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TOWN OF NORTH HEMPSTEAD
TOWN BOARD PUBLIC HEARING

Town Hall

April 28, 2022 7:06 P.M.

COUNCIL MEMBERS PRESENT:

JENNIFER DESENA - Supervisor
ROBERT J. TROIANO - District 1 Councilman
PETER J. ZUCKERMAN - District 2 Councilman
DENNIS J. WALSH - District 3 Councilman
VERONICA A. LURVEY - District 4 Councilwoman
DAVID A. ADHAMI - District 5 Councilman
MARIANN DALIMONTE - District 6 Councilwoman

ALSO PRESENT:

RAGINI SRIVASTAVA - Town Clerk
MARGARET MALITO - Deputy Town Clerk
JOHN CHIARA, ESQ., Town Attorney

PROCEEDINGS

SUPERVISOR DESENA: Okay. I think we're all ready. Okay. I'll call the meeting to order and I'll call on Peter Gong to lead us in the Pledge.

MR. GONG: Would everybody please stand up. All people as a free country, thank you for the Veterans. Face the American flag and put your hand over the heart and say the Pledge of Allegiance with me.

(Pledge of Allegiance.)

MR. GONG: Remain standing, please. Okay. One moment of silence for the people in the Ukraine that are dying. They want to be free. Thank you.

SUPERVISOR DESENA: Okay. Madam Clerk, would you call the roll, please?

CLERK SRIVASTAVA: Good evening, everyone. Town of North Hempstead, Town Board meeting. Thursday, April 28, 2022. Councilman Troiano.

COUNCILMAN TROIANO: Present.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Present.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Present.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Present.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Present.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Here.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Here.

CLERK SRIVASTAVA: All right.

SUPERVISOR DESENA: Okay. We have a quorum and now we will have 30 minutes for public comment. I'm going to ask everyone to please keep their comments to only three minutes. Thank you.

(Whereupon, the Public Comment was off the record.)

CLERK SRIVASTAVA: Thank you. We're done with cards for public comments.

SUPERVISOR DESENA: Okay. Thank you.

CLERK SRIVASTAVA: Can we start the public hearings? Can I start?

SUPERVISOR DESENA: Uh-huh. Oh, yes. Go ahead.

CLERK SRIVASTAVA: Item No. 1, a public hearing to consider the adoption of a Local Law

the Building Department have been overturned by a council member or the Supervisor. During those five years, there have been approximately 33,000 building applications reviewed by the Building Department. Let's be very clear here. Had this reform been in effect during that time, it would've affected just two-tenths of 1 percent or 0.17 percent of the total applicants. Please note also that the effect on that 0.17 percent of applicants would have been to prolong the time it took for their applications to be reviewed and approved. This is nowhere near enough to correct the issues we have in our Building department. If you are serious about reforming the Building Department, we need to hear from the experts who regularly interact with the Building Department, as this is a challenge that requires input from many different perspectives. Perhaps a task force could be assembled to include a resident, a business, an architect, an engineer, a construction contractor, electrician, a plumber, and a real estate attorney. It would be to all our benefit to have professional and representation from each area brought together onto such a task force to examine our building department's procedures and potential updates to our Town Code. These task force decisions could be open to the public with opportunities for the public to make comments. After a complete and thorough examination of the Building Department practices and the Town Code with input from the public, this task force could then make recommendation for reform. So the Supervisor and Town Board, I believe that this is how the Town of North Hempstead can improve the Building Department, streamline town government, make it more efficient, and increase accountability. Here are a few suggested improvements that the task force could also explore. Fast track plan reviews for small projects. The Town Board update its outdated Zoning Code. As it is now, you can have a blacksmith in the business district as of right, but not a tutoring center. Revise the parking requirements since there are met -- there are areas where virtually every retail applicant must seek a parking variance, which is very expensive. And many more. I ask Supervisor DeSena to consider creating this task force to explore these suggestions and more regarding the building departments practices, procedures, and potential updates to our Town Code. I do take offense to what you were saying. Pay to play, potential corruption, I overturn -- in my -- I've only been here for two years during that entire pandemic. I overturned two. Now my counterpart overturned many more. But that's in one year. In 2018, five were overturned in 2018 by my predecessor. One of them that I overturned was because the kitchen floor was sinking. It was literally sinking. How that was not a health and safety issue, which is one of the requirements, I don't understand. And I called the Building Department and I told them, I'm overriding this. It is a health and safety issue. The kitchen floor was sinking. Thank you.

COUNCILWOMAN LURVEY: So I would also like to point out that I'm a little bit confused by how the proposal -- although I support Building Department reform, and I support working together in a bipartisan way to get there. And I liked the comments that were just made about, you know, the task force that will work together --

COUNCILWOMAN DALIMONTE: Thank you.

COUNCILWOMAN LURVEY: --on the substantive issues. This proposal itself, however, it's supposed to streamline the process. But this proposal is only has to do with, in a situation where somebody submits an expediter request. It only has to do with a situation where that the Building Commissioner has determined to approve or disapprove that expedite request, and that is only to expedite the beginning of the review. That is only to put that application at the front of the queue. And there were certain situations that the Town Code provides that should be put at the front of the Town queue, front of the -- front of the queue, the review queue. They have to do

towns, I rather see no attempts to be viewed as a leader. And --

SUPERVISOR DESENA: I don't think we're a leader. I don't think that's our reputation.

COUNCILMAN TROIANO: Can I finish

SUPERVISOR DESENA: --go ahead. I'm sorry. Go ahead.

COUNCILMAN TROIANO: -- what I'd like to say? Thank you very much. I really want to talk about is the false assumption -- false assertion that Town Council members are sticking in their heads or noses where they don't belong. When the Supervisor says that we don't have the training and building codes or site plan review in order to make a determination about whether or not a permit application should be expedited, as Councilman Zuckerman said, we are not making a determination about the permit itself. That does require knowledge about building codes and site plan reviews that I don't have. I'm not seeking that opportunity. But the Code, the current Code, does not ask the council member to look at building code or site plan review. There are four criteria. Not one of them has to do with anything having to do with the Building Department expertise. In fact, if I were the Commissioner, I might ask the question, why am I being tasked with this? Because I'm not an expert of that either. As an example, one of the criteria says the request for an expedited review is in furtherance of advancing a public interest such as, but not limited to, job creation and/or economic development. Now we've got a very wise and knowledgeable building Commissioner. I don't fault him for any of that, but that's not this training. That's not his expertise. And so there may be some benefit, there maybe some advantage, Supervisor, to having a Town Councilperson who maybe does have some experience in economic development or job creation, to be able to overlook the commissioner's decision and add to it and have the ability to override that because that is not this commissioners or any commissioner's expertise. Another requirement, or I'm sorry, criteria is that the request is made to avoid extreme financial hardship to the applicant. That you have to admit has nothing to do with the Building Code. Supervisor?

SUPERVISOR DESENA: These are facts that the Building Commissioner has as part of the application.

COUNCILMAN TROIANO: -- nothing to do with your assertion was -- your assertion was that we should -- don't have building code training or Site Plan Review. And what I'm saying to you is that, that's not relevant to the criteria. The criteria said, the request is made to avoid extreme financial hardship. Is that cited anywhere in the Building Code?

SUPERVISOR DESENA: Well, I would suggest that the Building Commissioner --

COUNCILMAN TROIANO: -- is it cited anywhere in the building code?

SUPERVISOR DESENA: The Building Commissioner is also aware of the same things that you would be aware of in this expedited application.

COUNCILMAN TROIANO: But it's not part of any particular training. It's a judgment call, right? It's a judgment call.

SUPERVISOR DESENA: The Building Commissioner has seen --

COUNCILMAN TROIANO: -- ability to make that decision.

SUPERVISOR DESENA: Do you want me to answer the question or are you just talking?

COUNCILMAN WALSH: Well, okay. I'll stop talking then and let you continue with it. First thing that I said and you cut me off.

COUNCILMAN TROIANO: --no, because she made --

COUNCILMAN WALSH: But go ahead. Cut me off.

COUNCILMAN TROIANO: She made the announcement without informing me so how could I give input. And then she made the -- then she went and did it again at the at the State of the Union. No consultation.

COUNCILMAN WALSH: And you said you were there. Were you there at the State of the Union? No. You were not there at the State of the Union. And I don't see you in this building often, but I'm here often. If I can just say something simple. No one else on Long Island does this. And it could lead to corruption. And it could lead --I didn't say it did lead, but it could lead to corruption. It could lead to doing a friend of favor. And if nobody else does it, they probably don't do it for that reason. And this is just the first of many things that the Supervisor wants to do with the Buildings Department. And I never heard anyone say that -- I never heard the Supervisor say she wasn't in favor of a task force, but this is one step that will take away power from me. I don't need to be overruling the Buildings Department. I don't have the expertise. Perhaps one of us thinks we -- they have the expertise because they were here in 2007 and this goes back to 2007 and I don't know exactly when it was, but sometime around that time, well, maybe before that, there was an awful lot of problems with the Buildings Department. And the FBI was up here watching things going on the buildings department, you know, and I don't want to see anything like that happen again. And there's no reason for me to override the buildings department, and that's my opinion.

COUNCILWOMAN DALIMONTE: Robert, could you let me know if I'm wrong, that the reason why this was put in place --

COUNCILMAN WALSH: Say it again. Did you say that --

COUNCILWOMAN DALIMONTE: I asked Robert. Could you -- Councilman Walsh said that it was put in because of the investigation, but that's why --

COUNCILMAN WALSH: -- I didn't say it was put in because of the he investigation

COUNCILWOMAN DALIMONTE: -- after the events. Wait, wait. What did you say?

COUNCILMAN WALSH: I said --

COUNCILWOMAN DALIMONTE: Okay, say it again.

COUNCILMAN WALSH: Maybe you should listen. I said --

COUNCILWOMAN DALIMONTE: Councilman, you don't need to be rude. Councilman Walsh, you do not need to be rude. I'm asking a simple question.

COUNCILMAN WALSH: I'm not being rude. No, I --

COUNCILWOMAN DALIMONTE: Yes, you are, because you're --

COUNCILMAN WALSH: I'm not being rude.

COUNCILWOMAN DALIMONTE: Yes, you are.

COUNCILMAN WALSH: No, no, no.

MR. KESSLER: What is it?

COUNCIL WOMAN DALIMONTE: So what happens is when I get the e-mail from the Commission --

MR. KESSLER: Once every 56 times and how long?

COUNCIL WOMAN DALIMONTE: I've gotten --

MR. KESSLER: So you don't need the power?

COUNCIL WOMAN DALIMONTE: No, no, no. Let me -- can I --

SUPERVISOR DESENA: And by the way, it's only 1,000 expedited applications we're talking about. It's not 30,000.

COUNCIL WOMAN DALIMONTE: There were 33,000 in that time period that were submitted.

SUPERVISOR DESENA: Well, I'm talking about expedited applications, which hopefully we won't have a need for expedited applications once we --

COUNCIL WOMAN DALIMONTE: --we create that --

SUPERVISOR DESENA: -- streamline

COUNCIL WOMAN DALIMONTE: -- task force.

MR. KESSLER: My question --

SUPERVISOR DESENA: Marianne, I'm in favor of a task force, but the first thing --

MR. KESSLER: -- I'm in favor of a task force, too. I don't understand --

SUPERVISOR DESENA: -- is to get the power away from us.

MR. KESSLER: That's what I'm trying to get --

SUPERVISOR DESENA: -- and to the professionals. Thank you.

MR. KESSLER: People are power hungry.

COUNCIL WOMAN DALIMONTE: No, no, no.

MR. KESSLER: -- I don't understand why --

COUNCIL WOMAN DALIMONTE: --no, no, no, no, no.

MR. KESSLER: --in this instance, do you have any education, anything to --

COUNCIL WOMAN DALIMONTE: Well, when I

COUNCILMAN TROIANO: -- can I --

MR. KESSLER: Yes, you can. Yes, sure. Go right ahead.

COUNCIL WOMAN LURVEY: And excuse me. I'm sorry, but I've been scolded before for pointing at people, so --

MR. KESSLER: I'm sorry, I won't scold you. I won't point at you.

COUNCIL WOMAN LURVEY: Thank you.

set up an assertion, an assumption that the decision about whether or not to expedite an application was based on Building Code and site plan review training. What I said was, none of the four criteria that are part of the decision about whether to expedite or not expedite an application, none of the four are based on building code or site plan review, or zoning. That was the only point I made. And so the rationale for changing the law is --

MR. KESSLER: Has it been effective?

COUNCILMAN TROIANO: --is that the Commissioner has some special knowledge about those four things. My point is that he does not. It's not about power. It's about the foundation for which she's -- that's she's laid out.

MR. KESSLER: I don't buy it.

COUNCILMAN TROIANO: --in proposing this code.

COUNCILWOMAN LURVEY: And --

MR. KESSLER: I see right through it.

COUNCILMAN TROIANO: Now I'm done talking.

MR. KESSLER: Okay.

COUNCILWOMAN LURVEY: And the Supervisor also said -- I know you're not talking to me.

MR. KESSLER: I know. I don't want to point.

COUNCILWOMAN LURVEY: -- answer your question. Thank you. She said that this streamlines the process and she sees -- says this getting a permit depends on who you know. This amendment does not streamline the process.

SUPERVISOR DESENA: Yes, it has has a seven day deadline.

COUNCILWOMAN LURVEY: But for 56 people, it will result in them not getting an expedited review. And these are the people on the fringes who have had fires, who are old and need to move, who have, you know, in my experience -- I don't override everything that comes in my way. I take a very close look at it and I advocate for the people who need to be advocated for.

MR. KESSLER: Okay.

SUPERVISOR DESENA: And you have the ultimate say. The --we can advocate, but the Building Commissioner has to have the ultimate say under New York State law.

COUNCILWOMAN LURVEY: Under New York State law, I believe, and maybe our Town Attorney can confirm this, the New York -- the Commissioner has to have the final say on matters that apply to buildings code.

COUNCILWOMAN DALIMONTE: I --

MR. KESSLER: Bunch of mumbo-jumbo. What I'm trying to get at is you guys are teaming up on her because you're looking out for the 56 people in how many years?

COUNCILMAN WALSH: Five years.

COUNCILWOMAN DALIMONTE: Five.

-

SUPERVISOR DESENA: I don't think that's streamlining, Marianne.

COUNCILWOMAN DALIMONTE: No, but, you know, but it's -- the part that really bothers me is I didn't know the two people that I -- I can only speak on my behalf. I didn't and I did not know them, but when I saw the one with the kitchen floor, it really bothered me. And that's what I'm scared of because that to me was a safety issue. And I don't understand why.

MR. KESSLER: People are human, mistakes happen. It falls through the cracks every day. I'm -- I see cops make mistakes every day and people get arrested every day. It's not -- you know, this thing happens. People fall through the cracks.

COUNCILWOMAN DALIMONTE: I understand that. I understand that. Thank you. So I just want to see what we can do if we should continue this and then try and come up with a solution to make this better.

COUNCILMAN WALSH: I'm not in favor of continuing this because we need to vote on it tonight and, you know, it doesn't need to be improved on. I think it's fine the way it is. And you know it, what I said before, it was what I think this is all about. It's about a power struggle.

COUNCILWOMAN DALIMONTE: No, but

COUNCILMAN WALSH: -- that's my opinion.

SUPERVISOR DESENA: We do -- Councilwoman, we do have plenty to continue to work on.

COUNCILWOMAN DALIMONTE: Please everyone stop. We don't want to be here 'til midnight. We usually do not clap at the board meeting. We're trying to have a discussion. So please let us have the discussion. Thank you.

SUPERVISOR DESENA: Councilwoman, we do have plenty that we will still work on to reform and streamline the Building Department. This -- you want to talk about two cases that you had in the two years you've been here, but I'm talking about all the cases. And of course, we can still advocate and we can still talk to the Building Commissioner. And he is capable of reviewing all the documents you're referring to, Councilman Troiano, that refer to financial hardship and economic development. He's very capable of reviewing those documents just as we are. But what I want to remove is the potential that we are influenced by who's a powerful applicant and who deserves preferential treatment. That's what we should remove from our code as all the other towns and villages on Long Island, and in frankly New York State, because this is state law. That's what I -- that's the very small simple thing. Very small, simple that I want to remove from our code in this proposal. And I really would love to see some bipartisan support here tonight.

COUNCILMAN WALSH: And I think that a task force is a great idea. I also think that task force, where has it been for the past two years, four years, six years, ten years? Well, how come you didn't propose it in the past? How come it didn't need to be proposed, but just happened. You don't have to propose to have a task force. You can create a task force. Nobody ever did it and that all of a sudden tonight we need a task force. I do --I agree we need a task force and I hope it happens soon.

COUNCILWOMAN DALIMONTE: Council

SUPERVISOR DESENA: Would anyone like to be heard from the public?

SUPERVISOR DESENA: All right. Let's just go in that order, okay?

MS. GUILOR: Thank you very much and good evening. My name is Edna Guilor. I'm an architect and I practice in the Village in of -- in the Town of Kingsport --of Kings Point -- North Hempstead for about 30 years. So I thought that I'd come here and Veronica told me about it. I didn't even know, I didn't read the papers. She said come because I know you had a few applications in front of us for expediting and would be interesting for you to hear it. I must say that I'm actually very surprised about what's happening here tonight. And I'm saddened by that because I think you're dealing with a very important issue. And I think that what's happening between the Board is something that I would have liked not to see. I was on the board of Trustees of the Village of Great Neck for ten years. I was a deputy mayor there. And I think we have to make an effort to really work together and understand what all of us need because we have needs. I -- as an architect, in the last 30 years and this is only 15 years old, I have put maybe an application for expediting. I think the half of them are denied and half of them are accepted. And I never knew that the Councilman had the ability to override. I never needed it. When it was not accepted, we accepted it. We handled it when it was accepted. It was right. The times that it was accepted that I really remember, and it was because I think the Councilwoman at the time helped us, was a young couple that came to live here in Port Washington and they had a girl, a daughter. She was four years old or three years old and she was challenged. They moved in May and had they had to wait for time at the time of reviewing the plans, which was always then and still is about three months, they would have missed the educational department allowing the daughter to be part of the program. I can tell you they put their application on Thursday. By Monday, I received the approval and they were able to get their paperwork because they couldn't get the proof to become part of program if their daughter was not -- if the building permit or whatever, it was not in place. So we're not dealing really with -- I think favoritism. We're not dealing with corruption. I believe -- okay, there always will be corruption. There will always be favoritism. But you have to allow for the public to be able to have a way of overcoming things and not to wait so long. If you want to be leaders in this industry, approve plans in three weeks, approve plans in four weeks. Three months to five months approval is a long time and I will give it to you. I don't know if you're working on it, I know how it happened, but we are getting things approved much faster and reviewed much better, especially with the computerized system. It's amazing. It's a beautiful system, works very well. We apply, we put it in, we get response very quickly. Where before, it took a very long time. So whatever you're doing, whatever this administration does, I think it's good, but I think not allowing you, council people, to review things that really, like Councilman --

COUNCILMAN TROIANO: Troiano.

MS. GUILOR: -- Troiano has said, you don't need to be an expert to understand a family that has a challenged girl that needs the permit in three days. You don't. And the Building Department will review it. You're not asked to review it, you're asked to help expedite it. I don't know. I don't -- I didn't read the whole bill and I don't know if there's four lines in here that I saying to remove the requirement to review the application for you and not have to review it to review and only the Building Department will -- I think a couple of more eyes looking into this application and telling them yes, there is a human part of it or maybe not a challenged girl.

