible for discharging the Town's obligations under the service agreement and applicable provisions of law).

**B.** **The Department shall have the powers and duties described in Chapter 46 of the Town Code as well as the following powers and duties:**

**(1)** **The Department shall have the primary responsibility, power and duty to develop, administer and enforce efficient and environmentally sound solid waste management practices in the Town. Such responsibility, power and duty shall include but not be limited to:**

**(a)** **The power to collect, receive, extract, transport, process, dispose of, sell, store, convey, recycle and deal with, in any lawful manner and way, solid waste**

and any products or by-products thereof now or hereafter developed or discovered, including any energy generated by the operation of any facility on such terms and in such manner as the Town may deem proper;

(b) To collect or receive from the United States, the state, the Town, any other municipality or public corporation or person solid waste for the purpose of treatment or disposal thereof, with the authority to sell and dispose of any products or by-products, including energy, of such process of treatment or disposal, as the Town may deem proper;

(c) Subject to the approval of the Town Board, to contract with other municipalities, state agencies, public corporations or persons, for the purpose of collecting, receiving, treating and disposing of solid waste, including, without limitation, to contract with municipalities, state agencies, public corporations or persons for the delivery of all solid waste generated within a stated area to a specific facility;

(d) The power and duty to investigate and develop methods, practices and facilities for efficient and environmentally sound solid waste management which will satisfy the requirements of the applicable law and will meet the needs of the Town and its residents now and in the future, including, without limitation, the need to conserve and make efficient use of the Town's landfill;

(e) The power to recommend to the Town Board the locations of solid waste management facilities in the Town, subject to Town Board approval, to establish and maintain Town solid waste management facilities, including those for resource recovery and source separation;

(f) The power and duty to operate and manage the Town's Transfer Station and the Town's Port Washington Landfills and other solid waste management facilities owned and operated by the Town and not under the jurisdiction of the Department of Public Works or the Department of Parks and Recreation to obtain and insure disposal of solid waste, and to perform all tasks related to the efficient operation of the Town's solid waste management facilities described above as may be required by determination of the Commissioner;

(g) The power to prohibit or restrict the types of waste, including but not limited to hazardous waste, bulk items, yard clippings, leaves, tree limbs and branches, brush, automobile and truck tires and construction and demolition debris, which may be managed at a particular solid waste management facility;

(h) The power to adopt and promulgate, amend and repeal rules and regulations necessary to implement the foregoing powers and duties;

(i) The power and duty to educate residents, by whatever necessary and appropriate means, concerning resource recovery goals and projects, including source separation, which the Department may develop;

**(j) The Department will have the responsibility for servicing and maintenance of all equipment, facilities and motor vehicles, used by the Department.**

**(2) The Department shall have the power to enforce and seek penalties for violation of any provision of this article or any Department rule or regulation adopted or promulgated hereunder.**

§ 23-9.4 Special costs and expenses.

All costs and expenses incurred by the Department or its officers or employees on behalf of a special improvement district or special Town project shall be charged against such district or project and paid from the funds duly appropriated for the purpose of such district or project.

§ 23-9.5 Powers of Supervisor.

Nothing herein contained shall be construed to delegate or transfer any power of the Town Supervisor contained in §§ 29, 52 and 125 of the Town Law of the State of New York or any other powers which may be lawfully exercised by said Supervisor.

§ 23-9.6 Fees.

The Commissioner may establish, subject to Town Board approval, a schedule of fees to be collected by ~~(him)~~**the Commissioner** for services rendered in connection with the work of ~~(his)~~**the Department** and for which ~~(he)~~**the Commissioner** deems it necessary to charge and to collect a fee therefor. **Without limiting the foregoing, the Town Board, on the recommendation of the Commissioner and subject to the provisions of Chapter 46 of the Town Code, may fix and collect rates, rentals, fees and other charges for disposal of Acceptable Waste and Recyclables at the Town's Transfer Station and the use of the facilities of, or services rendered by, or any commodities furnished by, the Department so as to provide revenues sufficient to pay, as the same shall become due, the expenses of operating and maintaining the properties of the Town under the administration of the Department and any and all other activities of the Department.**

§ 23-9.7 Severability.

If any section, provision or part thereof in this local law shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, then such adjudication shall not affect the validity of the local law as a whole or any section, provision or part thereof not so adjudged invalid or unconstitutional.

§ 23-9.8 When effective.

This local law shall be effective immediately upon filing with the Secretary of State.

**Section 3.**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this article or in its application to the person or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

#### **Section 4.**

This Local Law shall take effect on January 1, 2022.

; and be it further

**RESOLVED** that the Town Clerk be and hereby is authorized and directed, in the manner required by law, to file a copy of 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 October 21, 2021, Local Law No. 19 of 2021 was adopted. The Local Law amends Chapter 23 of the Town Code entitled "Governmental Departments" in order to update Article IX of Chapter 23 of the Town Code to account for the pending termination of the Town of North Hempstead Solid Waste Management Authority and the transfer of all the Authority's functions to the Town's Department of Solid Waste Management.

**Dated:** Manhasset, New York

October 21, 2021

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

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara



# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No. 0021681560

:SS.:

COUNTY OF ALLEGANY)

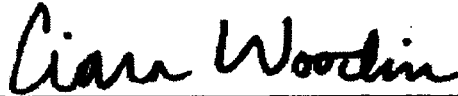
The undersigned, being duly sworn, says that such person is a duly authorized custodian of records of Newsday LLC, the publisher of Newsday, a daily newspaper published in Melville, County of Suffolk, State of New York, and circulated in Nassau, Suffolk, and Queens Counties, and that the Legal Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Monday

October 04, 2021

Nassau

By:

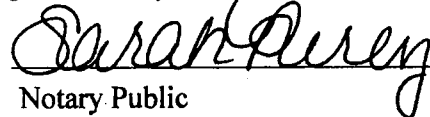


Ciara Woodin

Print Name:

Authorized Designee of Newsday LLC, Publisher of Newsday

**SWORN** to before me this  
5 Day of October, 2021.

  
Notary Public

**SARAH PEREZ**  
Notary Public – State of New York  
No. 01PE6397402  
Qualified in Erie County  
My Commission Expires 09/03/2023

## **Ad Content**

**Legal Notice # 21681560**

### **NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that, subject to the COVID-19 provisions contained in this notice, a public hearing will be held by the Town Board of the Town of North Hempstead, on the 21st day of October, 2021, at 7:00 P.M. via Zoom, to consider the adoption of a Local Law amending Chapter 23 of the Town Code entitled "Governmental Departments" in order to add powers, duties and additional provisions to the Department of Solid Waste Management to account for the pending termination of the Town of North Hempstead Solid Waste Management Authority.

**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.

**PLEASE TAKE FURTHER NOTICE**, that effective immediately, pursuant to a recent change in New York State's Open Meetings Law, and based on the ongoing COVID-19 pandemic, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, Town Board hearings and meetings will be held virtually via videoconferencing, as permitted by the NYS Open Meetings Law. The 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 meeting 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.

Dated: Manhasset, New York

September 30, 2021

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

## **NEWSDAY PROOF**

**Ad Number: 0021681560**

**Advertiser: TOWN OF NORTH HEMP TOWN CLERK**





# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No. 0021685646

:SS.:

COUNTY OF ERIE)

The undersigned, being duly sworn, says that such person is a duly authorized custodian of records of Newsday LLC, the publisher of Newsday, a daily newspaper published in Melville, County of Suffolk, State of New York, and circulated in Nassau, Suffolk, and Queens Counties, and that the Legal Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Sunday                      October 24, 2021                      Nassau

By: Ciara Woodin

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

**SWORN** to before me this

27 Day of October, 2021.

Sarah Perez  
Notary Public

**SARAH PEREZ**  
**Notary Public – State of New York**  
**No. 01PE6397402**  
**Qualified in Erie County**  
**My Commission Expires 09/03/2023**

**Ad Content**

**Legal Notice # 21685646**  
**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 October 21, 2021, Local Law No. 19 of 2021 was adopted. The Local Law amends Chapter 23 of the Town Code entitled "Governmental Departments" in order to update Article IX of Chapter 23 of the Town Code to account for the pending termination of the Town of North Hempstead Solid Waste Management Authority and the transfer of all the Authority's functions to the Town's Department of Solid Waste Management.  
Date: Manhasset, New York  
October 21, 2021  
BY ORDER OF THE TOWN  
BOARD OF  
THE TOWN OF NORTH  
HEMPSTEAD  
WAYNE N. WINK, JR.  
TOWN CLERK

**NEWSDAY PROOF**

**Ad Number: 0021685646**

**Advertiser: TOWN OF NORTH HEMP TOWN CLERK**

MR. WINK: Item 4. A public hearing to consider the adoption of a local law, Chapter 46 of the Town code and entitled sanitation.

SUPERVISOR BOSWORTH: So the purpose of the proposed local law is to update Chapter 46 of the Town code and to add provisions to aid in enforcement of Chapter 46 and to make technical changes to account for the pending termination of the town of North Hempstead Solid Waste Management Authority and the transfer of all the Authority's functions to the town's Department of Solid Waste Management. Mr. Wink, are there any comments?

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

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: 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. 575 - 2021**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 46 OF THE TOWN CODE ENTITLED "SANITATION."**

**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 46 of the Town Code entitled "Sanitation" in order to aid in enforcing the provisions of the Town Code, as well as make technical amendments to account for the pending termination of the Town of North Hempstead Solid Waste Management Authority; and

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

**WHEREAS**, due notice was heretofore given of a public hearing to be held on the 21st day of October, 2021, 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 October 21, 2021, 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. 20 of 2021 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD  
LOCAL LAW NO. 20 OF 2021**

**A LOCAL LAW AMENDING CHAPTER 46 OF THE TOWN CODE  
ENTITLED "SANITATION"**

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

**Section 1. Legislative Intent**

The Town Board finds that the requirement that all waste generated within the Town of North Hempstead, including construction and demolition debris, be brought to a publicly-owned disposal facility designated by the Town's Commissioner of Solid Waste Management, and that all waste collectors be licensed by the Town, promotes the proper disposal of waste in a regulated manner and provides the Town with the resources necessary to engage in recycling, waste reduction and hazardous waste collection programs that are beneficial both to the Town's residents as well as the environment at large. In addition, the Board finds that improper collection of source-separated recyclables so that recyclables are mixed with other forms of waste contaminates those recyclables and defeats the purpose of recycling. In order to enforce the provisions of Chapter 46 of the Town Code entitled "Sanitation" and these important goals, the Department of Solid Waste Management requires additional tools in the form of code provisions to clarify requirements of the Town Code controlling the flow of waste in the Town and how waste must be collected in the Town. In addition, certain technical changes are required to be made to Chapter 46 to account for the pending dissolution of the Town of North Hempstead Solid Waste Management Authority. As such, the Board finds it necessary to amend Chapter 46 of the Town Code.

**Section 2.**

Chapter 46 of the Town Code is hereby amended as follows:

**ARTICLE I GENERAL REGULATIONS  
§ 46-1 Title**

This chapter shall be known as the "Sanitation Code of the Town of North Hempstead."

## § 46-2 Definitions

For the purpose of this chapter, the terms used herein are defined as follows:

### ACCEPTABLE WASTE

All Solid Waste generated and collected in the Town that the Commissioner deems acceptable for disposal at a Solid Waste Management Facility, except for Recyclables, Hazardous Waste or Unacceptable Waste.

### ~~(AUTHORITY~~

~~The Town of North Hempstead Solid Waste Management Authority.~~

### ~~AUTHORITY AGREEMENT~~

~~The Landfill Concession and Solid Waste Service Agreement dated as of March 15, 1988, between the Authority and the Town, amended from time to time.)~~

### BOTTLES

Containers made of Glass that formerly contained only food or beverages.

### BULKY ITEMS

Items that may be too large to fit into standard household trash cans or are typically not collected as part of weekly trash collections, such as small household appliances and housewares (microwaves, toasters, irons, pots and pans); painted, laminated and treated wood, including lumber under four feet in length and under 25 pounds, and plywood; furniture (wooden and upholstered); mattresses; textiles; bulky plastics; packing materials; insulation; office equipment; and small machinery, generated within the Town and which have been discarded or rejected as being spent, useless, worthless or in excess to the owners at the time of such discard or rejection, having served their intended use.

### BULKY SCRAP METALS

White goods (stoves, refrigerators, washing machines, dishwashers and hot water heaters), outdoor metal furniture, recognizable, uncontaminated metal vehicle parts, metal pipes, bed frames, metal sheds and other large metal objects, generated within the Town and which have been discarded or rejected as being spent, useless, worthless or in excess to the owners at the time of such discard or rejection, having served their intended use.

### CANS

Containers made of aluminum, tin or steel that contained only food or beverages.

### COLLECT

The activity of picking up, gathering or loading of Solid Waste.

### COLLECTOR

Each such individual or carting company (authorized by valid license issued by the Commissioner to collect, pick up, remove or cause) **engaged in the business of**

**collecting, picking up, removing or causing** to be collected, picked up or removed any Acceptable Waste and Recyclables generated within the Town and placed at Curbside for collection.

[Amended 4-6-2010 by L.L. No. 2-2010]

#### COMMERCIAL

Any person, company, corporation, partnership or other entity engaged in a business for profit.

#### COMMERCIAL WASTE

Acceptable Waste generated by stores, offices, institutions, restaurants, warehouses and nonmanufacturing activities at industrial facilities.

#### COMMINGLED

Source-Separated, nonputrescible, noncontaminated Recyclables that have been placed in the same container.

#### COMMISSIONER

The Commissioner of the Department of Solid Waste Management of the Town of North Hempstead (~~who also serves simultaneously as Executive Director of the Town of North Hempstead Solid Waste Management Authority~~).

#### CONSTRUCTION AND DEMOLITION DEBRIS

Uncontaminated Solid Waste resulting from the construction, remodeling, repair or demolition of structures and roads. Such waste includes, but is not limited to, bricks, concrete and other masonry materials, soil, rock, wood, wall coverings, plaster, drywall, plumbing fixtures, nonasbestos insulation, roofing shingles, asphaltic pavement, Glass, plastics that are not sealed in a manner that conceals other wastes, electrical wiring and components containing no Hazardous Waste and metals that are incidental to the above. Solid waste that is not Construction and Demolition Debris (even if resulting from the construction, remodeling, repair or demolition of roads) includes, but is not limited to, asbestos waste, garbage, corrugated paper, electrical fixtures or components (such as fluorescent light ballasts or transformers) that contain hazardous substances, carpeting, furniture, appliances, tires, drums and containers and fuel tanks. Specifically excluded from the definition of "Construction and Demolition Debris" is Solid Waste resulting from any processing technique, other than that employed at a construction and demolition processing facility, that renders individual waste components unrecognizable, such as pulverizing or shredding.

#### CONTAINER

Any portable device in which material is stored, transported, treated, disposed of or otherwise handled.

#### CONTROLLED SUBSTANCE

Any substance or substances listed in New York State Public Health Law § 3306, as amended, and Section 812 of Title 21 of the United States Code, codified as 21 U.S.C. § 812, as amended, the Controlled Substances Act.



**CORRUGATED PAPER**

All corrugated cardboard normally used for packing, mailing or shipping of goods or other material, but shall not mean wax-coated or soiled cardboard.

**CURBSIDE**

The location within five feet from the public or private street or, in the case of a commercial generator utilizing a private collection contract, other (designated) area designated by the owner or tenant of the property at which Acceptable Waste or Recyclables (may be set out for collection by a Collector) is collected that is used by a Collector to collect Acceptable Waste and Recyclables. Locations qualifying as "curbside" may include, but shall not be limited to, at the street- or garage-end of driveways, at rear or side doors, within parking lots, behind commercial or industrial buildings or along commercial or industrial buildings.

[Amended 4-6-2010 by L.L. No. 2-2010]

**CURBSIDE RECYCLING PROGRAM**

The program established pursuant to § 46-11 of this chapter.

**DEBRIS BAG**

A plastic or fabric bag greater than two (2) cubic yards in volume purchased by a resident either on the internet or at a home improvement or hardware store for the purpose of placement at a residence, depositing therein household Acceptable Waste other than municipal solid waste and scheduling the bag for collection by a Collector. Merely for illustration and without limiting the applicability of the foregoing, common examples of a Debris Bag are bags known as "Bagster," "Green Bag," and "Yellowsack."

**DEPARTMENT**

The Town of North Hempstead Department of Solid Waste Management.

**DUMPSTER CONTAINER**

A container used for the purpose of temporarily holding Construction and Demolition Debris, Solid Waste, Commercial Waste or Recyclables and which generally ranges in size from 1/2 cubic yard to 40 cubic yards.

**ECONOMIC MARKETS**

Instances in which the full avoided costs of proper collection, transportation and disposal of Source-Separated materials are equal to or greater than the cost of collection, transportation and sale of the materials less the amount received from the sale of the material.

**GLASS**

All clear (flint), green and brown (amber) colored Glass containers, crystal, ceramics and plate, window, laminated or mirrored Glass, excluding wired Glass.

**HAZARDOUS WASTE**

Waste that appears on a list or satisfies the criteria promulgated under § 27-0903 of the New York State Environmental Conservation Law and/or Section 1004 of the

Federal Resource Conservation and Recovery Act of 1976, as amended, or which any governmental agency or unit having appropriate jurisdiction or the Commissioner shall determine to be harmful, toxic, dangerous or ineligible for disposal at any Solid Waste Management Facility located within the Town, which shall include but not be limited to a Solid Waste or a combination of Solid Wastes that, because of its quantity, concentration or physical, chemical or infectious characteristics, may:

- A. Cause or significantly contribute to an increase in mortality or an increase in serious, irreversible or incapacitating, reversible illness.
- B. Pose a substantial present or potential hazard to human health or the environment when it is improperly treated, stored, transported, disposed of or otherwise managed.

#### HOUSEHOLD HAZARDOUS WASTE

Household waste that, but for its point of generation, would be a Hazardous Waste.

#### HOUSEHOLD WASTE

Solid Waste discarded from single or multiple dwellings, hotels, motels, campsites, public and private recreation areas and other residential sources.

#### LANDFILL

A disposal facility at which Solid Waste or its residue after treatment is intentionally placed and at which such waste shall remain after closure.

#### LICENSEE

Any Collector licensed pursuant to the provisions of this chapter.

#### MULTIRESIDENTIAL COMPLEX

Four or more residential units located on a single property or contiguous properties under common ownership, control or management. For this purpose, "residential unit" shall mean an enclosed space consisting of one or more rooms designed for use as a separate residence and shall include, but not be limited to, an apartment, condominium unit, townhouse, cooperative unit, mobile home, living unit in a group home and room or set of rooms in a boardinghouse, but shall not include rooms within a single-family residence, motel or hotel.

#### MUNICIPALITY

Any municipal corporation, agency, school district, district corporation, special district or improvement district located or having jurisdiction, in whole or in part, within the confines of the Town.

#### NEWSPAPER

Newsprint and all Newspapers and Newspaper advertisements, supplements, comics and enclosures. "Newspaper" is a Recyclable.

#### PAPER

All office paper, fine paper, bond paper, xerographic paper, mimeo paper, duplication paper, magazines, paperback books, catalogs, junk mail, computer paper, telephone books and similar material, but shall not mean Newspaper, wax paper, plastic or foil-coated paper, styrofoam, wax-coated food or beverage containers, carbon paper, blueprint paper, food-contaminated paper or corrugated paper.

**PERSON**

Any natural person, individual, partnership, corporation, association, joint venture, corporation form, trust, estate or any other legal entity, including a municipality.

**PHARMACEUTICAL DRUGS**

Any over-the-counter medication or any preparation, compound, mixture or substance that requires a prescription or any Controlled Substance that is obtained with a prescription that permits a person to lawfully obtain a Controlled Substance from any person authorized to dispense Controlled Substances.

**PLASTIC CONTAINERS**

Containers composed of high-density polyethylenes (HDPE), polyethylene terephthalate (PET) or other specific plastics as the Town Board may designate.

**POLLUTANTS**

Includes but are not limited to aerosol cans; air-conditioning refrigerants; ammonia and solid bowl cleaner; antifreeze; asbestos; bug and rodent killers, including pesticides which have been banned or restricted for use such as 2, 4-D; bleach and disinfectants; chemistry kits; drain cleaners and degreasers; fertilizers with herbicides; household batteries; mercury products; nonlatex paints; paint thinner and brush cleaner; permitted aerosol containers; Pharmaceutical Drugs; photography chemicals; polishes and wood preservatives; swimming pool chemicals; spot removers and other solvents; unused oven cleaners; unused flammable liquids (fire starter); and weed killers.

**RECYCLABLE**

Any physical material designated by this chapter, the Commissioner, the Town Board from time to time (~~or by the Authority's bylaws~~), or by any municipality pursuant to the implementation of a recycling program adopted by such municipality, to be segregated from acceptable waste without otherwise processing such Acceptable Waste.

"Recyclable" includes Bottles, Cans and Plastic Containers.

**RESIDENT**

Any Person residing within the Town on a temporary or permanent basis, but excluding Persons residing in hotels or motels. For purposes of this chapter, "resident" does not include Commercial, industrial or institutional establishments.

**SOLID WASTE**

All putrescible and nonputrescible materials or substances, including but not limited to materials or substances discarded or rejected, whether as being spent, useless, worthless or in excess to the owners at the time of such discard or rejection or for any other reason, which are being accumulated, stored or physically, chemically or biologically treated prior to being discarded; have served their intended use; or are a manufacturing or mining by-product, including but not limited to garbage, Recyclables, Bulk Items, refuse and other discarded solid materials, including such materials resulting from industrial, Commercial, mining and agricultural operations and from community activities, sludges from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, contained gaseous material, incinerator residue, demolition and construction debris and offal, but not including sewage and other highly diluted water-carried materials or substances and those gaseous forms, special nuclear or by-product materials within the meaning of the Atomic Energy Act of

1954, as amended, and waste that appears on the list of Hazardous Wastes promulgated by the Commissioner of Environmental Conservation pursuant to § 27-0903 of the Environmental Conservation Law.

#### SOLID WASTE MANAGEMENT FACILITY

Any facility employed beyond the initial Solid Waste collection process, including but not limited to transfer stations, baling facilities, rail haul or barge haul facilities, processing systems, including resource recovery facilities or other facilities for reducing Solid Waste volume, facilities for the disposal of Construction and Demolition Debris, plants and facilities for compacting, composting or pyrolyzation of Solid Wastes, and other Solid Waste disposal, reduction or conversion facilities.

#### SOURCE-SEPARATE

The segregating of Solid Waste into some or all of its component parts at the point of its generation and includes the segregation of Recyclables from the Solid Waste stream.

#### TOWN

The Town of North Hempstead, Nassau County, New York.

#### TOWN BOARD

The duly elected and constituted legislative body of the Town of North Hempstead.

#### UNACCEPTABLE WASTE

That portion of Solid Waste, excluding Hazardous Waste, designated by the Commissioner, in writing, as being unacceptable for treatment at the Solid Waste Management Facility, which designation may include, without limitation, explosives, pathological and biological waste, medical waste, radioactive materials, foundry sand, sewage sludge, cesspool and other human waste, human remains and animal carcasses, motor vehicles, including such major motor vehicle parts as automobile transmissions, differentials, springs, fenders, agricultural and farm machinery and equipment, marine vessels and major parts thereof or any other large machinery or equipment.

#### VILLAGE

Any village located, in whole or in part, within the Town.

#### YARD WASTE

Organic yard and garden waste, leaves, grass clippings, garden debris and brush.

#### YARD WASTE ACCEPTANCE AND PROCESSING FACILITY

A facility in which the primary activity is the collection and processing of yard wastes for sorting and transfer to permitted composting centers or other types of permitted organic recycling facilities.

#### § 46-3 Adoption of rules and regulations

The Town Clerk and the Commissioner shall adopt such rules and regulations as may be necessary to effectuate the purposes of this chapter, including such regulations as may provide for interim exemptions from certain provisions of this chapter to Persons applying for licenses hereunder.

#### § 46-4 Licensing

A. License required for the collection and/or disposal of Solid Waste.

(1) The following Persons, excluding any Village as described in Subsection A(5) below, shall be required to obtain a license for the collection and/or disposal of Acceptable Waste and/or Recyclables pursuant to this section:

(a) Persons in the business of collecting and/or disposing of Acceptable Waste and/or Recyclables (~~other than the Authority~~) or Persons acting pursuant to contracts with the (~~Authority~~) **Town for transportation of Acceptable Waste, Yard Waste and Recyclables from the North Hempstead Transfer Station to another disposal location.**

(b) Persons engaged in the collection and/or disposal of Acceptable Waste and/or Recyclables as an accessory to their business, **which includes, but is not limited to, persons performing construction, demolition, improvement, renovation or repair projects on any property within the Town during which Acceptable Waste is generated; owners or tenants of commercial properties that themselves dispose of Commercial Waste generated at the commercial property; or persons engaged in any other commercial activity during which Acceptable Waste is generated as a result of the activity.**

(c) Commercial establishments that dispose of their own Acceptable Waste and/or Recyclables.

(2) All Collectors (~~shall be licensed under this section~~) **must obtain a license under this section and maintain such license at all times the Collector is performing any of the actions described in subsection (1) above.**

(3) In addition to obtaining a license as herein provided, each licensed Person shall be required to obtain a permit for each vehicle, compactor, Dumpster Container or open box used by the licensed Person for the collection and/or disposal of Acceptable Waste and Recyclables in the Town and shall be required to display the permit on each vehicle, compactor, Dumpster Container or open box as required by the rules and regulations promulgated by the Commissioner.

(4) Commercial property owners, as well as a tenant, managing agent or merchant making arrangements for the collection of Solid Waste from Commercial property, are responsible for ensuring that such waste is collected by a licensed carter. No Commercial property owner, tenant, managing agent or merchant shall contract for the collection of Acceptable Waste or Recyclables with any Person or entity unless such Person or entity has the license required by this chapter, nor shall any such owner, tenant, managing agent or merchant permit a Dumpster Container or other container used for the collection of Acceptable Waste or Recyclables to be present on its property unless such Dumpster Container or other container has displayed on an exterior side the name, phone number and Town of North Hempstead license number of the licensed carter with whom it has contracted for the collection of waste.

(5) Villages which engage in the collection of Acceptable Waste and/or Recyclables utilizing Village-owned or -leased and -operated vehicles are not required to be licensed but shall provide any information reasonably required pursuant to any

rules or regulations promulgated by the Commissioner for any such Village's use of the (Authority's) Town's Solid Waste Management Facilities.

B. Licenses shall be classified as Type I collection/disposal, Type IR collection/disposal, Type II collection/disposal, Type III collection/disposal, Type IV disposal licenses, and Type V collection/disposal license depending upon the status and/or type of business of the applicant. The Commissioner shall determine which type of license is applicable.