Maybe it's a doctor who wants to move into his office and is missing two parking spots because whatever or whatever, review it faster. Move it faster so that building, to the Board of zoning, otherwise you will lose that business in this in this town. So we're dealing with humans, we're

superintendents should have the power to make a decision. I believe that residents should be able to come down or call upon their council members to advocate for them. There's plenty of time within that process, the months that it takes to process a permit. But I do not believe that the Board or any of the council members, the Supervisor, should be able to overrule a decision made by the Commissioners. I also wanted to point out that I know that the Village of New Hyde Park does not have that power. Whatever the Building Department decides, is the final decision. So I think that the Town should follow the other areas as well.

COUNCILMAN TROIANO: I'm sorry, and how do you have knowledge about the building in New Hyde Park?

MS. SQUICCIARINO: I am a Trustee for the Village in New Hyde Park.

COUNCILMAN TROIANO: You're a Trustee?

MS. SQUICCIARINO: Yes.

COUNCILMAN TROIANO: So none of the applications in your village are impacted by the Town?

MS. SQUICCIARINO: We may have a discussion with the Building Department prior to --

COUNCILMAN TROIANO: -- not the town Building Department.

MS. SQUICCIARINO: No.

COUNCILMAN TROIANO: So you're not involved with the Town at all?

MS. SQUICCIARINO: No. But with the Village, the way it works there is you could have a discussion with the Town, with the supervisors and the Department before they make a decision, but once the decision comes down, we will not overrule that.

COUNCILMAN TROIANO: You've never had an opportunity or any reason yourself or any of your neighbors to put in an application for an expedited in the Town of North Hempstead?

MS. SQUICCIARINO: No.

COUNCILMAN TROIANO: So your experience has only been with the Village of New Hyde Park.

MS. SQUICCIARINO: Yes. But I still don't understand within the months that they have --

COUNCILMAN TROIANO: I understand. I just wanted --

MS. SQUICCIARINO: --to review an application, why they would come down to a final decision and have it be overturned.

COUNCILMAN TROIANO: I just wanted to establish what your experience is.

MS. SQUICCIARINO: Thank you.

COUNCILMAN WALSH: And I'd like to establish a little bit about your experience. You're a Trustee in the incorporated Village of New Hyde Park. You have Home Rule and you do things a certain way. In Mineola, which I don't work there anymore, but I'm familiar with the Buildings Department's efforts to help people and the mayor or the Board cannot overrule them there either. So it's not done anywhere other than here.

MS. SQUICCIARINO: Right.

MS. SQUICCIARINO: Well, it --

SUPERVISOR DESENA: And welcome to the meeting.

MS. SQUICCIARINO: Thank you.

COUNCILMAN WALSH: Yeah, and welcome to the meeting. Absolutely.

MS. SQUICCIARINO: It's very entertaining -- it's very entertaining, --

COUNCILMAN WALSH: You're a resident. You're entitled to come.

MS. SQUICCIARINO: -- yes.

COUNCILMAN TROIANO: You're not talking from experience --

MS. SQUICCIARINO: It doesn't seem sensible to me why --

COUNCILMAN WALSH: I think that the Councilman understands. It's just that --

MS. SQUICCIARINO: Yes.

COUNCILMAN WALSH: -- you don't agree with the Councilman.

MS. SQUICCIARINO: Yes. Yes. It's --

COUNCILMAN WALSH: So therefore, he's saying, well, you just decided to come here.

MS. SQUICCIARINO: If you --

COUNCILMAN WALSH: You're a resident. You're entitled --

MS. SQUICCIARINO: You have an entire department to form a decision.

COUNCILMAN TROIANO: I'm sorry?

MS. SQUICCIARINO: And you have an entire department to review the process, review the application to form a decision, and then for it to come to the Town level and be overruled --

COUNCILMAN TROIANO: I know you don't have --

MS. SQUICCIARINO: -- it's counterproductive.

COUNCILMAN TROIANO: -- let me just ask you: Do you have a Building Commissioner?

MS. SQUICCIARINO: Yes.

COUNCILMAN TROIANO: Does he have experience or knowledge of training and job creation?

MS. SQUICCIARINO: Absolutely.

MR. TROIANO: He does? How would he --

MS. SQUICCIARINO: Well, he hires people. We are a much smaller organization.

COUNCILMAN TROIANO: -- or job creation or not --

MS. SQUICCIARINO: Oh, probably not. I'm not --

COUNCILMAN TROIANO: He probably doesn't, right?

MS. SQUICCIARINO: Yeah.

interrogating the person.

COUNCILMAN TROIANO: -- has to do

COUNCILMAN WALSH: No. No. This You're not being treated fairly.

MS. SQUICCIARINO: Well, like I said before --

COUNCILMAN WALSH: -- let me say something, please. You're not being treated fairly.

MS. SQUICCIARINO: You can always advocate for your residents, right? So you can always go and call within your town to advocate for your residents. So if you have an opinion, you're free to share that opinion. But you don't have to hold that opinion until a decision is made and then overrule it. So you should perhaps be more involved in the process --

COUNCILWOMAN LURVEY: So it's --can I --

MS. SQUICCIARINO: -- So to be proactive and not reactive. That's my --

SUPERVISOR DESENA: All right. All right. Let's -- Councilman, I think --

SUPERVISOR DESENA: Thank you for speaking.

MS. SQUICCIARINO: Thank you.

COUNCILMAN TROIANO: Can I --

CHAIRMAN DESENA: No, no. Councilman, you've interrogated her enough. I thank you for trying to speak.

COUNCILMAN WALSH: You know, I don't think you should say one more thing. You said enough. You've been interrogated.

MS. SQUICCIARINO: I don't agree with --

COUNCILMAN WALSH: You came down.

MS. SQUICCIARINO: -- and I don't think you should be able to overrule it.

COUNCILMAN WALSH: -- and, you know, you're not being fair to her.

COUNCILMAN TROIANO: statements made tonight about we could -- but we don't know when an applicant files --

MS. SQUICCIARINO: Well, then maybe the task force can help loop you in.

COUNCILMAN TROIANO: Maybe so.

MS. SQUICCIARINO: Or --

COUNCILMAN WALSH: How long does it take to get before the Zoning Board of Appeals in New Hyde Park?

MS. SQUICCIARINO: One month.

COUNCILMAN WALSH: How long does it take to get the Zoning Board of Appeals in the Town of North Hempstead. And how come that has been languishing and for so many years and we're arguing about this.

SUPERVISOR DESENA: Okay. Do we have another card?

COUNCILMAN TROIANO: Because there's nothing in this that says it has to be reviewed more quickly.

MS. FERRANTE: I understand that.

SUPERVISOR DESENA: Actually, it does.

MS. FERRANTE: Seven days.

SUPERVISOR DESENA: It does say it has to be reviewed in seven days.

COUNCILMAN TROIANO: Seven days, you say? Isn't that --

MS. FERRANTE: I understand what you're saying -- I do actually.

COUNCILMAN TROIANO: -- what the law does not say that the application will be reviewed in seven days. What it says is the application for an expedited is. Not the length of a permit.

MS. FERRANTE: I understand that.

COUNCILMAN TROIANO: The permit is not going to be reviewed any more quickly. What will be reviewed more quickly, and to the Supervisors credit, what will be reviewed more quickly is the request for an expedited review.

MS. FERRANTE: I understand that.

COUNCILMAN TROIANO: Okay.

MS. FERRANTE: What I believe --

COUNCILMAN TROIANO: -- Still, the permit process without other changes is still going to take a year in your example.

MS. FERRANTE: I understand that. And it all needs to be changed. As I understand that this is one step towards rectifying the horrible damage that is being done to citizens.

COUNCILMAN WALSH: And you're entitled to have the opinion without being corrected, by the way.

MS. FERRANTE: I understand completely. Thank you.

SUPERVISOR DESENA: Okay. Thank you.

COUNCILWOMAN LURVEY: Thank you.

CLERK SRIVASTAVA: Thank you. We have another card. Matthew Donno.

MR. DONNO: How are you doing? I'm Matthew Donno. I am the co-president of the Nassau Chamber of Commerce. I am also a resident of Town of North Hempstead. I live in Port Washington. I also own a construction safety compliance business and I deal with safety issues all the time. So when it comes down to you worrying about this right now, when somebody gets denied, you get this request and you have how many days then to respond to that?

COUNCILMAN TROIANO: I think five.

MR. DONNO: Okay.

COUNCILMAN TROIANO: So --

COUNCILWOMAN LURVEY: -- I think five.

MR. DONNO: Have you worked in a village?

COUNCILMAN TROIANO: No.

MR. DONNO: Okay. So how a town is ran is a little bit different than the village.

COUNCILMAN TROIANO: I acknowledge that.

MR. DONNO: So my experience -- my mother has been the Mayor of Plandome Manor for quite some time. When somebody comes to them with something, they don't have to expedite it because they get an answer right there. They don't have to deal with going through a long process like this. We're not dealing with a building department that's handling 33,000 cases, was it over five years?

COUNCILMAN TROIANO: Exactly right.

MR. DONNO: Okay. So it's a faster process. They don't need an expedited process, maybe, in New Hyde Park to deal with that.

COUNCILMAN TROIANO: Right.

MR. DONNO: But here if I come if I bring one of my clients in that wants an expedited permit and they fill it out, they're going to get an answer in seven days. They don't get one right now in seven days. Doesn't even get to you in seven days for you to even be involved in the process.

COUNCILWOMAN LURVEY: Yeah.

COUNCILMAN TROIANO: Right.

COUNCILWOMAN LURVEY: I am --

COUNCILMAN TROIANO: But -- you said your last name is Donno?

MR. DONNO: Yes. Matthew.

COUNCILMAN TROIANO: And I really appreciate your mom, okay?

MR. DONNO: Thank you.

COUNCILMAN TROIANO: But you've changed the scenario, right? Because, you know, you're right. You have -- you apparently -- I accept this what you're saying, you didn't have a need for an expedited process. That wasn't going to commentary was about. My commentary was about that this requires a Building Commission -- this Code asked the Building Commissioner to be an expert in job creation. And it's my --

COUNCILMAN WALSH: -- no, it doesn't.

COUNCILMAN TROIANO: It's my --

COUNCILMAN WALSH: That's what -- it doesn't. I read through it.

MR. DONNO: That's not what I'm saying.

COUNCILMAN WALSH: That's not the point.

MR. DONNO: I'm saying if I apply for a permit and I need -- I have a use and a need that I'll get an answer back in seven days --

COUNCILMAN TROIANO: Well, I can I read this for you, Mr. Donno?

COUNCILWOMAN LURVEY: -- if I could jump in.

COUNCILMAN TROIANO: There's there's an opportunity always, there's a give and take, right? Because we certainly couldn't have you come up here and just make false statements, right. Without having somebody counter.

MR. DONNO: Sure.

COUNCILMAN TROIANO: Thank you. Okay. So there is always a proper rule for a Councilperson to come back in and make sure that I understand what you're saying, right? Because otherwise there could be ambiguity. And to make sure that -- make sure you understand what the law actually says because you may not, right? I didn't know how you've been prepared for this meeting.

MR. DONNO: Not prepared at all other than being the co-president of the chamber, as a real estate broker locally, --

COUNCILMAN TROIANO: Okay.

MR. DONNO: -- commercial and residential safety business.

COUNCILMAN TROIANO: -- how much you've done to prepare yourself, right? I don't even know.

MR. DONNO: I read the code.

COUNCILMAN TROIANO: I don't even know if you've read the law, right? So I just wanted to make sure that we're clear, which is why I read it to you just now.

COUNCILWOMAN LURVEY: All right.

MR. DONNO: Hello, Councilwoman Lurvey. How are you?

COUNCILWOMAN LURVEY: I'm good, thank you. So, you know, we know each other and I think we've worked together really well.

MR. DONNO: Absolutely.

COUNCILWOMAN LURVEY: -- over the past few years. And you know me as somebody who likes to answer the question put to me and I like to do my research. And so you asked, you know, about the seven-day period.

MR. DONNO: Correct.

COUNCILWOMAN LURVEY: And you looked at me and I didn't have an answer for you. I think, actually think giving a deadline for the Building Commissioner to review the expedite requests is a really good idea. And the -- I have two questions, though. One is what is the average time now? Is this -- I assume a seven-day turnaround is an improvement, but I wonder if we know what the average time is now.

SUPERVISOR DESENA: Do we want to ask the Building Commissioner?

MR. NIEWENDER: Thank you, Mike Tyson. John Niewender, Building Commissioner. So right now, an expedite requests comes in. Sometimes we reach out to the applicant to say, you might want to file an expedite on that one. Because of my power, I can't put you ahead of somebody else that's got a legitimate application. If you want to go ahead, it comes in, the expedite requests comes in, it's looked at the day it comes in. I make a determination. I try to

that's an emergency. Fires.

COUNCIL WOMAN DALIMONTE: Okay.

MR. NIEWENDER: All of those hardships.

COUNCIL WOMAN DALIMONTE: No. Thank you. That -- thank you for that.

COUNCILMAN ZUCKERMAN: Commissioner, can I -- can I ask you a question? I think one of the problems is that the way these exceptions are written. I think one of the problems is the way these exceptions are written because I think that it hamstring you and doesn't allow you to do what you might be able to do. In other words, if they were written more clearly, maybe that would allow you to do the -- to do the expedite yourself. I think your hands are tied a lot of the time, actually. I think that's part of the problems. I think it's not a question of you not granting it. I think the issue is that you're not able to grant it because possibly the verbiage isn't written in a way sufficiently for you. And then so that's really my question for you.

MR. NIEWENDER: All right. Sometimes that happens that we receive a myriad of different scenarios. I get copies of MRIs, I get copies of mortgages, I get copies of financial statements from some estate that was ten decades ago.

COUNCILMAN ZUCKERMAN: If we can write it in a way --

COUNCIL WOMAN DALIMONTE: Let him finish.

COUNCILMAN ZUCKERMAN: I'm sorry.

MR. NIEWENDER: So we go through the criteria that's put forth in the Code by the Board. And we stick to that criteria. If it's a business and it's giving, creating jobs for the community, it gets an expedite. Right off the bat. If it's a house flipper, and when I say house flipper, we usually know them by name, they sign the document. We're a little suspect because they buy this house sight unseen and they want the permit so that they could flip the house quicker. And the person who lives down the block who does it the right way, gets another step backwards. We try to avoid that. I have no position in this whatsoever. I follow the rules, the criteria that set forth by this Board. I don't have an opinion either way. All I can tell you is there are times when we feel strongly about something not being expedited and it does get overturned. And it's kind of it's not my town. It's my department. Once it's out of my hands and someone else overturns it, I move forward.

COUNCIL WOMAN LURVEY: So Mr. Niewender, I wonder if you've read the proposed language in the Local Law as proposed.

MR. NIEWENDER: I did.

COUNCIL WOMAN LURVEY: Right? So it says that, "Upon a receipt of a request for an expedite permit application, review of the Building Commissioner shall review the request together with the documentation supporting it, and render a proposed written determination within seven days of the request." Why is that a proposed determination?

MR. NIEWENDER: I did not write that.

COUNCIL WOMAN LURVEY: Okay. So is that a question for the Town Attorney or is it a question for -- I'm trying to read the -- because there's provisions that don't make sense in the drafting and so if it isn't you --

MR. NIEWENDER: I'm sorry.

COUNCILWOMAN DALIMONTE: Wait. Wait. I think --no you misunderstood. It was because it was a sinking floor. That's when they would go out. But if it was like a financial, it you would only go out if it was a sinking floor, something like that because you would, correct?

MR. NIEWENDER: It depends on the request. If it's something we can see eye to eye, because we -- people have the right not to let us in that house without a permit in place.

COUNCILWOMAN DALIMONTE: Right.

MR. NIEWENDER: And that happens quite a bit when we challenge sometimes and we think it's underhanded, we'll go out.

COUNCILWOMAN DALIMONTE: Do you think if we were to pass this legislation on the ones that are not approved that you disapprove. And if we were to get them and we were to write back to you saying, but, you know, what about this or what about that, like, because, you know, you can be looking at something. Like the gentleman said before we, everyone makes mistakes. We're all human. Would you be opposed to that? You know, that we would write back? But not, like, there literally it's say 24 hours. I'm just saying I don't think that should be a time limit on it because I think if it came back and it was not approved and we looked at it and I was like, oh, well, it kind of should be and then I sent it back to you. You know, I would not -- I would not overrule -- not overriding you. I'm trying to --

COUNCILMAN ADHAMI: Ask to take a second look.

COUNCILWOMAN DALIMONTE: Yeah. This is the -- I saw this, but just as an FYI, why do you see this? And you might turn around and say to me, you know, Mariann, you know, we didn't do it because of this, but we - - now I see what you're point is. Sometimes you might agree with me, and then you might not agree with me and then it goes

MR. NIEWENDER: I'm willing to agree with you.

COUNCILWOMAN DALIMONTE: What? What did he say? I didn't hear.

MR. NIEWENDER: I willing to agree with you. Yeah, but if that happens, I'm not doing my job thoroughly. That I have to -- we have to second-guess this and then there's the danger of that getting lost in the shuffle. There's a lot of applications that come in the Building Department now.

COUNCILWOMAN DALIMONTE: I know.

MR. NIEWENDER: There's a lot. I would ask that this Board and this Town trusted my decisions. That's what I'm paid to do and that's what I've been doing since 2004. We've had our ups and downs. We all know that. We're on a good path right now. I would just say the determination of myself, my staff --we have the folder, we have the records, we have the photos, we have all kinds of material and tools to look at these things and make a determination.

SUPERVISOR DESENA: Thank you.

COUNCILMAN TROIANO: Can I ask -- Come back, John. Just help me with how some of this happened.

Because I've been saying all night that there are four criteria that you consider in making a determination about whether or not someone should get an expedited review or not. But as I read

MR. NIEWENDER: I think – I hesitate this to make this statement, but I think what's upsetting to me and my department is these egregious denials, to me, they get overturned. So whatever role, whoever it looks at these and overturns them based on what we saw and we're actually vehemently opposed to, you know, we get a response back. I overturned that. I have no choice but to move forward on something that really should not.

COUNCILMAN TROIANO: Yeah, John. We hear your opinion. Thank you for that.

MR. NIEWENDER: Yeah.

COUNCILMAN TROIANO: But what I was focused on with the writing of the law.

MR. NIEWENDER: Okay. Then that's --

COUNCILMAN TROIANO: But what I've heard you -- what I heard you say though, you're acknowledging that this --

MR. NIEWENDER: I don't have it in front of me, but I heard you say the above and then I heard someone saying one. I don't know which is accurate. I don't have --

COUNCILMAN TROIANO: No, I'll read it exactly what it says --

MR. NIEWENDER: Okay.

COUNCILMAN TROIANO: --So there's no misunderstanding, confusion.

MR. NIEWENDER: Okay.

COUNCILMAN TROIANO: It doesn't say one of the four. It says -- but it wouldn't even matter, "Applicants not meeting the above criteria who wish to have an expedited permit application review, may request same in writing to the Building Commissioner." So John, I'm actually trying to save you, whether you recognize it or not. Because the way this is written is that someone might read and say, I don't -- those four don't -- those four conditions are not my situation. But there's an out here. It says I can still write the Building Commissioner, and tell them that my eyes are blue and I think I deserve one and, you know, take up your time.

COUNCILWOMAN LURVEY: Right.

MR. NIEWENDER: Okay. So now it's clear to me that, that to me, I would entertain that. I would definitely entertain that because it's a constituent or an applicant who has the right to review just because it didn't meet the criteria. There might be something that he is misunderstanding. And I'll tell you this. A lot of people don't even know that the expedite scenario exists.

COUNCILMAN TROIANO: So you're saying -- okay, so this is a whole new light. Okay. So what you're telling me now is that you don't even need four criteria.

MR. NIEWENDER: What that says --

COUNCILMAN TROIANO: Hold on, please. That's what I'm hearing you're saying. That you're interpreting this to me that you can establish any criteria that you want to.

MR. NIEWENDER: That's not what I'm saying.

COUNCILMAN TROIANO: Okay because -- then let me read this.

SUPERVISOR DESENA: Let's take --

did that. Thank you.

COUNCILWOMAN LURVEY: So, John, if I could follow up?

SUPERVISOR DESENA: Are you finished? Wait, were you finished with what you're saying?

MR. NIEWENDER: I am, but I will say I welcome the task force. I've been asking for it. I welcome it.

SUPERVISOR DESENA: Okay.

COUNCILWOMAN LURVEY: Commissioner, do you need some -- you'd like, and understandably so in my working with you, I have grown to understand that the Building Department like, doesn't like to make subjective calls. They like to be very objective. They like to have criteria which they can checkoff which instead of making a determination without criteria, right, you'd like to know that you're guided by something in the code. Would you be comfortable with this language without some guidance or that leaves it completely up to you to decide whether or not the expedite is or do you need some guidance?

MR. NIEWENDER: I would like to have the authority to -- this Board that give me the authority to make those determinations on my own.

COUNCILMAN WALSH: And the question isn't guidance. It's do you have the ability to shut it down?

COUNCILWOMAN LURVEY: To shut what down?

SUPERVISOR DESENA: Okay.

COUNCILMAN WALSH: And to have the ability to overrule the commission.

COUNCILWOMAN LURVEY: Right now we're talking about how the Commissioner -- we were actually talking about expanding your authority to give an expedite in situations that aren't covered in these four criteria, right?

MR. NIEWENDER: You're never going to be able to capture every scenario.

COUNCILWOMAN LURVEY: Right. That's life.

MR. NIEWENDER: However, there are a myriad of situations and scenarios that we are trained to handle and we can make those determinations fairly.

COUNCILWOMAN LURVEY: Are there some situations that you see coming up that are not captured in these four criteria? Should we expand it to make it easier for you?

MR. NIEWENDER: I would not.

SUPERVISOR DESENA: And then would you like to not be overruled?

MR. NIEWENDER: I never want to be overruled.

SUPERVISOR DESENA: Okay. All right. Let's take a very quick five-minute break and then we're going to come back to this. Oh, can we vote on that? Can we vote on a five-minute recess?

COUNCILMAN TROIANO: Yeah, but you have to make a motion.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you. We have two more cards on --

SUPERVISOR DESENA: Okay. Mr. Donno just wanted to finish his comment.

CLERK SRIVASTAVA: Please.

MR. DONNO: Thank you very much. Just real quickly. Councilwoman Dalimonte, we talked about -- you brought up that you one of the things that you overturned was the sinking floor. And as you brought up in conversation, you never got to see it. And as we discovered, like they send somebody out to see it or weren't even allowed in, which probably meant it really wasn't a concern because if my floor was sinking --he said the only other case that they --if they didn't see it was that they didn't let them.

COUNCILWOMAN DALIMONTE: Right.

MR. DONNO: If my floor was sinking, I'd let you in because I would want that immediately. So my concern would be that there's a veto power or approval power over their decision. Especially when you didn't even get to go see the site yourself.

COUNCILWOMAN DALIMONTE: Right, because I do take people at their word.

MR. DONNO: No and I believe you did it in the right -- you did it in the right nature. But the fact that the matter is that's one of the reasons why the council shouldn't have that veto power because somebody that really needed help just got bumped off the list because that got approved. And I'm not saying you did it -- like to harm anything, but that's the main reason that unless you're going out and you told me I went I saw this floor. I can't believe they didn't do this. And then my next question is: Did you call them and say, Hey guys, why didn't you approve this? You know, it, if you want to be part of the process, I think that's great. But it shouldn't be to approve or disapprove their decision. If someone gets disapproved and somebody, one of your residents came to you or a business came to you and said, hey, I don't know why this thing didn't get approved. Can you look into and you advocated? Awesome. That's exactly why you were elected.

COUNCILWOMAN DALIMONTE: Right.

MR. DONNO: So that's it.

COUNCILWOMAN DALIMONTE: Thank you.

MR. DONNO: Thank you.

CLERK SRIVASTAVA: Next card is Richard Baskin.

Commissioner -- and I would agree that any Commissioner is hired by this Board would have the expertise and knowledge to look over those matters. I do know that when there's safety and emergency issues regarding the Town and it's a health hazard or something like that, you -- they're very quick in looking at that, and you do not need an expedited to take care of that. I had a tree hit my house and quickly, the next day, we were able to get the tree removed, did not need any expedited permit to do that. So this, many of these situations are not necessary and I don't think -- I definitely feel that our current commissioners and one in the future can handle this without having anyone be able to override their experience and expertise.

COUNCILMAN WALSH: Thank you.

SUPERVISOR DESENA: Thank you.

COUNCILWOMAN LURVEY: So if I --

COUNCILMAN TROIANO: May I ask some questions?

MR. ROCHESTER: You can any questions you'd like. I've been in front many a judge, federal or whatever -- I've been cross-examined many times, so --

COUNCILMAN TROIANO: I have no doubt you can handle yourself. I've known you for a few years, not well, but I've seen you and how you are able to handle yourself. I have no questions about that. You made a statement, though, about there being the potential --

MR. ROCHESTER: There is, yes. Go ahead, sorry.

COUNCILMAN TROIANO: -- through for an elected official to be guilty of corruption. But that's not something that's characteristic, just of elected officials.

MR. ROCHESTER: I agree with that.

COUNCILMAN TROIANO: Thank you. And it's potential -- you know, it's possible, not this Commissioner, certainly, but some future Commissioner, could be engaged in some form of corruption.

MR. ROCHESTER: And that will be the Board -- the Board can be investigating them -- they have people within the Department to investigate that.

COUNCILMAN TROIANO: That's true. But we were talking right now about the expedited review process.

MR. ROCHESTER: Yeah.

COUNCILMAN TROIANO: So it's possible if there's a commissioner way out in the future, not appointed by anybody here who might be guilty -- who might have an expedited review come along, right? And there might be some powerful builder who submits it, and the then Commissioner is, you know, kind of faints by that. And who decides to rule in favor of that process, that application. So back to the possibility, right?

MR. ROCHESTER: Not saying it isn't, but at that point --

COUNCILMAN TROIANO: In that case and, you know, in that case then it might be helpful to have elected official who is that accountable to the People, be able to ride -- override --

MR. ROCHESTER: No, I don't think they should override it. They should investigate it, determine that there was corruption going on, and --

MR. ROCHESTER: Yeah.

COUNCILMAN TROIANO: And this Town Board cannot -- trust me, cannot overrule that decision.

MR. ROCHESTER: They cannot overrule that decision if it is proper. If you find that is correct and has been attained because of a bribe or some other manner than yes, you can, because that now becomes a criminal situation, which then the Board can step in on that.

COUNCILMAN WALSH: Thank you for your comments.

SUPERVISOR DESENA: Thank you.

COUNCILWOMAN LURVEY: If I may -- if I may just say one thing, Mr. Rochester. Thank you for sharing your comments. They're well taken. I do have one issue, though. You mentioned that putting authority in one person raises the specter of corruption. And yet this proposal would put all the authority in one person. And so I don't understand how that is not inconsistent.

MR. ROCHESTER: I'm saying the ability to override something. You heard -- you have a Commissioner. You have a Building Commissioner who has his inspectors. You -- then you had -- he's also an expert those -- in that situation and can look over that. That is his job and his expertise. I -- you know, you -- I don't see the need for someone to be override his decision.

COUNCILWOMAN LURVEY: But the point is there could be corruption anywhere. And yet what we're hearing tonight is that there's some sort of implication that there's going to be corruption --

MR. ROCHESTER: I did not say that there is --

COUNCILWOMAN LURVEY: I think that's your -- I think that's --

MR. ROCHESTER: I'm saying that

COUNCILWOMAN LURVEY: -- here. And there's absolutely no proof, no indication and no indicia of any of that.

MR. ROCHESTER: I agree but, I didn't say there is. I never said there's an indicia for it that transpired before this. I said that it is potentially there. I'm not saying that it happened. I'm not saying it will happen. I said potentially that there could be for it. That's all what I was saying, the potentiality of it is there.

COUNCILWOMAN LURVEY: But there will still be potentiality even after this provision if it were to pass, even if it were to pass because all the authority would rest in one person.

MR. ROCHESTER: You can say that.

COUNCILMAN WALSH: He was hired to --

COUNCILWOMAN LURVEY: As -- requires --

MR. ROCHESTER: -- to do that.

COUNCILWOMAN LURVEY: Okay. All right. Thank you, Mr. Rochester.

SUPERVISOR DESENA: Okay. Do we have any other comments?

CLERK SRIVASTAVA: No, we don't have cards.

Commissioner, so he can make a final and valid decision based on that, all right? You can't have a bunch of experts running around and saying, geez, you know, I created jobs or I didn't or whether criteria. Maybe that could be edited, all right? To reflect today's situation. And that's great because if we stood by and accepted everything as is forever, you know, where would we be? So we have to modify, we have to edit. The task force is great way to do it. If you don't believe that a person could have, you know, absolutely honesty in doing their job. Well, yeah, everybody's guilty of, you know, we're all human beings. We make mistakes. We, you know, I don't want to use corrupted, but, you know, we can do things differently and through forensic analysis, overview, audits, things like that, keep people honest, all right? I was reviewed all the time by my superiors when I was working in the field. And that's a fact -- but as the Commissioner stated, it's really just keep this very simple instead of going to certain, you know, bylaws, regulations, whatever it is. I don't know the law and don't pretend to know it. I'm not an expert there, all right? I always refer to the experts, all right? Amended those those amendments, you know, make them work for you guys, all right? But the thing is, people in town, the attorneys, real estate attorneys, homeowners don't get a lot of work done because they know it'll take too long and they want to sell their house this year, you know, so that's why they're do so much illegal building, and I see it all the time. So the thing is, is that there's got to be a better way. And this is a small step, but it's a step I believe in a right direction. It doesn't take away your authority as counsel people. If anything, it just kind of, like, streamlines it. And, you know, everybody's got a job to do, you know, you guys, you know, do your thing in town to help your own constituents, whether it's Westbury, New Hyde Park, Port Washington, Manhasset, and so on. But I leave jobs to the experts and if they need help, they should reach out. Let the person filling out the application, if they have something they can attach to the application saying, you know, this is a hardship, financial or this is because I'm creating jobs, then state it as an attachment in the application, so this way it can be reviewed, all right? Also, when you don't approve of something because it's like a kitchen redo, you go there and say, oh, this is wrong, too, or that's wrong. The next time, instead, have complete review of what this person wants to do and, you know, have the expert come in, have somebody with them and inspect or what have you and really try to assist that homeowner, that business in moving forward, all right? Because, again, that's how you make a strong community and I'm all about strong community because it's community helping community. It's as simple as that, you know, and if we try to act out differently, it's not going to work. Now how you conduct your own business is your own business, you know, but the thing is, is that, you know, yeah, working together. It's a simple thing. But, you know, I think there's just a better way of doing things. And sometimes if -- well, I always think I'm right. The gentlemen here with his wife saying, you know, you know, 98 percent of the time he's not. But I always think I'm right, but guess what? Something else comes into my decision-making. It says, you know something? I'm a dummy. I don't know everything. This thing changed my mind. I'm readily, you know, I can accept that. I was wrong. And admitting that you're wrong too is a big sign of being a leader, you know? So again, leadership, knowing when you're wrong, knowing when you're right, listening to others, do they have valid points? Yeah. If it's all posturing, that doesn't work either, you know? Whether you're a Democratic or Republican, I could give a rat's butt, you know. The thing is, is that, you know, try to work together. I work with a lot of different people. And tomorrow I'm reaching out to offer mental health services to two Kiwanis clubs in Uganda. 9:00 in the morning because they sought me out. That's it.

SUPERVISOR DESENA: Thank you, Mr. Stone.

MR. CHIARA: I know. The problem is that you already made a motion.

COUNCILMAN TROIANO: Right.

COUNCILMAN WALSH: Yeah.

MR. CHIARA: You already made a motion to vote on it.

COUNCILMAN ZUCKERMAN: So procedurally, we have to do that motion and then the other motion? Is that what you're saying?

MR. CHIARA: The Supervisor already made a motion to vote on this. So unless she wants to withdraw that motion --

SUPERVISOR DESENA: I like to just vote on the motion.

COUNCILMAN TROIANO: It's all right. I'm going to in a spirit of -- people may laugh at this -- in a spirit of working with you. I'm going to ask that you withdraw it because if you keep this motion, as the law is written now, I think it's faulty. The Building Commissioner has said that this sentence gives him the latitude to consider other conditions other than those that are mentioned in this law. And that's a Pandora's box for us because then we don't know on what basis he's making the decision to grant or not granted an expedited review. So I would then have to vote no. I don't want to do that. So I'm going to ask that you withdraw your motion in favor of Councilwoman Lurvey's motion, that we continue without a date so that we can make sure that this law satisfies what you want it to satisfy.

COUNCILMAN WALSH: I think this law satisfies what you want it to satisfy.

COUNCILMAN TROIANO: I was talking to the Supervisor about it.

COUNCILMAN WALSH: Yeah, but I'm allowed to speak also, Robert.

COUNCILMAN TROIANO: Well, I'm asking you to let me speak --

SUPERVISOR DESENA: During the recess, we spoke with the Commissioner, the attorneys -- we spoke with the Commissioner and we do not feel that -- we did -- we took away that he did not feel there was any ambiguity so I'm going to move this motion. As with many things, you know, we often look at language. We can look at it again, but I'm keeping the motion as is because it does provide the clarity that the Commissioner needs and it also provides the accountability, but the Building Department needs and it removes this potential for people that be influenced by elected, you know, elected people need votes. And so we are, we sometimes, you know, we're influenced. We are not the professionals. So I'm going to move the motion --

COUNCILMAN ZUCKERMAN: I'd like to hear from the Town Attorney because I wasn't privy to what was discussed. I'd like to hear what Mr. Chiara has to say.

COUNCILMAN TROIANO: No, I -- if you don't mind, Councilman Zuckerman, I made a -- I've tried to throw an olive branch out to the Supervisor to just withdraw that motion. She is chosen not to. I said I didn't want to vote no, because there's a legal issue here. She responded by saying no, she spoke to the Building Department Commissioner and his sought legal advice. So and she wanted --

SUPERVISOR DESENA: -- I didn't say that.

COUNCILMAN WALSH: -- she didn't

CLERK SRIVASTAVA: Yeah.

COUNCILMAN ADHAMI: Okay.

MR. CHIARA: So once the vote begins --

COUNCILMAN WALSH: The Clerk is supposed to call -- ask, so let's get going.

MR. CHIARA: -- the motion --

COUNCILWOMAN LURVEY: Okay.

MR. CHIARA: That would be the case.

COUNCILWOMAN LURVEY: Okay.

COUNCILMAN WALSH: So maybe the Clerk --

MR. CHIARA: Because Councilman Troiano was already voting, basically, you can't stop the vote.

COUNCILWOMAN LURVEY: Okay.

MR. CHIARA: Although the discussion here is stopping the vote, but technically the vote should continue without interruption.

COUNCILWOMAN LURVEY: Okay. Okay.

CLERK SRIVASTAVA: Thank you.

COUNCILMAN TROIANO: All right. I -- okay. Councilman Zuckerman has asked me to repeat it, but --

COUNCILMAN ZUCKERMAN: Just so everyone here is --

COUNCILMAN TROIANO: Clerk, can you start and call the order -- the roll call again?

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: I abstain.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: I abstain.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: When you participate in it for hours and then all of a sudden you abstain instead of voting no it seems like, you know, what are you kidding me? I vote yes.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: So I abstain for the reason that I don't want -- Excuse me. Supervisor, can you please control the meeting?

COUNCILMAN WALSH: The meeting's controlled. Let's go.

COUNCILWOMAN LURVEY: I abstain for the reason that I think that there are some good ideas in this proposal and I don't want a "no" to indicate that I think that the whole thing is wrong, but I abstain because I believe that there needs to be some changes made to the wording. As an attorney, I cannot accept the kind of drafting that is currently in there, and I think we need

COUNCILMAN TROIANO: You really didn't want an answer.

COUNCILMAN WALSH: In the past you made us move the vote along. So let's stick with --

SUPERVISOR DESENA: Just vote.

COUNCILMAN WALSH: It's for you to vote. Yes, no, or abstain.

SUPERVISOR DESENA: Just vote.

COUNCILWOMAN DALIMONTE: I --

SUPERVISOR DESENA: -- you can vote for something that I proposed. You can.

COUNCILWOMAN DALIMONTE: No, I know that. I know that and I want to --

SUPERVISOR DESENA: Then go ahead and do it.

COUNCILWOMAN LURVEY: She just said she wanted to change the words. She didn't say she was not voting for it because --

COUNCILWOMAN DALIMONTE: Right. I just want the verbiage changed. And then I will

COUNCILMAN TROIANO: You can do that through a continuance.

COUNCILWOMAN DALIMONTE: I'm asking for a continuance. Since there is no continuance, I have to vote no. And I don't want to vote no. Because after hearing from the community, I -- now I'm just asking for verbiage to be changed.

COUNCILMAN ADHAMI: And we can change it.

COUNCILWOMAN DALIMONTE: No. Because no. Hearing that you're going to change it - - if we continue it to May 19th -- I'm not saying it should be continued without a date. I think it should be continued to next board meeting.

COUNCILMAN TROIANO: Continued without a date allows you to do it the next board meeting, but it gives you the latitude if we need more time to do it at a later date.

COUNCILWOMAN DALIMONTE: No, I know --

COUNCILMAN ADHAMI: -- whenever I got pushed back. So I don't understand what the -- When I -- when I've asked to continue things to one meeting, I got pushed back. I don't understand what the issue is.

COUNCILMAN TROIANO: The issue is that you've seemed to acknowledge the Supervisor seems to acknowledge that the wording is -- that the wording has to be fixed. Right. Two attorneys are suggesting that we should go ahead and pass a defectively worded law. I can't understand.

COUNCILMAN WALSH: Excuse me --

COUNCILMAN ADHAMI: It is not defective.

COUNCILMAN WALSH: Counsel, are we allowed to continue to debate this thing while we're in the middle of a vote here. Aren't we supposed to vote?

MR. CHIARA: If the Supervisor will call order.

SUPERVISOR DESENA: Order, please. Vote. Vote please.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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. 8 of 2022 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 8 OF 2022
A LOCAL LAW AMENDING CHAPTER 39 OF THE TOWN CODE
ENTITLED "REGULATION OF TOWN PARKS,
TOWN GARDENS AND TOWN DOCKS"**

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

Section 1. Legislative Intent.