(1) Type I collection/disposal license. Applicants who are in the business of collecting and/or disposing of Acceptable Waste and Recyclables generated by others are required to have a Type I collection/disposal license to engage in such collection or disposal within the Town. Such Persons include but are not limited to private carting companies and companies and businesses that provide dumpster services.

(2) Type IR collection/disposal license.

(a) Applicants who are engaged in the business of collecting only Source-Separated Recyclables pursuant to contracts with owners or tenants of property are required to obtain a Type IR collection/disposal license to engage in such collection or disposal within the Town.

(b) The holder of a Type IR license may collect materials such as corrugated paper, high-grade paper and Construction and Demolition Debris which has been Source-Separated and placed into a separate container for collection and recycling or reuse and which will be recycled or reused. Each container used must be plainly marked as being for Recyclables only and may not be used for nonrecyclables. The holder of a Type IR license may not collect any container with nonrecyclables or mixed loads, even if the predominant material in such container is one or more Recyclables.

(3) Type II collection/disposal license. Applicants who are engaged in the collection and/or disposal of Acceptable Waste and Recyclables only as an accessory to their business are required to obtain a Type II collection/disposal license to engage in such collection or disposal within the Town. Such Persons include but are not limited to landscaping businesses and home improvement companies.

(4) Type III disposal license. Commercial establishments, other than those specifically excepted by the Commissioner, which dispose of their own Acceptable Waste and/or Recyclables are required to obtain a Type III disposal license.

(5) Type IV disposal license. Charitable, fraternal and religious organizations which maintain established meeting places within the incorporated or unincorporated areas of the Town of North Hempstead shall also qualify for a Type IV license and not-for-profit property owners' associations operating principally within the Town of North Hempstead.

(6) Type V collection/disposal license. Applicants who are engaged in accepting and processing yard waste (as the term is defined by Section 70-231 of the Town Code) are required to obtain a Type V collection/disposal license. A Type V collection/disposal license is a prerequisite to obtaining a permit from the New York

State Department of Environmental Conservation. Any applicant holding a Type V collection/disposal license shall comply with the following regulations:

(a) No Yard Waste Acceptance and Processing Facility shall be operated unless it has obtained a permit pursuant to Section 46(4)(C) of this Chapter and is in compliance with the terms thereof, this section, and any other applicable law, rule, or regulation.

(b) A Yard Waste Acceptance and Processing Facility shall be operated and maintained in a safe and sanitary manner so as to avoid any nuisance or hazard to public health or safety, and in a manner consistent with the approved site and operating plan.

(c) The Yard Waste Acceptance and Processing Facility shall be operated and maintained in a manner consistent with the site plan submitted to the (Authority)**Department**.

(d) The Yard Waste Acceptance and Processing Facility shall be operated and maintained in a manner consistent with the engineer's report submitted to and approved by the (Authority)**Department**.

(e) Rules and Operations of a Yard Waste Acceptance and Processing Facility License.

[1] The Licensee shall comply with the provisions of Section 70-188 of the Town Code when operating a Yard Waste Acceptance and Processing Facility.

[2] The Licensee shall prohibit any yard waste transport vehicle required to be licensed or permitted pursuant to Section 46(4) of this Subsection from depositing yard waste or removing yard waste from the Yard Waste Acceptance and Processing Facility, unless the yard waste transport vehicle is appropriately licensed or permitted.

[3] Entrance into or exit from the Yard Waste Acceptance and Processing Facility by a yard waste transport vehicle shall be permitted only when an attendant or vehicle guide person is on duty. The loading or unloading of any yard waste transport vehicle shall be continuously supervised by an attendant or vehicle guide person to avoid unauthorized deposit or removal of yard waste and injury to persons in or around such station.

[4] The Licensee shall regularly schedule and provide equipment maintenance.

[5] The Licensee shall maintain operational records including, but not limited to the documentation of all incoming and outgoing yard waste materials accepted at the Yard Waste Acceptance and Processing Facility, contaminants removed and the final destination and disposition of all outgoing yard waste and contaminants.

[6] Within three hours of when operations at the facility have terminated, the tipping area of all Yard Waste Acceptance and Processing Facilities shall be free of yard waste and any contaminants and the tipping floor shall have been thoroughly cleaned, swept, washed and deodorized.

[7] Waste shall be received, processed, compacted and stored only in areas specifically designation.

[8] Storage of any and all equipment used in the operation of the yard waste recycling facility shall be in accordance with Section 70-212 of the Code.

[9] Noise levels generated by the operation of the Yard Waste Acceptance and Processing Facilities must be controlled in accordance with Section 38-3(B)(7)(a)(1).

[10] Mufflers are required on all internal combustion-powered equipment used at the Yard Waste Acceptance and Processing Facility and Tier 4 compliant emission controls.

[11] A sign showing hours of operation, indicating hazardous waste, industrial waste, medical waste, liquid waste, and asbestos waste are prohibited from being accepted at the facility, the type of permits held by the facility, the expiration date of its permits to operate and the (Authority's) **Department's** complaint telephone number. The signs shall be located so that they are visible to any vehicles and/or person approaching the facility.

[12] The Licensee shall prevent litter or waste from accumulating on the streets or other areas abutting the Yard Waste Acceptance and Processing Facility.

[13] The allowable volume at any Yard Waste Acceptance and Processing Facility shall be calculated by the (Authority) **Department** and shall be based on the storage capacity (estimated in total cubic yardage) of the yard waste acceptance and processing facilities. In no event shall such allowable volume exceed that granted by the New York State Department of Environmental Conservation.

[14] Effective January 1, 2020, The Yard Waste Acceptance and Processing Facility may only accept yard waste from landscapers licensed by the Town of North Hempstead pursuant to Chapter 38A of the Town Code, unless the yard waste is being delivered by a municipal agency using its own forces.

C. License procedure. Every applicant shall file a written verified application with the Town Clerk in such form and containing such information as the Town Clerk shall prescribe. Such information may include a list of the customers of the applicant, a list and map of the routes of the applicant, the volume of waste collected by it, the identity and relevant information as to the officers, partners and shareholders of an applicant, and the name of any affiliated or related companies engaged or formerly engaged in waste collection.

D. Insurance and deposit. Before a license or permit may be issued by the Town Clerk, each applicant other than a municipality applying for a collection/disposal or disposal license shall file with the Town Clerk the following:

(1) Proof of the following insurance coverage consisting of a certificate of the insurance carrier:

(a) Workers' compensation insurance.

(b) Disability benefits insurance.



(c) Comprehensive general liability/property damage in the combined single limit of, for Type I Licensees, \$5,000,000, or for other licensees, \$1,000,000, naming the Town ~~(and the Authority)~~ as additional insured.

(d) Automobile bodily injury liability of, for Type I Licensees, \$1,000,000 (per person)/\$1,000,000 (per accident), or for other licensees, \$1,000,000 (per Person)/\$1,000,000 (per accident), and \$1,000,000 property damage.

(e) Certificate cancellation requiring 30 days' written notice to the Town Clerk.

(2) Cash deposit or bond.

(a) A cash deposit or a bond from a surety company that meets the following two criteria:

[1] The company must be an admitted carrier in the State of New York.

[2] The company must have a New York State admitted carrier holding of an "A" rating from AM Best Company or equivalent.

(b) The cash deposit or bond must be in an amount equal to 250% of the average monthly charges for use of a Solid Waste Management Facility by the applicant during the previous year; or if the applicant has not used a Solid Waste Management Facility, the cash deposit or bond shall be in the amount of 250% of the estimated monthly charges to be incurred by the applicant during the current year. The Commissioner or Town Clerk may reduce the amount of the cash deposit or bond required if an applicant demonstrates that it will not have, during the licensing year, contracts for the collection of waste which it held during the prior year and has not obtained other contracts to substantially replace the lost waste. The Commissioner or the Town Clerk may eliminate the amount of the cash deposit or bond required, in the form of a bond waiver, if an applicant demonstrates that its corporation, limited-liability company, partnership and/or sole proprietorship is not in the collection of any Acceptable Waste currently mandated pursuant to this article, to be delivered and disposed of at a publicly owned Solid Waste Management Facility designated by the Commissioner. The Commissioner and Town Clerk reserve the right to suspend or revoke this bond waiver in the event that the previously exempted Acceptable Waste is subsequently required to be delivered and disposed of at a publicly owned Solid Waste Management Facility designated by the Commissioner pursuant to this article. A bond waiver in a format acceptable to the Town must be completed by the applicant and approved by either the Commissioner or the Town Clerk. The Commissioner or Town Clerk may ~~(also)~~ require a Licensee to increase its cash deposit or bond during a year to 250% of a monthly charge if it incurs charges in any single month in excess of 40% of the amount of its cash deposit or bond. Notwithstanding the foregoing, the minimum cash deposit or bond shall be in the amount of \$20,000 for a Type I collection/disposal license, \$5,000 for a Type IR collection/disposal license and \$3,000 for Type II and Type III collection/disposal licenses. No deposit will be required from applicants for Type IV disposal licenses.

[Amended 4-6-2010 by L.L. No. 2-2010]

[1] In the event that a penalty is assessed pursuant to the provisions of this chapter, the Commissioner or Town Clerk may deduct the amount of such penalty from the cash deposit.

[2] The Licensee must maintain the required cash deposit or bond at all times, and failure to maintain said cash deposit or bond after three days' notice and demand will allow the Town Clerk to suspend such Person's license. The Town Clerk shall also be entitled to suspend the license of any Licensee which is more than 30 days late on payment of any bill for disposal from the (Authority)Department.

E. Every Licensee shall keep such records and accounts as the Commissioner shall require and shall provide the Commissioner with such reports upon a form supplied by the Commissioner.

F. The Commissioner or Town Clerk shall have the right to inspect books of account and records maintained by the Licensee.

G. Issuance of licenses and permits.

(1) Licenses and permits required by this Chapter shall be issued by the Town Clerk following a review and approval of an application and upon payment by the application of a fee in accordance with the fee schedule set forth below:

(a) Fee for Type I collection/disposal license. The fee for a Type I collection/disposal license shall be shown in the Town of North Hempstead Fee Schedule, which will include a permit for one vehicle. For each additional vehicle used by the applicant in the collection, transportation or disposal of Acceptable Waste, the permit fee shall be shown in the Town of North Hempstead Fee Schedule. The permit fee for each compactor or open box shall be shown in the Town of North Hempstead Fee Schedule.

(b) Fee for Type II collection/disposal license. The fee for a Type II collection/disposal license shall be shown in the Town of North Hempstead Fee Schedule, which will include a permit for one vehicle used by the applicant in the collection, transportation or disposal of Acceptable Waste. For each additional vehicle used by the applicant in the collection, transportation or disposal of Acceptable Waste, the fee shall be shown in the Town of North Hempstead Fee Schedule.

(c) Fee for Type III disposal license. The fee for a Type III disposal license shall be shown in the Town of North Hempstead Fee Schedule, which will include a permit for one vehicle used by the applicant in the collection, transportation or disposal of Acceptable Waste. For each additional vehicle used by the applicant in the collection, transportation or disposal of Acceptable Waste, the fee shall be shown in the Town of North Hempstead Fee Schedule.

(d) Fee for Type IV disposal license. The fee for a Type IV disposal license shall be shown in the Town of North Hempstead Fee Schedule.

(e) Fee for Type IR collection/disposal license. The fee for a Type IR collection/disposal license shall be shown in the Town of North Hempstead Fee Schedule, which will include a permit for one vehicle. For each additional vehicle used by the applicant in the collection, transportation or disposal of Recyclables, the permit fee shall be shown in the Town of North Hempstead Fee Schedule. The permit fee for each compactor or open box shall be shown in the Town of North Hempstead Fee Schedule.

(f) Fee for Type V collection/disposal license. The fee for a Type V collection/disposal license shall be shown in the Town of North Hempstead Fee

Schedule, which shall include a license for one Yard Waste Acceptance and Processing Facility.

(2) Upon filing of an affidavit and such other proof as may be required by the Commissioner, a substitute permit or replacement of a lost permit may be issued upon the payment of (a fee of \$25) **the fee shown in the Town of North Hempstead Fee Schedule**.

(3) Each vehicle license issued pursuant to this chapter shall be issued as of the date of the granting thereof and shall expire on the 31st day of December next succeeding such date, unless sooner suspended or revoked; provided, however that a Type V collection/disposal licenses shall be issued as of the date of the granting thereof and shall expire on the third succeeding 31<sup>st</sup> day of December, unless sooner suspended or revoked. Each license/permit for a Container or open box issued pursuant to this chapter shall expire two years from the 31st day of December in the year in which such license/permit was issued, unless sooner suspended or revoked. [Amended 4-6-2010 by L.L. No. 2-2010]

(4) No license shall be issued to any applicant if either its Solid Waste license has been revoked or is under a suspension, or if the applicant is affiliated with or under common ownership or control with a company whose Solid Waste license has been revoked or is under a suspension. The Town Clerk shall be entitled to all relevant information, including sworn statements, to ascertain whether an applicant is affiliated with or under common ownership or control with another company. "Control" shall mean either legal or de facto control. Where more than four years have elapsed from the date of a revocation of a license, the Town Board may by resolution waive the prohibition in this Subsection G(4) if it determines that issuance of a license will be in the public interest.

H. Acceptance of license. Acceptance of a license issued under this chapter shall be deemed a contract by the holder thereof to abide by the provisions of this chapter. In the event that the holder shall be in breach of such undertaking, the Town, in addition to all other remedies herein, shall be entitled to such liquidated damages as may be provided for in such license.

#### § 46-5 Suspension and revocation of license

A. Town Board's authority to revoke or suspend. Any license or permit issued hereunder may be suspended or revoked by the Town Board after a hearing upon notice, as set forth below, which establishes the requisite grounds in the discretion of the Town Board. No permit shall be suspended, except as provided in § 46-5D hereof, or revoked hereunder without a hearing thereon upon written notice to the permittee.

B. Grounds for suspension only. The Town Board shall be empowered to suspend a license or permit if the Licensee is indicted or charged, upon an information duly filed with public authorities, for or with the commission of any crime or offense until the Licensee is either convicted or acquitted.

C. Grounds for suspension or revocation. The Town Board, in its discretion, is empowered to either suspend or revoke a license or permit if the Licensee is:

(1) Convicted of any crime.

(2) Convicted of any violation of any:

- (a) Provision of this chapter;
- (b) Rule or regulation adopted under this chapter or Article IX of Chapter 23 of the Town Code;
- ~~((c) Authority bylaw;~~
- (dc) Town ordinance;
- (ed) Ordinance or regulation of the state; or
- (fe) Ordinance or regulation of any municipality within the state.

(3) Guilty of making a false statement or misrepresentation in his application for any permit issued pursuant to this chapter.

D. Temporary suspension of license or permit pending a hearing. The Town Clerk, upon receiving information giving him reasonable cause to believe that any Licensee hereunder violated any provision of this chapter, has been convicted of any violation listed in § 46-5B or C, has been either indicted for or charged with any crime or offense or is guilty of having made a false statement or misrepresentation in his application for any license or permit issued hereunder, may forthwith temporarily suspend such license or permit until the Town Board is able to conduct a hearing.

E. Procedure for hearings.

(1) Timing. Whenever the Town Board holds a hearing to revoke or suspend a permit issued pursuant to this chapter, such hearing shall be held on a date and at a place and hour designated by the Town Board. Such designation must conform to the time limits established hereunder.

(2) Notice. A written notice of any hearing to be held by the Town Board for the revocation or suspension of any permit issued pursuant to this chapter shall be given to the permittee either in Person or by registered or certified mail. Any mailing shall be forwarded to the permittee's last known address and shall be postmarked not less than 10 nor more than 30 days prior to the hearing date. The notice shall advise the permittee of the date, place and time designated for the hearing and shall set forth specifically the grounds for complaint.

(3) Rights of the permittee. The permittee involved shall be entitled to:

- (a) Be represented by legal counsel.
- (b) Present competent and material testimony.
- (c) Present any other competent and material evidence in his own behalf as may be relevant to the subject matter of the hearing.
- (d) Speak on his own behalf.

(4) Unsworn testimony. There shall be no requirement of sworn testimony by any of the witnesses or the permittee.

F. Finality of Board determination. The findings of the Town Board at the hearing shall determine whether there are sufficient grounds for suspending a permit, pursuant to § 46-5B or C or for revoking a permit pursuant to § 46-5C. Where the findings establish sufficient grounds for suspension, the Town Board may suspend the permit. Where the findings establish sufficient grounds for either revocation or suspension, the Town Board, in its discretion, may suspend or revoke the permit. The Town Board,

after such hearing, shall make such decision or determination as, in its opinion, ought to be made.

#### § 46-6 Unlawful activities; enforcement

A. It shall be unlawful for:

(1) Any Person, other than a Licensee or a Village not required to be licensed under § 46-4A(5), to collect Acceptable Waste that has been placed at the Curbside for collection pursuant to this chapter.

(2) Any Person, other than a Licensee or a Village not required to be licensed under § 46-4A(5), to collect any Recyclable that has been placed at the Curbside for collection or within a recycling collection area pursuant to this chapter.

(3) Any Person to violate or to cause or to assist in the violation of any provision of this chapter or any implementing rule or regulation promulgated by the Commissioner.

(4) Any Person to hinder, obstruct, prevent or interfere with Town (~~or Authority~~) employees or any other authorized Persons in the performance of any duty under this chapter or in the enforcement of this chapter.

B. All unlawful conduct set forth in this section shall constitute a violation. Each day or a part of a day on which violation(s) or failure continues shall constitute a separate violation(s). Each violation of this chapter shall constitute a separate offense.

C. It shall be the responsibility of the Commissioner and the Town Clerk, in consultation with the Town Attorney, to enforce the provisions of this chapter and all rules and regulations promulgated hereunder, including regulations of the Commissioner (~~and bylaws of the Authority~~). Such enforcement shall be by such legal or equitable proceedings, including, without limitation, damages, or for injunction to restrain a violation of this chapter or specific performance brought in the name of the Town of North Hempstead, as may be provided or authorized by law.

#### § 46-6.1 Penalties for offenses

A. Any Person, other than a Village that is located, in whole or part, within the Town, its officers and employees, acting within their municipal duties, who violates any of the provisions of this chapter, other than § 46-14 of this chapter, or who fails to perform any duty imposed by this chapter or any rules or regulations promulgated pursuant to it or any final determination or order of the Commissioner or Town Board made pursuant to this chapter, shall be guilty of a violation and, upon conviction thereof in a court of competent jurisdiction, shall be punished by the following fines:

(1) For conviction of a first offense, by a fine of not less than \$1,000 and not more than \$5,000.

(2) For conviction of the second of two offenses, both of which were committed within a period of two years, by a fine of not less than \$2,500 and not more than \$10,000.

(3) For conviction of a third or subsequent offense of a series of offenses, all of which were committed within a period of five years, by a fine of not less than \$5,000 and not more than \$25,000.

B. Any Person, other than a Village that is located, in whole or part, within the Town, its officers and employees, acting within their municipal duties, who violates § 46-14 of this chapter shall be guilty of a violation and, upon conviction thereof in a court of competent jurisdiction, shall be punished by a fine not to exceed \$5,000 or imprisonment for a period not to exceed 15 days or by a term of community service related to the purpose of this chapter, or any combination of the above penalties. For a conviction of a second offense, both of which were committed within a period of three years, punishment shall be by a fine of not less than \$2,500 nor more than \$10,000 or imprisonment for a period not to exceed 15 days or by a term of community service related to the purpose of the chapter, or any combination of the above penalties. Upon conviction for a third or subsequent offense, all of which were committed within a period of three years, punishment shall be by a fine of not less than \$5,000 nor more than \$25,000 or imprisonment for a period not to exceed 15 days or by a term of community service related to the purposes of the chapter, or any combination of the above penalties.

C. Violations by any Person, other than a Village that is located, in whole or part, within the Town, its officers and employees, acting within their municipal duties, shall be recorded by designated enforcement staff and issued through formal notices of violations and/or uniform appearance tickets. Uniform appearance tickets shall be answerable in District Court.

D. In addition to the penalties provided in this section, licenses or permits shall be subject to suspension or revocation for any of the reasons set forth in § 46-5.

E. In lieu of enforcement of this chapter by way of prosecution, revocation of permits or other means, the Commissioner, or his duly authorized representative, may seek to obtain the voluntary compliance with this chapter by way of notice, warning or educational means, as deemed appropriate in the discretion of the Commissioner, taking into consideration all of the circumstances surrounding such violation. This section shall not be construed to require that such noncompulsory methods must be employed or attempted before proceeding by way of compulsory or other legally prescribed procedures.

F. In the case of violations alleged to have been committed by a Village, its officers, employees or agents, the Town or Commissioner, or duly authorized representative, shall first send a notice of violation to the Village Mayor and Board of Trustees, or other governing body, for consideration of corrective action, prosecution or enforcement. Upon the expiration of 30 days from the giving of such notice and the failure to cure said violation, the Town (~~and the Authority~~) may enforce this chapter by pursuing (~~civil remedies~~) **the remedies and penalties provided for in this section.**

§ 46-6.2 Rebuttable presumptions

[Added 4-6-2010 by L.L. No. 2-2010]

The following shall be rebuttable presumptions in the enforcement and prosecution of the provisions of this chapter:

A. The placement or presence of any Dumpster Container, open box or other container (~~used by a Licensee~~) which is marked or identified with the name, symbol or other indicia of any (~~Licensee~~) **person or entity**, at any location within the Town, shall be presumptive evidence that said (~~Licensee~~) **person or entity** is providing Solid Waste collection services at said location within the Town as of the date of said placement or presence.

B. Evidence of Solid Waste in a Dumpster Container, open box or other container (~~used by a Licensee~~) located as described in § 46-6.2A above, and subsequent observation of the same Dumpster Container, open box or other container empty, shall be presumptive evidence that Solid Waste was collected from such Dumpster Container, open box or other container by (~~the Licensee~~) **the person or entity** whose name, symbol or other indicia is marked or identifiable on such Dumpster Container, open box or other container.

C. The failure to deliver any Solid Waste to a publicly owned Solid Waste Management Facility designated by the Commissioner within (~~three days~~) **eighteen (18) hours** of the collection of Solid Waste from any location within the Town shall be presumptive evidence that the Solid Waste was disposed of at a location other than a publicly owned Solid Waste Management Facility designated by the Commissioner; **provided, however, that the foregoing presumption shall not apply to the collection of construction and demolition debris in dumpster containers placed at commercial and residential properties that are undergoing work subject to a permit issued by the Department of Building Safety, Inspection and Enforcement.**

D. Service upon any Person in a manner consistent with the requirements of § 46-5E(2) of this chapter shall be presumptive evidence that such notice was received by that Person.

E. The failure of any Person charged under this chapter to rebut the presumption shall not mean that the trier of fact must find the person guilty or that the burden of proof relative to the underlying charge(s) has been shifted upon the accused.

#### § 46-7 Fees for acceptance of Solid Waste

Charges for the acceptance of Solid Waste shall be at such a rate as the Town Board (~~or the Authority, pursuant to the Authority agreement~~), by resolution, shall determine. Any change of a rate shall be effective as applicable to Licensees 30 days after notice thereof is mailed to such Licensees. As to all other users of the facilities, a change of rate shall be effective upon the action of the Board (~~or the Authority, as the case may be~~). Notwithstanding the above, the rate charged to Villages shall only be modified annually as set forth in § 46-21.

#### § 46-8 Collection vehicles; operations

A. Collection vehicles. Every collection vehicle shall be maintained, operated and used at all times only in full compliance with all applicable provisions of law, federal, state and local, and of this Sanitation Code and all applicable rules and regulations adopted thereunder. Every collection vehicle shall be loaded at all times in such a manner and by such methods as to prevent the release or discharge of dust and so prevent the spillage of refuse upon the sidewalks or streets, and every operator of a vehicle shall remove immediately from sidewalks or streets all refuse which is spilled, littered or thrown thereon in loading operations or in the handling and return of receptacles or while traveling. **Any and all drains on collection vehicles shall be closed at such times as such trucks are in operation.**

B. Vehicle operations. The following specific regulations regarding collecting Acceptable Waste and the operation of collection vehicles shall be observed:

(1) Solid Waste disposal. It shall be unlawful for any Person to leave, deposit or dump any Solid Waste anywhere in the Town except at any of the Town Solid Waste management facilities designated by the Commissioner. This shall not apply to any Village, and officers and employees thereof acting within their municipal duties, which engages in the collection of Acceptable Waste and/or Recyclables and utilizes Village-owned or -leased and -operated vehicles and which declared itself exempt under § 46-22 of this chapter and which has not applied for and been granted reinstatement under § 46-23 thereof.

(2) Watertight containers or vehicles required. No Person shall remove any Solid Waste of any kind from the premises of any Person or cart or transport the same through or upon any street, avenue, parkway or highway within the Town except in trucks or wagons securely covered with tarpaulins and having watertight bodies and covered containers.

(3) Careful operation. Operators of all types of collection vehicles shall exercise care at all times to prevent the making of unnecessary or avoidable noise in their operations. Each open-top box-type vehicle body shall be kept securely and fully covered, except when actually engaged in collection, so as to prohibit any refuse from being discharged while the vehicle is in transit.

(4) Reworking loads. Refuse loaded in or upon collection vehicles shall not be reworked, resorted, picked over or rehandled while the vehicle is on the streets, and refuse shall not be transferred nor reloaded from a vehicle to or into any other vehicle while on the streets **or any private or public property**. Refuse shall not be carried at any time upon any collection vehicle other than solely within the vehicle body or solely within containers on or in the vehicle body.

(5) Emptying vehicles. After refuse is dumped for disposal, the vehicle body and each container used shall be emptied thoroughly and cleaned of all loose materials.

(6) Cleaning vehicles. Each collection vehicle and each container shall be frequently cleaned and washed and periodically disinfected in order to prevent obnoxious odors, unsightly conditions, vermin infestation and other conditions inimical to the public health, safety and welfare.

(7) Vehicle closure. All loading hoppers, doors, covers and other enclosures of loader openings of all collection vehicles, transfer vehicles, roll-off containers and



boxes shall be kept closed and secured at all times, except during actual loading and unloading of the particular opening.

(8) Collecting hours. No collection of Solid Waste shall be made between the hours of 6:00 p.m. and 6:00 a.m., unless authorized by a Village rule, regulation or ordinance.

#### § 46-9 Vehicle weight and identification of vehicles and containers

Each vehicle engaged in the collection and disposal of Acceptable Waste and operating under a permit shall be numbered, lettered and weighed pursuant to the rules and regulations promulgated by the Commissioner. Each Dumpster, container, open box or other container used by a Licensee, except a Village not required to be licensed under § 46-4A(5), for the collection of Solid Waste or Recyclables shall display the name, telephone number and Town license number of the Licensee or name of such Village on an exterior side of said container. Except for such Village's vehicles and containers, the Commissioner may promulgate a rule establishing a minimum size for such lettering.