The Board finds that it is in the best interest of the Town of North Hempstead to amend Chapter 39 of the Town Code entitled "Regulation of Town Parks, Town Gardens and Town Docks" in order to specify that the Commissioner of the Department of Parks and Recreation is authorized to designate bicycle paths in Town parks and docks.

Section 2.

Chapter 39 of the Town Code is hereby amended as follows:

§ 39-22 Use of bicycles.

- A.** No person shall ride or walk with any bicycle in any park or Town dock, or on any path within any park or Town dock, except in such areas or on such paths or roads designated by the Commissioner and marked as bicycle paths or routes
- B.** ~~[All]~~ **No** person ~~[s who enter into]~~ within any park or ~~[enter any]~~ Town dock ~~[riding on or walking with a bicycle,]~~ shall ~~[not]~~ leave ~~[the same]~~ a bicycle standing alone or otherwise unattended in any path, walk or parking lot except in such areas as are designated by the Commissioner for the parking of such bicycles or in any bicycle rack or other device for the parking of bicycles provided by the Commissioner at such park, Town dock or facility.
- C.** Any person who leaves any bicycle in any area designated for the parking of bicycles shall provide such safety and security devices as proper to protect the equipment from theft and/or damage.

Section 3.

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

NEWSDAY AFFIDAVIT OF PUBLICATION

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

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

Legal Notice No. 0021716969

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Wednesday April 13, 2022 Nassau

By: _____

Print Name: Valencia Williams

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
13 Day of April, 2022.


Notary Public

Sarah Perez
Notary Public - State of New York
No. 01PE6397402
Qualified in Erie County
Commission Expires 09/03/2023

Ad Content

**Legal Notice # 21716969
NOTICE OF HEARING**
PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead at Town Hall, 220 Plandome Road, Manhasset, New York, on the 28th day of April, 2022, at 7:00 P.M., to consider the adoption of a Local Law amending Chapter 39 of the Town Code entitled "Regulation of Town Parks, Town Gardens and Town Docks" in order to specify that the Commissioner of the Department of Parks and Recreation is authorized to designate bicycle paths in Town parks and docks.
PLEASE TAKE FURTHER NOTICE that all interested persons shall have an opportunity to be heard concerning the Local Law at the time and place advertised.
PLEASE TAKE FURTHER NOTICE that the full text of the proposed Local Law will be posted on the Town's website and be on file in the Office of the Town Clerk prior to the hearing and may be examined during regular business hours.
Dated: Manhasset, New York
March 31, 2022
BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK

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:SS.:
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Monday May 02, 2022 Nassau

By: _____



Print Name: Valencia Williams

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
02 Day of May, 2022.



Notary Public

Sarah Perez
Notary Public - State of New York
No. 01PE6397402
Qualified in Erie County
Commission Expires 09/03/2023

This remote notarial act involved the use of communication technology.

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Legal Notice # 21720869
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 April 28, 2022, Local Law No. 8 of 2022 was adopted. The local law amends Chapter 39 of the Town Code entitled "Regulation of Town Parks, Town Gardens and Town Docks" in order to specify that the Commissioner of the Department of Parks and Recreation is authorized to designate bicycle paths in Town parks and docks.
Dated: Manhasset, New York
April 28, 2022

**BY ORDER OF THE TOWN
BOARD OF
THE TOWN OF NORTH
HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK**

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Ad Number: 0021720869

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

CLERK SRIVASTAVA: Item No. 3, a public hearing to consider the adoption of ordinances affecting Payne Whitney Lane in Manhasset, New York.

COUNCILWOMAN LURVEY: So the adoption of this ordinance will establish a full Stop eastbound and westbound on Payne Whitney Lane at its intersection with Sherry Hill Lane in Manhasset. This item stems from complaints and concerns of residents in the vicinity of the intersection and the request that stop signs be installed. Because there's still some disagreement about the stop signs, I'm going to continue the public hearing without a date to give the civic association and residents a chance to meet and come to an agreement along with the Town's traffic engineer. That said, if there's somebody here to speak -- do we have any cards?

CLERK SRIVASTAVA: No, we don't have any cards on this item.

COUNCILWOMAN LURVEY: So I would like to close the public hearing off. No. Yeah. Close the public hearing and move to continue --and move to continue deciding without a date.

MR. CHIARA: Well, so you may not want to close the public hearing. You may just want to -

COUNCILWOMAN LURVEY: So I just move to continue the --

MR. CHIARA: -- hearing without a date.

COUNCILWOMAN LURVEY: -- continue the hearing without a date.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

MR. WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you. Item No. 4, a public hearing to consider the adoption of ordinances affecting North Plandome Road in Port Washington, New York. We have a few cards on this.

COUNCILWOMAN DALIMONTE: Okay.

CLERK SRIVASTAVA: First one is Joe Dreyfus (phonetic)? Do we have someone here?

UNIDENTIFIED FEMALE: He had to leave.

CLERK SRIVASTAVA: Too much time on the first one. The second is Francine Furtado. Rasaro maybe?

MS. FURTADO: Hello everybody. Francine Furtado. I just wanted to say thanks for putting this on docket. Of course, it's going to be nothing but -- have nothing but a positive effect on our community. And thank you.

COUNCILWOMAN DALIMONTE: Thank you.

CLERK SRIVASTAVA: Melissa --

MS. FAMIGLIETTI: Thank you. Melissa Famiglietti from Port Washington. I'm president of the Beachway Estates Association, which is located on the other side of Plandome. And our 90 families would greatly appreciate the safety that this would bring to us accessing the waterfront. And I believe it greatly encourages being green and not us driving our cars down there when we live less than five minutes. So thank you very much. Appreciate it.

CLERK SRIVASTAVA: Thank you.

COUNCILWOMAN DALIMONTE: Thank you for your comments and thank you for doing the cleanup this weekend.

CLERK SRIVASTAVA: Thank you. Next card is Angela Ferrante.

MS. FERRANTE: Hello again. It's sorely needed and I really appreciate the traffic study. I appreciate the effort. I appreciate you putting it on the calendar. I have teenage children now that could walk there, and I literally feel that I cannot allow my teenage children to cross our road alone. I -- we live in a world where we are by the waterfront and in 50 years, if we don't do something about pollution, we -- my house which is on the hill, will be waterfront. So perhaps I should not care, but right now, I'm left needing to drive them to our little community beach, which is unconscionable. They are teenagers. We moved here five years ago from Brooklyn to be able to be free and walk and be safe and we need that to. Thank you.

COUNCILWOMAN DALIMONTE: Thank you.

CLERK SRIVASTAVA: Thank you. Gavin Pike.

MR. PIKE: Thank you. Yes, I'm President of Port Washington Estates. We have some 272 families and it is solely needed. I brought an old file which I discovered in our archives. December the 17th, 1962. We wanted to get a crosswalk installed. Thanks to Mariann, this now looks as if it will happen. It is also -- I spoke to a board member of Port Washington Yacht Club. They have 900 teen and preteen children who also will benefit from being able to cross the road safely. And I think that we have about 3,000 people in Port Washington Estates who will also benefit from it. So thank you very much for your consideration and getting it this far.

COUNCILWOMAN DALIMONTE: Thank you.

CLERK SRIVASTAVA: Thank you. Simon Carides [sic].

MR. CLARITAS: Good evening, Simon Claritas (phonetic). Thank you for considering this. I will say that having grown up in town, Plandome Road is, as is now considered a major thoroughfare going in and out of town, used to be just Port Boulevard. There's constant traffic there. I'm down there all the time with on walks and it's not even just for the beach community,

it's for the community in general. There's a lot of people walking over to Leeds Pond and the people in the truck traffic there is immense and having some safety along that roadway is very much needed. So thank you for the consideration.

COUNCILWOMAN DALIMONTE: Thank you.

CLERK SRIVASTAVA: Thank you. Donna Taylor.

MS. TAYLOR: Good evening. I'm Donna Taylor. I'm the vice president of the Beachway Estates Association due to the time, I will not -- I'm not going to add to the comments just to let you know that I strongly support this initiative and I appreciate your support and thoughtful consideration of this very important safety measure. Thank you.

COUNCILWOMAN DALIMONTE: Thank you.

CLERK SRIVASTAVA: Thank you. Tom McDonough?

(No response.)

CLERK SRIVASTAVA: My apologies. I got this card.

COUNCILWOMAN DALIMONTE: Are those all the cards? Madam Clerk, are those all the cards?

CLERK SRIVASTAVA: No, we don't have any more cards.

COUNCILWOMAN DALIMONTE: I would really like to thank Gavin Pike. When I took office in January of 2020, we started working on this project that long ago. And when you called me today to tell me that this has been in the works since 1960 something, I really -- I was, thank God I wasn't driving because I couldn't believe it. This has been a long process. We've done a traffic study. We've really made sure that this is the right thing to do and we've been going back-and-forth. So I just want to thank you and your association and all your residents for being patient. So with that, I would like to close the public hearing, offer the resolution, and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye. And I just want to say thank you to everybody who brought this forward. I know it was a tremendous job. And as Mr. Donno will know that in Manhasset, we're already looking for places to put something similar. So thank you for the work you did to pave the way.

CLERK SRIVASTAVA: Sorry. Go ahead, please.

COUNCILWOMAN LURVEY: I vote aye.

CLERK SRIVASTAVA: Thank you. Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you.

COUNCILWOMAN DALIMONTE: We did it.

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. 3 - 2022

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF ORDINANCES AFFECTING NORTH PLANDOME ROAD IN PORT WASHINGTON, NEW YORK.

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

PROPOSAL:

ADOPT:

1. NORTH PLANDOME ROAD – NORTH SIDE – STATE LAW – STOP FOR PEDESTRIANS IN CROSSWALK -
All Traffic southbound on North Plandome Road shall stop for pedestrians in the crosswalk at its intersection with Beachway (south).

2. NORTH PLANDOME ROAD – SOUTH SIDE – STATE LAW – STOP FOR PEDESTRIANS IN CROSSWALK -
All Traffic northbound on North Plandome Road shall stop for pedestrians in the crosswalk at its intersection with Beachway (south).

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

April 28, 2022

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK**

Affidavit of Publication

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

stead on the 28th day of April, 2022, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**NORTH PLANDOME ROAD,
PORT WASHINGTON,
NEW YORK**

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

**PROPOSAL:
ADOPT:**

1. NORTH PLANDOME ROAD - NORTH SIDE - STATE LAW - STOP FOR PEDESTRIANS IN CROSSWALK -

All Traffic southbound on North Plandome Road shall stop for pedestrians in the crosswalk at its intersection with Beachway (south).

2. NORTH PLANDOME ROAD - SOUTH SIDE - STATE LAW - STOP FOR PEDESTRIANS IN CROSSWALK -

All Traffic northbound on North Plandome Road shall stop for pedestrians in the crosswalk at its intersection with Beachway (south).

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: March 31, 2022
Manhasset, New York

**BY ORDER OF THE
TOWN BOARD OF
THE TOWN OF
NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK**

4-13-2022-1T-#232230-
PORT

County of Nassau SS
State of New York,

Linda Baccoli, 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: April 13, 2022

Linda Baccoli

Sworn to me this 13 day of
April-2022

Shari M. Egnasko

Notary Public

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

REG'D TOWN CLERK
APR 13 '22 AM 11:04

CLERK SRIVASTAVA: Item No. 5, a public hearing to consider the rescission of an ordinance affecting Sussex Road in Great Neck, New York. We don't have any cards on this.

COUNCILMAN ADHAMI: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILWOMAN LURVEY: It's a public hearing.

SUPERVISOR DESENA: It's a public hearing. Close the public hearing.

COUNCILMAN ADHAMI: I close the public hearing -- I'd like to close the public hearing, and offer the resolution, and move for its adoption.

CLERK SRIVASTAVA: Thank you. Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 4 - 2022

A PUBLIC HEARING TO CONSIDER THE RESCISSION OF AN ORDINANCE AFFECTING SUSSEX ROAD IN GREAT NECK, NEW YORK.

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

PROPOSAL:

RESCIND:

- 1. T.O. #29-1985
 Adopted July 30, 1985
 SUSSEX ROAD – EAST SIDE – NO PARKING – 7 P.M. TO 7 A.M.
 From the south curblin of northern boulevard, south, then west to a point 167 feet east of the east curblin of Wensley 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

April 28, 2022

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK**

CLERK SRIVASTAVA: Thank you. Item No. 6, a resolution setting a date for a public hearing to consider the adoption of a Local Law amending Chapter 16A of the Town Code entitled "Ethics Code Of."

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

SUPERVISOR DESENA: Actually, I move -- I'm sorry. I offer the resolution and set the hearing date for May 19, 2022.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: I still vote aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 201 - 2022

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 16A OF THE TOWN CODE ENTITLED "ETHICS, CODE OF."

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 16A of the Town Code entitled "Ethics, Code of" in order to require employees appointed to positions enumerated in Section 16A-7 to complete and file a financial disclosure statement within thirty (30) days of their appointment, to require individuals who are nominated for appointment to all permanent Boards and Commissions to complete and file a financial disclosure statement thirty (30) days prior to the Town Board considering the appointment and to clarify the established terms of office of the seven member Board of Ethics.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on May 19, 2022, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, for the purpose of considering the adoption of a Local Law amending Chapter 16A of the Town Code entitled "Ethics, Code of" in order to require employees appointed to positions enumerated in Section 16A-7 to complete and file a financial disclosure statement within thirty (30) days of their appointment, to require individuals who are nominated for appointment to all permanent Boards and Commissions to complete and file a financial disclosure statement thirty (30) days prior to the Town Board considering the appointment and to clarify the established terms of office of the seven member Board of Ethics; 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 a public hearing will be held by the Town Board of the Town of North Hempstead at Town Hall, 220 Plandome Road, Manhasset, New York, on the 19th day of May, 2022, at 7:00 P.M., to consider the adoption of a Local Law amending Chapter 16A of the Town Code entitled "Ethics, Code of" in order to require

employees appointed to positions enumerated in Section 16A-7 to complete and file a financial disclosure statement within thirty (30) days of their appointment, to require individuals who are nominated for appointment to all permanent Boards and Commissions to complete and file a financial disclosure statement thirty (30) days prior to the Town Board considering the appointment and to clarify the established terms of office of the seven member Board of Ethics.

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

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

Dated: Manhasset, New York

April 28, 2022

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK**

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Town Clerk

CLERK SRIVASTAVA: Item No. 7, a resolution setting a date for a public hearing to consider the adoption of ordinances affecting Old Stewart Avenue in Garden City Park, New York.

COUNCILMAN WALSH: Yes. This is a -- this is to adopt an ordinance that will establish a no stopping here to corner restrictions on all corners at the intersection of Old Stewart Avenue and Fourth Street in Garden City Park. The tentative hearing date is May 19th, and I would like to move to adopt to have a public hearing at that time. Is that close enough?

SUPERVISOR DESENA: Uh-huh.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

CHAIRMAN DESENA: Aye.

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

RESOLUTION NO. 202 - 2022

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF ORDINANCES AFFECTING OLD STEWART AVENUE IN GARDEN CITY PARK, NEW YORK.

WHEREAS, a recommendation has been made for the adoption of ordinances affecting Old Stewart Avenue, Garden City Park, 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 19th day of May 2022, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

PROPOSAL:

ADOPT:

1. OLD STEWART AVENUE – EAST SIDE – NO STOPPING HERE TO CORNER
From the North curb line of 4th Street, Northwest, for a distance of 30 feet.
2. OLD STEWART AVENUE – EAST SIDE – NO STOPPING HERE TO CORNER
From the South curb line of 4th Street, Southeast, for a distance of 40 feet.
3. OLD STEWART AVENUE – WEST SIDE – NO STOPPING HERE TO CORNER
From the North curb line of 4th Street, Northwest, for a distance of 38 feet.
4. OLD STEWART AVENUE – EAST SIDE – NO STOPPING HERE TO CORNER
From the South curb line of 4th Street, Southeast, for a distance of 30 feet.
5. 4TH Street – NORTH SIDE – NO STOPPING HERE TO CORNER
From the East curb line of Old Stewart Avenue, Northeast, for a distance of 45 feet.
6. 4TH Street – NORTH SIDE – NO STOPPING HERE TO CORNER
From the West curb line of Old Stewart Avenue, Southwest, for a distance of 30 feet.
7. 4TH Street – SOUTH SIDE – NO STOPPING HERE TO CORNER
From the East curb line of Old Stewart Avenue, Northeast, for a distance of 30 feet.
8. 4TH Street – SOUTH SIDE – NO STOPPING HERE TO CORNER
From the West curb line of Old Stewart Avenue, Southwest, for a distance of 40 feet.

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

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Public Safety Comptroller Traffic Safety

CLERK SRIVASTAVA: Thank you. Item No. 8, a resolution authorizing the Town Board to accept a gift of an anomodule for installation at Manorhaven Beach Park from the American Foundation for Suicide Prevention.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: 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. 203 - 2022

A RESOLUTION AUTHORIZING THE TOWN BOARD TO ACCEPT A GIFT OF AN ANIMODULE FOR INSTALLATION AT MANORHAVEN BEACH PARK FROM THE AMERICAN FOUNDATION FOR SUICIDE PREVENTION.

WHEREAS, the American Foundation for Suicide Prevention (“AFSP”) desires to purchase an Animodule as a gift for the Town to be installed at Manorhaven Beach Park in Port Washington (the “Gift”); and

WHEREAS, in order to purchase the Animodule the AFSP will be required to engage in fundraising efforts to raise funds for the purchase; and

WHEREAS, prior to engaging in such fundraising efforts the AFSP has requested that the Town acknowledge that it will accept and install the Gift of the Animodule; and

WHEREAS, this Board wishes to acknowledge that, upon receipt, the Town will graciously accept the Gift described in this Resolution in accordance with Town Law Section 64.

NOW, THEREFORE, BE IT

RESOLVED that this Board hereby gratefully acknowledges that, upon receipt, the Town will graciously accept the Gift.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Parks and Recreation

CLERK SRIVASTAVA: Item No. 9, a resolution authorizing the Town Board to accept gifts to the Town, pursuant to Town Law Section 64.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 204 - 2022

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

WHEREAS, Fanny Dwight has generously offered, as a gift, new appliances, cabinets, floors, and painting for a kitchen renovation at Clark House at Clark Botanic Garden; and

WHEREAS, Valerie Wallace has generously offered, as a gift, \$1,800 for the purchase of a commemorative bench at Town Dock in honor of Zaida Mirto; and

WHEREAS, the Roslyn Little League, has generously offered, as a gift, two safety bases for use at North Hempstead Beach Park; and

WHEREAS, this Board wishes to accept the Gifts described in this Resolution (the "Gifts") in accordance with Town Law Section 64.

NOW, THEREFORE, BE IT

RESOLVED that this Board hereby gratefully accepts the Gifts.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Parks and Recreation

CLERK SRIVASTAVA: Item No. 10, a resolution authorizing supplemental budget appropriations pursuant to Town Law Section 112.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 205 - 2022

A RESOLUTION AUTHORIZING SUPPLEMENTAL BUDGET APPROPRIATIONS PURSUANT TO TOWN LAW SECTION 112.