#### § 46-10 Hazardous and Unacceptable Waste

No license for the collection and/or disposal of Acceptable Waste within the Town shall authorize or entitle a Person holding such a license to collect Hazardous Waste or Unacceptable Waste within the Town and/or to dispose of the same at any Solid Waste Management Facility within the Town. Household Hazardous Waste shall be Source-Separated and disposed of pursuant to regulations promulgated by the Commissioner. **Notwithstanding the above, Household Hazardous Waste may be disposed of at Household Hazardous Waste events organized by the Town or another municipal entity allowing participation by residents of the Town. No person may place at Curbside for collection any Household Hazardous Waste or Unacceptable Waste.**

### ARTICLE IA RECYCLING

#### § 46-11 Policy

A. The Town Board hereby declares that it is the policy of the Town of North Hempstead to promote recycling and to thereby conserve resources and reduce the amount of Solid Waste which is disposed of at landfills or by incineration.

B. The Town, through this Article IA of Chapter 46, Sanitation, and in accordance with the requirements of General Municipal Law § 120-aa, seeks to have all Solid Waste generated in the Town separated into recyclable, reusable or other components for which economic markets for alternate uses exist. For purposes of this article, "components" shall include paper, corrugated paper, Glass, metals, plastics, Yard Waste and any other materials designated by the Town Board.

C. In determining whether Economic Markets for alternate uses exist, the Town Board and, in the case of Commercial, industrial and institutional establishments seeking relief from requirements pursuant to § 46-11.3B, the Commissioner shall give due consideration to:

- (1) Existing source separation in the Town.
- (2) Recycling of non-Source-Separated waste realized pursuant to the Town's Solid Waste management plan.

(3) The additional effort and expense which will be incurred in meeting any additional source separation requirements.

§ 46-11.1 Mandatory residential source separation and recycling

A. Upon adequate notice for a garbage and refuse district or for a particular collection area there shall be a mandatory Curbside Recycling Program pursuant to which all Persons who are owners, lessees or occupants of residential dwellings in the Town (except as provided in § 46-11.2) shall be required to Source-Separate for pickup all components of Solid Waste for which Economic Markets for alternate uses exist.

(1) Mandatory source separation for newspapers, magazines, corrugated paper, Bottles and Cans, plastics and Yard Waste has been enacted for residential dwellings.

(2) The Town Board, by resolution, may expand the mandatory source separation and Curbside Recycling Program to include one or more of the following materials:

(a) Paper or specific types or grades of paper.

(b) Construction and Demolition Debris.

(c) All other Recyclables as designated by resolution of the Town Board.

B. Residents shall separate Recyclables from all other residential Solid Waste and place them for collection in accordance with the following:

(1) Newspapers shall be compacted and securely bagged in paper bags or bundled and tied, in packages not exceeding 50 pounds, with a rope or cord sufficient in strength to facilitate handling. Newspaper shall be placed separately at Curbside for collection on days specified by the Commissioner under the rules and regulations prescribed.

[Amended 4-6-2010 by L.L. No. 2-2010]

(2) Bottles, Cans and plastics shall be cleaned and then placed in a recycling container provided to Residents beside bags or bundles of Newspapers.

(3) Yard Waste shall be separated from other waste and placed in bags or containers and put at the curb for collection on the Yard Waste collection day established for a garbage district or collection area. Nothing herein shall preclude Residents from leaving grass clippings on their lawns or from a Village providing alternative measures for the collection of Yard Waste.

(4) All other Recyclables subject to the Curbside recycling program shall be prepared for collection in accordance with regulations promulgated by the Commissioner.

(5) Corrugated paper shall be compacted and securely bundled and tied, in packages not exceeding 50 pounds, with a rope or cord sufficient in strength to facilitate handling. Corrugated paper shall be placed separately at Curbside for collection on days specified by the Commissioner under the rules and regulations prescribed.

(6) Recyclables that are added to the Curbside recycling program pursuant to Subsection A(2) of this section shall be collected in accordance with a schedule set by the Commissioner and advertised by the Town, after adequate notice has been

published, posted and publicized for a garbage district or for a particular collection area.

C. Notwithstanding any other provision of this chapter to the contrary, Residents may dispose of their Recyclables by selling or donating the same to recyclers, but these Recyclables may not be picked up at Curbside.

#### § 46-11.2 Mandatory recycling program for multiresidential complexes

A. In any garbage district or area subject to the mandatory source separation and Curbside Recycling Program pursuant to § 46-11.1 of this article, there is also established a recycling program for the Source Separation, collection and delivery of Recyclables included in the mandatory recycling program from all non-physically-disabled Residents of multiresidential complexes.

B. The owner, manager or superintendent of every multiresidential complex subject to Subsection A of this section shall provide and maintain in a neat and sanitary condition recycling collection areas to receive Recyclables that are generated by Residents of the complex. In cases where a condominium, cooperative, homeowners' or similar association exists, the association shall be responsible for the provision and maintenance of the recycling collection areas. All recycling collection areas shall be constructed and capable of receiving Newspapers, corrugated paper, magazines, Bottles, Cans and plastic containers; and any and all other Recyclables as may be included in or added to the mandatory separation and Curbside Recycling Program within 60 days of such inclusion or in addition to the Curbside Recycling Program. Multiresidential complexes covered by this section shall also be required to separate and recycle Yard Waste collected on the premises of such complex.

[Amended 4-6-2010 by L.L. No. 2-2010]

C. All non-physically-disabled Residents of the complex shall Source-Separate Recyclables and place them in the appropriate containers or areas within the recycling collection area.

D. The number and design of the recycling collection areas required by this section for each multiresidential complex shall be consistent with regulations promulgated by the Commissioner.

E. Recyclables required to be placed in recycling collection areas pursuant to this section shall be prepared for collection in accordance with regulations promulgated by the Commissioner.

#### § 46-11.3 Mandatory Commercial, industrial and institutional source separation and recycling program

A. All Commercial, industrial and institutional establishments within a garbage district or other area of the Town subject to a Curbside Recycling Program established pursuant to § 46-11.1 of this chapter shall Source Separate Solid Waste into recyclable, reusable or other components for which Economic Markets for alternate uses exist and arrange for their collection for recycling. In addition to those materials presently required to be recycled in residential and multiresidential complexes, i.e.,

Newspapers, Bottles and Cans, plastic and Yard Waste, Commercial establishments shall additionally be required to recycle Construction and Demolition Debris, corrugated paper, magazines and high-grade paper where there exist Economic Markets for alternate uses for such additional components. High-grade paper shall include white letterhead paper, white bond paper, white typing paper, white copier paper, white note pad paper, white writing paper, white envelopes, other nonglossy white office paper without plastic, computer printout paper, computer tab cards and white onion skin paper.

B. A Commercial, industrial or institutional establishment may, upon written application to the Commissioner, request relief from some or all of the requirements of Subsection A above. Upon receipt of such application, the Commissioner shall conduct a survey of such establishment to determine if there is sufficient generation to warrant recycling of the component or components in question and/or Economic Markets for alternate uses. If there is insufficient generation and/or an insufficient economic market for alternate uses of a particular recyclable material, the Commissioner may issue an exemption.

C. The arrangement for collection of separated Recyclables for disposition under the Commercial recycling program shall be the responsibility of the Person who owns, manages or operates the Commercial, industrial or institutional establishment at which the Recyclables are generated ("generator") or the Person contractually obligated to the generator to arrange for collection and disposal of its Solid Waste. These arrangements may include, without limitation, direct marketing of Recyclables, contracts with Licensees for separate collection of any or all Recyclables, direct delivery to a Solid Waste Management Facility designated by the Commissioner or, in the case of Newspapers, Bottles and Cans and plastics, Curbside collection once per week in accordance with provisions for collection of such components from residential dwellings.

D. The mandatory Commercial, industrial and institutional source separation and recycling program may be expanded by resolution of the Town Board where it determines that Economic Markets for alternate uses exist for such additional components.

E. Generators of recyclable material who use private carters or recyclers for collection and marketing of recyclable materials must be provided with sufficient containers by such carter to allow for source separation of all components being recycled. All containers must be clearly identified as recyclable containers with lettering of at least six inches.

F. A generator which utilizes a private carter or recycler to collect one or more components shall provide written reports on a monthly basis to the Commissioner containing the following information:

(1) The identity of the carter/recycler.

(2) The components being recycled.

(3) The approximate quantity of each such component.

G. Any carter or recycler collecting Source-Separated components from a generator shall provide written reports to the Commissioner on a monthly basis containing the following information:

(1) Gross tons of Recyclables, by type collected.

(2) Locations of all Commercial stops serviced during the particular month of each commodity recycled.

(3) Disposal (marketing) location for Recyclables collected.

H. No carter or recycler may commingle nonrecyclable Solid Waste with any Source-Separated Recyclables.

I. Exemption for Existing Commercial Recycling Programs with Recyclers.

(1) Any Commercial entity having in place a recycling program upon the effective date of this chapter, whereby that entity's Recyclables are collected by or delivered directly by such entity to a recycler, shall be exempt from the recycling requirements of this § 46-11.3.

(2) Any such exempt Commercial entity must have registered its recycling program with the (Authority)Department and received written confirmation from the (Authority)Department of its exemption from this § 46-11.3.

(3) Any such exempt Commercial entity shall not place its Recyclables at Curbside for collection by a Collector.

[Amended 4-6-2010 by L.L. No. 2-2010]

J. Notwithstanding any other provision of this chapter to the contrary, Recyclable industrial and Commercial by-products may be sold or donated by an industrial and/or Commercial enterprise to any scrap metal enterprise or recycler. Said by-products cannot be placed at the Curbside for collection by said scrap metal enterprise or recycler.

## ARTICLE II SOLID WASTE MANAGEMENT

### § 46-12 Legislative intent

A. The Board finds that it is in the best interest of the Town of North Hempstead to make amendments to Chapter 46, entitled "Sanitation," in order to conform the existing Code with the recent U.S. Supreme Court decision that upheld the constitutionality of a local government's authority to direct solid waste to a designated publicly owned

facility, and to provide for more effective enforcement of the Town's existing solid waste management laws. The intent and purpose of Article II of this chapter is to provide for the management of all Solid Waste generated within the Town of North Hempstead and municipalities located therein and to authorize the supervision and regulation of the collection, transportation and disposition of all or part of any Acceptable Waste and Recyclables generated within such Town and municipalities so that the same is delivered to publicly owned Solid Waste Management Facilities or such other publicly owned disposal facilities as may be designated by the Town for processing or for other disposition or handling.

B. The management of Solid Waste is the inherent responsibility of local government, whose authority in this area is derived from its police powers. Town-wide collection and disposition of municipal Solid Waste, more commonly referred to as "flow control," allows for more effective and environmentally responsible waste planning and management and more effective implementation of the Town's integrated Solid Waste management plan. Flow control will serve important environmental and public health and safety objectives.

C. The powers and duties enumerated in Article II of this chapter constitute proper Town purposes intended to benefit the health, welfare and safety of Town Residents. It is hereby found that, in the exercise of control over the collection, transportation and disposition of Solid Waste on a Town-wide basis, the Town is exercising essential and proper governmental functions.

#### § 46-13 Authority to supervise and regulate collection of Acceptable Waste

The Town Board hereby designates the Commissioner to be responsible for the supervision and regulation of the collection, transportation and disposition of all Acceptable Waste which was originated, generated or located within the Town and the municipalities therein. In undertaking such responsibilities, the Commissioner shall act pursuant to the standards established in this chapter.

#### § 46-14 Collection and disposal of Acceptable Waste

A. Requirements for Preparation, Collection, and Disposal of Residential Acceptable Waste. ("Collector," as used in this section, shall include Villages with Village-owned or -leased and -operated sanitation vehicles.)  
[Amended 4-6-2010 by L.L. No. 2-2010]

(1) In order to provide for public health and safety, each Resident shall provide for the separation of Acceptable Waste from all other types of waste and shall provide for the placement of such Acceptable Waste into a suitable container at Curbside for collection by a Collector.

(2) All Acceptable Waste placed at Curbside for collection by a Collector must be delivered to a publicly owned Solid Waste Management Facility designated by the Commissioner.

(3) All Bulky Scrap Metals must be separately placed at Curbside for collection by a Collector. Such Bulky Scrap Metals must be delivered to a publicly owned Solid Waste Management Facility designated by the Commissioner.

B. Requirements for Preparation, Collection and Disposal of Residential Recyclables.

(1) Pursuant to § 46-11.1 of this chapter, Residents shall separate their Recyclables from all other types of waste and shall provide for the placement of such separated Recyclables into separate containers.

(2) All Recyclables placed at Curbside for collection must be delivered to a publicly owned Solid Waste Management Facility designated by the Commissioner.  
[Amended 4-6-2010 by L.L. No. 2-2010]

(3) All Recyclables prepared in accordance with § 46-11.2 of this chapter and placed at Curbside for collection must be delivered to a publicly owned Solid Waste Management Facility designated by the Commissioner.

**(4) No Collector may commingle source-separated Recyclables with Acceptable Waste placed at Curbside.**

C. Requirements for Preparation, Collection and Disposal of Residential Yard Waste.

(1) In order to provide for public health and safety, Residents shall prepare Yard Waste for collection in accordance with § 46-11.1 of this chapter.

(2) All Yard Waste placed at Curbside for collection must be delivered to a publicly owned Solid Waste Management Facility designated by the Commissioner.  
[Amended 4-6-2010 by L.L. No. 2-2010]

(3) This section shall not prohibit private, noncommercial composting of Yard Waste or mulching of leaves, grass clippings and cuttings.

**(4) No Collector may commingle Yard Waste with Acceptable Waste placed at Curbside.**

D. Requirements for Preparation, Collection and Disposal of Construction and Demolition Debris.

(1) In order to provide for public health and safety, all Construction and Demolition Debris that has been placed into a Dumpster Container or other suitable container for

collection by a Collector or otherwise collected by a Collector must be delivered to a publicly owned Solid Waste Management Facility designated by the Commissioner.

(2) In order to facilitate the conservation of vital, natural resources through recycling, each Person shall separate his or her Construction and Demolition Debris from all other types of waste and shall provide for the placement of such separated Construction and Demolition Debris into a Dumpster Container or other separate suitable containers.

[Amended 4-6-2010 by L.L. No. 2-2010]

**(3) Construction and Demolition Debris generated by any person or entity during a construction, demolition, improvement, renovation or repair project on any property within the Town must be placed in a Dumpster Container, may not be left at Curbside for collection and must be delivered by the person or entity generating such Construction or Demolition Debris to a publicly-owned Solid Waste Management Facility designated by the Commissioner. Notwithstanding the previous sentence, a resident performing a construction, demolition, improvement, renovation or repair project at their residence on their own and without the use of a contractor may place at Curbside for collection any Construction and Demolition Debris created by the resident performing the project.**

E. Requirements for Preparation, Collection and Disposal of Commercial Waste.  
[Amended 4-6-2010 by L.L. No. 2-2010]

(1) In order to provide for public health and safety, each Commercial entity that generates Commercial Waste shall provide for the separation of such waste into its recyclable and nonrecyclable components and shall provide for the placement of such waste into a Dumpster Container or other suitable container and place such container at Curbside for collection by a Collector.

(2) All such Commercial Waste placed at Curbside for collection by a Collector must be delivered to a publicly owned Solid Waste Management Facility designated by the Commissioner.

(3) All Bulky Scrap Metals must be separately placed at Curbside for collection by a Collector. Such Bulky Scrap Metals must be delivered to ~~the~~ a publicly owned Solid Waste Management Facility designated by the Commissioner.

**(4) Commercial Waste collected and disposed of by the generator of the Commercial Waste must deliver such Commercial Waste to a publicly-owned Solid Waste Management Facility designated by the Commissioner.**

F. Requirements for Preparation, Collection and Disposal of Commercial Recyclables.



(1) In order to provide for public health and safety, each Commercial entity shall prepare Recyclables for collection in accordance with § 46-11.3 of this chapter.

(2) All Recyclables placed at Curbside for collection must be delivered to a publicly owned Solid Waste Management Facility designated by the Commissioner.  
[Amended 4-6-2010 by L.L. No. 2-2010]

(3) The provisions of this section shall not apply to any Commercial entity having in place a recycling program approved by the (Authority)**Department**.

G. Prohibition Against Unauthorized Dumping and Scavenging.

(1) It shall be a violation of this chapter for any Person to place for the purpose of collection Solid Waste, Recyclables or Yard Waste at a property other than the property generating said material.

(2) It shall be a violation of this chapter for any Person to place Solid Waste, Recyclables or Yard Waste in Dumpster Containers and/or containers designated for Solid Waste use by Commercial and/or industrial establishments.

(3) It shall be a violation of this chapter for any Person to (~~bury~~) **dump** and/or bury Solid Waste on public or private property, unless authorized by the applicable municipality.

(4) It shall be a violation of this chapter for any Person to throw, dump, deposit or place Solid Waste, Recyclables and/or Yard Waste along the roadside or on public and/or private property within the Town.

(5) It shall be a violation of this chapter for any Person to cause to be thrown, dumped, deposited or placed Solid Waste, Recyclables or Yard Waste along any public or private road or on lands bordering such roads.

(6) It shall be a violation of this chapter for any Person to burn, break, destroy, scatter, scavenge, collect or take any Recyclables without the consent of the owner of such materials.

H. No Person holding or required to hold a license pursuant to § 46-4 of this chapter shall deposit, deliver, store or process any Acceptable Waste or Recyclables which were generated or originated within the Town other than at a publicly owned Solid Waste Management Facility designated by the Commissioner.

I. Except as may be provided by the Commissioner and except as provided elsewhere herein, no Person required to hold a license pursuant to § 46-4 of this chapter, other than a municipality, may collect any Acceptable Waste or Recyclables within the Town, including the municipalities located wholly or in part therein, without such a license.

J. Except as may be provided by the Commissioner and except as provided elsewhere herein, no Person required to hold a license pursuant to § 46-4 of this chapter, other than ~~(the Authority and)~~ any Person acting pursuant to a contract with the ~~(Authority)~~ **Town for transportation of Acceptable Waste, Yard Waste and Recyclables from the North Hempstead Transfer Station to another disposal location**, may dispose of any Acceptable Waste within the Town, including municipalities located wholly or in part therein, without such a license.

K. Nothing contained in this chapter shall be deemed or interpreted to prohibit any municipality located wholly or in part within the Town from itself engaging in the collection or transportation of Acceptable Waste which was originated, generated or located within such municipality; provided, however, that all Acceptable Waste so collected and transported shall be disposed of only at a publicly owned Solid Waste Management Facility designated by the Commissioner.

L. Nothing contained in this chapter shall be deemed or interpreted to prohibit the Town, or municipalities located wholly or in part therein, from adopting or implementing programs to reduce the volume of Solid Waste, including composting and recycling programs.

M. Nothing contained in this chapter shall be deemed or interpreted to exempt any Person from any other applicable permitting or licensing requirements or rules or regulations, not inconsistent with this chapter, of the Town, municipalities within the Town or any other governmental entity.

N. Except as may be provided by the Commissioner, no Person shall enter into a contract for collection or disposal of Acceptable Waste located within the Town, including municipalities located wholly or in part therein, with a Person required to be licensed pursuant to § 46-4 of this chapter unless such Person holds such a license.

O. No Person, other than the ~~(Authority)~~ **Town** or a Person acting pursuant to an agreement with the ~~(Authority)~~ **Town for transportation of Acceptable Waste, Yard Waste and Recyclables from the North Hempstead Transfer Station to another disposal location**, disposing of Acceptable Waste at any Solid Waste Management Facility located within the Town shall have any interest in recovered materials or energy derived from such Acceptable Waste so disposed.

P. Except as provided by the Commissioner, any Acceptable Waste which was generated, originated or collected outside of the Town may not be deposited or disposed of at any Solid Waste Management Facility located within the Town.

Q. Nothing contained in this chapter shall prevent the ~~(Authority)~~ **Town** or any Person acting pursuant to any agreement with the ~~(Authority)~~ **Town for transportation of Acceptable Waste, Yard Waste and Recyclables from the North Hempstead Transfer Station to another disposal location** from delivering and/or disposing of

Acceptable Waste or Recyclables that were generated or originated within the Town outside the territorial limits of the Town.

R. It shall be a violation of this chapter for any Person to place at Curbside for collection any appliance containing freon, where such appliance has been crushed or otherwise handled in a manner that allows freon to escape into the atmosphere.  
[Amended 4-6-2010 by L.L. No. 2-2010]

#### § 46-14.1 Collection, Disposal and Transportation of Pollutants.

A. Requirements for Collection, Disposal and Transportation of Pollutants, inclusive of Pharmaceutical Drugs.

(1) In order to provide for public health and safety, the Town may coordinate Pollutant-collection programs for its Residents at designated locations throughout the Town.

(2) Upon the receipt of any Pharmaceutical Drugs, the Town may use pharmacists to appropriately sort the medication.  
[Amended 4-6-2010 by L.L. No. 2-2010]

(3) The Town shall provide for the proper disposal and transportation of Pollutants, as defined herein, collected through Pollutant-collection programs pursuant to applicable laws.

B. In connection with the Pollutant-collection programs, peace officers are authorized to assist in the Collection, Disposal and Transportation of the Pollutants.

(1) Peace officers shall be given the authority to:

(a) Take Pollutants from the public;

(b) Immediately contain leaking containers;

(c) Measure and/or weigh Pollutants;

(d) Place Pollutants in appropriate disposal drums or specified containers;

(e) Log waste identification information pursuant to the Resource Conservation and Recovery Act (RCRA) and complete paperwork thereto;

(f) Label disposal drums;

(g) Load drums into vehicles for transportation;

(h) Properly dispose of all Pollutants collected according to law;

(i) Provide a properly completed claim form listing quantities, description and unit prices; and

(j) Provide the name and location of the ultimate disposal facilities actually utilized for the Pollutants accepted.

(2) Any Controlled Substance(s) received through any Pollutant-collection program shall be under the sole possession and control of the peace officer present at the program. The peace officer shall immediately deliver all Controlled Substance(s) collected to local law enforcement equipped to accept and properly dispose of the Controlled Substance(s).

(3) When illicitly manufactured Controlled Substances are presented for disposal at a Pollutant-collection program, the peace officer will immediately contact local law enforcement to investigate and confiscate the illicit drugs. The peace officer shall cooperate with law enforcement in connection with any investigation and/or prosecution related thereto.

#### **§ 46-14.2 Debris Bags**

**For purposes of any provision of this Chapter regarding the licensing of Dumpster Containers, Debris Bags shall not be considered Dumpster Containers and shall not be required to be permitted by the Town. However, any Collector that collects a Debris Bag from any location in the Town for the purpose of disposal must obtain a license from the Town in accordance with § 46-4 of this Chapter and shall be required to deliver the Debris Bag and the contents thereof to a publicly-owned Solid Waste Management Facility designated by the Commissioner.**

#### **§ 46-15 Solid waste reduction**

It is hereby declared the policy of the Town to reduce the volume of Solid Waste generated within the Town.

#### **§ 46-16 Contracts**

A. Every contract for the collection of Solid Waste, including Acceptable Waste which was generated, originated or located within the Town, including municipalities located wholly or in part therein but excluding the Incorporated Village of Floral Park, entered into, renegotiated or renewed after the effective date of this chapter, between any Person required to be licensed pursuant to § 46-4 of this chapter and any other Person located in whole or in part within the Town, shall provide that such licensed Person shall comply, in all respects and at all times during the term of such contract, with the provisions of this chapter and any rules and regulations hereunder, including, without limitation, those provisions requiring that all Acceptable Waste collected pursuant to such contract be delivered to a Solid Waste Management Facility designated by the Commissioner. The Town shall be deemed a third party beneficiary of such contractual undertaking. Copies of those provisions of such contract purporting to comply with the requirements of this § 46-16 shall be submitted to the Commissioner not less than 10 days prior to the execution of such contract.

B. No renewal of any existing contract upon the expiration of its original term and no new contract for the collection, transportation, processing or purchase of Solid Waste or Recyclables shall be entered into after the effective date of this chapter unless the contract or renewal conforms to the requirements of this chapter.

§ 46-17 Delivery of Hazardous or Unacceptable Waste prohibited

No Hazardous Waste or Unacceptable Waste shall be delivered by any Person to a Solid Waste Management Facility owned by the Town (~~or the Authority~~) or any other Town disposal facility.

§ 46-18 Effect on other provisions

Pursuant to Chapter 544 of the Laws of 1983 of the State of New York, this chapter takes precedence over and shall supersede any inconsistent provisions of any local law enacted by any municipality within the Town.

§ 46-19 Severability; repealer

If any provision of this chapter or the rules and regulations promulgated hereunder or any directive, order or instruction given by anyone authorized to enforce this chapter shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision, rule or regulation involved. All provisions of any other local law or ordinance that are inconsistent with this chapter are repealed.

§ 46-20 Implementation

The Commissioner shall cause to be drawn up an implementation schedule or schedules which shall list all portions of this chapter which remain to be implemented. Such schedule or schedules shall be mailed by certified mail, return receipt requested, to the Town Board and to each municipality, addressed to the clerk of each such body. Said schedule or schedules shall be effective upon the date of such mailing.

ARTICLE III MUNICIPAL APPLICABILITY

§ 46-21 Rate and provision guarantee

A. All municipal entities covered by the Sanitation Code of the Town of North Hempstead shall be guaranteed the per-ton rates for disposal provided to North Hempstead operated garbage districts. These rates shall include only those disposal costs as outlined in the long-term waste disposal agreement then in effect, plus costs directly associated with the operation and oversight of the North Hempstead solid waste transfer station.

B. The rate guarantee provided herein shall be contained in an intermunicipal agreement duly approved and executed by a Village and the Town and returned to the Commissioner prior to the commencement of the long-term disposal agreement on May 1, 2010. Said intermunicipal agreement shall contain provisions for changes in tipping fees and other rates to be made by the (~~Authority~~) Town solely on an annual

basis with every Village party to the intermunicipal agreement to be notified by the (~~Authority~~)**Town** no later than the first day of June of each year of said intermunicipal agreement, or renewal period thereof, and shall also contain a provision that the Town will guarantee that it will abide by the terms of the Sanitation Code of the Town of North Hempstead in effect as of the date of the intermunicipal agreement, as those terms relate to Villages.

#### § 46-22 Exemption

[Amended 11-17-2009 by L.L. No. 17-2009]

A. A Village shall be exempt from the provisions set forth in § 46-14A, through K, N and O of Article II of this chapter, requiring such Village to dispose of all Acceptable Waste, Recyclables, Yard Waste or Construction and Demolition Debris at a Solid Waste Management Facility designated by the Commissioner, where such items are generated within its borders and collected directly by the Village or by a vendor retained by the Village, and from the provisions of § 46-16 of Article II of this chapter, requiring every contract or renewal thereof for the collection, transportation, processing or purchase of Solid Waste or Recyclables made by such Village to conform to said provisions of §§ 46-14 and 46-16, upon filing with the Authority and the North Hempstead Town Clerk a declaration of exemption adopted by the Village Board. Said declaration of exemption must be made by April 1, 2010, to take effect May 1, 2010, and by May 1, 2014, to take effect on May 1, 2015. The Town shall provide all Villages with written notification of the time limits set forth in this section at least 30 days prior to the first day of May 2014.

[Amended 4-6-2010 by L.L. No. 2-2010]

B. If a Village declares an exemption pursuant to this section, any such declaration shall include a provision indemnifying the Town and the Authority from responsibility or liability under any applicable New York State law, rule or regulation relating to solid waste collection, disposal or recycling activities conducted or authorized by said Village, including but not limited to New York State Environmental Conservation Law § 27-0107 (Local Solid Waste Management Plans) and 6 NYCRR Part 360, Subpart 15 (Comprehensive Solid Waste Management Planning).

C. A Village's declaration of exemption pursuant to this section shall not prevent the Town or the Authority from enforcing the provisions of Article II of this chapter upon Commercial and/or private (nonmunicipal) Collectors.

#### § 46-23 Reinstatement

[Amended 11-17-2009 by L.L. No. 17-2009]

A. Any Village which has been exempted pursuant to § 46-22 of the Sanitation Code of the Town of North Hempstead may submit an application to the (~~Secretary of the Authority~~) **Commissioner** requesting the withdrawal of their exemption. Such application shall be in writing and must be received by the (~~Secretary~~)**Commissioner** between the first of September and the first of December in any given year in order to go into effect on May 1 of the following year. Such application shall contain a resolution, duly adopted by the Village Board, requesting

withdrawal of their exemption and detailing the type and quantity of Acceptable Waste and Recyclables to be covered.

[Amended 4-6-2010 by L.L. No. 2-2010]

B. Withdrawal of the exemption shall be granted upon establishing that disposal of the additional Acceptable Waste and Recyclables at a publicly owned Solid Waste Management Facility designated by the Commissioner does not exceed available capacity at such facility under the existing long-term disposal agreement.

C. The Town (~~and the Authority~~) shall not be responsible for costs associated with such application. This provision does not apply to work performed by full-time Town (~~and Authority~~) personnel.

§ 46-24 When effective

This chapter, as amended, shall take effect immediately upon filing with the Secretary of State.

### **Section 5.**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this article or in its application to the person or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

### **Section 6.**

This Local Law shall take effect on January 1, 2022.

; and be it further

**RESOLVED** that the Town Clerk be and hereby is authorized and directed, in the manner required by law, to file a copy of 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 October 21, 2021, Local Law No. 20 of 2021 was adopted. The Local Law amends Chapter 46 of the Town Code entitled "Sanitation" in order to aid in enforcing the provisions of the Town Code, as well as make technical amendments to account for the pending termination of the Town of North Hempstead Solid Waste Management Authority.

**Dated:** Manhasset, New York

October 21, 2021

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

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara





# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No. 0021681564

:SS.:

COUNTY OF ALLEGANY)

The undersigned, being duly sworn, says that such person is a duly authorized custodian of records of Newsday LLC, the publisher of Newsday, a daily newspaper published in Melville, County of Suffolk, State of New York, and circulated in Nassau, Suffolk, and Queens Counties, and that the Legal Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Monday

October 04, 2021

Nassau

By: Ciara Woodin  
Ciara Woodin

Print Name: \_\_\_\_\_

Authorized Designee of Newsday LLC, Publisher of Newsday

**SWORN** to before me this  
5 Day of October, 2021.

Sarah Perez  
Notary Public

**SARAH PEREZ**  
**Notary Public – State of New York**  
**No. 01PE6397402**  
**Qualified in Erie County**  
**My Commission Expires 08/03/2023**

## **Ad Content**

**Legal Notice # 21681564  
NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that, subject to the COVID-19 provisions contained in this notice, a public hearing will be held by the Town Board of the Town of North Hempstead, on the 21st day of October, 2021, at 7:00 P.M. via Zoom, to consider the adoption of a Local Law amending Chapter 46 of the Town Code entitled "Sanitation" in order to aid in enforcing the provisions of the Town Code, as well as make technical amendments to account for the pending termination of the Town of North Hempstead Solid Waste Management Authority.

**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.

**PLEASE TAKE FURTHER NOTICE**, that effective immediately, pursuant to a recent change in New York State's Open Meetings Law, and based on the ongoing COVID-19 pandemic, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, Town Board hearings and meetings will be held virtually via videoconferencing, as permitted by the NYS Open Meetings Law. The 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 meeting 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.

Dated: Manhasset, New York  
September 30, 2021

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

## **NEWSDAY PROOF**

**Ad Number: 0021681564**

**Advertiser: TOWN OF NORTH HEMP TOWN CLERK**



# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No. 0021685653

:SS.:

COUNTY OF ERIE)

The undersigned, being duly sworn, says that such person is a duly authorized custodian of records of Newsday LLC, the publisher of Newsday, a daily newspaper published in Melville, County of Suffolk, State of New York, and circulated in Nassau, Suffolk, and Queens Counties, and that the Legal Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Sunday                      October 24, 2021                      Nassau

By: Ciara Woodin

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

**SWORN** to before me this

27 Day of October, 2021.

Sarah Perez  
Notary Public

**SARAH PEREZ**  
**Notary Public – State of New York**  
**No. 01PE6397402**  
**Qualified in Erie County**  
**My Commission Expires 09/03/2023**

## **Ad Content**

Legal Notice # 21685653  
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 October 21, 2021, Local Law No. 20 of 2021 was adopted. The Local Law amends Chapter 46 of the Town Code entitled "Sanitation" in order to aid in enforcing the provisions of the Town Code, as well as make technical amendments to account for the pending termination of the Town of North Hempstead Solid Waste Management Authority.  
Date: Manhasset, New York  
October 21, 2021  
BY ORDER OF THE TOWN  
BOARD OF  
THE TOWN OF NORTH  
HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK

## **NEWSDAY PROOF**

**Ad Number: 0021685653**

**Advertiser: TOWN OF NORTH HEMP TOWN CLERK**

MR. WINK: Item 5. A public hearing to consider the application of R5 associates for a waiver from zoning requirements, pursuant to Section 70-164 of the Town Code for the premises located at 13 Harbor Park Drive, Port Washington. Designated on the Nassau County land and tax map as Section 6, Block 86, Lot 7.

COUNCILWOMAN DALIMONTE: I believe that we have Mr. Dunn, Mr. Cannella, and Mr. Rich that we need to promote.

MR. WINK: I understand that all three of them wish to be heard, and I ask that we elevate all three of them. I see Mr. Dunn.

COUNCILWOMAN DALIMONTE: Mr. Andrew Rich.

MR. CARBONE: I'm going to put Mr. Dunn on right now. Okay. Hello.

COUNCILWOMAN DALIMONTE: Are you all going to be together? Mr. Dunn, is Mr. Mark Cannella with you and Mr. Rich?

MR. DUNN: No. They're at another location, but they should be coming on.

COUNCILWOMAN DALIMONTE: Okay. Do you see Andrew Rich?

MS. BRINN: Should we promote --I think we should promote everybody at once.

COUNCILWOMAN DALIMONTE: They should all be promoted together.

MS. BRINN: Is it possible he's on his phone? Because we have two phone numbers -- one phone number now. A 718 number.

MR. DUNN: I'm not sure that would be his number. He's a 516 number.

COUNCILWOMAN DALIMONTE: I actually do have his number. Mark is a 917 number.

MR. DUNN: Okay.

MS. BRINN: Okay.

COUNCILWOMAN DALIMONTE: So --

MR. WINK: Are either Mr. Dunn or Mr. Rich going to make the initial presentation?

MR. DUNN: I can make the initial. Jim Dunn.

MR. WINK: Okay.

MR. DUNN: Okay. We're basically here --

MR. WINK: While we look for Mr. Cannella and Mr. Dunn, you can begin.

SUPERVISOR BOSWORTH: While you're waiting, I just want to say hi to Anthony Carbone of Systematic Control. I saw him in the background there.

MR. CARBONE: Hi, Judy. Hi, Lee. Hi, Wayne.

MR. WINK: Hi. How are you?

MR. CARBONE: Good. How are you?

MR. WINK: Good, thanks.

Mr. Dunn, if you want to begin the presentation, feel free.

MR. DUNN: We're basically asking for a variance to locate a generator on a parking lot for 13 Harbor Park Drive. Okay. When we originally asked for the permit, they told us that the generator house has to be put underground in a pit, which doesn't make sense to us; so we want to try to put it on a parking spot in front of the transformer that will be provided by the --by LIPA. We have handed in various photographs of other generators in the area that are aboveground. We have also written up and showed where the location is going to be on the parking. It's going to be right in front of the transformer, which would take no parking spots off that place. We have a couple of exhibits, we should have an aerial shot of where we're located, where the Harbor Park -- 13 Harbor Park is located, actually located, and other people around with generators that are aboveground.

COUNCILWOMAN DALIMONTE: Did you want to share your screen, Mr. Dunn?

MR. DUNN: I think you have it.

COUNCILWOMAN DALIMONTE: I have it. I didn't know if you wanted to share your screen. Okay. So --

MR. DUNN: I'm not -- I'm not sure what you mean by "share" my screen. I'm sorry.

COUNCILWOMAN DALIMONTE: I thought you talked about the plan that you wanted to show, but you don't have to. I have it in front of me.

MR. DUNN: Okay.

COUNCILWOMAN DALIMONTE: We all have it in front of us.

MR. DUNN: Okay.

MR. WINK: It's a Zoom thing to your share screen.

MR. DUNN: I don't know that. To be honest with you, I'm not tech savvy, to be perfectly honest with you.

MR. WINK: It's okay.

MR. DUNN: In that pamphlet, it should be exhibits -- a bunch of exhibits showing other generators that are aboveground. Do you have them? And one of the other reasons is that they want this generator because they have this bus company in there that needs power to, you know, clean their buses, service their buses with the COVID and everything else. And if you go down, they're going to be outside of business.

COUNCILWOMAN DALIMONTE: Okay. Is that the end of your presentation, Mr. Dunn?

MR. DUNN: I'm not sure where else to go, to be perfectly honest with you.

COUNCILWOMAN DALIMONTE: That's okay.

Mr. Wink, is there anyone else wishing to be heard?

MR. WINK: Well, does Mr. Rich wish to make a comment? I know he's on. He's on mute at the moment.

MR. DUNN: He's one of the owners of Warwick, yes.

MR. WINK: Okay. Mr. Rich, do you wish to make a comment?

MR. RICH: I want to thank the Board for hearing this. Basically, I don't have much to add. It



is pretty much as Mr. Dunn explained. We are looking to have a generator; it sure is helpful. Particularly as weather events have made it where we have lost power pretty consistently over the past several years. The requirement that a generator being installed below grade is onerous and basically -- I don't know how that would serve any function, especially with the way rains have caused flooding recently, to be buried in a pit really doesn't make logical sense. So we are -- we are looking for this variance and hope that the Board will consider it.

COUNCILWOMAN DALIMONTE: So since we're done with the presentation and we have no one that is --

MR. DUNN: Can I say something?

COUNCILWOMAN DALIMONTE: Sure. I'm sorry.

MR. DUNN: Okay. I also want to point out that every building there has no basements, and why would we want to take a generator so close to the water, put it underground? The cost of doing something like that, the generator is 9 foot by 5 five feet high by 5 feet wide, plus access and service and pumps. It just doesn't sound logical to do that, and I don't know why the code is even like that, to be honest. These -- this field was built on a sand field that all the sand came out of going back years and years. And it's basically built on pilings and actual slabs. So if they didn't want to dig a hole then, why do we have to dig a hole now for generators? It's a means of backing someone's business up and everything else. You get a good flood or a good hurricane, you're going to fill that pit.

COUNCILWOMAN DALIMONTE: I would like to ask our Commissioner of Planning, Michael Levine, to respond to that.

MR. LEVINE: Okay. Certainly. So we had distributed all exhibits to the Board members prior to this meeting. We've reviewed their request for a waiver. They gave us two justifications, one is the risk of flooding, the second is the excessive cost. We reviewed for possible impacts the two -- the main issues would be visual impact, the second would be noise. We find in both cases, noise will be within acceptable sound levels. In terms of visuals, it's the interior of an industrial site. It abuts the side yard of another industrial site. There's fencing between the two properties so we don't think there's going to be any kind of a major adverse impact if this is put aboveground. And so Planning Department has no objection to granting the waiver.

COUNCILWOMAN DALIMONTE: Okay. So is -- Mr. Dunn, are you now finished with your presentation?

MR. DUNN: I believe so. First time. I believe so.

COUNCILWOMAN DALIMONTE: Since we have no one else to speak on this item, 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: 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. 576 - 2021**

**A PUBLIC HEARING TO CONSIDER THE APPLICATION OF R-5 ASSOCIATES FOR A WAIVER FROM ZONING REQUIREMENTS PURSUANT TO SECTION 70-164 OF THE TOWN CODE FOR THE PREMISES LOCATED AT 13 HARBOR PARK DRIVE, PORT WASHINGTON AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 6, BLOCK 86, LOT 7.**

**WHEREAS**, R-5 Associates (the "Applicant") has applied (the "Application") for a permit (the "Permit") pursuant to Section 70-164 of the Code of the Town of North Hempstead (the "Town Code") to install a 100 KW back-up generator above-ground on a three (3) acre site located at 13 Harbor Park Drive, Port Washington, New York and identified on the Nassau County Land and Tax Map as Section 6, Block 86, Lot 7 (the "Premises"); and

**WHEREAS**, the Premises is in the Town's Planned Industrial Park District (the "PIP District") as described in Chapter 70 of the Zoning Code; and

**WHEREAS**, Town Code §70-164 requires that energy sources, such as generators, and all equipment accessory to all utilities be installed underground in a PIP District; and

**WHEREAS**, Town Code §70-164 permits the Town Board (the "Board") of the Town of North Hempstead (the "Town") to waive the underground installation requirement in cases where the Board determines that the installation will result in difficulty or hardship, considering the usual topography or other natural conditions of the site (the "Waiver"); and

**WHEREAS**, the Town's Department of Building Safety, Inspection and Enforcement (the "Building Department") issued a Notice of Disapproval on March 16, 2021 citing §70-164; and

**WHEREAS**, the Applicant has requested that the Town Board grant it a Waiver so that the proposed back-up generator may be installed above-ground at the Premises; and

**WHEREAS**, the Town Clerk has published notice of a public hearing scheduled for October 21, 2021 via Zoom, as authorized and directed by the Town Board pursuant to Resolution No. 512-2021, adopted on September 30, 2021, to consider the Waiver; and

**WHEREAS**, the Applicant has furnished proof of service of notice of the public hearing to the affected property owners within a 300-foot radius of the Premises, and filed an affidavit as to the mailing of such notices; and

**WHEREAS**, the Applicant has furnished proof of posting a sign on the Premises and filed an affidavit as to the posting; and

**WHEREAS**, the Department of Planning and Environmental Protection (the "Planning Department") has reviewed the Application and has no objection to granting the Waiver for the following reasons: (1) the generator would not be visible from the public street nor would it be seen from any residential neighborhoods; and (2) sound attenuation and location of the generator should keep sound levels within the permitted limits; and

**WHEREAS**, in accordance with the New York State Environmental Quality Review Act as set forth in Title 6, Part 617.6 (b) of the Official Compilation of Codes, Rules, and Regulations of the State of New York ("SEQRA Regulations") the Planning Department has recommended that the Application be determined to be a "Type II" action pursuant to Section 617.5(c)(9) of the SEQRA Regulations requiring no further environmental review; and

**WHEREAS**, in accordance with §239-m of the General Municipal Law, the Nassau County Planning Commission was furnished copies of the site plan and Type II determination and, by letter dated September 8, 2021, deferred to the Town to take action as the Town deems appropriate; and

**WHEREAS**, this Board has carefully considered the Application, testimony and other relevant evidence at the public hearing held on October 21, 2021, and afforded all interested persons the opportunity to be heard; and

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that this Board determines that the Application is a "Type II" action pursuant to Section 617.5(c)(9) of the SEQRA Regulations requiring no further environmental review; and be it further

**RESOLVED** that this Board finds that the underground installation of the back-up generator at the Premises, as required by Town Code §70-164, will result in difficulty or hardship to the Applicant and qualifies for the Waiver; and be it further

**RESOLVED** that, pursuant to Town Code §70-164, the Application is hereby granted and the Permit is hereby approved; and be it further

**RESOLVED** that a copy of this resolution shall be filed with the Town Clerk and the Building Commissioner, pursuant to Town Code §70-164, is hereby authorized and directed to issue the Permit upon compliance with the application requirements as set forth in the Town Code and any other requirements or conditions imposed by any other governmental entity having jurisdiction over the Premises, except as herein above set forth, and to take such other action as may be necessary to effectuate the foregoing.

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara



**LEGAL NOTICE  
NOTICE OF HEARING**

**PLEASE TAKE NOTICE**

that, subject to the COVID-19 provisions contained in this notice, a public hearing will be held by the Town Board of the Town of North Hempstead on the 21st day of October, 2021 via Zoom, to consider the application of R-5 Associates for a waiver from zoning requirements pursuant to Section 70-164 of the Code of the Town of North Hempstead to install a 100 KW back-up generator above ground on a three (3) acre site located at 13 Harbor Park Drive, Port Washington, New York, and to hear all interested persons concerning the application.

**PLEASE TAKE FURTHER NOTICE** that the property that is the subject of this application is located on real property located at 13 Harbor Park Drive, Port Washington, New York, identified on the Nassau County Land and Tax Map as Section 6, Block 86, Lot 7.

**PLEASE TAKE FURTHER NOTICE**, that effective immediately, pursuant to a recent change in New York State's Open Meetings Law, and based on the ongoing COVID-19 pandemic, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, Town Board hearings and meetings will be held virtually via videoconferencing, as permitted by the NYS Open Meetings Law. The 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 meeting 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.

Dated: Manhasset, New York  
September 30, 2021

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

10-6-2021-1T-  
#227219-PORT

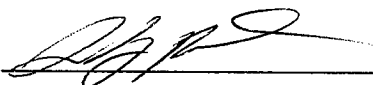
# Affidavit of Publication

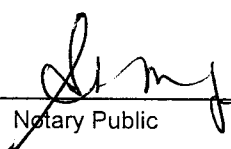
County of Nassau                      SS  
State of New York,

Iris Picone, being duly sworn, deposes and says that she is the principal Clerk of the Publisher of

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

1 weeks, viz:    October 6, 2021  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Sworn to me this    6    day of  
October-2021

\_\_\_\_\_  
  
Notary Public  
Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 16, 2024

MR. WINK: Item 6. An application to consider the application of Shore Oaks, LLC, c/o Ilias Theodoropoulos, for an appeal from a disapproval by the Commissioner of Building Safety, Inspection and Enforcement of a Structure (Dock) application pursuant to Chapter 42 of Town code for the property located at 22 Shore Drive, Plandome, New York 1103 0. And identified on the Nassau County land and tax map as Section 3, Block 182, Lot 7 and 9.

COUNCILWOMAN DALIMONTE: Okay. I move to continue this item to the December 16th, 2021, Town Board meeting.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

MR. WINK: Item 7. A public hearing to consider the petition to designate a secondary honorary street name for a portion of State Street in New Cassel pursuant to Section 10-5 of the Town code.

COUNCILWOMAN RUSSELL: This petition seeks to designate a secondary street naming for a portion of State Street in New Cassel for Ozzy Gibson, who was a beloved member of the New Cassel community who passed away suddenly last year. And if I can ask the Board just for a few minutes, that I can tell everyone about Ozzy. Is that okay?

SUPERVISOR BOSWORTH: Absolutely.

COUNCILWOMAN RUSSELL: Oswald, also called Ozzy, Gibson passed away suddenly in late 2020. During his short yet impactful life, Oswald made many lasting contributions to his lifelong home of New Cassel, New York. Many residents know Oswald as the unofficial mayor of Westbury and New Cassel. He was the epitome of a servant leader in every sense of the word and set a tone of service to others in his community that is emulated by many others. While his presence will be missed, his spirit and what his life represented will live on. Someone once said that a legacy is not what you leave someone, but instead it is what you leave in someone. There are few who have left a greater legacy than Oswald Gibson. So with the Board's permission, I'd like to ask if we can move this resolution and pass it.

MR. WINK: Okay.

COUNCIL MEMBER RUSSELL : Does anyone have any questions? I'm sorry. I should have



asked that first. Do we have anyone wishing to speak on this item?

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

COUNCILWOMAN RUSSELL: I would like to offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 577 - 2021**

**A PUBLIC HEARING TO CONSIDER A PETITION TO DESIGNATE A SECONDARY HONORARY STREET NAME FOR A PORTION OF STATE STREET IN NEW CASSEL PURSUANT TO SECTION 10-5 OF THE TOWN CODE.**

**WHEREAS**, Article II of Chapter 10 of the Code of the Town of North Hempstead (the "Town Code") provides for the designation of a secondary honorary name for an existing street or portion of existing street; and

**WHEREAS**, Kevin A. Henry (the "Petitioner") has applied for a secondary honorary street name for a portion of State Street in New Cassel, from the corner of Prospect Avenue to the corner of Park Avenue, to be known as "Oslo Gibson's Way" (the "Petition"); and

**WHEREAS**, the Town Highway Department (the "Highway Department") has determined that the Petition meets the basic criteria set forth in Section 10-4 of the Town Code; and

**WHEREAS**, following a review of the Petition by the Town Supervisor and the Councilperson for the area where the street is located (the "Councilperson"), the Councilperson recommended that a public hearing be scheduled to consider the Petition; and

**WHEREAS**, due notice has been heretofore given of a public hearing to be held on the 21st day of October, 2021 via Zoom to consider the Petition; and

**WHEREAS**, a copy of the Petition was forwarded by the Town Clerk to the local fire department, police department, and post office; and

**WHEREAS**, the Town Board has carefully considered the proposed Petition, conducted a public hearing on October 21, 2021 via Zoom, with respect to the Petition, 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 grant the Petition for a secondary honorary street for a portion of State Street in New Cassel, from the corner of Prospect Avenue to the corner of Park Avenue, to be known as "Oslo Gibson's Way".

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Petition is granted; and be it further

**RESOLVED** that the Highway Department is authorized and directed to take such action as may be necessary to effectuate the foregoing, including the installation of appropriate signage, to identify a secondary honorary street name for a portion of State Street in New Cassel, from the corner of Prospect Avenue to the corner of Park Avenue, to be known as "Oslo Gibson's Way".

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney      Highways



# Affidavit of Publication

## LEGAL NOTICE NOTICE OF HEARING

**PLEASE TAKE NOTICE** that, subject to the COVID-19 provisions contained in this notice, a public hearing will be held by the Town Board of the Town of North Hempstead on the 21st day of October, 2021, at 7:00 P.M. via Zoom, to consider the Petition for a secondary honorary street name for a portion of State Street in New Cassel, from the corner of Prospect Avenue to the corner of Park Avenue, to be known as "Oslo Gibson's Way".

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

**PLEASE TAKE FURTHER NOTICE**, that effective immediately, pursuant to a recent change in New York State's Open Meetings Law, and based on the ongoing COVID-19 pandemic, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, Town Board hearings and meetings will be held virtually via videoconferencing, as permitted by the NYS Open Meetings Law. The 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 meeting 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.

**Dated:** Manhasset, New York  
September 30, 2021

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

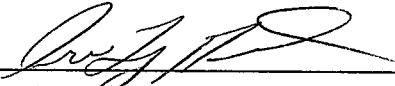
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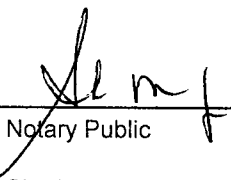
County of Nassau                      SS  
State of New York,

Iris Picone, being duly sworn, deposes and says 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:                                      October 6, 2021  
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\_\_\_\_\_  
Sworn to me this 6 day of  
October-2021

  
\_\_\_\_\_  
Notary Public  
Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 6, 2024

MR. WINK: Item 8. A public hearing to consider the petition to designate a secondary honorary state name for a portion of State Street in New Cassel pursuant to Section 10-A of the Town code.

COUNCILWOMAN RUSSELL: Again this is another giant in the New Cassel community. And we received a petition from the community, as well as our legislator, Siela Bynoe, and president of our Westbury school district, Robert Troiano. And with the permission, I'd like to read a little about Estelle. Estelle Meyers had been a very energetic and productive worker. She and her husband, Tom, operated a successful plumbing business as well as one of the first black-owned oil delivery businesses on Long Island. After some time of feeling lethargic and fatigued, it was found that she had a grape-sized tumor in her brain -- on her brain. After surgery and a long but complete recovery following, Estelle prayed to God promising that if her health returned she would serve him more than she ever had by helping people in need. She has made good on that promise many times over. Estelle would rise every morning to visit pantries where she collected food and delivered it to the homeless and people who she knew were experiencing hard times. She developed a large clientele who were very thankful for that what she did. She told her husband Tom to buy her a house, and he replied to her, "But we already have a house, Baby." But she explained that she wanted a place where she could feed and house the homeless. And, of course, Tom did as Estelle asked. He obliged her and countless numbers of people were able to have a safe place, well-kept residence to call home for over a decade. Estelle also adopted the seniors living at Magnolia Gardens at 899 Broadway in Westbury, all 99 of them. In addition to including many of them on her daily rounds to deliver food she collected from pantries, she hosted a summer barbecue that has become a New Cassel annual occurrence that the residents of 899 and Broadway, as well as their friends, family and other Housing Authority properties still enjoy to this day. Estelle has tried to serve God in His purity. The people she helped first referred to her as "that lady" because she wouldn't give her name to them. Estelle preferred to be anonymous. She won't appreciate and would shy away the notoriety that will come with the renaming of a portion of State Street as Estelle Meyers Way. It will bring attention to the selfless service she has given to this community and empowers others to model her life of giving. Do we have any comments from the Board or from the public?

SUPERVISOR BOSWORTH: Yeah, you know, Viviana, thanks for reading to us a little bit about Estelle. I always think of --you know, when I first met Estelle and I was told this was Estelle and her angels --

COUNCILWOMAN RUSSELL: Yes.

SUPERVISOR BOSWORTH: Because she did so much, and they had a band of people supporting her. But without her efforts, it seems that all these things wouldn't happen. So it's really just such a -- such a thing to know that a part of the street will be named for Estelle, and I can't think of anybody who deserves it more.