WHEREAS, pursuant to Town Law § 112, the Town Board (“the Board”) of the Town of North Hempstead (“the Town”) has the authority to make supplemental appropriations under certain circumstances; and

WHEREAS, the Office of the Comptroller has requested that the Town Board authorize supplemental appropriations in year 2022 (the “Supplemental Appropriations”), as follows:

(1) \$3,660.00 to be recorded to revenue line A.2269 with the offsetting expenses in the amount of \$1,830.00 to be recorded to expense code A.06.3510.4429 for professional services and \$1,830.00 to be recorded to expense code A.06.3510.4527 for consulting and professional services; and

(2) \$1,800.00 to be recorded to revenue line A.2705 with the offsetting expense to be recorded to expense code A.05.7184.4753 for the purpose of procuring a commemorative bench at Town Dock, with the remainder, if any, to be used to support the Department of Parks and Recreation; and

WHEREAS, the Board wishes to authorize the Supplemental Appropriations.

NOW, THEREFORE, BE IT

RESOLVED that this Board hereby authorizes the Supplemental Appropriations in year 2022 as requested by Comptroller; and be it further

RESOLVED that the Comptroller be and hereby is authorized and directed to undertake the Supplemental Appropriation.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Town Clerk

CLERK SRIVASTAVA: Item No. 11, a resolution authorizing the preparation and submission of a grant application to the Preservation League of New York State for the restoration of Monfort Cemetery and taking of related action.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: I wanted to point out that this cemetery has three signers of the 1775 Declaration of Independence. I wonder if there was a prior version then I didn't know about? And also Adrian Onderdonck, the first Town Supervisor of North Hempstead. So very cool, Supervisor.

SUPERVISOR DESENA: Uh-huh.

COUNCILWOMAN LURVEY: I vote aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 206 - 2022

A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF A GRANT APPLICATION TO THE PRESERVATION LEAGUE OF NEW YORK YORK STATE FOR THE RESTORATION OF THE MONFORT CEMETERY AND THE TAKING OF RELATED ACTION.

WHEREAS, the Town Board (the "Board") of the Town of North Hempstead (the "Town") is desirous of restoring historic Monfort Cemetery in Port Washington, New York (the "Restoration Project"); and

WHEREAS, the Grants Coordinator has recommended that the Town submit a grant application to the New York State Preservation League to cover costs associated with the Restoration Project (the "Grant") in the amount of Nine Thousand Six Hundred and 00/100 Dollars (\$9,600.00) with a local match in the amount of Two Thousand Four Hundred and 00/100 Dollars (\$2,400.00); and

WHEREAS, the Board wishes to authorize the preparation of the application for the Grant to assist the Town with the Restoration Project.

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby authorizes the preparation of the application for the Grant for the undertaking and completing of the Restoration Project; and be it further

RESOLVED that the Board hereby authorizes the Supervisor or her designee to execute any and all contracts, project agreements and other instruments or documents required in connection with the awarding and receipt of the Grant ("Contract Documents"), file the Contract Documents in the Office of the Town Clerk, submit Restoration Project documentation, and take such other action as may be reasonably required to undertake and complete the Restoration Project and receive the Grant; 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 Contract Documents in connection with the Restoration Project and the Grant.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

CLERK SRIVASTAVA: Item No, 12, a resolution authorizing the award of a bid for a roofing repair and replacement, (TNH279-2021).

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 207 - 2022

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR ROOFING REPAIR AND REPLACEMENT (TNH279-2021).

WHEREAS, the Director of Purchasing (the "Director") has solicited bids for roofing repair and replacement; and

WHEREAS, bids were received as forth in Exhibit A attached hereto (the "Bids"); and

WHEREAS, following a review of the Bids, the Director has recommended an award as set forth in Exhibit B attached hereto (the "Award"); and

WHEREAS, this Board wishes to authorize the Award as recommended by the Director.

NOW, THEREFORE, BE IT

RESOLVED that the Award as recommended by the Director is hereby authorized; and be it further

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute, on behalf of the Town, any purchase agreements and related documents, a copy of which shall be on file in the Division of Purchasing, and to take such other related action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be, and hereby is, authorized and directed to pay the costs of said awards upon receipt of a duly executed and certified claims therefor.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Purchasing

No.	DESCRIPTION	UNIT	ESTIMATED NUMBER PER YEAR*	UNIT PRICE	TOTAL PRICE	Statewide Roofing, Inc. 2120 5th Avenue Ronkonkoma, NY 11779 631-277-1610 return@statewideroofingllc.com	Roof Services of New York A Tecta America Company, LLC 48 West Jefferson Blvd Deer Park, NY 11729 631-666-3232 dflouf@roofservices.com	Fidellis Contracting, Inc. 300 N. Northern Blvd, Suite 201 Great Neck, NY 11021 718-305-1860 info@fidelliscontracting.com	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	ROOFER – Straight time between the hours of 8AM and 5PM	HOURLY	400	\$ 98.99	\$ 39,996.00				\$ 62,000.00	\$ 155.00	\$ 62,000.00
2	APPRENTICE – Straight Time between the Hours of 8AM and 5 PM	HOURLY	400	\$ 35.00	\$ 1,750.00				\$ 24,000.00	\$ 60.00	\$ 24,000.00
3	ROOFER – Overtime and Holidays	HOURLY	50	\$ 110.00	\$ 5,500.00				\$ 9,750.00	\$ 195.00	\$ 9,750.00
4	APPRENTICE – Overtime and Holidays	HOURLY	50	\$ 40.00	\$ 2,000.00				\$ 5,000.00	\$ 100.00	\$ 5,000.00
5	FLAT FEE FOR PROJECT ESTIMATE (if applicable)**	EACH	10	\$ 50.00	\$ 500.00				\$ -	No Charge	\$ -
6	MATERIALS***	EACH								15% above Certified cost	
8	SUBCONTRACTOR**	EACH								10% above certified invoice	
	TOTAL				\$ 49,746.00				\$ 100,750.00		\$ 100,750.00

*2 should be \$14,000
total \$61,996

15% above Certified cost
10% above certified invoice
15% above Certified cost
10% above certified invoice
15% above Certified cost
10% above certified invoice
15% above Certified cost
10% above certified invoice
15% above Certified cost
10% above certified invoice

TNH279-2022-Roofing Repair and Replacement	
Winning Vendor	Items Won
A & J Construction of NY, INC.	
163 Foxwood Road	
West Nyack, NY 10994	all items
914-403-3702	
jimmyjohnp1@gmail.com	

CLERK SRIVASTAVA: Item No. 13, a resolution authorizing the award of a bid for exterminating services,(TNH 091-2022).

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 208 - 2022

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR EXTERMINATING SERVICES (TNH091-2022).

WHEREAS, the Director of Purchasing (the "Director") has solicited bids for exterminating services; and

WHEREAS, bids were received as forth in Exhibit A attached hereto (the "Bids"); and

WHEREAS, following a review of the Bids, the Director has recommended an award as set forth in Exhibit B attached hereto (the "Award"); and

WHEREAS, this Board wishes to authorize the Award as recommended by the Director.

NOW, THEREFORE, BE IT

RESOLVED that the Award as recommended by the Director is hereby authorized; and be it further

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute, on behalf of the Town, any purchase agreements and related documents, a copy of which shall be on file in the Division of Purchasing, and to take such other related action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be, and hereby is, authorized and directed to pay the costs of said awards upon receipt of a duly executed and certified claims therefor.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Purchasing

TNH091-2022 Exterminating Services Re-cap		Flash Exterminating Inc. 310 Montgomery Street Brooklyn, NY 11225 (347)444-2427 James Swint Flashexterminating@gmail.com	Parkway Exterminating Inc. 100 Iericho Turnpike New Hyde Park, NY 11040 (516)328-2989 Patsy Sposato Pat@parkwaypest.com	Predator Pest Control 160-55 Crossbay Blvd. Ste 203 Howard Beach, NY 11414 (516)319-7401 James DeBari pred8orpc@gmail.com	Select Exterminating 149 New Hyde Park Road Franklin Square, NY 11010 (516)846-1145 Adrian Santiago asantiag@akaselect.com
Section	Exterminating Services	Price	Price	Price	Price
A.	Town-Wide Exterminating Services at various Non-Residential Town Facilities - for use as needed				
1	Cockroaches and Other Insects - Indoor Treatment	\$150.00	\$125.00	\$65.00	\$0.00
1a	Flat rate charge for assessment visit	\$100.00	\$175.00	\$38.00	\$95.00
1b	Price per Hour per person (during business hours - 7 am - 4 pm) - includes associated material costs	\$150.00	\$300.00	\$50.00	\$175.00
1c	Price per Hour (after hours, weekends and holidays) - includes associated material costs				
2	Termites				
2a	Flat rate charge for assessment visit	\$150.00	\$150.00	\$25.00	\$0.00
2b	Price per Hour (during business hours - 7 am - 4 pm) - includes associated material costs	\$100.00	\$600.00	\$250.00	\$200.00
2c	Price per Hour (after hours, weekends and holidays) - includes associated material costs	\$150.00	\$900.00	\$250.00	\$375.00
3	Exterior of Buildings for Insect Problems				
3a	Flat rate charge for assessment visit -	\$150.00	\$125.00	\$25.00	\$0.00
3b	Price per Linear Foot - includes associated material costs and labor rates	\$15.00	\$7.00	\$6.00	\$1.00
4	Bees, Wasps, Hornets, etc.				
4a	Flat rate charge for assessment visit	\$150.00	\$150.00	\$25.00	\$0.00
4b	Price for Juice Jar Traps	\$100.00	\$10.00	\$12.50	\$25.00
4c	Price per Hour for treatment/removal (during business hours - 7 am - 4 pm) - includes associated materials cost not otherwise listed in section 4b	\$100.00	\$185.00	\$85.00	\$150.00
4d	Price per Hour for treatment/removal (after hours, weekends and holidays) - includes associated materials cost not otherwise listed in section 4b	\$150.00	\$300.00	\$100.00	\$225.00
5	Rodents (Rats, Mice, etc.)				
5a	Flat rate charge for assessment visit	\$150.00	\$150.00	\$25.00	\$0.00
5b	Price per Hour (during business hours - 7 am - 4 pm) - includes associated materials cost not otherwise listed in sections 5d-g	\$100.00	\$175.00	\$75.00	\$105.00
5c	Price per Hour (after hours, weekends and holidays) - includes associated materials cost not otherwise listed in sections 5d-g	\$150.00	\$300.00	\$75.00	\$150.00
5d	Price for Bait (mouse seed and/or Traps - price per unit)	\$10.00	\$3.00	\$1.50	\$0.00
5e	Price for covered Bait Stations - price per unit	\$30.00	\$30.00	\$38.50	\$25.00
5f	Plastic tamper resistant bait stations for mice only	\$20.00	\$20.00	\$9.00	\$10.00
5g	Protecta tamper resistant bait stations for Rats & mice	\$50.00	\$40.00	\$38.50	\$25.00
6	Mosquito Spraying - outdoor				
6a	Flat rate charge for assessment visit	\$150.00	\$150.00	\$65.00	\$0.00
6b	Price per Hour (during business hours - 7 am - 4 pm) - includes associated materials/chemical cost not otherwise listed in section 4b	\$100.00	\$225.00	\$125.00	\$125.00
6c	Price per Hour (after hours, weekends and holidays) - includes associated materials/chemical cost	\$150.00	\$350.00	\$150.00	\$150.00
7	Animal Trapping - Raccoons, Squirrels, Possum, etc.				
7a	Flat rate charge for assessment visit	\$150.00	\$175.00	\$65.00	\$0.00
7b	Price per Hour (during business hours - 7 am - 4 pm) includes associated materials/chemical cost	\$100.00	\$225.00	\$100.00	\$105.00

TNH091-2022 Exterminating Services Re-cap	Flash Exterminating Inc. 310 Montgomery Street Brooklyn, NY 11225 (347)444-2427 James Swint Flashexterminating@gmail.com	Parkway Exterminating Inc. 100 Jericho Turnpike New Hyde Park, NY 11040 (516)328-2989 Patsy Sposato Pat@parkwaypest.com	Predator Pest Control 160-55 Crossbay Blvd. Ste 203 Howard Beach, NY 11414 (516)319-7401 James DeBari pred80rpsc@gmail.com	Select Exterminating 149 New Hyde Park Road Franklin Square, NY 11010 (516)846-1145 Adrian Santiago asantiago@akaselect.com
Exterminating Services				
7c	Price per Hour (after hours, weekends and holidays) includes associated materials/chemical cost	\$150.00	\$395.00	\$150.00
8	Force Account – Exterminating Services not specifically listed above			
8a	Flat rate charge for assessment	\$150.00	\$150.00	\$0.00
8b	Price per Hour (during business hours – 7 am – 4 pm)	\$100.00	\$195.00	\$105.00
8c	Price per Hour (after hours, weekends and holidays)	\$150.00	\$375.00	\$150.00
8d	Materials – Town will pay 15% above certified cost for force account work	15%		
Section B	Harbor Links – Monthly Services:			
9	Main Club House			
	<ul style="list-style-type: none"> Rodent bait stations (7) Inspect, monitor and treat when necessary the interior and exterior of the structure utilizing IPM Techniques. Areas to be included: common area bathrooms, locker rooms, kitchens, bar area, ballroom, break areas, basement area, offices, golf shop and storage rooms Exterior rodent maintenance. Service to be performed once per month and include cleaning and rebaiting. Light traps: 3 light traps are to be installed within the building. Light traps are to be plugged into a dedicated outlet. 			

TNH091-2022 Exterminating Services Re-cap	Flash Exterminating Inc. 310 Montgomery Street Brooklyn, NY 11225 (347)444-2427 James Swint Flashexterminating@gmail.com	Parkway Exterminating Inc. 100 Jericho Turnpike New Hyde Park, NY 11040 (516)328-2989 Patsy Sposato Pat@parkwaypest.com	Predator Pest Control 160-55 Crossbay blvd. ste 203 Howard Beach, NY 11414 (516)319-7401 James DeBari pred8orpc@gmail.com	Select Exterminating 149 new Hyde Park Road Franklin Square, NY 11010 (516)846-1145 Adrian Santiago asantiago@akaselect.com
Exterminating Services	\$120.00	\$125.00	\$75.00	\$110.00
Frequency: once per month - Please bid price per month				
Section C Parks Department Buildings - Monthly Services				
All interior and exterior of buildings must be inspected, monitored and treated when necessary, utilizing IPM Techniques. Services should include basic treatment for cockroaches, ants and other crawling insects as well as drain flies where applicable. Treatment for mice, as needed. Treatment is once per month.				
13 Clinton G. Martin Park Community Building (price per month)	\$120.00	\$195.00	\$85.00	\$95.00
14 Clinton G. Martin Park Pool Buildings (price per month)	\$120.00	\$195.00	\$45.00	\$95.00
15 Tully Park Recreational Building (price per month)	\$120.00	\$195.00	\$65.00	\$95.00
16 Broadway Park Building (price per month)	\$120.00	\$195.00	\$35.00	\$95.00
17 Manorhaven Beach Park Building (price per month)	\$120.00	\$195.00	\$75.00	\$95.00
18 Yes We Can Community Center (price per month)	\$120.00	\$195.00	\$125.00	\$95.00
19 Cammerer Park (price per month)	\$120.00	\$195.00	\$75.00	\$95.00
20 Main House at Clark Gardens (price per month)	\$120.00	\$195.00	\$65.00	\$95.00
Section D Administrative Services Buildings				
<ul style="list-style-type: none"> All interior and exterior of buildings must be inspected, monitored and treated when necessary, utilizing IPM Techniques. Services should include basic treatment for cockroaches, ants, millipedes and other crawling insects as well as drain flies where applicable. Monthly treatment for mice, as needed. Treatment is once per month. 				
21 Roslyn Community Center	\$120.00	\$195.00	\$125.00	\$110.00
22 Gold Coast Arts Center	\$120.00	\$195.00	\$175.00	\$110.00
23 Animal Shelter	\$120.00	\$250.00	\$65.00	\$110.00
Section E Solid Waste Management - Initial and Monthly Services				

TNH091-2022 Exterminating Services Re-cap	Flash Exterminating Inc. 310 Montgomery Street Brooklyn, NY 11225 (347)444-2427 James Swint Flashexterminating@gmail.com	Parkway Exterminating Inc. 100 Jericho Turnpike New Hyde Park, NY 11040 (516)328-2989 Patsy Sposato Pat@parkwaypest.com	Predator Pest Control 160-55 Crossbay Blvd. Ste 203 Howard Beach, NY 11414 (516)319-7401 James DeBari pred8orpc@gmail.com	Select Exterminating 149 New Hyde Park Road Franklin Square, NY 11010 (516)846-1145 Adrian Santiago asantiago@akaselect.com
Exterminating Services				
Initial service should include placement of rodent control apparatus at the below properties, including the kitchen, break room, one conference room, front office, five additional offices, equipment storage room and building exteriors. Apparatus to include bait stations and traps. Monthly follow-ups will need to be conducted to check traps and bait stations.				
24 Solid Waste Management Headquarters, 802 West Shore Road, Port Washington				
Initial Service	\$900.00	\$595.00	\$500.00	\$375.00
Monthly Service	\$180.00	\$225.00	\$150.00	\$150.00
25 Transfer Station Scalehouse, 999 West Shore Road, Port Washington				
Initial Service	\$900.00	\$595.00	\$500.00	\$375.00
Monthly Service	\$180.00	\$225.00	\$175.00	\$150.00
			Overall lowest monthly services total.	
			Overall lowest average hourly rates	

TNH091-2022-Exterminating Services	
Winning Vendor	Items Won
Predator Pest Control	
160-55 Crossbay blvd. ste 203	
Howard Beach, NY 11414	
(516)319-7401	All Items
James DeBari	
pred8orpc@gmail.com	

CLERK SRIVASTAVA: Item No. 14, A resolution authorizing the award of a bid for the rental of equipment, outdoor movie setup, (TNH 238-2022) .

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 209 - 2022

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE RENTAL OF EQUIPMENT - OUTDOOR MOVIE SETUP (TNH238-2022).

WHEREAS, the Director of Purchasing (the "Director") has solicited bids for the rental of equipment for outdoor movie setup; and

WHEREAS, bids were received as forth in Exhibit A attached hereto (the "Bids"); and

WHEREAS, following a review of the Bids, the Director has recommended an award as set forth in Exhibit B attached hereto (the "Award"); and

WHEREAS, this Board wishes to authorize the Award as recommended by the Director.

NOW, THEREFORE, BE IT

RESOLVED that the Award as recommended by the Director is hereby authorized; and be it further

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute, on behalf of the Town, any purchase agreements and related documents, a copy of which shall be on file in the Division of Purchasing, and to take such other related action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be, and hereby is, authorized and directed to pay the costs of said awards upon receipt of a duly executed and certified claims therefor.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Purchasing

TNH238-2022-Rental of Equipment- Outdoor Movie Setup							
Item	Description	*Please include actual size of screen being priced	Rental Price per Event	**Approximate Number of Rentals per year	*Please include actual size of screen being priced	Rental Price per Event	**Approximate Number of Rentals per year
1	SINGLE SCREEN SET UP						
	***15 ft. (h) x 25 ft. (w)	15ft (h) x 25ft (w)	\$1,350.00	5	13.7ft x 21.9 ft	\$1,938.00	5
2	20 ft. (h) x 30 ft. (w)			TBD	18.4 ft x 29.5 ft	\$2,938.00	TBD
3	DOUBLE SCREEN SET UP						
	15 ft. (h) x 25 ft. (w)	2x 15ft (h) x 25ft (w)	\$1,800.00	TBD	13.7ft x 21.9 ft	\$3,938.00	TBD
4	20 ft. (h) x 30 ft. (w)			TBD	18.4 ft x 29.5 ft	\$4,938.00	TBD
	TOTAL BID						
*	Item #2 and #4 not being awarded. Screen size not needed						

InDaBuilding.com's Loft LLC DBA
Elevate Architectural Products
55 Delisle Ave
Roosevelt, NY 11575
516-476-7851
Elign Jiggetts
ElignJiggetts@gmail.com

Movies in the Moonlight
200 S. Oakwood Rd
Laurel, NY 11948
631-404-5269
Frank Zagarino
moviescreens@yahoo.com

TNH238-2022-Rental of Equipment-	
Outdoor Movie Setup	
Winning Vendor	Items Won
Movies in the Moonlight	
200 S. Oakwood Rd	
Laurel, NY 11948	All Items
631-404-5269	
Frank Zagarino	
moviescreens@yahoo.com	

CLERK SRIVASTAVA: Item No. 15, a resolution authorizing the award of a bid for sign blanks, (TNH 009- 2022) .

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 210 - 2022

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR SIGN BLANKS (TNH009-2022).

WHEREAS, the Director of Purchasing (the "Director") has solicited bids for sign blanks; and

WHEREAS, bids were received as forth in Exhibit A attached hereto (the "Bids"); and

WHEREAS, following a review of the Bids, the Director has recommended an award as set forth in Exhibit B attached hereto (the "Award"); and

WHEREAS, this Board wishes to authorize the Award as recommended by the Director.

NOW, THEREFORE, BE IT

RESOLVED that the Award as recommended by the Director is hereby authorized; and be it further

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute, on behalf of the Town, any purchase agreements and related documents, a copy of which shall be on file in the Division of Purchasing, and to take such other related action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be, and hereby is, authorized and directed to pay the costs of said awards upon receipt of a duly executed and certified claims therefor.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Purchasing

TNH009-2022-Sign Blanks	Garden State Highway Products, Inc 301 Riverside Drive Millville, NJ 08332 856-692-7572 sharon@gshepc.com	Big Apple Sign Corp DBA Big Apple Visual Group 247 West 35th Street New York, NY 10001 631-881-5001 mehul@bigapplegroup.com
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Item	Item Description	Price	Price
ALL SIGN BLANKS SHALL BE 5052-H38 ALUMINUM ALLOY, .080 GAUGE WITH ALODINE FINISH AND RADIUS CORNERS. RADIUS CORNERS SHALL BE DETERMINED BY THE SIZE OF THE BLANK			
1)	6" X 12" -NO HOLES, FLAT BLANKS	\$ 6.15	\$ 3.00
2)	6" X 18" -NO HOLES, FLAT BLANKS	\$ 7.43	\$ 4.50
3)	6" X 24" -NO HOLES, FLAT BLANKS	\$ 9.89	\$ 6.00
4)	8" X 12" -NO HOLES, FLAT BLANKS	\$ 6.61	\$ 4.00
5)	8" X 18" -NO HOLES, FLAT BLANKS	\$ 9.93	\$ 6.00
6)	8" X 24" -NO HOLES, FLAT BLANKS	\$ 13.24	\$ 8.00
7)	8" X 30" -NO HOLES, FLAT BLANKS	\$ 16.55	\$ 10.00
8)	8" X 36" -NO HOLES, FLAT BLANKS	\$ 19.85	\$ 12.00
9)	8" X 42" -NO HOLES, FLAT BLANKS	\$ 23.16	\$ 14.00
10)	9" X 20" -NO HOLES, FLAT BLANKS	\$ 12.20	\$ 7.50
11)	9" X 24" -NO HOLES, FLAT BLANKS	\$ 14.64	\$ 9.00
12)	9" X 30" -NO HOLES, FLAT BLANKS	\$ 18.30	\$ 11.25
13)	9" X 36" -NO HOLES, FLAT BLANKS	\$ 21.96	\$ 13.50
14)	9" X 42" -NO HOLES, FLAT BLANKS	\$ 25.61	\$ 15.75
15)	12" X 12" -NO HOLES, FLAT BLANKS	\$ 9.83	\$ 5.00
16)	12" X 22" -NO HOLES, FLAT BLANKS, NO RADIUS	\$ 14.48	\$ 11.00
17)	12" X 18" -2 HOLES, TOP & BOTTOM, WITH WHITE ENGINEER GRADE PRISMATIC SCOTCHLITE	\$ 17.86	\$ 17.00
18)	12" X 24" -NO HOLES, FLAT BLANKS	\$ 17.39	\$ 10.00
19)	12" X 30" -NO HOLES, FLAT BLANKS	\$ 21.73	\$ 12.50
20)	12" X 36" -NO HOLES, FLAT BLANKS	\$ 26.08	\$ 15.00
21)	12" X 42" -NO HOLES, FLAT BLANKS	\$ 30.41	\$ 21.00
22)	12" X 48" -NO HOLES, FLAT BLANKS	\$ 34.76	\$ 20.00
23)	18" X 24" -2 HOLES, TOP AND BOTTOM, FLAT BLANKS	\$ 26.08	\$ 15.00
24)	18" X 24" FLAT BLANKS WITH NO HOLES	\$ 26.08	\$ 15.00
25)	18" X 30" -2 HOLES, TOP AND BOTTOM, FLAT BLANKS	\$ 32.59	\$ 18.75
26)	18" X 36" -NO HOLES, FLAT BLANKS	\$ 39.11	\$ 22.50
27)	24" X 24" -4 HOLES SQUARE & DIAMOND	\$ 34.76	\$ 20.00
28)	24" X 30" -2 HOLES TOP AND BOTTOM	\$ 43.46	\$ 25.00
29)	24" X 36" -2 HOLES TOP AND BOTTOM	\$ 52.20	\$ 30.00
30)	30" X 30" -4 HOLES SQUARE AND DIAMOND	\$ 54.33	\$ 31.25
31)	30" X 36" -4 HOLES	\$ 65.19	\$ 37.50
32)	30" X 42" -	\$ 76.05	\$ 43.75
33)	36" X 48" -4 HOLES	\$ 104.30	\$ 60.00
34)	24" X 24" -OCTAGON, 2 HOLES TOP & BTM	\$ 31.08	\$ 20.00
35)	30" X 30" -OCTAGON, 2 HOLES TOP & BTM	\$ 49.21	\$ 37.50
36)	24" YIELD BLANK 2 HOLES TOP & BTM	\$ 18.73	\$ 20.00
37)	30" YIELD BLANK 2 HOLES TOP & BTM	\$ 28.11	\$ 37.50
PLEASE INCLUDE A PRICE FOR .100 GAUGE #38-#53			
38)	8" X 20" -NO HOLES, FLAT BLANKS	\$ 14.03	\$ 6.67
39)	8" X 24" -NO HOLES, FLAT BLANKS	\$ 16.83	\$ 8.00
40)	8" X 30" -NO HOLES, FLAT BLANKS	\$ 21.04	\$ 10.00
41)	8" X 36" -NO HOLES, FLAT BLANKS	\$ 25.24	\$ 12.00
42)	8" X 42" -NO HOLES, FLAT BLANKS	\$ 29.45	\$ 14.00
43)	8" X 48" -NO HOLES, FLAT BLANKS	\$ 33.65	\$ 16.00
44)	9" X 20" -NO HOLES, FLAT BLANKS	\$ 15.78	\$ 7.50
45)	9" X 24" -NO HOLES, FLAT BLANKS	\$ 18.94	\$ 9.00
46)	9" X 30" -NO HOLES, FLAT BLANKS	\$ 23.66	\$ 11.25
47)	9" X 36" -NO HOLES, FLAT BLANKS	\$ 28.39	\$ 13.50
48)	9" X 42" -NO HOLES, FLAT BLANKS	\$ 33.13	\$ 15.75
49)	12" X 24" -NO HOLES, FLAT BLANKS	\$ 22.30	\$ 10.00
50)	12" X 30" -NO HOLES, FLAT BLANKS	\$ 27.88	\$ 12.50
51)	12" X 36" -NO HOLES, FLAT BLANKS	\$ 33.45	\$ 15.00
52)	12" X 42" -NO HOLES, FLAT BLANKS	\$ 39.03	\$ 17.50
53)	12" X 48" -NO HOLES, FLAT BLANKS	\$ 44.60	\$ 20.00
EXTRUDED			
54)	6" X 20" -EXTRUDED ALUMINUM BLANKS	\$ 13.98	NB
55)	6" X 24" -EXTRUDED ALUMINUM BLANKS	\$ 16.77	NB
56)	6" X 30" -EXTRUDED ALUMINUM BLANKS	\$ 20.94	NB
57)	9" X 20" -EXTRUDED ALUMINUM BLANKS	\$ 19.37	NB
58)	9" X 24" -EXTRUDED ALUMINUM BLANKS	\$ 23.22	NB
59)	9" X 30" -EXTRUDED ALUMINUM BLANKS	\$ 29.04	NB
60)	9" X 36" -EXTRUDED ALUMINUM BLANKS	\$ 34.84	NB
61)	9" X 42" -EXTRUDED ALUMINUM BLANKS	\$ 40.67	NB
62)	9" X 48" -EXTRUDED ALUMINUM BLANKS	\$ 46.78	NB
63)	CAPS FOR 3" ROUND POST FOR EXTRUDED	\$ 19.64	NB
64)	6" BLADE HOLDER, METRO 808X	\$ 9.90	NB
65)	90 DEGREE CROSS FOR EXTRUDED 6" BLADE HOLDER	\$ 6.76	NB
66)	45 DEGREE CROSS FOR EXTRUDED 6" BLADE HOLDER	\$ 18.48	NB
67)	4 X 8 SHEETS OF 0.40 WHITE ALUMINUM	\$ 147.01	\$ 96.00
68)	4 X 8 SHEETS OF 0.40 COLORED ALUMINUM	\$ 154.18	\$ 96.00
69)	4 X 8 SHEETS OF 0.63 WHITE ALUMINUM	\$ 216.35	\$ 96.00
70)	4 X 8 SHEETS OF 0.63 COLORED ALUMINUM	\$ 222.35	\$ 96.00
71)	30 X 30 ALUMINUM SCHOOL CROSSING BLANKS	\$ 51.61	NB
72)	HEAVY DUTY IMPACT RESISTANT BARRICADE A - FRAME- DESIGNED FOR ONE OR TWO 1 BEAM PANELS . . . A - FRAMES ONLY . . .	\$ 40.20	NB
73)	90 DEGREE FLAT CROSS PC. 12" SLOT	\$ 16.78	NB
74)	45 DEGREE UNIVERSAL RPB457F	\$ 8.49	NB
75)	45 DEGREE UNIVERSAL RPB457X	\$ 8.49	NB
76)	2 3/8" ROUND CAP FLAT 12"	\$ 18.48	NB
77)	2X3 ADAPTER CAPS	\$ 14.14	NB
78)	W800 METRO WING BRACKET (PLAIN FINISH)	\$ 27.73	NB
79)	011-GSI-3FC-12 FLAT CAP FOR 3" ROUND POST	\$ 19.90	NB
80)	011-GSI-3EX-12" EXTRUDED CAP FOR 3" ROUND POST	\$ 19.90	NB
81)	011-GSI-3FC 18" FLAT CAP FOR 3" ROUND POST	\$ 42.86	NB
82)	011-GSI-3EX-18" EXTRUDED CAP FOR 3" ROUND POST	\$ 42.86	NB
83)	90 FCRS-12" CROSS	\$ 18.64	NB
84)	90 FCRS-18" CROSS	\$ 62.01	NB
85)	90 EXCRS-12" CROSS	\$ 18.64	NB
86)	90 EXCRS-18" CROSS	\$ 62.01	NB
87)	RH342555 SS Strapping	\$ 72.99	NB
88)	RHMODEL1 Strap Cutter	\$ 116.64	NB
89)	RHMODELP1 Ratchet Type Strapping Tool	\$ 283.73	NB
90)	RHPLUS455 (100) Per Box	\$ 90.58	NB
91)	RHMINUS455 (100) Per Box	\$ 90.58	NB
92)	RH0655 Wing Seal	\$ 34.10	NB
93)	RH36555 Buckle	\$ 44.70	NB
94)	RH5LA Snap Lock Assembly 9/16" x 40"	\$ 7.33	NB
95)	RH7 Jack Base and Heavy Duty Handle (Puller not included)	\$ 278.43	NB
96)	RH4A Post Puller	\$ 232.56	NB
97)	RH4AA Post Puller	\$ 262.38	NB
98)	RH51655 5/16" x 18 x 3/4" Stainless Steel Bolt	\$ 0.43	NB

TNH009-2022-Sign Blanks	Garden State Highway Products, Inc	Big Apple Sign Corp DBA Big Apple Visual Group
	301 Riverside Drive	247 West 35th Street
	Millville, NJ 08332	New York, NY 10001
	856-692-7572	631-881-5001
	sharon@gshpinc.com	mehul@bigapplegroup.com

Item	Item Description	Price	Price	
99)	RHDH8 One Man Post Driver 65" 38lbs	\$	382.71	NB
100)	RH855 5/16" Stainless Steel Nut	\$	0.11	NB
	REFLECTIVE ROLL UP SIGNS WITH LETTERING			
101)	36 X 36 Roll up sign shall be fabricated using 3M Diamond Grade	\$	217.79	NB
	Reflective material only. Construction roll up signs shall have Lexan			NB
	Pockets and must use a Duralatch Cross Brace which also must be			NB
	Included in the price Part # GSI150-36RRS-WCB			NB
102)	Stand Only Folded Dimension: 2'2" x 7.50" x 6.50" Deployed Height:	\$	235.23	NB
	6'5" Sign Height: 12" Shipping Weight: 21 LBS. Aircraft aluminum			NB
	uprights & steel legs. Rubber caps on legs for extra traction. Steel			NB
	base and springs specially coated to withstand 500 hours of salt spray			NB
	12" distance of 48" signface from ground. Steel, to be used with a			NB
	rollup sign, deployed height 6'5" Part #GSI-150-CAM40			NB

63-70-74, 75, 90-93 vendor changed size

TNH009-2022-Sign Blanks	
Winning Vendors	Items Won
Garden State Highway Products, Inc	36,37,54-66,71-102
301 Riverside Drive	
Millville, NJ 08332	
856-692-7572	
sharon@gshpinc.com	
Big Apple Sign Corp DBA Big Apple Visual Group	1-35, 38-53,67-70
247 West 35th Street	
New York, NY 10001	
631-881-5001	
mehul@bigapplegroup.com	

CLERK SRIVASTAVA: Item No.16, a resolution authorizing the award of a bid for plumbing services, repair, servicing, maintenance, and new installation, (TNH283-2022).

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 211 - 2022

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR PLUMBING SERVICES - REPAIR, SERVICING, MAINTENANCE AND NEW INSTALLATION (TNH283-2022).

WHEREAS, the Director of Purchasing (the "Director") has solicited bids for plumbing services including repair, servicing, maintenance and new installations; and

WHEREAS, bids were received as forth in Exhibit A attached hereto (the "Bids"); and

WHEREAS, following a review of the Bids, the Director has recommended an award as set forth in Exhibit B attached hereto (the "Award"); and

WHEREAS, this Board wishes to authorize the Award as recommended by the Director.

NOW, THEREFORE, BE IT

RESOLVED that the Award as recommended by the Director is hereby authorized; and be it further

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute, on behalf of the Town, any purchase agreements and related documents, a copy of which shall be on file in the Division of Purchasing, and to take such other related action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be, and hereby is, authorized and directed to pay the costs of said awards upon receipt of a duly executed and certified claims therefor.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Purchasing

TNH283-2022-Plumbing Services-Repair Servicing, Maintenance, and New Installation		Maccarone Plumbing Inc. 10 Sea Cliff Ave Glen Cove, NY 11542 516-671-3232 Johnm@maccaroneplumbing.com			
No.	DESCRIPTION	UNIT	ESTIMATED NUMBER PER YEAR*	UNIT PRICE	TOTAL PRICE
A. LABOR RATES					
1	PLUMBER	HOURLY	100	\$ 135.00	\$ 13,500.00
2	LABORER	HOURLY	40	\$ 128.50	\$ 5,140.00
3	STEAMFITTER	HOURLY	20	\$ 182.00	\$ 3,640.00
4	PLUMBER APPRENTICE	HOURLY	100	\$ 75.00	\$ 7,500.00
5	LABORER APPRENTICE	HOURLY	40	\$ 68.00	\$ 2,720.00
6	STEAMFITTER APPRENTICE	HOURLY	20	\$ 75.00	\$ 1,500.00
	TOTAL SECTION A			\$ 663.50	\$ 34,000.00
B. EQUIPMENT RENTALS					
7	EQUIPMENT RENTAL - BUCKET TRUCK	HOURLY		\$ 25.00	
8	EQUIPMENT RENTAL - BUCKET TRUCK - WITH OPERATOR	HOURLY		\$ 153.50	
9	EQUIPMENT RENTAL - DUMP TRUCK	HOURLY		\$ 95.00	
10	EQUIPMENT RENTAL - DUMP TRUCK - WITH OPERATOR	HOURLY		\$ 235.00	
11	EQUIPMENT RENTAL - 12-20 HP TRENCHING MACHINE	HOURLY		\$ 55.00	
12	EQUIPMENT RENTAL - 12-20 HP TRENCHING MACHINE - WITH OPERATOR	HOURLY		\$ 190.00	
13	EQUIPMENT RENTAL - 40 HP TRENCHING MACHINE	HOURLY		\$ 30.00	
14	EQUIPMENT RENTAL - 40 HP TRENCHING MACHINE - WITH OPERATOR	HOURLY		\$ 158.50	
15	EQUIPMENT RENTAL - 70 HP TRENCHING MACHINE	HOURLY		\$ 30.00	
16	EQUIPMENT RENTAL - 70 HP TRENCHING MACHINE - WITH OPERATOR	HOURLY		\$ 158.50	
17	EQUIPMENT RENTAL - BACKHOE WITH 18" BUCKET	HOURLY		\$ 105.00	
18	EQUIPMENT RENTAL - BACKHOE WITH 18" BUCKET - WITH OPERATOR	HOURLY		\$ 295.00	
19	EQUIPMENT RENTAL - BACKHOE WITH 30" BUCKET	HOURLY		\$ 105.00	
20	EQUIPMENT RENTAL - BACKHOE WITH 30" BUCKET - WITH OPERATOR	HOURLY		\$ 295.00	
21	EQUIPMENT RENTAL - AIR COMPRESSOR (250 CFM)	HOURLY		\$ 45.00	
22	EQUIPMENT RENTAL - AIR COMPRESSOR (250 CFM) - WITH OPERATOR	HOURLY		\$ 173.50	
23	EQUIPMENT RENTAL - MUD PUMP 8" PORT SIZE	HOURLY		\$ 20.00	
24	EQUIPMENT RENTAL - MUD PUMP 8" PORT SIZE - WITH OPERATOR	HOURLY		\$ 148.50	
25	EQUIPMENT RENTAL - CENTRIFUGAL PUMP 4" PORT SIZE	HOURLY		\$ 45.00	

TNH283-2022-Plumbing Services-Repair Servicing, Maintenance, and New Installation		Maccarone Plumbing Inc. 10 Sea Cliff Ave Glen Cove, NY 11542 516-671-3232 Johnm@maccaroneplumbing.com			
No.	DESCRIPTION	UNIT	ESTIMATED NUMBER PER YEAR*	UNIT PRICE	TOTAL PRICE
26	EQUIPMENT RENTAL - CENTRIFUGAL PUMP 4" PORT SIZE - WITH OPERATOR	HOURLY		\$ 173.50	
27	EQUIPMENT RENTAL - DEWATERING PUMP 8" PORT SIZE	HOURLY		\$ 20.00	
28	EQUIPMENT RENTAL - DEWATERING PUMP 8" PORT SIZE - WITH OPERATOR	HOURLY		\$ 148.50	
29	EQUIPMENT RENTAL - DEWATERING PUMP 10" PORT SIZE	HOURLY		\$ 50.00	
	MISCELLANEOUS				
30	FLAT FEE FOR PROJECT ESTIMATE (if applicable)^	EACH	10	\$ -	\$ -
31	PARTS AND EQUIPMENT	EACH		15% above Certified cost	
32	SUBCONTRACTOR**	EACH		10% above certified invoice	
33	UNLISTED EQUIPMENT RENTALS (with or without operator)^	EACH		10% above certified invoice	
				\$ 3,418.00	
	TOTAL				\$ 36,754.50

TNH283-2022-Plumbing Services-Repair Servicing, Maintenance, and New Installation	
Winning Vendor	Items Won
Maccarone Plumbing Inc.	
10 Sea Cliff Ave	
Glen Cove, NY 11542	All Items
516-671-3232	
Johnm@maccaroneplumbing.com	

CLERK SRIVASTAVA: Item No. 17, a resolution authorizing the award of a bid for sound system services, (TNH103-2022).