COUNCILWOMAN RUSSELL: Thank you. With that, 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: 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. 578 - 2021**

**A PUBLIC HEARING TO CONSIDER A PETITION TO DESIGNATE A SECONDARY HONORARY STREET NAME FOR A PORTION OF STATE STREET IN NEW CASSEL PURSUANT TO SECTION 10-5 OF THE TOWN CODE.**

**WHEREAS**, Article II of Chapter 10 of the Code of the Town of North Hempstead (the "Town Code") provides for the designation of a secondary honorary name for an existing street or portion of existing street; and

**WHEREAS**, Margaret Abrams (the "Petitioner") has applied for a secondary honorary street name for a portion of State Street in New Cassel, from the corner of Prospect Avenue to the corner of Broadway, to be known as "Estell Myers Way" (the "Petition"); and

**WHEREAS**, the Town Highway Department (the "Highway Department") has determined that the Petition meets the basic criteria set forth in Section 10-4 of the Town Code; and

**WHEREAS**, following a review of the Petition by the Town Supervisor and the Councilperson for the area where the street is located (the "Councilperson"), the Councilperson recommended that a public hearing be scheduled to consider the Petition; and

**WHEREAS**, due notice has been heretofore given of a public hearing to be held on the 21st day of October, 2021 via Zoom to consider the Petition; and

**WHEREAS**, a copy of the Petition was forwarded by the Town Clerk to the local fire department, police department, and post office; and

**WHEREAS**, the Town Board has carefully considered the proposed Petition, conducted a public hearing on October 21, 2021 via Zoom, with respect to the Petition, 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 grant the Petition for a secondary honorary street for a portion of State Street in New Cassel, from the corner of Prospect Avenue to the corner of Broadway, to be known as "Estell Myers Way".

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Petition is granted; and be it further



**RESOLVED** that the Highway Department is authorized and directed to take such action as may be necessary to effectuate the foregoing, including the installation of appropriate signage, to identify a secondary honorary street name for a portion of State Street in New Cassel, from the corner of Prospect Avenue to the corner of Broadway, to be known as "Estell Myers Way".

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney      Highways





MR. WINK: Item 9. A public hearing to consider the adoption of an ordinance effecting Alden Lane in Port Washington, New York.

SUPERVISOR BOSWORTH: I would --is there anyone wishing to be heard?

MR. WINK: I have no requests for comment on this item.

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

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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:**

**ORDINANCE NO. 31 - 2021**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING ALDEN LANE IN PORT WASHINGTON, NEW YORK.**

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

**PROPOSAL:**

**ADOPT:**

1. ALDEN LANE – LYNN ROAD – FULL STOP  
All Traffic eastbound on Alden Lane shall come to a Full Stop at its intersection with Lynn 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 the 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:** Manhasset, New York

October 21, 2021

**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,

**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 21st day of October, 2021, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**ALDEN LANE,  
PORT WASHINGTON,  
NEW YORK**

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

**PROPOSAL:**

**ADOPT:**

1. ALDEN LANE - LYNN ROAD - FULL STOP  
All Traffic eastbound on Alden Lane shall come to a Full Stop at its intersection with Lynn 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 not in excess of Thirty (\$30.00) Dollars, plus any surcharge payable to other governmental entities."

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 30, 2021  
Manhasset, New York

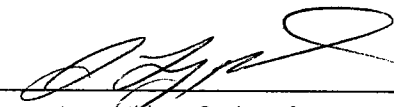
**BY ORDER OF THE  
TOWN BOARD OF  
THE TOWN OF  
NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK**

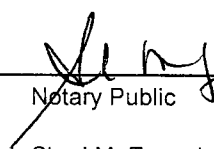
10-6-2021-1T-  
#227220-PORT

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

1 weeks, viz:    October 6, 2021

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_ Sworn to me this 6 day of  
October-2021

  
\_\_\_\_\_ Notary Public  
Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 16, 2024

# Affidavit of Publication

County of Nassau                      SS  
State of New York,

**REC'D TNH TOWN CLERK  
OCT 29 '21 @ 11:24**

**LEGAL NOTICE**  
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. 31 - 2021  
PORT WASHINGTON,  
NEW YORK**

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

**PROPOSAL**

**ADOPT:**

1. ALDEN LANE - LYNN ROAD - FULL STOP

All Traffic eastbound on Alden Lane shall come to a Full Stop at its intersection with Lynn 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 the 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: October 21, 2021

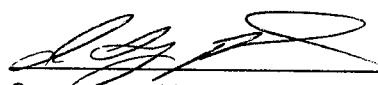
Manhasset, New York

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

10-27-2021-1T-  
#227601-PORT

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

1 weeks, viz:                      October 27, 2021  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Sworn to me this 27 day of  
October-2021



Notary Public

Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 16, 2024



MR. WINK: Item 10. A public hearing to consider the adoption of an ordinance effecting Middle Spring Road in Manhasset, New York.

COUNCILWOMAN LURVEY: So the adoption of this ordinance will establish a full stop southwest bound on Mill Spring Road at its intersection with Country Club Drive, Manhasset.

Mr. Wink, is there anybody who wishes to speak?

MR. WINK: I have no requests for comment on this item.

COUNCILWOMAN LURVEY: So 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: 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:**

**ORDINANCE NO. 32 - 2021**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING MILL SPRING ROAD IN MANHASSET, NEW YORK.**

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

**PROPOSAL:**

**ADOPT:**

1. **MILL SPRING ROAD – COUNTY CLUB DRIVE – FULL STOP**  
All Traffic southwest bound on Mill Spring Road shall come to a Full Stop at its intersection with County Club Drive.

**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 the 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:** Manhasset, New York

October 21, 2021

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



# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

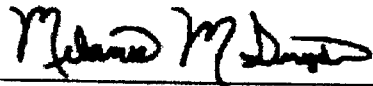
Legal Notice No. 0021682785

:SS.:

COUNTY OF GENESEE)

The undersigned, being duly sworn, says that such person is a duly authorized custodian of records of Newsday LLC, the publisher of Newsday, a daily newspaper published in Melville, County of Suffolk, State of New York, and circulated in Nassau, Suffolk, and Queens Counties, and that the Legal Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

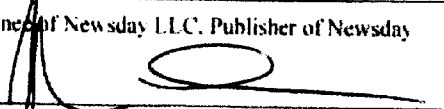
Saturday      October 09, 2021      Nassau

By: 

Print Name: Melanie M Snyder

Authorized Designee of Newsday LLC, Publisher of Newsday

**SWORN** to before me this  
11 Day of October, 2021.

  
Notary Public

TYSHAWN HARRISON  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01HA6186920  
Qualified in Erie County  
Commission Expires May 12, 2024

## Ad Content

Legal Notice # 21682785  
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 21st day of October, 2021, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**MILL SPRING ROAD,  
MANHASSET, NEW YORK**  
1. All motor or other vehicles of any kind shall comply with the following:

**PROPOSAL:**  
**ADOPT:**  
1. MILL SPRING ROAD -  
COUNTY CLUB DRIVE - FULL  
STOP

All Traffic southwest bound on Mill Spring Road shall come to a Full Stop at its intersection with County Club Drive.

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 not in excess of Thirty (\$30.00) Dollars, plus any surcharge payable to other governmental entities."

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 30, 2021  
Manhasset, New York

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

## NEWSDAY PROOF

Ad Number: 0021682785

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

# Affidavit of Publication

County of Nassau                      SS  
State of New York,

**REC'D TNH TOWN CLERK  
OCT 29 '21 @ 11:24**

**LEGAL NOTICE**  
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. 32 - 2021**

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

**PROPOSAL  
ADOPT:**

1. MILL SPRING ROAD -  
COUNTY CLUB DRIVE  
- FULL STOP  
All Traffic southwest bound on Mill Spring Road shall come to a Full Stop at its intersection with County Club Drive.

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 the 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.

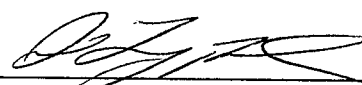
Dated: October 21, 2021  
Manhasset, New York

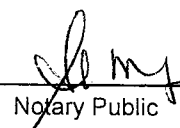
**BY ORDER OF THE  
TOWN BOARD OF  
THE TOWN OF  
NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK**

10-27-2021-1T-  
#227603-MAN

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

1 weeks, viz:                      October 27, 2021  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Sworn to me this 27 day of  
October-2021

  
Notary Public  
Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 16, 2024

MR. WINK: Item 11. A public hearing to consider the adoption of an ordinance effecting Meadow Drive in Albertson, New York.

COUNCILMAN ZUCKERMAN: The adoption of this ordinance will establish no parking between 8:00 a.m. and 4:00 p.m. on school days. Restriction on the portion of the west side of Meadow Drive, south of Willow Place in Albertson. The Town of North Hempstead has received this request from the Meadow Drive School in Albertson. The Mineola School District is requesting to have no parking restrictions put in front of the school for the safety of their students. Due to the vehicles as parking in front of the school during school hours, they brought to our attention that it is difficult for people going in and out of the school during arrival and dismissal and are making this a safety concern. The adoption of this ordinance will alleviate these concerns. Mr. Wink, do we have Jenny Carcana from the Mineola School District?

MR. WINK: Yes. She is one of the people requesting to speak on this item. Dan, if you could elevate Ms. Carcana.

MS. BRINN: She's elevated. She just needs to unmute herself.

MR. WINK: Ms. Carcana.

MS. CARCANA: Yes.

MR. WINK: Thank you, Ms. Carcana. Thank you for joining.

MS. CARCANA: Yes, good evening thank you for having me, Supervisor Bosworth and members of the North Hempstead Town Council. My name is Jenny Carcana, I am the director of facilities for Mineola public schools. I had the pleasure of meeting with your representative at Meadow Drive School and due to recent renovations we've done at the school to increase safety, we put in a bus loop in the front, which took out about 25 spots that we then put a new parking lot along Willow Place with 40 spots. So we increased parking for our facility by about fifteen spots. As you mentioned, there is a significant issue with traffic flow in front of the building with parking on both sides of Meadow Drive. By eliminating parking in front of the school only during school hours, that would allow for a better flow of traffic. And really, those spots were never available to the public, as that was our parking before we did the renovation. And thank you for hearing me.

COUNCILMAN ZUCKERMAN: Thank you, Ms. Carcana. Mr. Wink, are there any other...

MR. WINK: Yes, Joseph Palminteri. And if you could elevate Mr. Palminteri.

MR. PALMINTERI: Hi. Thank you.

COUNCILMAN ZUCKERMAN: Hi, Mr. Palminteri. Thank you for joining us this evening.

MR. PALMINTERI: I live at 30 Meadow Drive, directly across the street from the school, and I side with the school because I'm around my home a lot, and I lived here for 50 years. And in 50 years, I have never seen a bottleneck, dangerous, people walking in between the cars to come across the street. It's just disastrous. I don't believe that you can get a firetruck down there or any -- any vehicle, emergency vehicle in a decent fashion during the school hours. So I'm for having the signs. I figure it would be the greatest safety factor that the school, you know, is asking for. So I'm for the signs.

COUNCILMAN ZUCKERMAN: Thank you, Mr. Palminteri.

MR. WINK: Thank you. The next speaker is Debbie A. Okay. Yes, it's D. Amarotti. Ms. Amarotti, you can unmute.

MS. AMAROTTI: Okay. Hi. Can you hear me now?

COUNCILMAN ZUCKERMAN: Yes. Thank you for joining us, Ms. Amarotti.

MS. AMAROTTI: Thank you so much for allowing me to speak. I, unfortunately, am completely against the ordinance. I live at 26 Meadow Drive, my front entrance is parallel to the entrance of the school. I have a one parking driveway, and I own more than one car. I am seven months pregnant, and I work from home. If you put this into place, that would cause me -- or to have to recently -- with a newborn child, have to every morning go outside to move my car to then walk with the child -- into just come back home and then do it again at 3:00. It's a huge inconvenience, especially since I'm a stay-at-home mom; so that would have to be my life for a very long time.

COUNCILMAN ZUCKERMAN: Okay. Thank you, Ms. Amarotti.

MS. AMAROTTI: Thank you.

MR. WINK: Thank you for your comments. The next speaker is Jennifer Esker Golan.

MS. BRINN: I think they're under Lior Golan.

MR. WINK: I think that may be so, yes. Ms. Golan.

MS. GOLAN: Hi. Can you hear me now?

MR. WINK: Yes, we can hear you.

MS. GOLAN: How are you? Good evening, everybody.

COUNCILMAN ZUCKERMAN: Good evening.

MS. GOLAN: So I live across the street at 22 Meadow Drive. My house is the larger house that's directly across the street from where the buses exit from the relatively new bus loop that was installed. The -- I'm against the additional parking on Meadow Drive for a number of reasons. The first is because the -- when they took away the 25 spots and put in 40 spots, we were told that we were going to be able to park on the western side of Meadow Drive, and we had a -- there was a hearing on this, I attended the hearing, and now it's being taken away. And the problem is, is that the spots are not utilized by the teachers, all of them. So you have everybody parking in front of the private houses, and it means that we can't -- we have no place to park because the teachers are parked in front of our houses all the time. And I've lived here for ten years. My grandmother taught at Meadow Drive from when the school first opened, and there was a problem with traffic flow, but there's no longer a problem with traffic flow. I can show you my cameras outside of my house that record traffic flow, so there's no issue with people driving and up down the block during -- during the school day at all. Anybody can drive up and down the block. The school is having the students go into the building through the side of the building and not the front of the building. So there really aren't any students that are crossing the street and/or very few crossing the street to get into the front of the school. There are occasionally students who go from the side of the building where the -- I guess it's a Pre-K program is. But those people don't have to cross over -- don't have to cross through the gate, they just walk around the side where the entrance is of the bus lane. So the problem is is that you're taking away additional parking, there's not enough parking as is, it's not a safety issue; and



if they really feel that it is a safety issue, then they should have a study done to demonstrate that it's a safety issue. Just to take away parking and turn this street into Queens by putting up no parking signs unnecessarily is not fair to the people that live here, and it decreases our property values.

COUNCILMAN ZUCKERMAN: Okay. Thank you, ma'am.

MR. WINK: Okay. I have no additional comment.

COUNCILMAN ZUCKERMAN: Okay. So we received email correspondence from a few other people. We received an email from a Veronica Allen. Ms. Allen is opposed to the elimination of the parking spots on the west side of Meadow Drive in Albertson, but she was unable to go on the Zoom meeting. We also received an email from Hercel Benumiti he is also voicing his concerns about the elimination of the spots in that --in that location but was unable to go on tonight. We received a phone call but not an email from Jack Hirsch who lives in the area, and he is in favor of the parking restrictions. Mr. Wink, is it possible to bring Ms. Carcana back on?

MR. WINK: I'm assuming she has not dropped off the Zoom all together. Yes, it would be possible. There she is and unmuted.

COUNCILMAN ZUCKERMAN: Hi, Ms. Carcana.

MS. CARCANA: Yes.

COUNCILMAN ZUCKERMAN: One of the residents brought up an interesting point. Has a traffic and safety study been done concerning the question of whether or not there is a safety concern relating to these spots? Has this been done or performed by the school district?

MS. CARCANA: No, we have not done a traffic and safety, you know, with an engineer.

COUNCILMAN ZUCKERMAN: Okay. And, Ms. Carcana, one of the residents mentioned that the students are entering the school from the side door but not actually the front of the school where these parking spots are. Is that --is that accurate as well?

MS. CARCANA: Well, we do have the bus loop now, so buses are being dropped off there. We do have a side entrance which is -- she's correct, where the Pre-K program does enter, but students are entering and being dropped of from the bus lane into the front of the school.

COUNCILMAN ZUCKERMAN: Right. Thank you for answering those questions.

MS. CARCANA: Sure .

SUPERVISOR BOSWORTH: Actually, Ms. Carcana, I actually have another question. Councilman Zuckerman, if that's okay.

COUNCILMAN ZUCKERMAN: Oh, yeah. Please, please.

SUPERVISOR BOSWORTH: One of the residents talked about the fact that they had been assured that their parking wouldn't be effected and asserts that the teachers instead of parking in the lot -- because, you know, I was impressed with the fact that we added all these spots but that the teachers are, in fact, parking in front of their homes and not in the parking lot. Is there any way to -- to see if that's the case?

MS. CARCANA: I mean, the lot is available to them. They do have, you know, the ability to park in the lot is open. And I do know every time we go to the school, there is parking on both

sides of the street. I don't know if all of those cars are from the school. You know, we can certainly look into that. The teachers certainly should be using the parking lot that was provided, that's the purpose of it, and we can debrief the number of spots.

SUPERVISOR BOSWORTH: It seems to be very important that the teachers understand that, you know, that's why the lot is there and that they're impacting on the, you know, the quality of life.

MS. CARCANA: Yeah, the residents.

SUPERVISOR BOSWORTH: The residents living across the street.

MS. CARCANA: Yeah, absolutely. The principal of the school has had in her teacher meetings has, you know, directed the teachers and staff to park in that parking lot, superintendent's conference day, you know. Also Dr. Nagler had spoken to the building that people should be parking in that lot.

COUNCILMAN ZUCKERMAN: Ms. Carcana, I'm concerned that the residents were told one thing and now that the restriction that we're talking about was against what the residents were told prior to the construction of the traffic loop.

MS. CARCANA: I'm not sure where -- when they were told that, to be honest with you. I'm not sure what meeting they were told that at. You know, or if that was publicly written. But there's never been parking along the front of Meadow Drive School. It was for, you know, for the school district only 25 spots. So this is new parking to that area.

COUNCILMAN ZUCKERMAN: It was -- what was before the traffic loop was installed Ms. Carcana, what was there?

MS. CARCANA: The 25 parking head-in spots directly in front of the building.

COUNCILMAN ZUCKERMAN: And those were spots marked clearly for the -- for school personnel?

MS. CARCANA: For school personnel.

COUNCILMAN ZUCKERMAN: School personnel. I mean, we -- we want to preserve the safety of all students and parents and teachers who are in that area. But I'm concerned that we don't have quite enough information here this evening.

MS. CARCANA: Okay.

COUNCILMAN ZUCKERMAN: So what I'd like to -- I'm going to ask that you could go back to -- I'm going to adjourn, I'm going to adjourn this without a date so we don't have to rush. But I'd ask if you could go back to the school and get a clarification about what was told to the residents. In addition, to that I'm suggesting that a study be done that would verify what is -- what you're asking for that would --

MS. CARCANA: Sure. Get a traffic study done.

COUNCILMAN ZUCKERMAN: Yes. Because, we -- you know, we want to do the right thing here; and as we always do when we pass something, it's not necessarily if we pass it, and it's the wrong approach or it's not helping, we'll modify it. And I wouldn't want to rush it, I would really hate to rush into something tonight because I think everyone at the school district as well as all the residents who took the time to speak tonight, I think everyone wants to get it right and I know

I can speak for the Supervisor and Board Members. We want to get it right that this is best for safety as well as the way we can least impact the residents who live in that -- in that specific area. So if you could go back --

MR. WINK: Councilman.

COUNCILMAN ZUCKERMAN: Yes.

MR. WINK: Ms. Golan has requested a chance to say one more word about this.

COUNCILMAN ZUCKERMAN: Sure, sure. Ms. Carcana, if you could bring that back to the folks at the school district, and we'll be available to speak further. But if you could bring that information back and just tell them that we really want to clarify this in a way so that everyone is on the same page and really try to come up with a solution this best suits the school, but the residents as well. All right?

MS. CARCANA: Sure, absolutely.

COUNCILMAN ZUCKERMAN: Thank you so much, Ms. Carcana. Mr. Wink, if you can elevate Ms. Golan.

MR. WINK: Dan, if you can elevate Ms. Golan. She's under Lior Golan.

MS. GOLAN: Hi. Thank you again. I'll make it very short. I appreciate that you're adjourning the meeting -- adjourning this issue without a date. I'm asking if we could get clearer notice next time because the only way we found out about this was that there was one flyer posted on one pole near the school and a lot of people in the area didn't know about it. So that was an issue and a concern that we have. Just to address what the woman from the school district said, when they pull into the busing lane, they get out right in front of the school, they don't have to cross that fence that blocks the street from the school itself. That was the whole purpose of putting up the bus lane. And the person who told us and promised that we would still have parking was the superintendent. He had a meeting and people attended it. And the third, last issue is that the car -- that the 25 spots that were originally available were never earmarked for the school. There was never a sign, and I know this because I've lived here, and as I mentioned, my grandmother taught at the school.

COUNCILMAN ZUCKERMAN: Thank you. Thank you for that information, ma'am. We appreciate it. And I'll make sure that you have the proper notice going forward. You know, we follow the regulations in regard to notice of meetings. But I want to specifically make sure you're aware going forward, if I could just ask that if you could call my office tomorrow and give me -- give your contact information to my legislative aid, Sam. And we'll make sure to contact you so this way, going forward, we'll have all the up-to-date information.

MS. GOLAN: Thank you so much, sir.

MR. WINK: Councilman, Mr. Palminteri wishes to say another word.

SUPERVISOR BOSWORTH: You know, Peter, that's such a great suggestion, but I would imagine we have the -- some of the contact information of some of the people that wanted to be speaking so if we have their names, it would be great if Sam could, you know, make sure that everybody that has participated tonight --

COUNCILMAN ZUCKERMAN: Yeah, absolutely. I really meant so that we could --but thank you, thank you.

SUPERVISOR BOSWORTH: Okay.

MR. WINK: If we can invite Mr. Palminteri to -- Mr. Palminteri, if you can unmute yourself. Thank you.

MR. PALMINTERI: Yes. This is Mr. Palminteri again on the school signs. That is a definite, definite safety factor that the people do cross the street. They park down the block, they walk up the block and they cross the street. For the people that -- that they do cross over the fence, not over the fence but through the opening that they have in the fence, they are children dropped off across the street and the parents have to walk the kids around so they're parked there. And people start to park in the front of the houses at a quarter to 7:00 in the morning and they have all of the spots gone by 8:00 in front of the houses. Right? So nothing is going to change for the people on the opposite of what we're talking about right now. The other side, they start at 8:00, and there is plenty of traffic. I will try to provide videos or whatever it may be for the next hearing, and I want to be contacted. You have my email?

COUNCILMAN ZUCKERMAN: Yes. Yes, sir, we have your contact information.

MR. PALMINTERI: So we'll turn around and provide film of what takes place a couple of hours a day.

MR. WINK: Thank you, Mr. Palminteri.

MR. PALMINTERI: All right. Thank you.

MR. WINK: All right. The next speaker wishing to be heard is Eileen Lusardi.

COUNCILMAN ZUCKERMAN: Okay. Hi, Ms. Lusardi. How are you?

MS. LUSARDI: Hello. I live on Willow Place and the traffic is horrendous, horrendous. You cannot get down Willow -- you cannot get down Meadow Drive from Willow Drive -- from Willow Place to I U Willets Road, you can't get on. I don't know what else to say other than you cannot get down Meadow Drive during the day. I drive down the block four or five times a day. There's always cars on both sides, seven or eight cars parked. It's ridiculous. And we were promised that there would be no parking on that side from the school district.

COUNCILMAN ZUCKERMAN: Okay. We'll certainly look into that. Thank you, Ms. Lusardi.

MR. WINK: I have no additional requests for comment.

COUNCILMAN ZUCKERMAN: Okay. All right. Okay. At this time, Mr. Wink, I'd like to adjourn -- move this to a vote so we can adjourn this without a date, look into this further and await the school's engineer, traffic engineer study.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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 12. A public hearing to consider the adoption of an ordinance effecting Charles Street in Port Washington, New York.

COUNCILWOMAN DALIMONTE: The adoption of this ordinance will establish a full stop westbound on Charles Street at its intersection with Carlton Avenue. Is there anyone wishing to be heard?

MR. WINK: I have no requests for comment 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: 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:**

**ORDINANCE NO. 33 - 2021**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING CHARLES STREET IN PORT WASHINGTON, NEW YORK.**

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

**PROPOSAL:**

**ADOPT:**

**1. CHARLES STREET – CARLTON AVENUE – FULL STOP**

All Traffic westbound on Charles Street shall come to a Full Stop at its intersection with Carlton Avenue.

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

**Section 3. PENALTIES:** "A violation of this ordinance shall be punishable by a fine, or when applicable, by imprisonment, not in the 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:** Manhasset, New York

October 21, 2021

**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 6<sup>th</sup> day of October, 2021, he posted the attached Notice of Hearing TO CONSIDER THE ADOPTION OF ORDINANCES AFFECTING CHARLES STREET, PORT WASHINGTON, NEW YORK, at the following locations:

- Town Clerk Bulletin Board
- Port Washington Post Office
- Charles St and Carlton Ave
- Charles St 100 feet east of Carlton Ave
- Charles St 200 feet east of Carlton Ave

  
\_\_\_\_\_

Sworn to me this  
6<sup>th</sup> day of October, 2021

  
\_\_\_\_\_

Notary Public  
Brandon K Gimpelman  
Notary Public, State of New York  
No. 01G16371819  
Qualified in Nassau County  
Commission expires March 5, 2022



# Affidavit of Publication

County of Nassau                      SS  
State of New York,

**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 21st day of October, 2021, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**CHARLES STREET,  
PORT WASHINGTON,  
NEW YORK**

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

**PROPOSAL:  
ADOPT:**

1. CHARLES STREET -  
CARLTON AVENUE -  
FULL STOP  
All Traffic westbound on Charles Street shall come to a Full Stop at its intersection with Carlton Avenue.

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

Section 3. PENALTIES: "A violation of this ordinance shall be punishable by a fine not in excess of Thirty (\$30.00) Dollars, plus any surcharge payable to other governmental entities."

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 30, 2021  
Manhasset, New York

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

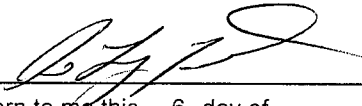
10-6-2021-1T-  
#227221-PORT

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

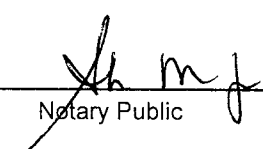
1 weeks, viz:

October 6, 2021

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Sworn to me this 6 day of  
October-2021



Notary Public

Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 16, 2024

# Affidavit of Publication

County of Nassau                      SS  
State of New York,

**REC'D TNH TOWN CLERK  
OCT 29 '21 AM 11:24**

**LEGAL NOTICE**  
**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. 33 - 2021**  
**PORT WASHINGTON,**  
**NEW YORK**

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

**PROPOSAL**  
**ADOPT:**

1. CHARLES STREET -  
CARLTON AVENUE -  
FULL STOP

All Traffic westbound on Charles Street shall come to a Full Stop at its intersection with Carlton Avenue.