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 212 - 2022

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR SOUND SYSTEM SERVICES (TNH103-2022).

WHEREAS, the Director of Purchasing (the "Director") has solicited bids for sound system services; and

WHEREAS, bids were received as forth in Exhibit A attached hereto (the "Bids"); and

WHEREAS, following a review of the Bids, the Director has recommended an award as set forth in Exhibit B attached hereto (the "Award"); and

WHEREAS, this Board wishes to authorize the Award as recommended by the Director.

NOW, THEREFORE, BE IT

RESOLVED that the Award as recommended by the Director is hereby authorized; and be it further

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute, on behalf of the Town, any purchase agreements and related documents, a copy of which shall be on file in the Division of Purchasing, and to take such other related action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be, and hereby is, authorized and directed to pay the costs of said awards upon receipt of a duly executed and certified claims therefor.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Purchasing

Item	Description	Pragmatech Sound Corp. 4516 Byron Ave Bronx, NY 10466 718-325-8888 jsalta@pragmatechsound.com	Approximate # of units to be used each year*	Line Total	Designatronics Audio Inc. 155 Cornac Street Ronkonkoma, NY 11779 631-580-4200 office@designatronics.com	Approximate # of units to be used each year*	Line Total
Item	Description	Base Price per Event or hour as described (Min. five hour event)	Approximate # of units to be used each year*	Line Total	Base Price per Event or hour as described (Min. five hour event)	Approximate # of units to be used each year*	Line Total
A. EVENT BASED PRICING							
Sound for Memorial Day Fireworks (Saturday of Memorial Day Weekend) – See Attachment 1 for description of specifications and duration of event. Please bid price for entire event.							
1a		\$ 8,000.00	1	\$ 8,000.00	\$ 20,125.00	1	\$ 20,125.00
1b	Sound for Saturday in the Park at Tully See Attachment 2 for description of specifications and duration of event. Please bid price for entire event.	\$ 6,000.00	1	\$ 6,000.00	\$ 17,480.00	1	\$ 17,480.00
1c	Sound for Zach Brown Tribute Concert - See Attachment 3 for description of specifications and duration of event. Please bid price for entire event.	\$ 2,500.00	1	\$ 2,500.00	\$ 15,460.00	1	\$ 15,460.00
B. Events Up to 5,000 People							
2a	Base Sound plus Engineer	\$ 4,500.00	1	\$ 4,500.00	\$ 21,375.00	1	\$ 21,375.00
2b	Backline with Base Sound plus Engineer	\$ 390.00	1	\$ 390.00	\$ 22,075.00	1	\$ 22,075.00
2c	Price for each additional hour over 5 hours	\$ 45.00	4	\$ 180.00	\$ 1,500.00	4	\$ 6,000.00
C. Events Up to 3,000 People							
3a	Base Sound plus Engineer	\$ 2,950.00	1	\$ 2,950.00	\$ 18,730.00	1	\$ 18,730.00
3b	Backline with Base Sound plus Engineer	\$ 390.00	1	\$ 390.00	\$ 19,405.00	1	\$ 19,405.00
3c	Price for each additional hour over 5 hours	\$ 45.00	4	\$ 180.00	\$ 1,300.00	4	\$ 5,200.00
D. Events Up to 2000 people							
4a	Base Sound plus Engineer	\$ 2,250.00	1	\$ 2,250.00	\$ 16,530.00	1	\$ 16,530.00
4b	Backline with Base Sound plus Engineer	\$ 390.00	1	\$ 390.00	\$ 17,205.00	1	\$ 17,205.00
4c	Price for each additional hour over 5 hours	\$ 45.00	4	\$ 180.00	\$ 1,200.00	4	\$ 4,800.00
E. Events less than 1000 people							
5a	Base Sound plus Engineer	\$ 1,750.00	3	\$ 5,250.00	\$ 14,330.00	3	\$ 42,990.00
5b	Backline with Base Sound plus Engineer	\$ 390.00	3	\$ 1,170.00	\$ 15,005.00	3	\$ 45,015.00
5c	Price for each additional hour over 5 hours	\$ 45.00	6	\$ 270.00	\$ 1,100.00	6	\$ 6,600.00
F. Events less than 500 people							
6a	Base Sound plus Engineer	\$ 800.00	2	\$ 1,600.00	\$ 12,130.00	2	\$ 24,260.00
6b	Backline with Base Sound plus Engineer	\$ 390.00	2	\$ 780.00	\$ 12,805.00	2	\$ 25,610.00
6c	Price for each additional hour over 5 hours	\$ 45.00	4	\$ 180.00	\$ 1,000.00	4	\$ 4,000.00
ADD-ON PACKAGES (May be used with items 1-3 or individually to create a custom package)							
7	Add-on Stick Microphone (each)	\$ 10.00	4	\$ 40.00	\$ 100.00	4	\$ 400.00
8	Add-on Wireless Body microphone (each)	\$ 75.00	4	\$ 300.00	\$ 100.00	4	\$ 400.00
9	Add-on Speaker (each) (with or without stand)	\$ 50.00	6	\$ 300.00	\$ 125.00	6	\$ 750.00
10	Add-on Bass Amplifier (each)	\$ 75.00	2	\$ 150.00	\$ 75.00	2	\$ 150.00
11	Add-on Fender Delux Amplifier (each)	\$ 55.00	2	\$ 110.00	\$ 75.00	2	\$ 150.00
12	Add-on Fender Twin Reverb Amplifier (each)	\$ 65.00	2	\$ 130.00	\$ 100.00	2	\$ 200.00
13	Add-on Full Drum Set (each)	\$ 150.00	1	\$ 150.00	\$ 225.00	1	\$ 225.00
14	Add-on Sound Engineer (hourly rate)	\$ 45.00	6	\$ 270.00	\$ 70.00	6	\$ 420.00
15	Add-On Audio Technician (hourly rate)	\$ 35.00	6	\$ 210.00	\$ 55.00	6	\$ 330.00

Item	Description	Approximate # of units to be used each year*	Line Total	Approximate # of units to be used each year*	Line Total	Approximate # of units to be used each year*	Line Total
	TNH103-2022-Sound System Services Pragmatech Sound Corp. 4516 Byron Ave Bronx, NY 10466 718-325-8888 jsaltz@pragmatechsound.com						
	Designatronix Audio Inc. 155 Comac Street Ronkonkoma, NY 11779 631-580-4200 office@designatronix.com						
	TOTAL		\$ 38,820.00				\$ 335,885.00

TNH103-2022-Sound System Services	
Winning Vendor	Items Won
Pragmatech Sound Corp.	
4516 Byron Ave	
Bronx, NY 10466	All items
718-325-8888	
jsalta@pragmatechsound.com	

CLERK SRIVASTAVA: Item No. 18, A resolution authorizing the award of a bid for Harbor Hills bulkhead plantings, (TNH284-2022).

SUPERVISOR DESENA: Councilman Adhami, do you want to speak on this?

COUNCILMAN ADHAMI: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 213 - 2022

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR HARBOR HILLS BULKHEAD PLANTINGS (TNH284-2022).

WHEREAS, the Director of Purchasing (the "Director") has solicited bids for Harbor Hills bulkhead plantings; and

WHEREAS, bids were received as forth in Exhibit A attached hereto (the "Bids"); and

WHEREAS, following a review of the Bids, the Director has recommended an award as set forth in Exhibit B attached hereto (the "Award"); and

WHEREAS, this Board wishes to authorize the Award as recommended by the Director.

NOW, THEREFORE, BE IT

RESOLVED that the Award as recommended by the Director is hereby authorized; and be it further

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute, on behalf of the Town, any purchase agreements and related documents, a copy of which shall be on file in the Division of Purchasing, and to take such other related action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be, and hereby is, authorized and directed to pay the costs of said awards upon receipt of a duly executed and certified claims therefor.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Purchasing

TNH284-2022-Harbor Hills Bulkhead Plantings		Elegant Lawns and Landscaping, Inc.			The Garden Dept Corp			
		260 Doughty Blvd		3672 Route 112				
		Inwood, NY 11096		Coram, NY 11727				
		516-398-0565		631-736-3378				
		David@elegantlawns.com		nick@gardendept.com				
Item	Description	SIZE	Unit Price	Quantity	TOTAL	Unit Price	Quantity	TOTAL
	GRASSES							
1	Little bluestem (Schizachyrium scoparium) 2'-3' h 1/1/2 to 2' w grey/green foliage	3-4 Qt or 1 G	\$ 50.00	72	\$ 3,600.00	\$ 11.70	72	\$ 842.40
2	Helictotrichon sempervirens 2-3' height & 2-2 1/2' width, Blue/green foliage	3-4 Qt or 1 G	\$ 50.00	72	\$ 3,600.00	\$ 10.80	72	\$ 777.60
	Perennials							
3	Armeria maritima 1' H & W Pink flowers	3-4 Qt or 1 G	\$ 50.00	72	\$ 3,600.00	\$ 9.45	72	\$ 680.40
4	Limonium latifolium 2' H & W blue flowers	3-4 Qt or 1 G	\$ 50.00	72	\$ 3,600.00	\$ 10.80	72	\$ 777.60
	Deciduous Shrubs & Woody Perennials							
5	Nipponanthemum nipponicum Foliage Height: 18-24". Foliage Width: 18-36" White	4 Qt or 1 G	\$ 50.00	36	\$ 1,800.00	\$ 11.25	36	\$ 405.00
6	Hibiscus moscheutos Compact 2-3' Pink or white	3-4 Qt or 1 G	\$ 75.00	36	\$ 2,700.00	\$ 12.60	36	\$ 453.60
7	Dwarf Clethra alnifolia 'Hummingbird' or Sugartina® 'Crystalina' clethra white or pink - For Bulkhead & top of Wall	3-4 Qt or 1 G	\$ 50.00	48	\$ 2,400.00	\$ 29.70	48	\$ 1,425.60
8	Dwarf Caryopteris x clandonensis 2-3' H & W blue flowers	3-4 Qt or 1 G	\$ 75.00	36	\$ 2,700.00	\$ 30.60	36	\$ 1,101.60
	Trees							
9	Lagerstroemia -Crepe Myrtle- small tree, semi-dwarf (8-12 feet tall at maturity) All the same- White or pink flowers	4-5'	\$ 225.00	7	\$ 1,575.00	\$ 121.50	7	\$ 850.50
	Annuals							
10	Sunpatiens 4 1/2 inch pots Mixed Pink, White & Red	4 1/2"	\$ 20.00	1000	\$ 20,000.00	\$ 4.27	1000	\$ 4,270.00
11	Dracaena for the center of the pots	1 Qt	\$ 30.00	18	\$ 540.00	\$ 4.27	18	\$ 76.86
	Woody Hedge							
12	Juniperus chinensis 'Torulosa' Hollywood Junipers to replace the dead ones	5-6'	\$ 300.00	22	\$ 6,600.00	\$ 148.50	22	\$ 3,267.00

TNH284-2022-Harbor Hills Bulkhead Plantings		Elegant Lawns and Landscaping, Inc.		The Garden Dept Corp				
		260 Doughty Blvd		3672 Route 112				
		Inwood, NY 11096		Coram, NY 11727				
		516-398-0565		631-736-3378				
		David@elegantlawns.com		nick@gardendep.com				
13	Hydrangea macrophylla for above the pool Top of Rock Wall Color WHITE	3 G	\$ 85.00	3 \$	255.00	\$ 32.85	3 \$	98.55
14	Prunus laurocerasus 'Schipkaensis' Skip laurels 4-5 ft.-by side tennis courts	4-5'	\$ 275.00	3 \$	825.00	\$ 162.00	3 \$	486.00
TOTAL BID AMOUNT				\$	53,795.00			\$ 15,512.71

TNH284-2022-Harbor Hills Bulkhead Plantings	
Winning Vendor	Items Won
The Garden Dept Corp	
3672 Route 112	All items
Coram, NY 11727	
631-736-3378	
nick@gardendep.com	

CLERK SRIVASTAVA: Item No. 19, a resolution authorizing the award of a bid for the collection, removal, and disposal of acceptable waste and recyclables in the Albertson-Searingtown-Herricks garbage district.

COUNCILMAN ZUCKERMAN: I offer the resolution of move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: 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. 214 - 2022

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE COLLECTION, REMOVAL AND DISPOSAL OF ACCEPTABLE WASTE AND RECYCLABLES IN THE ALBERTSON-SEARINGTOWN-HERRICKS GARBAGE DISTRICT.

WHEREAS, the Commissioner of the Town of North Hempstead Department of Solid Waste Management (the "Commissioner") received and publicly opened bids for the collection, removal and disposal of acceptable waste and recyclables from the Albertson-Searingtown-Herricks Garbage District (the "District"), for the period from July 1, 2022 through June 30, 2025, with an option to renew for two (2) additional one (1) year periods; and

WHEREAS, sealed bids were received as set forth below:

BIDDER PRICE

Dejana Industries July 1, 2022 to June 30, 2023 (Year 1)

165 Cantiague	Total Bid side/rear door p/u: \$2,346,000.00
Rock Rd	Adj. Per \$1 change MSW: \$8,400.00
Westbury, NY	Adj. Per \$1 change in yard waste: \$220.00
11590	

July 1, 2023 to June 30, 2024 (Year 2)

Total Bid side/rear door p/u: \$2,346,000.00
Adj. Per \$1 change MSW: \$8,400.00
Adj. Per \$1 change in yard waste: \$220.00
Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$5,960.00
Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$5,960.00 (in words)
\$5,690.00 (in numbers)

July 1, 2024 to June 30, 2025 (Year 3)

Total Bid side/rear door p/u: \$2,346,000.00
Adj. Per \$1 change MSW: \$8,400.00
Adj. Per \$1 change in yard waste: \$220.00
Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$5,960.00
Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$5,960.00

July 1, 2025 to June 30, 2026 (Extension Year 1 - If Exercised)

Total Bid side/rear door p/u: \$2,346,000.00
Adj. Per \$1 change MSW: \$8,400.00
Adj. Per \$1 change in yard waste: \$220.00
Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$5,960.00
Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$5,960.00

July 1, 2026 to June 30, 2027 (Extension Year 2 - If Exercised)

Total Bid side/rear door p/u: \$2,346,000.00
Adj. Per \$1 change MSW: \$8,400.00
Adj. Per \$1 change in yard waste: \$220.00
Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$5,960.00
Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$5,960.00

Meadow Carting Corp.
581 Dickens Street
Westbury, NY
11590

July 1, 2022 to June 30, 2023 (Year 1)

Total Bid side/rear door p/u: \$2,448,120.00
Adj. Per \$1 change MSW: \$10,200.00
Adj. Per \$1 change in yard waste: \$2,100.00

July 1, 2023 to June 30, 2024 (Year 2)

Total Bid side/rear door p/u: \$2,509,440.00
Adj. Per \$1 change MSW: \$10,200.00
Adj. Per \$1 change in yard waste: \$2,100.00
Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$7,540.00
Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$5,200.00

July 1, 2024 to June 30, 2025 (Year 3)

Total Bid side/rear door p/u: \$2,572,200.00
Adj. Per \$1 change MSW: \$10,200.00
Adj. Per \$1 change in yard waste: \$2,100.00
Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$7,540.00
Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$5,200.00

July 1, 2025 to June 30, 2026 (Extension Year 1 - If Exercised)

Total Bid side/rear door p/u: \$2,640,000.00
Adj. Per \$1 change MSW: \$10,200.00
Adj. Per \$1 change in yard waste: \$2,100.00
Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$7,540.00
Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$5,200.00

July 1, 2026 to June 30, 2027 (Extension Year 2 - If Exercised)

Total Bid side/rear door p/u: \$2,724,000.00
Adj. Per \$1 change MSW: \$10,200.00
Adj. Per \$1 change in yard waste: \$2,100.00
Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$7,540.00
Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$5,200.00

; and

WHEREAS, in accordance with the terms of the bid document and Section 3-118(c) of the New York Uniform Commercial Code, in the event of a discrepancy between numbers and words in any instrument, words prevail over numbers; and

WHEREAS, following careful review of the information presented to it and the bid documents received, this Board wishes to authorize the award of the contract for the collection, removal and disposal of acceptable waste and recyclables from the District to Dejana Industries LLC, 165 Cantiague Rock Road, Westbury, NY 11590 for the period from July 1, 2022, through June 30, 2025, with an option to renew for two (2) additional one (1) year periods at the following prices:

July 1, 2022 to June 30, 2023 (Year 1)

Total Bid side/rear door p/u: \$2,346,000.00
Adj. Per \$1 change MSW: \$8,400.00
Adj. Per \$1 change in yard waste: \$220.00

July 1, 2023 to June 30, 2024 (Year 2)

Total Bid side/rear door p/u: \$2,346,000.00
Adj. Per \$1 change MSW: \$8,400.00
Adj. Per \$1 change in yard waste: \$220.00
Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$5,960.00
Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$5,960.00

July 1, 2024 to June 30, 2025 (Year 3)

Total Bid side/rear door p/u: \$2,346,000.00
Adj. Per \$1 change MSW: \$8,400.00
Adj. Per \$1 change in yard waste: \$220.00
Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$5,960.00
Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$5,960.00

July 1, 2025 to June 30, 2026 (Extension Year 1 - If Exercised)

Total Bid side/rear door p/u: \$2,346,000.00
Adj. Per \$1 change MSW: \$8,400.00
Adj. Per \$1 change in yard waste: \$220.00
Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$5,960.00
Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$5,960.00

July 1, 2026 to June 30, 2027 (Extension Year 2 - If Exercised)

Total Bid side/rear door p/u: \$2,346,000.00
Adj. Per \$1 change MSW: \$8,400.00
Adj. Per \$1 change in yard waste: \$220.00
Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$5,960.00
Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$5,960.00

(the "Agreement").