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

**Section 3. PENALTIES:** "A violation of this ordinance shall be punishable by a fine, or when applicable, by imprisonment, not in the ex-

cess 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: October 21, 2021

Manhasset, New York

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

10-27-2021-1T-  
#227602-PORT

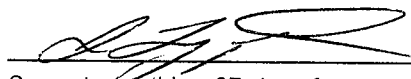
Iris Picone, being duly sworn, deposes and says that she is the principal Clerk of the Publisher of

The PORT WASHINGTON NEWS

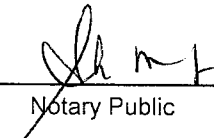
a weekly newspaper published at Mineola in the county of Nassau, in the State of New York, and that a notice, a printed copy of which is hereunto annexed, has been published in said newspapers once in each week for

1 weeks, viz:

October 27, 2021



Sworn to and subscribed this 27 day of  
October-2021



Notary Public

Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 16, 2024

MR. WINK: Item 13. A public hearing to consider the adoption of an ordinance effecting Cherry Lane in Floral Park, New York.

COUNCILWOMAN SEEMAN: Mr. Wink, do you have any cards on this?

MR. WINK: I have no requests for comment on this item.

COUNCILWOMAN SEEMAN: Is there anyone wishing to be heard? I see no one. I therefore close the public hearing, offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 579 - 2021**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING CHERRY LANE IN FLORAL PARK, 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 on the west side of Cherry Lane, Floral Park, New York from a point 376 feet north of the north curblineline of Whittier Avenue, north, for a distance of 25 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 on the west side of Cherry Lane, Floral Park, New York from a point 376 feet north of the north curblineline of Whittier Avenue, north, for a distance of 25 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 21st day of October 2021 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:

**ORDINANCE AFFECTING CHERRY LANE IN FLORAL PARK, 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, September 3, 2020, September 24, October 22, 2020, May 20, 2021 and August 5, 2021 is further amended by adding thereto a new subdivision as follows:

"121" A reserved parking space on the west side of Cherry Lane, Floral Park, New York from a point 376 feet north of the north curblineline of Whittier Avenue, north, for a distance of 25 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

October 21, 2021

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

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara

**cc:** Town Attorney      Comptroller      Traffic Safety      Public Safety



# Affidavit of Publication

County of Nassau                      SS  
State of New York,

**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 October 21, 2021, 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 on the west side of Cherry Lane, Floral Park, New York from a point 376 feet north of the north curb line of Whittier Avenue, north, for a distance of 25 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 30, 2021

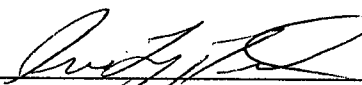
**BY ORDER OF THE  
TOWN BOARD OF  
THE TOWN OF  
NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK**  
10-6-2021-1T-#227215-NHP

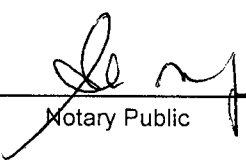
Iris Picone, being duly sworn, deposes and says that she is the principal Clerk of the Publisher of

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:    October 6, 2021

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
Sworn to me this 6 day of  
October-2021

  
\_\_\_\_\_  
Notary Public  
Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 16, 2024



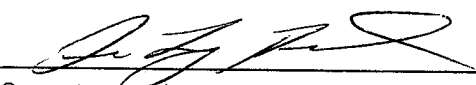
## Affidavit of Publication

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, September 3, 2020, September 24, October 22, 2020, May 20, 2021 and August 5, 2021 is further amended by adding thereto a new subdivision as follows:

County of Nassau                      SS  
State of New York,

Iris Picone, 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:    October 27, 2021  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
Sworn to me this 27 day of

October-2021

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

Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 16, 2024

### LEGAL NOTICE 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 21st day of October 2021 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:  
**ORDINANCE AFFECTING  
CHERRY LANE IN  
FLORAL PARK,  
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. No-

Cherry Lane, Floral Park, New York from a point 376 feet north of the north curbline of Whittier Avenue, north, for a distance of 25 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  
October 21, 2021

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

10-27-2021-1T-  
#227599-NHP

“121” A reserved parking

MR. WINK: Item 14. A public hearing to consider the adoption of an ordinance effecting Allenwood Road in Great Neck, New York.

COUNCILWOMAN LURVEY: The adoption of this ordinance will establish a "No Stopping Here to Corner" restriction on the north side of Allenwood Road in Great Neck. Mr. Wink, is there anybody here who wishes to be heard?

MR. WINK: I have no requests for comment on this item.

COUNCILWOMAN LURVEY: So 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: 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:**

**ORDINANCE NO. 34 - 2021**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING ALLENWOOD ROAD IN GREAT NECK, NEW YORK.**

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

**PROPOSAL:**

**ADOPT:**

1. ALLENWOOD ROAD – NORTH SIDE – NO STOPPING HERE TO CORNER  
From the west curblineline of Warwick Road, west for a distance of 20 feet.

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

**Section 3. PENALTIES:** "A violation of this ordinance shall be punishable by a fine, or when applicable, by imprisonment, not in the 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:** Manhasset, New York

October 21, 2021

**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 5<sup>th</sup> day of  
October, 2021, he posted the attached Notice of Hearing TO CONSIDER THE  
ADOPTION OF ORDINANCES AFFECTING ALLENWOOD ROAD IN GREAT NECK,  
NEW YORK, at the following locations:

Town Clerk Bulletin Board

Great Neck Post Office

Allenwood Rd and Warwick Rd

Allenwood Rd 100 feet west of Warwick Rd

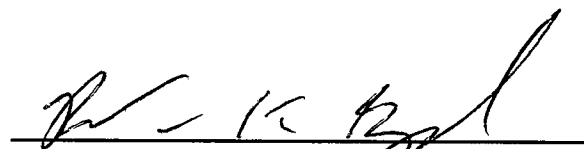
Allenwood Rd 50 feet east of Warwick Rd



Henry Krukowski

Sworn to me this

6<sup>th</sup> day of October, 2021



Notary Public

Brandon K Gimpelman  
Notary Public, State of New York  
No. 01G16371819  
Qualified in Nassau County  
Commission expires March 5, 2022

# Affidavit of Publication

County of Nassau                      SS  
State of New York,

**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 21st day of October, 2021, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**ALLENWOOD ROAD,  
GREAT NECK, NEW YORK**

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

**PROPOSAL:**

**ADOPT:**

1. ALLENWOOD ROAD  
- NORTH SIDE - NO  
STOPPING HERE TO  
CORNER

From the west curblin of  
Warwick Road, west for a  
distance of 20 feet.

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

Section 3. PENALTIES: "A violation of this ordinance shall be punishable by a fine not in excess of Thirty (\$30.00) Dollars, plus any surcharge payable to other governmental entities."

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 30, 2021  
Manhasset, New York

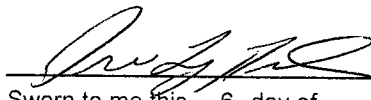
**BY ORDER OF THE  
TOWN BOARD OF  
THE TOWN OF  
NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK**

10-6-2021-1T-#227218-GN

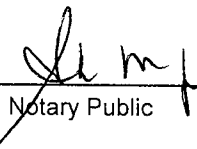
Iris Picone, being duly sworn, deposes and says that she is the principal Clerk of the Publisher of  
The GREAT NECK RECORD  
a weekly newspaper published at Mineola in the county of Nassau, in the State of New York, and that a notice, a printed copy of which is hereunto annexed, has been published in said newspapers once in each week for

1 weeks, viz:

October 6, 2021



Sworn to me this 6 day of  
October-2021



Notary Public

Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 6, 2024

# Affidavit of Publication

County of Nassau  
State of New York,

SS

REC'D TNH TOWN CLERK  
OCT 29 '21 AM 11:24

## LEGAL NOTICE

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. 34 - 2021**

**GREAT NECK, NEW YORK**

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

**PROPOSAL**  
**ADOPT:**

1. ALLENWOOD ROAD  
- NORTH SIDE - NO  
STOPPING HERE TO  
CORNER

From the west curblin of  
Warwick Road, west for a  
distance of 20 feet.

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

Section 3. PENALTIES: "A violation of this ordinance shall be punishable by a fine, or when applicable, by imprisonment, not in the 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: October 21, 2021  
Manhasset, New York

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

10-27-2021-1T-#227600-GN

Iris Picone, being duly sworn, deposes and says that

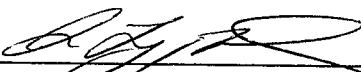
she is the principal Clerk of the Publisher of

The GREAT NECK RECORD

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:

October 27, 2021



Sworn to me this 27 day of  
October-2021

  
Notary Public

Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 16, 2024

MR. WINK: Item 15. A public hearing to consider the adoption of an ordinance affecting Sylvester Street in Westbury, New York.

COUNCILWOMAN RUSSELL: The adoption of the ordinance will establish a reserved parking space on the west side of Sylvester Street between Prospect Avenue and Park Avenue in Westbury. Is there anyone wishing to be heard?

MR. WINK: I have no requests for comment on this item.

COUNCILWOMAN RUSSELL: So seeing no one, I would like to offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 580 - 2021**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING SYLVESTER STREET IN WESTBURY, 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 on the west side of Sylvester Street, Westbury, New York from a point 190 feet north of the north curblineline of Prospect Avenue, north, 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 on the west side of Sylvester Street, Westbury, New York from a point 190 feet north of the north curblineline of Prospect Avenue, north, 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 21st day of October 2021 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:

**ORDINANCE AFFECTING  
SYLVESTER STREET IN WESTBURY.**

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, September 3, 2020, September 24, October 22, 2020, May 20, 2021 and August 5, 2021 is further amended by adding thereto a new subdivision as follows:

"122" A reserved parking space on the west side of Sylvester Street, Westbury, New York from a point 190 feet north of the north curblineline of Prospect Avenue, north, 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

October 21, 2021

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

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara

**cc:** Town Attorney      Comptroller      Traffic Safety      Public Safety


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

Henry Krukowski, being duly sworn, deposes and says that on the 13<sup>th</sup> day of September, 2021, he posted the attached Notice of Hearing to consider the enactment of an ordinance establishing a reserved parking space affecting Sylvester Street, Westbury, New York, at the following locations:

- Town Clerk Bulletin Board
- Westbury Post Office
- Prospect Ave and Sylvester St
- Sylvester St 100 feet north of Prospect Ave
- Sylvester St 200 feet north of Prospect Ave

  
Henry Krukowski

Sworn to me this  
6<sup>th</sup> day of October, 2021

  
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,

**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 October 21, 2021, 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 on the west side of Sylvester Street, Westbury, New York from a point 190 feet north of the north curb line of Prospect Avenue, north, 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.

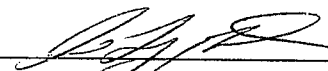
**Dated:** Manhasset, New York  
September 30, 2021


**BY ORDER OF THE  
TOWN BOARD OF  
THE TOWN OF  
NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK  
10-6-2021-1T-#227214-WBY**

Iris Picone, being duly sworn, deposes and says 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:    October 6, 2021  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Sworn to me this 6 day of  
October-2021

  
Notary Public  
Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 6, 2024

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, September 3, 2020, September 24, October 22, 2020, May 20, 2021 and August 5, 2021 is further amended by adding thereto a new subdivision as follows:

"122" A reserved parking space on the west side of Sylvester Street, Westbury, New York from a point 190 feet north of the north curbline of Prospect Avenue, north, for a distance of 20 feet.

**LEGAL NOTICE  
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 21st day of October 2021 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:  
**ORDINANCE  
AFFECTING  
SYLVESTER STREET IN  
WESTBURY.**

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,

# Affidavit of Publication

County of Nassau  
State of New York,

SS

**REC'D TNH TOWN CLERK  
OCT 29 '21 AM 11:25**

Iris Picone, being duly sworn, deposes and says 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:

October 27, 2021

Sworn to me this 27 day of  
October-2021

Notary Public

Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 6, 2024

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  
October 21, 2021

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

10-27-2021-1T-  
#227607-WBY

MR. WINK: Resolutions, Item 16. A resolution setting a date for a public hearing -- excuse me, setting a date for a special meeting of the Town Board of the town of North Hempstead for December 2nd, 2021, at 10:00 a.m.

SUPERVISOR BOSWORTH: I offer the resolution, setting a date for the capital plan work session for December 2nd, 2021, at 10:00 a.m.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 581 - 2021**

**A RESOLUTION SETTING A DATE FOR A SPECIAL MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD FOR DECEMBER 2, 2021 AT 10:00 A.M.**

**WHEREAS**, the Town Board desires to set a Special Meeting of the Town Board (the "Board") to conduct a work session relating to the Town's 2022 Capital Plan, known as the 2022-2026 Multi-Year Capital Plan, and to further 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 December 2, 2021 at 10:00 a.m. to conduct a work session relating to the Town's 2022 Capital Plan, known as the 2022-2026 Multi-Year Capital Plan and to further 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, subject to the COVID-19 provisions contained in this notice, a Special Meeting of the Town Board of the Town of North Hempstead will be held on December 2, 2021 at 10:00 a.m. via Zoom, to conduct a work session relating to the Town's 2022 Capital Plan, known as the 2022-2026 Multi-Year Capital Plan, and to further consider any other matters that may come before the Board.

**PLEASE TAKE FURTHER NOTICE**, that effective immediately, pursuant to a recent change in New York State's Open Meetings Law, and based on the ongoing COVID-19 pandemic, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, Town Board hearings and meetings will be held virtually via videoconferencing, as permitted by the NYS Open Meetings Law. The 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 scheduled time at 10:00 A.M. Residents who are interested in viewing the meeting 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.

**Dated:** Manhasset, New York

October 21, 2021

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

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara

**cc:** Town Attorney      Town Clerk



MR. WINK: Item 17. A resolution setting a date for a public hearing to consider the adoption of a local law, amending Chapter 28 of the Town code, entitled housing, rehabilitation and property maintenance code.

SUPERVISOR BOSWORTH: I offer the resolution, setting a date for November 18th, 2021.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 582 - 2021**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 28 OF THE TOWN CODE ENTITLED "HOUSING, REHABILITATION AND PROPERTY MAINTENANCE CODE."**

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

**WHEREAS**, this Board wishes to set a date for a public hearing to consider the adoption of a Local Law amending Chapter 28 of the Town Code entitled "Housing, Rehabilitation and Property Maintenance Code" in order to require the removal of vines, including ivy, on commercial properties to prevent it from encroaching or growing upon any adjoining or neighboring property.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing be held by this Board on the 18th day of November, 2021, at 7:00 P.M. via Zoom, for the purpose of considering the adoption of a Local Law amending Chapter 28 of the Town Code entitled "Housing, Rehabilitation and Property Maintenance Code" in order to require the removal of vines, including ivy, on commercial properties to prevent it from encroaching or growing upon any adjoining or neighboring property; and be it further

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

**NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that, subject to the COVID-19 provisions contained in this notice, a public hearing will be held by the Town Board of the Town of North Hempstead on November 18, 2021 at 7:00 P.M. via Zoom, to consider the adoption of a Local Law amending Chapter 28 of the Town Code entitled "Housing, Rehabilitation and Property Maintenance Code" in order to require the removal of vines, including ivy, on commercial properties to prevent it from encroaching or growing upon any adjoining or neighboring property.

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

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

**PLEASE TAKE FURTHER NOTICE**, that effective immediately, pursuant to a recent change in New York State's Open Meetings Law, and based on the ongoing COVID-19 pandemic, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, Town Board hearings and meetings will be held virtually via videoconferencing, as permitted by the NYS Open Meetings Law. The 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 meeting 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.

**Dated:** Manhasset, New York

October 21, 2021

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

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

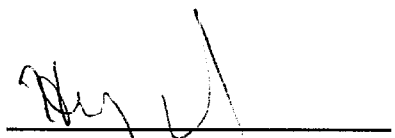
**Absent:** Councilperson Ferrara

**cc:** Town Attorney      Town Clerk

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


Henry Krukowski, being duly sworn, deposes and says that on the 16<sup>th</sup> day of November, 2021, he posted the attached Notice of Special Meeting, at the following locations:

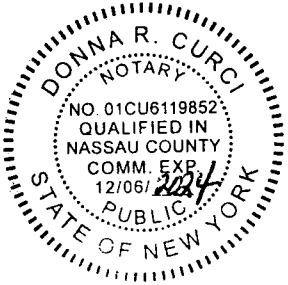
- Town Clerk Bulletin Board
- Front and rear doors of Town Hall
- Front and rear doors of Town Hall II

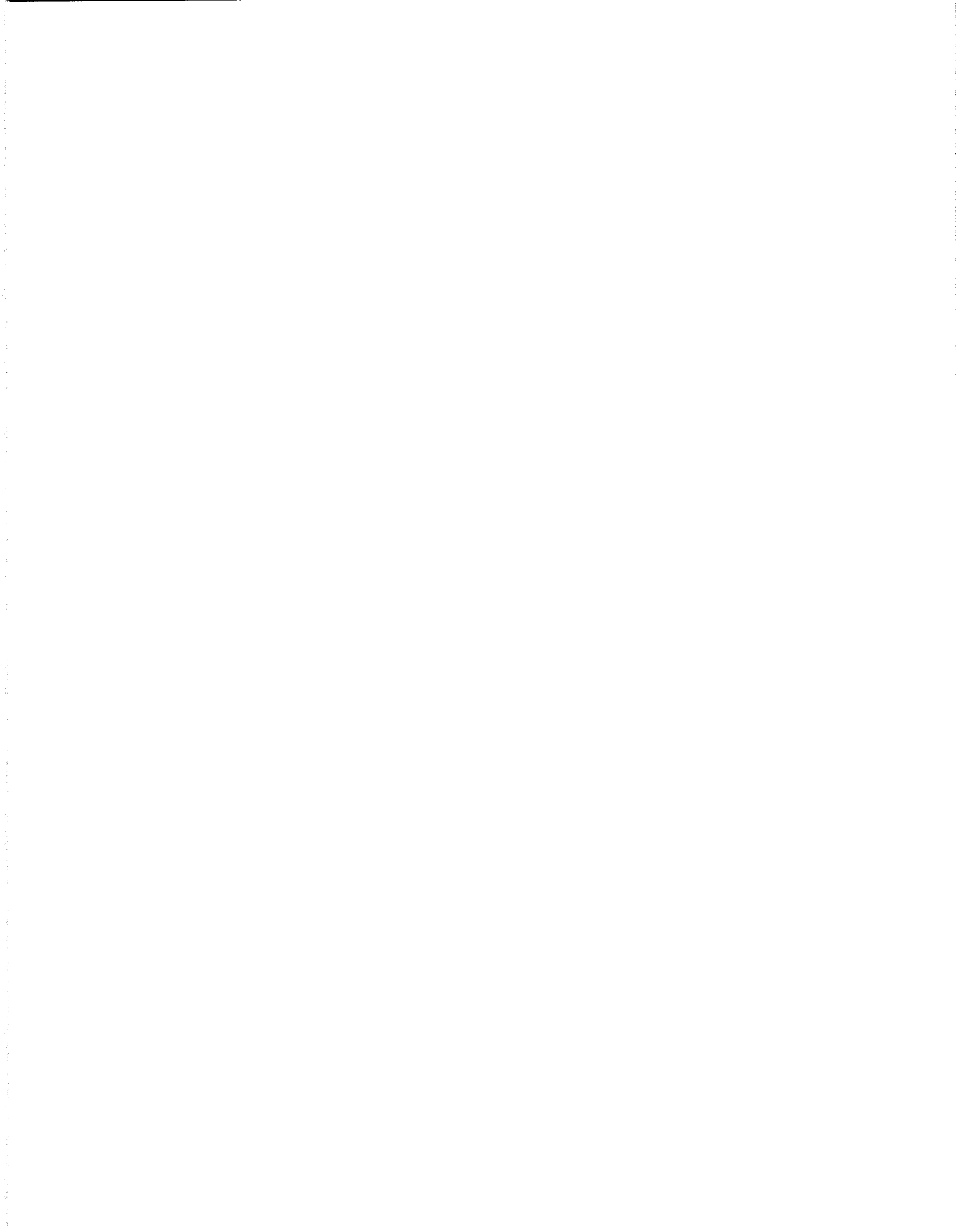
  
Henry Krukowski

Sworn to me this

16<sup>th</sup> day of November, 2021

  
Notary Public  
11/16/2021





# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No. 0021689816

:SS.:

COUNTY OF ERIE)

The undersigned, being duly sworn, says that such person is a duly authorized custodian of records of Newsday LLC, the publisher of Newsday, a daily newspaper published in Melville, County of Suffolk, State of New York, and circulated in Nassau, Suffolk, and Queens Counties, and that the Legal Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Monday November 15, 2021 Nassau

By: *Ciara Woodin*

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

**SWORN** to before me this  
17 Day of November, 2021.

*Sarah Perez*  
Notary Public

**SARAH PEREZ**  
**Notary Public – State of New York**  
**No. 01PE6397402**  
**Qualified in Erie County**  
**My Commission Expires 09/03/2023**



## **Ad Content**

Legal Notice # 21689816  
NOTICE OF SPECIAL MEETING

PLEASE TAKE NOTICE that, subject to the COVID-19 provisions contained in this notice, a Special Meeting of the Town Board of the Town of North Hempstead will be held on December 2, 2021 at 10:00 a.m. via Zoom, to conduct a work session relating to the Town's 2022 Capital Plan, known as the 2022-2026 Multi-Year Capital Plan, and to further consider any other matters that may come before the Board.

PLEASE TAKE FURTHER NOTICE, that effective immediately, pursuant to a recent change in New York State's Open Meetings Law, and based on the ongoing COVID-19 pandemic, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, Town Board hearings and meetings will be held virtually via videoconferencing, as permitted by the NYS Open Meetings Law. The 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 scheduled time at 10:00 A.M. Residents who are interested in viewing the meeting 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.

Dated: Manhasset, New York  
October 21, 2021

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

## **NEWSDAY PROOF**

Ad Number: 0021689816

Advertiser: TOWN OF NORTH HEMP TOWN CLERK





MR. WINK: Item 18. A resolution setting a date for a public hearing to consider the adoption of a local law, amending Chapter 48 of the Town Code and entitled sidewalks.

SUPERVISOR BOSWORTH: I offer the resolution, setting a date for November 18, 2021.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 583 - 2021**

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

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

**WHEREAS**, this Board wishes to set a date for a public hearing to consider the adoption of a Local Law amending Chapter 48 of the Town Code entitled "Sidewalks" in order to temporarily suspend the Town Code provisions limiting the number of sidewalk sale permits that may be issued for any given location during a 12 month period and temporarily waive the fees for a sidewalk sale permit until June 30, 2022.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing be held by this Board on the 18th day of November, 2021, at 7:00 P.M. via Zoom, for the purpose of considering the adoption of a Local Law amending Chapter 48 of the Town Code entitled "Sidewalks" in order to temporarily suspend the Town Code provisions limiting the number of sidewalk sale permits that may be issued for any given location during a 12 month period and temporarily waive the fees for a sidewalk sale permit until June 30, 2022; and be it further

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

**NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that, subject to the COVID-19 provisions contained in this notice, a public hearing will be held by the Town Board of the Town of North Hempstead on November 18, 2021 at 7:00 P.M. via Zoom, to consider the adoption of a Local Law amending Chapter 48 of the Town Code entitled "Sidewalks" in order to temporarily suspend the Town Code provisions limiting the number of sidewalk sale permits that may be issued for any given location during a 12 month period and temporarily waive the fees for a sidewalk sale permit until June 30, 2022.

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

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

**PLEASE TAKE FURTHER NOTICE**, that effective immediately, pursuant to a recent change in New York State's Open Meetings Law, and based on the ongoing COVID-19 pandemic, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, Town Board hearings and meetings will be held virtually via videoconferencing, as permitted by the NYS Open Meetings Law. The 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 meeting 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.

**Dated:** Manhasset, New York

October 21, 2021

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

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara

**cc:** Town Attorney      Town Clerk

MR. WINK: Item 19. A resolution setting a date for a public hearing to consider the adoption of a local law, Article IX of the Town of North Hempstead Uniform Traffic Code, entitled "Fort Washington Public Parking District."

COUNCILWOMAN DALIMONTE: The proposed local law will temporarily convert a portion of commuter parking spaces in Lots 4, 5 and 7 into metered parking spaces from December 1, 2021, through March 31st, 2022. I want it to be known that if we meet -- if the community starts going back in force, those commuter spots we will do a resolution and we will put the spots back from shopper back to commuter. It's just our lots right now are really empty, so we're trying to think of ways to have income for the Port Washington Parking District. Is there anyone wishing - I'm just setting a date, sorry. I offer the resolution and set the date for November 18th, 2021. I don't know why I thought it was a hearing. Sorry.

MR. WINK: Okay. Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 584 - 2021**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING ARTICLE IX OF THE TOWN OF NORTH HEMPSTEAD UNIFORM TRAFFIC CODE ENTITLED "PORT WASHINGTON PUBLIC PARKING DISTRICT."**

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

**WHEREAS**, this Board wishes to set a date for a public hearing to consider the adoption of a Local Law amending Article IX of the Town of North Hempstead Uniform Traffic Code entitled "Port Washington Public Parking District" in order to temporarily convert certain commuter parking spaces in Lots 4, 5 and 7 to metered parking spaces starting December 1, 2021 and terminating on March 31, 2022.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing be held by this Board on the 18th day of November, 2021, at 7:00 P.M. via Zoom, for the purpose of considering the adoption of a Local Law amending Article IX of the Town of North Hempstead Uniform Traffic Code entitled "Port Washington Public Parking District" in order to temporarily convert certain commuter parking spaces in Lots 4, 5 and 7 to metered parking spaces starting December 1, 2021 and terminating on March 31, 2022; and be it further

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

**NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that, subject to the COVID-19 provisions contained in this notice, a public hearing will be held by the Town Board of the Town of North Hempstead on the 18th day of November, 2021, at 7:00 P.M., via Zoom, to consider the adoption of a Local Law amending Article IX of the Town of North Hempstead Uniform Traffic Code entitled "Port Washington Public Parking District" in order to temporarily convert certain commuter parking spaces in Lots 4, 5 and 7 to metered parking spaces starting December 1, 2021 and terminating on March 31, 2022.

**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 on file in the Office of the Town Clerk prior to the hearing and may be examined during regular business hours.

**PLEASE TAKE FURTHER NOTICE**, that effective immediately, pursuant to a recent change in New York State's Open Meetings Law, and based on the ongoing COVID-19 pandemic, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, Town Board hearings and meetings will be held virtually via videoconferencing, as permitted by the NYS Open Meetings Law. The 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 meeting 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.

**Dated:** Manhasset, New York

October 21, 2021

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

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara

**cc:** Town Attorney      Town Clerk      Planning      Buildings

MR. WINK: Item 20. A resolution setting a date for a public hearing to consider the application of Town Metro, LLC, for a special use permit for the premises located at 1 through 4 Expressway Plaza, Roslyn Heights and designated on Nassau County Land and Tax Map as Section 7, Block 5, Lots 832, 833 and 835.

COUNCILMAN ZUCKERMAN: I'd like to offer the resolution, setting a tentative hearing date of November 18, 2021.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 585 - 2021**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF TOWN METRO LLC FOR A SPECIAL USE PERMIT FOR THE PREMISES LOCATED AT 1-4 EXPRESSWAY PLAZA, ROSLYN HEIGHTS AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 7, BLOCK 5, LOTS 832, 833 & 835.**

**WHEREAS**, Town Metro LLC, (the "Applicant") is seeking to construct a multi-level, 1,251-space underground parking garage in conjunction with a two-story 160,696 s.f. office building on a 9.26 acre site at the property located at 1-4 Expressway Plaza, Roslyn Heights, New York, and identified on the Nassau County Land and Tax Map as Section 7, Block 5, Lots 832, 833 & 835 (the "Application"); and

**WHEREAS**, it has been determined that the Application requires a special permit approved by the Board of the Town of North Hempstead (the "Town") pursuant to Town Code §§70-203(P) and 70-225 (the "Special Use Permit"); and

**WHEREAS**, this Board wishes to set a date for a public hearing to consider the Application, affording all interested parties the opportunity to be heard.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing shall be held on November 18, 2021 at 7:00 P.M. via Zoom to consider the Application for the issuance of a Special Use Permit; and be it further

**RESOLVED** that the Department of Planning and Environmental Protection shall immediately notify the Applicant of the date and time of said hearing and the Applicant shall notify certain property owners of the hearing date and time pursuant to Town Code § 70-240(C); and be it further

**RESOLVED** that the Town Clerk be and is hereby authorized and directed to publish a notice of hearing as required by Town Code §§ 70-240(A) and 70-225, which notice shall be in substantially the following form:

**NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that, subject to the COVID-19 provisions contained in this notice, a public hearing will be held by the Town Board of the Town of North Hempstead on November 18, 2021, at 7:00 P.M. via Zoom, to consider the application of Town Metro LLC to construct a multi-level, 1251-space underground parking garage in conjunction with a two-story, 160,696 s.f. office building on a 9.26 acre site.

**PLEASE TAKE FURTHER NOTICE** that the property which is the subject of this application is located at 1-4 Expressway Plaza, Roslyn Heights, New York, and identified on the Nassau County Land and Tax Map as Section 7, Block 5, Lots 832, 833 & 835.

**PLEASE TAKE FURTHER NOTICE**, that effective immediately, pursuant to a recent change in New York State's Open Meetings Law, and based on the ongoing COVID-19 pandemic, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, Town Board hearings and meetings will be held virtually via videoconferencing, as permitted by the NYS Open Meetings Law. The 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 meeting 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.

**Dated:** Manhasset, New York

October 21, 2021

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

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara

**cc:** Town Attorney      Planning      Building

MR. WINK: Item 21. A resolution setting a date for a public hearing to consider the application of Town Metro, LLC, for site plan review for premises located at 1-4 Expressway Plaza, Roslyn Heights and designated on the Nassau County Land and Tax Map as Section 7, Block 5, Lots 832, 833 and 835.

COUNCILMAN ZUCKERMAN: I'd like to offer the resolution, setting a hearing date of November 18, 2021.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 586 - 2021**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF TOWN METRO LLC FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 1-4 EXPRESSWAY PLAZA, ROSLYN HEIGHTS AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 7, BLOCK 5, LOTS 832, 833 & 835.**

**WHEREAS**, Town Metro LLC (the "Applicant") has applied (the "Application") to the Town to demolish four (4) two-story office buildings with a combined floor area of 153,000 s.f. and construct a 160,696 s.f. single two-story office building on a 9.26-acre site located at 1-4 Expressway Plaza, Roslyn Heights, New York, and identified on the Nassau County Land and Tax Map as Section 7, Block 5, Lots 832, 833 & 835 (the "Premises"); and

**WHEREAS**, it has been determined that the Application requires site plan review pursuant to Town Code §70-219 ("Site Plan Review"); 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 November 18, 2021 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, subject to the COVID-19 provisions contained in this notice, a public hearing will be held by the Town Board of the Town of North Hempstead on November 18, 2021, at 7:00 P.M. via Zoom, on the application for site

plan review submitted by Town Metro LLC to demolish four (4) two-story office buildings with a combined floor area of 153,000 s.f. and construct a 160,696 s.f. single two-story office building on a 9.26-acre site.

**PLEASE TAKE FURTHER NOTICE** that the property which is the subject of this application is located at 1-4 Expressway Plaza, Roslyn Heights, New York, and identified on the Nassau County Land and Tax Map as Section 7, Block 5, Lots 832, 833 & 835.

**PLEASE TAKE FURTHER NOTICE**, that effective immediately, pursuant to a recent change in New York State's Open Meetings Law, and based on the ongoing COVID-19 pandemic, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, Town Board hearings and meetings will be held virtually via videoconferencing, as permitted by the NYS Open Meetings Law. The 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 meeting 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.

**Dated:** Manhasset, New York

October 21, 2021

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

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara

cc: Town Attorney Planning Building

MR. WINK: Item 22. A resolution setting a date for a public hearing to consider the adoption of an ordinance effecting Bank Street in Port Washington, New York.

COUNCILWOMAN DALIMONTE: I offer the resolution and set the hearing date for November 18, 2021.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 587 - 2021**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING BANK STREET IN PORT WASHINGTON, NEW YORK.**

**WHEREAS**, a recommendation has been made for the rescission and adoption of an ordinance affecting Bank Street, Port Washington, New York.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing be held by the Town Board of the Town of North Hempstead on the 18<sup>th</sup> day of November 2021, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**PROPOSAL:**

**ADOPT:**

1. **BANK STREET – EAST SIDE – NO PARKING ANYTIME**

From a point 307 feet south of the south curblineline of Main Street, south for a distance of 25 feet.

**RESOLVED** that such ordinance when adopted will rescind all ordinances or regulations heretofore adopted in conflict therewith, and be it further

**RESOLVED** that the Town Clerk be and hereby is directed to affect the required publishing and posting of the hearing.

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara



cc: Town Attorney      Public Safety      Comptroller      Traffic Safety

MR. WINK: Item 23. A resolution setting a date for a public hearing to consider the rescission and adoption of an ordinance affecting Carlton Avenue in Port Washington, New York.

COUNCILWOMAN DALIMONTE: I offer the resolution and set the hearing date for November 18th, 2021.

MR. WINK: Councilwoman --Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 588 - 2021**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE RESCISSION AND ADOPTION OF AN ORDINANCE AFFECTING CARLTON AVENUE IN PORT WASHINGTON, NEW YORK.**

**WHEREAS**, a recommendation has been made for the rescission and adoption of an ordinance affecting Carlton Avenue, Port Washington, New York.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing be held by the Town Board of the Town of North Hempstead on the 18<sup>th</sup> day of November 2021, at 7:00 o'clock in the evening for the purpose of considering the rescission and adoption of the following ordinances:

**PROPOSAL:**

**RESCIND:**

1. T.O. #48-2002  
Adopted September 10, 2002  
CARLTON AVENUE – EAST SIDE – THREE HOUR PARKING  
From a point 233 feet north of the north curblineline of Bayview Avenue, north for a distance of 110 feet.

**ADOPT:**

1. CARLTON AVENUE – EAST SIDE – THREE HOUR PARKING – 8:00 A.M. TO 4:00 P.M. EXCEPT SATURDAY, SUNDAY AND HOLIDAYS  
From a point 233 feet north of the north curblineline of Bayview Avenue, north for a distance of 110 feet.

**RESOLVED** that such ordinance when adopted will rescind all ordinances or regulations heretofore adopted in conflict therewith, and be it further

**RESOLVED** that the Town Clerk be and hereby is directed to affect the required publishing and posting of the hearing.

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney      Public Safety      Comptroller      Traffic Safety

MR. WINK: Item 24. A resolution setting a date for a public hearing to consider the adoption of ordinances affecting North Plandome Road in Port Washington, New York.

COUNCILWOMAN DALIMONTE: I offer the resolution and set the hearing date for November 18th, 2021.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 589 - 2021**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF ORDINANCES AFFECTING NORTH PLANDOME ROAD IN PORT WASHINGTON, NEW YORK.**

**WHEREAS**, a recommendation has been made for the rescission and adoption of an ordinance affecting Bank Street, Port Washington, New York

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing be held by the Town Board of the Town of North Hempstead on the 18<sup>th</sup> day of November 2021, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**PROPOSAL:**

**ADOPT:**

1. **NORTH PLANDOME ROAD – BEACH WAY – FULL STOP**  
All Traffic north bound on North Plandome Road shall come to a Full Stop at its intersection with Beachway (South Beachway between Richards Road & Terrace Drive).
2. **NORTH PLANDOME ROAD – BEACH WAY – FULL STOP**  
All Traffic south bound on North Plandome Road shall come to a Full Stop at its intersection with Beachway (South Beachway between Richards Road & Terrace Drive).

**RESOLVED** that such ordinances when adopted will rescind all ordinances or regulations heretofore adopted in conflict therewith, and be it further

**RESOLVED** that the Town Clerk be and hereby is directed to affect the required publishing and posting of the hearing.

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney      Public Safety      Comptroller      Traffic Safety

MR. WINK: Item 25. A resolution setting a date for a public hearing to consider the rescission of an ordinance affecting Third Avenue in Garden City Park, New York.

SUPERVISOR BOSWORTH: I offer the resolution, setting a date for November 18th, 2021.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 590 - 2021**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE RESCISSION OF AN ORDINANCE AFFECTING THIRD AVENUE IN GARDEN CITY PARK, NEW YORK.**

**WHEREAS**, it has been requested that the Town Board of the Town of North Hempstead (the "Town") enact an ordinance, pursuant to Section 1660 of the Vehicle and Traffic Law, to rescind a reserved parking space on the east side of Third Avenue from a point 227 feet north of the north curblines of Dennis Street, north, for a distance of 22 feet and;

**WHEREAS**, it is a requirement of law that a public hearing be held by the Board concerning the proposed rescission of the ordinance.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing be held by this Board on November 18, 2021, at 7:00 p.m. via Zoom, to consider the rescission of 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, subject to the COVID-19 provisions contained in this notice, a public hearing will be held by the Town Board of the Town of North Hempstead on November 18, 2021, via Zoom, to consider the adoption of an ordinance rescinding 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 would rescind a reserved parking space on the east side of Third Avenue from a point 227 feet north of the north curblines of Dennis Street, north, for a distance of 22 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.

**PLEASE TAKE FURTHER 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.

**Dated:** Manhasset, New York

October 21, 2021

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

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara

**cc:** Town Attorney      Highways      Traffic Safety      Public Safety

MR. WINK: Item 26. A resolution authorizing the Town Board to accept a gift and the opportunity pursuant to Town Law Section 64.

SUPERVISOR BOSWORTH: So this is \$1,800 from Andrea Majer, Melissa Quigley and Hayden Quigley for the purchase of a commemorative bench for Morgan Jacob Quigley at Town Dock. I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 591 - 2021**

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

**WHEREAS**, Andrea Majer, Melissa Quigley and Hayden Quigley have generously offered, as a gift, \$1,800 to be used for the purchase of a commemorative bench at Town Dock, in memory of Morgan Jacob Quigley; 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

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara

**cc:** Town Attorney      Comptroller      Parks and Recreation

**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. 593 - 2021**

**A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR MANORHAVEN PARK POOL REPAIRS, MANORHAVEN, NY, DPW PROJECT NO. 19-07.**

**WHEREAS**, the Town Clerk solicited bids for Manorhaven Park Pool Repairs, Manorhaven, NY, DPW Project No. 19-07 (the "Project"); and

**WHEREAS**, bids in response to the solicitation (the "Bids") were received and were opened, which Bids are as follows; and

Bidder	Price
Noberto Construction Inc. 227 Commack Road Commack, NY 11725	Bid: \$1,875,000.00 Add Alt: \$582,000.00
Philip Ross Industries 88 Duryea Road, Suite 204 Melville, NY 11747	Bid: \$2,710,000.00 Add Alt: \$500,000.00

**WHEREAS**, after a review of the Bids, a calculation error was apparent on the face of Noberto Construction Inc.'s bid and the corrected bid price is One Million Eight Hundred Seventy-Five Thousand Eight Hundred and 00/100 Dollars (\$1,875,800.00); and

**WHEREAS**, having examined the Bids, the Acting Commissioner of the Town's Department of Public Works (the "Acting Commissioner") determined that Noberto Construction Inc. remains the lowest responsible bidder; and

**WHEREAS**, the Acting Commissioner has recommended that the contract for the Project be awarded to Noberto Construction Inc., 227 Commack Road, Commack, NY 11725 (the "Contractor") as the lowest responsible bidder at its corrected bid price of One Million Eight Hundred Seventy-Five Thousand Eight Hundred and 00/100 Dollars (\$1,875,800.00); and

**WHEREAS**, the Town Board desires to authorize the award of a contract to the Contractor as recommended by this Acting Commissioner.



MR. WINK: Item 29. A resolution ratifying and authorizing the execution of an agreement with the Landtek Group, Inc., for the emergency restoration of a stone wall on Mill Pond road in Port Washington.

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

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 594 - 2021**

**A RESOLUTION RATIFYING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE LANDTEK GROUP, INC. FOR THE EMERGENCY RESTORATION OF A STONE WALL ON MILL POND ROAD IN PORT WASHINGTON.**

**WHEREAS**, the Town of North Hempstead (the "Town") required the emergency restoration of a stone wall on Mill Pond Road in Port Washington (the "Services"); and

**WHEREAS**, the Department of Public Works (the "Department") retained The LandTek Group, Inc, 235 County Line Road, Amityville, NY 11701 (the "Contractor") to provide the Services; and

**WHEREAS**, it has been recommended that the Town Board ratify the Department's actions in using the Contractor to provide the Services and to further authorize the execution of an agreement for the Services for an amount not to exceed Eighty-Five Thousand Five Hundred Thirty-Five and 28/100 Dollars (\$85,535.28) (the "Agreement"); and

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that the actions of the Department in using the Contractor to provide the Services be and hereby are ratified; and be it further

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

**RESOLVED** that the Supervisor is authorized to execute the Agreement on behalf of the Town, which Agreement shall be on file with 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, on behalf of the Town, and to take any 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 claim therefor.



**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. 595 - 2021**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE COMMUNITY CHEST OF PORT WASHINGTON, NY, INC. TO CO-SPONSOR A THANKSGIVING DAY RUN.**

**WHEREAS**, the Community Chest of Port Washington, N.Y., Inc., 382 Main Street, P.O. Box 648, Port Washington, New York 11050 (the "CCPW") provides activities and services to residents of the Town of North Hempstead (the "Town"); and

**WHEREAS**, the CCPW has asked the Town to co-sponsor its Thanksgiving Day Run (the "Event"), through the provision of funds not to exceed Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00) and Town equipment (the "Town Sponsorship"); and

**WHEREAS**, this Board wishes to authorize the Town to enter into an agreement with CCPW to provide the Town Sponsorship in exchange for recognition as a co-sponsor of the Event (the "Agreement").

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town shall co-sponsor the Event and provide the Town Sponsorship; and be it further

**RESOLVED** that the Supervisor be and hereby is authorized to execute the Agreement on behalf of the Town, 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.

**RESOLVED** that the Town Comptroller is hereby authorized and directed to pay the costs of the Agreement upon receipt of a duly executed agreement and certified claim therefor.

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney      Comptroller

MR. WINK: Item 31. A resolution ratifying the execution of an agreement with Manhasset Bay Marina, LTD, for the emergency repair of a marine vessel.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 596 - 2021**

**A RESOLUTION RATIFYING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MANHASSET BAY MARINA LTD FOR THE EMERGENCY REPAIR OF A MARINE VESSEL.**

**WHEREAS**, the Town of North Hempstead Department of Public Safety (the "Department") required emergency repairs to a vessel known as Marine 5 (the "Services"); and

**WHEREAS**, the Department retained Manhasset Bay Marina LTD, 10 Matinecock Avenue, Port Washington, New York 11050 (the "Vendor") to provide the Services; and

**WHEREAS**, it has been recommended that the Town Board ratify the Department's actions in using the Vendor to provide the Services and to further authorize the execution of an agreement for the Services for an amount not to exceed One Thousand One Hundred Eighty-Three and 08/100 Dollars (\$1,183.08) (the "Agreement"); and

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that the actions of the Department in using the Vendor to provide the Services be and hereby are ratified; and be it further

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

**RESOLVED** that the Supervisor is authorized to execute the Agreement on behalf of the Town, which Agreement shall be on file with 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, on behalf of the Town, and to take any 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 a duly executed agreement and certified claim therefor.

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney            Comptroller            Parks and Recreation

MR. WINK: Item 32. A resolution authorizing the execution of a professional services agreement with CSG Forte, Inc., for credit card processing services for the Office of the Tax receiver.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 597 - 2021**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH CSG FORTE, INC. FOR CREDIT CARD PROCESSING SERVICES FOR THE OFFICE OF THE TAX RECEIVER.**

**WHEREAS**, the Town of North Hempstead Office of the Tax Receiver requires credit card processing services (TNH253-2020) (the "Services"); and

**WHEREAS**, the Director of Purchasing (the "Director") issued a Request for Proposals (the "RFP") for the Services, in accordance with the Town's Procurement Policy; and

**WHEREAS**, following the review and analysis of proposals submitted in response to the RFP, a Town review committee has recommended the retention of CSG Forte Payments, Inc., 500 W Bethany, Suite 200, Allen, Texas 75013 (the "Contractor") to provide the Services for a term of five (5) years in consideration of the rates provided in the Contractor's RFP response (the "Agreement"); and

**WHEREAS**, the Director 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 to execute, on behalf of the Town, the Agreement, a copy of which Agreement 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

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney      Comptroller      Parks



MR. WINK: Item 33. A resolution authorization the execution of a license agreement with Power Source Limited for the use of parking spaces in a Port Washington public parking district lot.

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

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 598 - 2021**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH POWER SOURCE LTD FOR THE USE OF PARKING SPACES IN A PORT WASHINGTON PUBLIC PARKING DISTRICT LOT.**

**WHEREAS**, the Town of North Hempstead (the "Town") owns certain real property known as Port Washington Public Parking District Lot 7 located in Port Washington, New York (the "Premises"); and

**WHEREAS**, Power Source LTD, 20 Beechwood Avenue, Port Washington, New York 11050 (the "Licensee") has requested a license to use fifteen (15) parking spaces at the Premises from October 29, 2021 through November 8, 2021, Monday through Saturday, at a rate of Three and 00/100 Dollars (\$3.00) per parking space per day for an amount not to exceed Four Hundred Five and 00/100 Dollars (\$405.00) (the "Agreement"); and

**WHEREAS**, this Board wishes to 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 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

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney      Comptroller      Public Safety

MR. WINK: Item 34. A resolution authorizing the execution of an amended agreement with Coastline Consulting and Development, LLC, for engineering services related to dredging a town dock, Port Washington. DPW project number 16-13.

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

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 599 - 2021**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH COASTLINE CONSULTING & DEVELOPMENT, LLC FOR ENGINEERING SERVICES RELATED TO DREDGING AT TOWN DOCK, PORT WASHINGTON, DPW PROJECT NO. 16-13.**

**WHEREAS**, pursuant to a resolution duly adopted by this Board, the Town entered into and amended an agreement with Coastline Consulting & Development, LLC, 57-B East Industrial Road, Branford, CT 06405 (the "Consultant"), to provide professional services related to design, permitting and sediment sampling required for the removal of sand in the vicinity of the Town Dock in Port Washington (the "Original Agreement"); and

**WHEREAS**, the Acting Commissioner of the Department of Public Works has recommended that the Town amend the Original Agreement to include one day of sediment coring and collection, analysis of 8 to 10 samples and the preparation of a letter report for the purpose of developing a disposal plan for the dredged marine sediment, thereby increasing the contract amount by Nine Thousand Eight Hundred Sixty and 00/100 Dollars (\$9,860.00) (the "Amendment"); and

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

**NOW, THEREFORE, BE IT**

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

**RESOLVED** the Supervisor is authorized 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 a duly executed Amendment and certified claims therefor.

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara

**cc:** Town Attorney      Comptroller

MR. WINK: Item 35. A resolution authorizing the execution of an amendment to an agreement with Meadow Carting Corp for the collection and disposal of acceptable waste and recyclables in the New Cassel Garbage District.

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

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 600 - 2021**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH MEADOW CARTING CORP. FOR THE COLLECTION AND DISPOSAL OF ACCEPTABLE WASTE AND RECYCLABLES IN THE NEW CASSEL GARBAGE DISTRICT.**

**WHEREAS**, the Town has previously entered into an Agreement (the "Agreement") with Meadow Carting Corp., 581 Dickens Street, Westbury, NY 11590 ("Meadow") to collect acceptable waste and recyclables in the New Cassel Garbage District (the "District"), which Agreement expired on December 31, 2021; and

**WHEREAS**, the Agreement provides the Town an option to extend the term of the Agreement for two (2) additional (1) years periods; and

**WHEREAS**, the Town desires to exercise the second option, extending the term of the Agreement for an additional one (1) year period commencing January 1, 2022 and ending December 31, 2022, in consideration of payment to Meadow of the sum of One Million Seven Hundred Forty-Seven Thousand Twenty-Eight and 00/100 Dollars (\$1,747,028.00), as may be adjusted for changes in the Municipal Solid Waste Rate, Yard Waste Rate and Prevailing Wage Rates as stated in the Agreement, for the one (1) year extension period, payable in monthly installments (the "Amendment"); and

**WHEREAS**, this Board finds it in the best interests of the District to authorize the exercise of the Town's option and the execution of the Amendment.

**NOW, THEREFORE, BE IT**

**RESOLVED** that this Board, on behalf of the District, hereby authorizes the exercise of the Town's option to extend the Agreement and further authorizes the execution of the Amendment; and be it further

**RESOLVED** that the Supervisor and Councilpersons as members of the Town Board be and they hereby are authorized to execute the Amendment on behalf of said District, and to take such other action as may be necessary to effectuate the foregoing, copies 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 hereby is authorized and directed to supervise the execution of the necessary contract documents; and be it further



**RESOLVED** that the Office of the Comptroller be and hereby is authorized and directed to pay the costs thereof upon receipt of duly executed contracts and certified claims therefor.

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney          Comptroller          Parks

MR. WINK: Item 36. A resolution authorizing the execution of an amendment to an agreement with Jamaica Ash and Rubbish Removal Company, Inc., for collection and disposal of acceptable waste and recyclables in the New Hyde Park-Garden City Park-Floral Park Centre Garbage District.

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

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 601 - 2021**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH JAMAICA ASH AND RUBBISH REMOVAL CO. INC. FOR COLLECTION AND DISPOSAL OF ACCEPTABLE WASTE AND RECYCLABLES IN THE NEW HYDE PARK-GARDEN CITY PARK-FLORAL PARK CENTRE GARBAGE DISTRICT.**

**WHEREAS**, the Town has previously entered into an Agreement (the "Agreement") with Jamaica Ash & Rubbish Removal Co. Inc., 172 School Street, Westbury, NY 11590 ("Jamaica") to collect acceptable waste and recyclables in the New Hyde Park-Garden City Park-Floral Park Centre Garbage District (the "District"), which Agreement expires on December 31, 2021; and

**WHEREAS**, the Agreement provides the Town an option to extend the term of the Agreement for two (2) additional (1) years periods; and

**WHEREAS**, in considering whether to exercise the foregoing extension option for calendar year 2022, the Town released a bid for collection and disposal of acceptable waste and recyclables within the District (the "Bid"); and

**WHEREAS**, in response to this solicitation, the Town received bids from Jamaica and Dejana Industries LLC, which bids were opened on October 15, 2022; and

**WHEREAS**, the lowest bid, submitted by Dejana Industries LLC, bid Three Million Nine Hundred Thirty-One Thousand Two Hundred and 00/100 Dollars (\$3,931,200.00), in addition to adjustments for changes in the Municipal Solid Waste, Yard Waste and Prevailing Wage rates if they were to occur, for calendar year 2022; and

**WHEREAS**, the payment to be made to Jamaica, if the Town were to extend the term of the Agreement, would be Two Million Six Hundred Seventy-Eight Thousand One Hundred Eighteen and 00/100 Dollars (\$2,678,118.00), as may be adjusted for changes in the Municipal Solid Waste Rate, Yard Waste Rate and Prevailing Wage Rates as stated in the Agreement; and

**WHEREAS**, the Bid stated that the Town reserved the right to make no award in connection with the Bid and exercise its right to renew the Agreement if it finds renewal to be in the best interests of the Town; and

**WHEREAS**, the lowest bid submitted in connection with the bid is approximately fifty percent (50%) higher than the amount that would need to be paid to Jamaica if the Agreement were extended, which would result in a tax levy increase for the District of approximately forty-six percent (46%) in 2022; and

**WHEREAS**, for this reason, the Town desires to exercise the first extension option available in the Agreement, extending the term of the Agreement for an additional one (1) year period commencing January 1, 2022 and ending December 31, 2022, in consideration of payment to Jamaica of the sum of Two Million Six Hundred Seventy-Eight Thousand One Hundred Eighteen and 00/100 Dollars (\$2,678,118.00), as may be adjusted for changes in the Municipal Solid Waste Rate, Yard Waste Rate and Prevailing Wage Rates as stated in the Agreement, for the one (1) year extension period, payable in monthly installments (the "Amendment"); and

**WHEREAS**, this Board finds it in the best interests of the District and the Town to make no award in connection with the Bid and authorize the exercise of the Town's option and the execution of the Amendment.

**NOW, THEREFORE, BE IT**

**RESOLVED** that no award shall be made in connection with the Bid; and be it further

**RESOLVED** that this Board, on behalf of the District, hereby authorizes the exercise of the Town's option to extend the Agreement and further authorizes the execution of the Amendment; and be it further

**RESOLVED** that the Supervisor and Councilpersons as members of the Town Board be and they hereby are authorized to execute the Amendment on behalf of said District, and to take such other action as may be necessary to effectuate the foregoing, copies 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 hereby is authorized and directed to supervise the execution of the necessary contract documents; and be it further

**RESOLVED** that the Office of the Comptroller be and hereby is authorized and directed to pay the costs thereof upon receipt of duly executed contracts and certified claims therefor.

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney      Comptroller      Parks

MR. WINK: Item 37. A resolution authorizing a purchase for Motorola Solutions, Inc., for annual software maintenance for the Town's 311 system.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 602 - 2021**

**A RESOLUTION AUTHORIZING THE PURCHASE FROM MOTOROLA SOLUTIONS, INC. OF ANNUAL SOFTWARE MAINTENANCE FOR THE TOWN'S 311 SYSTEM.**

**WHEREAS**, the Department of Information Technology and Telecommunications (the "Department") requires software maintenance, hosting service, and technical support for the Town's 311 system (the "Services"); and

**WHEREAS**, the Commissioner of the Department has recommended that the Town purchase the Services from Motorola Solutions, Inc. for a term of one (1) year in consideration of an amount not to exceed Ninety-Six Thousand Four Hundred Forty-Four and 00/100 Dollars (\$96,444.00) payable in quarterly payments in the amount of Twenty Four Thousand One Hundred Eleven and 00/100 Dollars (\$24,111.00) (the "Purchase"); and

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

**NOW, THEREFORE, BE IT**

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

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

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara

cc: Town Attorney

Comptroller

DOITT

MR. WINK: Item 38. A resolution authorizing payment to Offshore Performance Specialities, Inc., for the emergency purchase of a marine vessel gear box.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 603 - 2021**

**A RESOLUTION AUTHORIZING PAYMENT TO OFFSHORE PERFORMANCE SPECIALTIES, INC. FOR THE EMERGENCY PURCHASE OF A MARINE VESSEL GEARBOX.**

**WHEREAS**, the Town of North Hempstead Department of Public Safety (the "Department") required the emergency purchase of a gearbox for the repair of a marine vessel (the "Services"); and

**WHEREAS**, the Department purchased the gearbox from Offshore Performance Specialties, Inc., 15881 Chief Court, Fort Meyers, Florida 33912 (the "Vendor"); and

**WHEREAS**, the Commissioner of the Department has recommended that the Town Board ratify the Department's actions in purchasing the gearbox from the Vendor and to further authorize payment for the gearbox for an amount not to exceed Seven Thousand Five Hundred Sixty-Five and 00/100 Dollars (\$7,565.00) (the "Payment"); and

**WHEREAS**, this Board finds it to be in the best interest of the Town to ratify the actions of the Department and authorize the Payment.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the actions of the Department in purchasing the gearbox from the Vendor be and hereby is ratified; and be it further

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

**RESOLVED** that the Comptroller be and hereby is authorized and directed to make the Payment upon receipt of certified claims therefor.

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

Absent: Councilperson Ferrara

cc: Town Attorney      Comptroller      Parks and Recreation

MR. WINK: Item 39. A resolution amending resolution Number 481-2021, adopted September 2nd, 2021. Authorizing the execution of an agreement with Cashin Associates, PC, for professional services related to town ponds.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 604 - 2021**

**A RESOLUTION AMENDING RESOLUTION NO. 481-2021, ADOPTED SEPTEMBER 2, 2021, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CASHIN ASSOCIATES, PC FOR PROFESSIONAL SERVICES RELATED TO TOWN PONDS.**

**WHEREAS**, pursuant to Resolution No. 481-2021, duly adopted on September 2, 2021, the Town Board authorized the execution of a professional services agreement for on-call services related to Town ponds at various parks (the "Services") with Cashin Associates, 1200 Veterans Memorial Highway, Hauppauge, New York 11788, ("Cashin") in consideration of an amount not to exceed between Fifty and 00/100 Dollars (\$50.00) per hour and One Hundred Seventy-Five and 00/100 Dollars (\$175.00) per hour depending on the title and function of the individuals providing the Services (the "Resolution"); and

**WHEREAS**, the Director of Purchasing has requested that the Resolution be amended to provide that the agreement include payment by the Town of expenses incurred by Cashin for subcontractor services and equipment rentals at cost plus ten (10) percent when required and approved by the Commissioner of the Department of Parks and Recreation in addition to the hourly rates payable for the Services (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.

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

Absent: Councilperson Ferrara

cc: Town Attorney

MR. WINK: Item 40. A resolution amending resolution number 560-2021, adopted October 7, 2021, authorizing the execution of an agreement with All Flag and Flagpole, Inc., for the installation of a flagpole at Clinton G. Martin Park, New Hyde Park.

COUNCILMAN ZUCKERMAN: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 605 - 2021**

**A RESOLUTION AMENDING RESOLUTION NO. 560-2021, ADOPTED OCTOBER 7, 2021, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ALL FLAG AND FLAGPOLE, INC. FOR THE INSTALLATION OF A FLAGPOLE AT CLINTON G. MARTIN PARK, NEW HYDE PARK.**

**WHEREAS**, pursuant to Resolution No. 560-2021, duly adopted on October 7, 2021, the Town Board authorized the execution of an agreement with All Flag and Flagpole Inc., 97 Gnarled Hollow Road, East Setauket, New York 11733 ("All Flag") for the installation of a flagpole at Clinton G. Martin Park, New Hyde Park (the "Services") in consideration of an amount not to exceed Two Thousand Nine Hundred Seventy-Five and 00/100 Dollars (\$2,975.00) (the "Resolution"); and

**WHEREAS**, the Director of Purchasing has requested that the Resolution be amended to authorize the execution of the agreement between the Town and Pole-Tech Co., Inc., 97 Gnarled Hollow Road, East Setauket, New York 11733 (the "Contractor") a company related to All Flag and the company that will actually perform the Services in consideration of the same amount (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.

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara

cc: Town Attorney



MR. WINK: Item 41. A resolution amending resolution number 563-2021, adopted October 7th, 2021, authorizing the execution of a license agreement with Elite Synthetic Surfaces for access to Sagamore Ballfield in East Williston for field repairs.

COUNCILMAN ZUCKERMAN: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 606 - 2021**

**A RESOLUTION AMENDING RESOLUTION NO. 563-2021, ADOPTED OCTOBER 7, 2021, AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH ELITE SYNTHETIC SURFACES FOR ACCESS TO SAGAMORE BALLFIELD IN EAST WILLISTON FOR FIELD REPAIRS.**

**WHEREAS**, pursuant to Resolution No. 563-2021, duly adopted on October 7, 2021, the Town Board authorized the execution of a license agreement with Elite Synthetic Surfaces, 486 Willis Avenue, Williston Park, New York 11596 (the "Licensee") granting the Licensee access to Sagamore Ballfield (the "Ballfield") located in East Williston, New York to perform field repairs to alleviate hazards on the Ballfield in consideration of payment in the amount of Thirteen Thousand Five Hundred and 00/100 Dollars (\$13,500.00) to be paid by the East Williston Little League (the League") to the Licensee and deducted from the League's permit fees for use of the Ballfield (the "Resolution"); and

**WHEREAS**, it has been requested that the Resolution be amended to authorize the execution of a three-party agreement between the Town, the Licensee and the League incorporating the terms above (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.

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara

cc: Town Attorney

MR. WINK: Item 42. A resolution making an appointment to the Town of North Hempstead Waterfront Advisory Commission.

COUNCILWOMAN DALIMONTE: I would like to just say that I am -- the Waterfront Advisory Committee lost a very dear member, Mr. Guy LaMotta, who passed away a couple of weeks ago. So it's -- it's very -- it's very sad we lost his knowledge of Manhasset Bay. But I am appointing Mr. Thomas Lampis who has just as much knowledge as Mr. Guy LaMotta. But he's really going to be missed. I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 607 - 2021**

**A RESOLUTION MAKING AN APPOINTMENT TO THE TOWN OF NORTH HEMPSTEAD WATERFRONT ADVISORY COMMISSION.**

**WHEREAS**, the Town Board is empowered to create non-compensated advisory boards pursuant to Town Law § 51; and

**WHEREAS**, the Town Board has heretofore established a Waterfront Advisory Commission (the "Commission") to advise the Town Board on issues relating to the waterfront; and

**WHEREAS**, a vacancy on the Commission exists; and

**WHEREAS**, the Town Board desires to fill the existing vacancy on the Commission as follows:

<u>Name and Address</u>	<u>Start of Term</u>	<u>Expiration of Term</u>
Thomas Lampus 300 Lynn Avenue East Northport, NY 11731	October 22, 2021	May 28, 2022

**NOW, THEREFORE, BE IT**

**RESOLVED** that the person listed above is appointed as a member of the Waterfront Advisory Commission for the term specified above; and be it further

**RESOLVED** that the terms and appointments of all remaining members of the Commission not specified above continue in full force and effect.

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

Absent: Councilperson Ferrara

cc: Town Attorney

Comptroller

Public Safety

Planning

MR. WINK: Item 43. A resolution authorizing the transfer of funds from the General Funds Capital Projects Reserve Fund.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 608 - 2021**

**A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM 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 Capital Projects Reserve Fund (the "General Fund Reserve"), pursuant to applicable law, for payment on various projects and related expenses; and

**WHEREAS**, the Town has available funds in the General Fund Reserve; and

**WHEREAS**, the Board desires to transfer monies from the General Fund Reserve, in the amount of \$48,431.46, to a capital account for the construction of walkways at Whitney Pond Park; and

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Board hereby authorizes the Transfer from the General Fund Reserve 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

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara



cc: Town Attorney Comptroller

MR. WINK: Item 44. A resolution authorizing the commencement of legal action proceedings.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 609 - 2021**

**A RESOLUTION AUTHORIZING THE COMMENCEMENT OF LEGAL ACTION/PROCEEDINGS.**

**WHEREAS**, the Office of the Town Attorney requests authorization to commence a legal action/proceeding in the Supreme Court, Nassau County, against Construx, LLC for the reasons explained herein;

**WHEREAS**, the Town Department of Building Safety, Inspection & Enforcement (the "Building Department") has issued a Cease and Desist Order to Construx, LLC for unpermitted rock crush operations; and

**WHEREAS**, the Town has determined that despite the Cease and Desist Order, Construx, LLC continues to engage in unpermitted industrial uses in a commercial zone, resulting in pollution to the surrounding area; and

**WHEREAS**, despite the enforcement measures taken by the Town Attorney's Office, the Building Department and the Division of Code Enforcement, Construx, LLC continues to engage in unpermitted activities; and

**WHEREAS**, the Town Attorney recommends commencing a legal action/proceeding in the Supreme Court, Nassau County, to obtain a temporary restraining order and an injunction to enjoin Construx, LLC from continuing to engage in unpermitted activities; and

**WHEREAS**, the Town Board deems it to be in the best interests of the Town to approve the Town Attorney's request to commence the above described legal action/proceeding.

**NOW THEREFORE, BE IT**

**RESOLVED** that the Town Board hereby authorizes the Town Attorney to initiate an action or proceeding against Construx, LLC in the Supreme Court, Nassau County, to obtain the relief described above; and it is

**RESOLVED** that the Town Board hereby authorizes the Town Attorney and the Supervisor to take action as may be necessary to undertake the foregoing.

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney

MR. WINK: Item 45. A resolution authorizing the commencement of legal action proceedings.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 610 - 2021**

**A RESOLUTION AUTHORIZING THE COMMENCEMENT OF LEGAL ACTION/PROCEEDINGS.**

**WHEREAS**, the Office of the Town Attorney requests authorization to commence a legal action/proceeding in the Supreme Court, Nassau County, against Rock Crush, LLC for the reasons explained herein;

**WHEREAS**, the Town of North Hempstead (the "Town") has initiated legal proceedings against Rock Crush, LLC in District Court for unpermitted building violations and unpermitted uses in an industrial zones; and

**WHEREAS**, the Town Department of Building Safety, Inspection & Enforcement (the "Building Department") has issued a Cease and Desist Order to Rock Crush, LLC for unpermitted rock crush operations; and

**WHEREAS**, the Town has determined that despite the Cease and Desist Order, Rock Crush, LLC continues to engage in unpermitted industrial uses in a commercial zone, resulting in pollution to the surrounding area; and

**WHEREAS**, the Town Attorney recommends commencing a legal action/proceeding to obtain a temporary restraining order and an injunction in the Supreme Court, Nassau County, to enjoin Rock Crush, LLC from continuing to engage in unpermitted activities; and

**WHEREAS**, the Town Board deems it to be in the best interests of the Town to approve the Town Attorney's request to commence the above described legal action/proceeding.

**NOW THEREFORE, BE IT**

**RESOLVED** that the Town Board hereby authorizes the Town Attorney to initiate an action or proceeding against Rock Crush, LLC in the Supreme Court, Nassau County, to obtain the relief described above; and it is

**RESOLVED** that the Town Board hereby authorizes the Town Attorney and the Supervisor to take action as may be necessary to undertake the foregoing.

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney

MR. WINK: Item 46. A resolution authorizing the commencement of legal action proceedings.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 611 - 2021**

**A RESOLUTION AUTHORIZING THE COMMENCEMENT OF LEGAL ACTION/PROCEEDINGS.**

**WHEREAS**, the Office of the Town Attorney requests authorization to commence a legal action/proceeding in the Supreme Court, Nassau County, against Selma Kazil for the reasons explained herein;

**WHEREAS**, the Town of North Hempstead (the "Town") has initiated legal proceedings against Selma Kazil in District Court for unpermitted building violations and operating an unpermitted doggy daycare; and

**WHEREAS**, the Town Department of Building Safety, Inspection & Enforcement (the "Building Department") has issued a Cease and Desist Order to Selma Kazil for the operation of the doggy daycare; and

**WHEREAS**, the Town has determined that despite the summons and Cease and Desist Order, Selma Kazil continues to operate a doggy daycare in violation of the Town Code, resulting in noise pollution and unsanitary conditions; and

**WHEREAS**, the Town Attorney recommends commencing a legal action/proceeding to obtain a temporary restraining order and an injunction in the Supreme Court, Nassau County, to enjoin Selma Kazil from continuing to operate the doggy daycare; and

**WHEREAS**, the Town Board deems it to be in the best interests of the Town to approve the Town Attorney's request to commence the above described legal action/proceeding.

**NOW THEREFORE, BE IT**

**RESOLVED** that the Town Board hereby authorizes the Town Attorney to initiate an action or proceeding against Selma Kazil in the Supreme Court, Nassau County, to obtain the relief described above; and it is

**RESOLVED** that the Town Board hereby authorizes the Town Attorney and the Supervisor to take action as may be necessary to undertake the foregoing.

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney

MR. WINK: Item 47. A resolution authorizing the commencement of legal action proceedings.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 612 - 2021**

**A RESOLUTION AUTHORIZING THE COMMENCEMENT OF LEGAL ACTION/PROCEEDINGS.**

**WHEREAS**, the Office of the Town Attorney requests authorization to commence a legal action/proceeding in the Supreme Court of the County of Nassau against Arikupurathu Inc. and the owners and/or operators of Maharaja Supermarket, 1620 Hillside Avenue, New Hyde Park, New York 11040, for the reasons explained herein;

**WHEREAS**, the Town of North Hempstead (the "Town") has initiated numerous legal proceedings against Arikupurathu Inc. and the owners and/or operators of Maharaja Supermarket in District Court for unpermitted building violations, litter, and sanitary conditions; and

**WHEREAS**, the Town has determined that despite the numerous summonses issued and fines assessed, Arikupurathu Inc. and the owners and/or operators of Maharaja Supermarket continues to operate and maintain the property in an unsanitary and unsafe condition; and

**WHEREAS**, the Town Attorney recommends commencing a legal action/proceeding in the Supreme Court, Nassau County, to obtain a temporary restraining order and an injunction to enjoin Arikupurathu, Inc. and the owners and/or operators of Maharaja Supermarket from continuing to operate a business for which there is no certificate of occupancy and which is kept in an unsanitary manner; and

**WHEREAS**, the Town Board deems it to be in the best interests of the Town to approve the Town Attorney's request to commence the above described legal action/proceeding.

**NOW THEREFORE, BE IT**

**RESOLVED** that the Town Board hereby authorizes the Town Attorney to initiate an action or proceeding against Arikupurathu, Inc. and the owners and/or operators of Maharaja Supermarket in the Supreme Court, Nassau County, to obtain the relief described above; and it is

**RESOLVED** that the Town Board hereby authorizes the Town Attorney and the Supervisor to take action as may be necessary to undertake the foregoing.

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney

MR. WINK: Item 48. A resolution authorizing the town clerk to transmit the Nassau County Legislature and the Board of Assessment of the County of Nassau that lists unpaid water rents filed by Special Districts in the Town of North Hempstead for the purposes of having same levied against the property liable.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. 613 - 2021**

**A RESOLUTION AUTHORIZING THE TOWN CLERK TO TRANSMIT TO THE NASSAU COUNTY LEGISLATURE AND THE BOARD OF ASSESSMENT OF THE COUNTY OF NASSAU THE LISTS OF UNPAID WATER RENTS FILED BY SPECIAL DISTRICTS IN THE TOWN OF NORTH HEMPSTEAD FOR THE PURPOSE OF HAVING SAME LEVIED AGAINST THE PROPERTY LIABLE.**

**WHEREAS**, the Board of Commissioners of certain water districts of the Town of North Hempstead have, pursuant to Section 215 of the Town Law, as amended, filed with the Town Board statements showing unpaid water rents and requesting the Town Board to submit such statements to the Nassau County Legislature at their next meeting in order that the unpaid sums may be levied against the property where the water was used.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Clerk is hereby authorized and directed to forward to the Nassau County Legislature and the Department of Assessment of the County of Nassau copies of the annexed statements of the following water districts filed in the Town Clerk's Office showing unpaid water rents for the purpose of having same levied against the property liable:

Albertson Water District	\$51,997.77
Carle Place Water District	\$8,238.75
Garden City Park Water District	\$145,047.68
Glenwood Water District	\$8,792.81
Manhasset-Lakeville Water District	\$173,020.57
Port Washington Water District	\$199,436.29
Roslyn Water District	\$108,276.19
Westbury Water District	\$176,005.01

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

Absent: Councilperson Ferrara

cc: Town Attorney, Comptroller, NC Legislature, NC Dept. of Assessment



MR. WINK: Item 49. A resolution authorizing and approving the payment of a claim against the Town of North Hempstead and authorizing and directing 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: 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. 614 - 2021**

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

**WHEREAS**, the Town Attorney has requested the approval of the Town Board for settlement and payment of a claim 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 claim, in the amount set forth herein, be and the same are approved by this Board in all respects:

<u>Claimant</u>	<u>File No.</u>	<u>Amount</u>
Cambridge Mutual a/s/o Brown v. TONH	TD-18-0047	\$750.00

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

**Dated:** Manhasset, New York

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara

cc: Town Attorney Comptroller

MR. WINK: Item 50. A resolution authorizing the employment, appointment, transfer adjustment, correct changing grade or salary and/or termination of employees and 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: 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. 615 - 2021**

**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**

; 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

October 21, 2021

The vote of the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara

Please note that all appointments are pending completion of paperwork and Nassau County Civil Service approval.

Type	Department Name	Employee Name	Employee Title	Employee Rate	Grade/Step	Current Dept #	New Dept #	Current Budget Code #	New Budget Code #	Effective Date
FT Location Change	Department of Parks and Recreation Harbor Hills to NHBP	Daniel Riordan	Groundskeeper 1	\$27.89 hourly / \$58,006 annually	Grade 17, Step 1	405000	123200	SP152.1000	A.05.7183.1000	11/1/2021
FT Location Change	Department of Highways to Administrative Services	Nicholas E. Lawson	Labor Supervisor 1	\$30.72 hourly / \$63,890 annually	Grade 17, Step 3.5	311000	120000	DA.07.5117.1000	A.01.1620.1000	10/16/2021
Merit Raise	Department of Public Safety - Animal Shelter	Jenna Givargidze	Director Animal Shelter	\$38.63 hourly / \$80,339 annually to \$39.75 hourly / \$82,679 annually	Grade 21, Step 9.5 to Grade 21, Step 11	121100	N/A	A.06.3510.1000	N/A	
Merit Raise	Department of Public Safety - Harbor Patrol	Mallory Nathan	Bay Constable 2	\$45.26 hourly / \$94,138 annually to \$45.67 hourly / \$94,995 annually	Grade 19, Step 22.5 to Grade 19, Step 24	124200	N/A	A.06.3989.1000	N/A	
Merit Raise	Department of Parks and Recreation Parks Public Safety	Anthony Munoz	Public Safety Officer 2	\$54.314 ann/\$26.11 hr to \$55.910 ann/\$26.88 hr	Grade 13, Step 3.5 to Grade 13, Step 5	122700	N/A	A.05.7200.1000	N/A	
Merit Raise	Department of Parks and Recreation Whitney Pond Park	Lemuel Brabham	Groundskeeper 1	\$77.264 ann/\$37.15 hr to \$78.352 ann/\$37.67 hr	Grade 17, Step 8 to Grade 17, Step 9.5	123400	N/A	A.05.7185.1000	N/A	
Merit Raise	Sidewalk District	Christopher Balsamo	Labor Supervisor 1	\$29.14 hourly / \$60,021 annually to \$30.09 hourly / \$62,581 annually	Grade 17, Step 3 to Grade 17, Step 4.5	415000	N/A	SM4017.1000	N/A	
New Hire FT	Buildings Department	Amy Hilton	Clerk Typist 1	\$1,886.30 bi-weekly / \$49,045 annually	Grade 11, Step 1	N/A	211000	N/A	N/A	10/30/2021
PT to FT	Department of Highways	Conor Jacoby	Laborer FT to Laborer 1 FT	\$14.00 hourly to \$22.38 hourly / \$46,540 annually	PT to Grade 9, Step 1	971000	311000	DA.07.5225.1200	DA.07.5117.1000	10/26/2021
New Hire PT	311 Call Center	Sophia Gordon	Attendant/311 Call Rep	\$16.00 hourly	N/A	N/A	903100	N/A	A.30.1480.1200	10/26/2021
New Hire PT	311 Call Center	Ruth Vincent	Attendant/311 Call Rep	\$16.00 hourly	N/A	N/A	903100	N/A	A.30.1480.1200	10/26/2021
New Hire FT	311 Call Center	Janyia Thomas	Attendant/311 Call Rep	\$16.00 hourly	N/A	N/A	903100	N/A	A.30.1480.1200	10/26/2021
New Hire FT	311 Call Center	Nuris Melendez	Attendant/311 Call Rep	\$16.00 hourly	N/A	N/A	903100	N/A	A.30.1480.1200	10/26/2021
New Hire PT	311 Call Center	Alexandra Gilles	Attendant/311 Call Rep	\$16.00 hourly	N/A	N/A	903100	N/A	A.30.1480.1200	10/26/2021
New Hire PT	Department of Parks and Recreation Tully	Isabelle Pinzon	Lifeguard 1	\$16.00 hourly	N/A	933300	N/A	A.05.7181.1200	N/A	10/26/2021
Seasonal to FT	Department of Parks and Recreation Minorhaiver	Frank Buck	Laborer 1	\$22.00 hourly	N/A	831000	931000	A.05.7182.1200	N/A	
Title Change, Grade, Step and Salary Change	Department of Buildings	Nicole Spadaro	Clerk/Laborer to Clerk/Typist	\$1,872.60 bi-weekly / \$48,687 annually to \$1,886.30 bi-weekly / \$49,045 annually	Grade 10, Step 2 To Grade 11, Step 1	211000	N/A	B.33.3622.1000	N/A	10/21/2021
Title Change and Salary Change	Receiver of Taxes	Ivan Ramirez	Accountant 2 to Acting Deputy Receiver of Taxes	\$3,135.90 bi-weekly / \$81,533 annually to \$4,311.07 bi-weekly / \$112,088 annually	Grade 17, Step 19 To Exempt	125600	N/A	A.09.1330.1000	N/A	10/2/2021
Title Change, Grade, Step and Salary Change	Department of Highways	Ryan Miller	Equipment Operator Trainee to Equipment Operator 1	\$25.48 hourly / \$52,004 annually to \$25.60 hourly / \$53,250 annually	Grade 11, Step 5 To Grade 13, Step 2.5	311000	N/A	DA.07.5117.1000	N/A	
Resignation FT	Department of Highway Safety - Animal Shelter	Marvin Rodriguez	Auto Service	\$24.83 hourly / \$51,656 annually	Grade 13, Step 1	307000	N/A	DA.07.5146.1000	N/A	10/15/2021
Resignation FT	Department of Public Safety - Animal Shelter	Marisa DeRosa	Animal Warden	\$25.67 hourly / \$53,387 annually	Grade 14, Step 1	121100	N/A	A.06.3510.1000	N/A	9/3/2021
Resignation FT	Town Clerk	Rob H. Russell	Accounting Assistant 1	\$2,133.80 bi-weekly / \$55,479 annually	Grade 12, Step 6	128700	N/A	A.13.1410.1000	N/A	10/15/2021
Resignation PT	Department of Parks and Recreation Yes We Can Community Center	Anissa Dorvilus	Attendant	\$15.00 hourly	N/A	933300	N/A	A.05.7141.1200	N/A	8/2/2021
Resignation PT	Department of Parks and Recreation Yes We Can Community Center	Alejandro Pleitez	Recreation Aide	\$16.25 hourly	N/A	933300	N/A	A.05.7141.1200	N/A	9/25/2021
Resignation PT	Department of Parks and Recreation Tully	Michael Super	Laborer 1 - PT	\$14.25 hourly	N/A	930000	N/A	A.05.7181.1200	N/A	9/6/2021
Resignation PT	Department of Parks and Recreation Tully	Angelo Ferrigno	Laborer 1	\$14.25 hourly	N/A	930000	N/A	A.05.7181.1200	N/A	10/6/2021

MR. WINK: Item 51. A resolution approving the action of Fire-Medic Company No. 1 of Port Washington, New York and adding to membership Juliette Cifarelli, Kelly Kennedy and Julia Coccarelli.

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

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: 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. I move to adjourn.



**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. 616 - 2021**

**A RESOLUTION APPROVING THE ACTION OF THE FIRE-MEDIC CO., NO. 1, PORT WASHINGTON, NEW YORK, IN ADDING TO MEMBERSHIP JULIETTE CIFARELLI, KELLY KENNEDY, AND JULIA COCCARELLI.**

**WHEREAS**, the Fire-Medic Co. No. 1, Port Washington, New York, has advised of adding Juliette Cifarelli, Kelly Kennedy, and Julia Coccarelli to 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 Juliette Cifarelli of 16 Linwood Rd, Port Washington, NY 110505, Kelly Kennedy of 45-56 171<sup>st</sup> Pl, Flushing, NY 11358, and Julia Coccarelli of 45-56 171<sup>st</sup> Pl, Flushing, NY 11358 to membership 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

October 21, 2021

The vote on the foregoing resolution was recorded as follows:

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

**Nays:** None

**Absent:** Councilperson Ferrara

**cc:** Fire-Medic Co. No. 1

Town Attorney

Comptroller

MR. WINK: Councilwoman

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

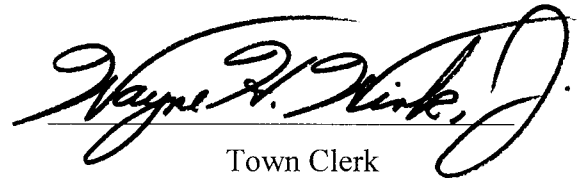
MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

(Whereupon, at 8:40 P.M., the above matter concluded.)



Wayne A. Wink, Jr.  
Town Clerk