NOW THEREFORE, BE IT

RESOLVED that the Agreement be and hereby is awarded; and be it further

RESOLVED that the contract amounts are determined on the basis of the disposal rates set forth in the bid documents and any incremental increases or decreases thereto established by the Town Board, subject to the provisions of the bid document and Section 3-118(c) of the New York Uniform Commercial Code as to discrepancies between words and figures; and be it further

RESOLVED that the Supervisor and Councilpersons as members of the Town Board be and they hereby are authorized and directed to execute the Agreement on behalf of the 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 Agreement; 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 a duly executed Agreement and certified claims therefor.

Dated: Manhasset, New York

April 28, 2022

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller DSWM

CLERK SRIVASTAVA: Item No. 20, a resolution authorizing the execution of an agreement with Laurel Tennis and Sports Inc., d/b/a, Gold Coast Tennis, for the removal and installation of the two basketball systems at Martin "Bunky" Reid Park, New Cassel.

COUNCILMAN TROIANO: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 215 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH LAUREL TENNIS AND SPORTS INC. D/B/A GOLD COAST TENNIS FOR THE REMOVAL AND INSTALLATION OF TWO BASKETBALL SYSTEMS AT MARTIN "BUNKY" REID PARK, NEW CASSEL.

WHEREAS, the Town of North Hempstead (the "Town") requires the services of a contractor to remove and install two basketball systems at Martin "Bunky" Reid Park in New Cassel (the "Services"); and

WHEREAS, the Director of Purchasing (the "Director") solicited three (3) quotes for the Services, in accordance with the Town's Procurement Policy; and

WHEREAS, Laurel Tennis and Sports Inc. d/b/a Gold Coast Tennis, 31 Prospect Street, Huntington, New York 11743 ("the Contractor") submitted the lowest quote, proposing to perform the Services in consideration of an amount not to exceed Six Thousand and 00/100 Dollars (\$6,000.00) (the "Contract Amount"); and

WHEREAS, the Director has requested that the Board authorize the Town to enter into an agreement with the Contractor to perform the Services for the Contract Amount (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee is authorized and directed to execute the Agreement, and a copy of the Agreement shall be on file in the Office of the Town Clerk, and take such further action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Agreement, and take such further action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Admin Services Comptroller Purchasing

CLERK SRIVASTAVA: Item No. 21, a resolution authorizing the execution of an agreement with Abble Awning Company, Inc., for the purchase and installation of awnings at Clinton G. Martin Pool, New Hyde Park.

COUNCILMAN ZUCKERMAN: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: 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. 216 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ABLE AWNING CO., INC. FOR THE PURCHASE AND INSTALLATION OF AWNINGS AT CLINTON G. MARTIN POOL, NEW HYDE PARK.

WHEREAS, the Town of North Hempstead (the "Town") requires the services of a contractor to install two (2) retractable awnings at the lifeguard station at Clinton G. Martin Park in New Hyde Park (the "Services"); and

WHEREAS, the Director of Purchasing (the "Director") solicited three (3) quotes for the Services, in accordance with the Town's Procurement Policy; and

WHEREAS, Able Awning Co., Inc., 315 Broadway, Bethpage, New York 11714 ("the Contractor") submitted the lowest quote, proposing to perform the Services in consideration of an amount not to exceed Eleven Thousand Five Hundred Fifteen and 00/100 Dollars (\$11,515.00) (the "Contract Amount"); and

WHEREAS, the Director has requested that the Board authorize the Town to enter into an agreement with the Contractor to perform the Services for the Contract Amount (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee is authorized and directed to execute the Agreement, and a copy of the Agreement shall be on file in the Office of the Town Clerk, and take such further action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Agreement, and take such further action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Admin Services Comptroller Purchasing

CLERK SRIVASTAVA: Item No. 22, a resolution authorizing the execution of an agreement with the Landtek Group, Inc., for turf maintenance at North Hempstead Beach Park, Port Washington.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: 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. 217 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE LANDTEK GROUP, INC. FOR TURF MAINTENANCE AT NORTH HEMPSTEAD BEACH PARK, PORT WASHINGTON.

WHEREAS, the Town of North Hempstead (the "Town") requires the services of a contractor to maintain the turf field at North Hempstead Beach Park in Port Washington (the "Services"); and

WHEREAS, the Director of Purchasing (the "Director") has recommended that the Town enter into an Agreement with The LandTek Group, Inc., 105 Sweeneydale Avenue, Bay Shore, New York 11706 ("the Contractor") to perform the Services in consideration of an amount not to exceed Two Thousand Three Hundred Twenty and 00/100 Dollars (\$2,320.00) (the "Agreement"), the terms of which Agreement shall be in accordance with the provisions of the agreement between the Town of Hempstead and the Contractor, contract #16-2020 entitled "Synthetic Turf Maintenance Contract"; and

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

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee is authorized and directed to execute the Agreement, and a copy of the Agreement shall be on file in the Office of the Town Clerk, and take such further action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Agreement, and take such further action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Admin Services Comptroller Purchasing

CLERK SRIVASTAVA: Item No. 23, a resolution authorizing the execution of an agreement with Creative Advertising Concepts, Inc., for sunscreen dispensers at various town parks.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 218 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CREATIVE ADVERTISING CONCEPTS INC. FOR SUNSCREEN DISPENSERS AT VARIOUS TOWN PARKS.

WHEREAS, the Town of North Hempstead Department of Parks and Recreation (the "Department") desires the installation and maintenance of sunscreen dispensers at various Town Properties to dispense free sunscreen to the public from Memorial Day through Labor Day (the "Services"); and

WHEREAS, Creative Advertising Concepts, Inc., 74 West Park Avenue, Long Beach, New York 11561, has offered to provide the Town with the sunscreen distribution units and sunscreen at no cost to the Town, which units will be sponsored by Long Island Jewish Medical Center and Northwell Health (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute the Agreement on behalf of the Town, which Agreement shall be on file with the Office of the Town Clerk, and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and oversee the execution of the Agreement, and to take such other action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item No. 24, a resolution authorizing the execution of a license agreement with Emil Kreye and Son, Inc, for access to Clark Botanic Garden in Albertson for pond repairs.

COUNCILMAN ZUCKERMAN: I offer the resolution to move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: 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. 219 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH EMIL KREYE AND SON, INC. FOR ACCESS TO CLARK BOTANIC GARDEN IN ALBERTSON FOR POND REPAIRS.

WHEREAS, the Fanny Dwight Clark Memorial Garden Inc. Foundation ("Fanny Dwight") has generously donated and offered to pay for services required to maintain the ponds at Clark Botanic Garden in Albertson, including the installation of pumps, plumbing and underwater circulation (the "Project"); and

WHEREAS, Fanny Dwight has hired Emil Kreye and Son, Inc., P.O. Box 154, East Meadow, New York 11554 (the "Contractor") to perform the services necessary to complete the Project; and

WHEREAS, in order to perform the services the Contractor requires access to Clark Botanic Garden in Albertson; and

WHEREAS, the Commissioner of the Department of Parks and Recreation has requested that this Board authorize the Town enter into an Agreement with the Contractor to enter onto the site and complete the Project (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee is authorized and directed to execute the Agreement, a copy of the Agreement shall be on file in the Office of the Town Clerk, and take such further action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Agreement and take such further action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Parks Department

CLERK SRIVASTAVA: Item No. 25, a resolution authorizing the execution of an agreement with Suffolk County Caterers, LLC, for concession services (TNH 094-2022.)

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 220 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH SUFFOLK COUNTY CATERERS LLC FOR CONCESSION SERVICES (TNH094-2022).

WHEREAS, the Town of North Hempstead requires concession services at Clinton G. Martin Park in New Hyde Park and Manorhaven Beach Park in Port Washington during the summer season in addition to the provision of miscellaneous concession or catering services for Town events (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 Suffolk County Caterers LLC, 33 East 19th Street, Huntington Station, New York 11746 (the "Contractor") to provide the Services (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 or her designee be and hereby is authorized and directed to execute, on behalf of the Town, the Agreement, a copy of which Agreement which shall be on file in the Office of the Town Clerk; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Agreement and to take such further action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Parks

CLERK SRIVASTAVA: Item No. 26, a resolution authorizing the execution of an agreement with Pyramid Security Group, LLC, for security services at Harbor Links Golf Course, Port Washington.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 221 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PYRAMID SECURITY GROUP, LLC FOR SECURITY SERVICES AT HARBOR LINKS GOLF COURSE, PORT WASHINGTON.

WHEREAS, the Department of Parks and Recreation (the "Department") requires security services for private events held at Harbor Links Golf Course in Port Washington, New York (the "Services"); and

WHEREAS, the Director of Purchasing has recommended that Pyramid Security Group, LLC, 8 Maple Street, Port Washington, New York 11050 (the "Contractor"), be retained to perform the Services in consideration of the amount of Thirty and 50/100 Dollars (\$30.50) per hour per security guard for straight time and Forty Five and 75/100 Dollars (\$45.75) per guard per hour for overtime, which costs shall be passed through to the host of each such private event (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute, on behalf of the Town, the Agreement, a copy of which Agreement which shall be on file in the Office of the Town Clerk; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and oversee the execution of the Agreement, and to take such other action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Community Services Public Safety

CLERK SRIVASTAVA: Item No. 27, a resolution authorizing the execution of a license agreement with the Port Washington Police District 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.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: 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. 222 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH THE PORT WASHINGTON POLICE DISTRICT 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 (the "District") Lot 8 located on Vanderventer Avenue in Port Washington, New York (the "Premises"); and

WHEREAS, the Port Washington Police District, 382 Main Street, Suite #101, Port Washington, New York 11050 (the "Licensee") has requested that the Town, on behalf of the District, allow it to use two (2) parking spaces in the rear north side of Lot 8 along the fence for the parking of police vehicles for a period of two (2) years (the "Use"); and

WHEREAS, the Commissioner of the Department of Public Safety has recommended that the Town grant the Licensee a license for the Use (the "License") and authorize the execution of an agreement with the Licensee for the License (the "License Agreement"); and

WHEREAS, the Board wishes to grant the License and to authorize the Town to execute the License Agreement for the License.

NOW, THEREFORE, BE IT

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

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

RESOLVED that the Supervisor or her designee be and is hereby authorized and directed to execute on behalf of the Town, the License 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 License 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

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Public Safety

CLERK SRIVASTAVA: Item No. 28, a resolution authorizing the execution of an agreement with JJA21, d/b/a, SCUDERIA110, for the use of a Port Washington public parking district parking lot for a car show.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: 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. 223 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH JJAK21 D/B/A SCUDERIA110 FOR THE USE OF A PORT WASHINGTON PUBLIC PARKING DISTRICT PARKING LOT FOR A CAR SHOW.

WHEREAS, the Port Washington Public Parking District (the "District") owns certain real property located between Port Washington Boulevard and North Maryland Avenue on Main Street in Port Washington, New York known as Lot 11 (the "Premises"); and

WHEREAS, JJAK21 Corp. d/b/a Scuderia110, 1100 Port Washington Boulevard, Port Washington, New York 11050 (the "Licensee") has requested that the Town, on behalf of the District, allow it to use Lot 11 to hold a New York Alfa Romeo Owners Club car show at the Premises on May 1, 2022 between 9:30 am and 12:30 pm in consideration of payment to the Town in an amount not to exceed One Thousand Three Hundred and 00/100 Dollars (\$1,300.00) (the "Use"); and

WHEREAS, the Commissioner of the Town of North Hempstead's Department of Public Safety has recommended that the Town grant the Licensee a license for the Use (the "License") and authorize the execution of an agreement with the Licensee for the License (the "License Agreement"); and

WHEREAS, this Board wishes to grant the License and to authorize the Town to execute the License Agreement for the License.

NOW, THEREFORE, BE IT

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

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

RESOLVED that the Supervisor or her designee be and is hereby authorized to execute on behalf of the Town, the License 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 License Agreement; and be it further

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

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

CLERK SRIVASTAVA: Item No. 29, a resolution authorizing the execution of an agreement with Eco-Leap, LLC, for environmental consulting services.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 224 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ECO-LEAP, LLC FOR ENVIRONMENTAL CONSULTING SERVICES (TNH 282-2022).

WHEREAS, the Town requires environmental consulting services (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 the proposals submitted in response to the RFP, a Town review committee has recommended the retention of Eco-Leap, LLC, 19 Beacon Drive, Port Washington, New York 11050 (the “Contractor”) to provide the Services for a term of one (1) year with the option to renew for two additional one (1) year terms in consideration of an amount not to exceed Two Thousand Eight Hundred Fifty and 00/100 Dollars (\$2,850.00) a month, payable at the rate of Ninety Five and 00/100 Dollars (\$95.00) an hour (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 or her designee is authorized and directed to execute the Agreement, and a copy of the Agreement shall be on file in the Office of the Town Clerk; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Agreement, and take such further action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Admin Services Comptroller

CLERK SRIVASTAVA: Item No. 30, a resolution authorizing the execution of an agreement with the Cornell Cooperative Extension of Suffolk County for Pilot Shellfish Restoration Project in Manhasset Bay.

COUNCILWOMAN DALIMONTE: So we have -- we -- I'm sure we have no cards on this.

CLERK SRIVASTAVA: No.

COUNCILWOMAN DALIMONTE: Everyone probably left. So I want to read this into the record. A significant priority for me as an elected official has been to promote and -- I'm sorry -- to -- protection and preservation of our local environment is imperative that government leaders do all they can to enhance our green spaces and overall create healthier ecosystems both on land and in the water. In 2020, I began exploring the possibilities of reintroducing oysters into Manhasset Bay. Manhasset Bay is a local treasure, serving as a communal destination for residents and boaters, while also acting as a vital ecosystem for main flora and fauna. Over the years, this critical habitat has pulled -- has become polluted. Nitrogen pollution, in particular, poses a great threat to our water quality. But studies have shown that oysters have an impressive role to play in restoring water quality due to their filter feeding capabilities. A single adult oyster is capable of filtering up to 50 gallons of water per day. I am pleased to announce that tonight, this Board has the opportunity to partner with Cornell Cooperative Extension of Suffolk County to create a pilot shellfish restoration project by establishing oyster beds using 1 million spat-on-shell oysters in Manhasset bay. Having and maintaining a thriving oyster population in one of North Hempstead's most essential waterways will help re-establish marine habitat, improve the quality of water, provide economic stimulus by attracting visitors to nearby downtowns, and ultimately, enhance a destination as beloved by residents across the greater North Hempstead community. The feedback has been overwhelmingly positive. Local organizations are thrilled about the prospects of using natural resources to improve the water quality in Manhasset Bay. And so am I. Island-wide water protection and conservation must remain a priority. And reintroducing oysters is a practical and innovative method of doing so. I hope that my fellow board members will vote with me and turn this proposal into a reality to help improve our water quality for future generations to come. Before we proceed to a vote, there are few people that deserve to be recognized for their tremendous effort in helping me to get to this point. I'd like to thank Bill Gordon and Steve Place, who have been two of my biggest supporters and cheerleaders on on this project. I'd also like to thank Jeanine Dillon for two years of hard work she put into this helping me make a dream a reality. Funding for this project is available on the Town's budget. And I am -- and other -- I am so proud and excited to offer this resolution and move for its adoption.

COUNCILMAN WALSH: Can I say something?

COUNCILWOMAN DALIMONTE: Yes.

COUNCILMAN WALSH: I think it's terrific. I think it's great. I heard you use the word "me" a few times. Cornell University has come to this town for years before you got to do this; Is that correct?

COUNCILWOMAN DALIMONTE: No.

COUNCILMAN WALSH: Cornell Cooperative has come to -- did you call Cornell cooperative or did they --

COUNCILWOMAN DALIMONTE: I called them.

COUNCILMAN WALSH: You called them.

COUNCILWOMAN DALIMONTE: Yes.

COUNCILMAN WALSH: So they didn't try to get in touch --

COUNCILWOMAN DALIMONTE: No.

COUNCILMAN WALSH: -- with this because I was told that Cornell Cooperative has been trying to do this for a long time.

COUNCILWOMAN DALIMONTE: No. So I will tell you that in February of 2020, I had my first meeting and I was told absolutely no, that oysters will not be allowed in Manhasset Bay. So through working for two years with these people, what we did is, we actually contacted -- I contacted the Governor's Office and we had a meeting with the DEC and my office and the Governor's Office, and we sat there and we asked them, what can we do. And Michael Levine, I believe, is here. He will tell you how he was -- he knew I was pushing this and pushing this. No one was going to tell me no. That oysters were not were going to be allowed --

COUNCILMAN WALSH: Did anybody try to tell you no? Did anybody try to tell you no?

COUNCILWOMAN DALIMONTE: Yes, they did.

COUNCILMAN WALSH: Who?

COUNCILWOMAN DALIMONTE: Manhasset Bay Protection Committee executive director told me that it will be probably impossible for me to get it --

COUNCILMAN WALSH: And anybody on this board tell you no?

COUNCILWOMAN DALIMONTE: No. I've been working on this for two years --

COUNCILMAN WALSH: Yeah, yeah, yeah. Okay.

COUNCILWOMAN DALIMONTE: --to get to this point.

COUNCILMAN WALSH: Okay. Good. Thank you.

COUNCILWOMAN DALIMONTE: Yeah. So because of my hard work and my dedication, I'm able to get this done. And I'm asking each of you to vote with me as a yes for this so we can be the Town Board that votes to have this happened. So I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: I -- Mariann, I want to congratulate you for this work, for getting this done. It takes a lot of attention to work two years on a project like this. And there few things that are any more important than our water quality, and the bay is one of our treasures. So we'd need to preserve it, not just preserve and make it better. So I'm happy to exceed your request that I vote on.

COUNCILWOMAN DALIMONTE: Thank you.

COUNCILMAN TROIANO: I vote aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Mariann, I join in that --

SUPERVISOR DESENA: I -- you know -- we --

COUNCILMAN ZUCKERMAN: -- you deserve a tremendous amount of credit.

SUPERVISOR DESENA: --we have a comment.

COUNCILMAN WALSH: We have a comment.

MR. STONE: I'm sorry, I didn't meant to --

COUNCILWOMAN DALIMONTE: Time him.

SUPERVISOR DESENA: Oh, now we're timing?

MR. STONE: Jeff Stone. Subject of interest, too, because I was specifically a seafood chef, and oysters. I've had them from all over the world. And they actually did environmental water testing, especially Pine Island, you know, being the cleanest oysters in the world, right? That's a great idea. It really is. I'd like to see one step more, though, and start working with homeowners in cutting out some of their fertilizer. Something that's more environmentally friendly. So that when the runoff happens, it's all this nitrogen isn't going to plow into Manhasset Bay. Septic tanks, outright flushing of sewer drain into the bay itself from the surrounding communities of Manhasset Bay. I love Manhasset bay. I have a book out. Sunsets of Manhasset Bay: Goodnight Port in case you want to know more about that, You know, it's on Amazon. No. In any case, that's a great idea, but see about what can be done, businesses, homeowners, and anything else. But the Bay is, to my opinion, cleaner then it ever has been. I grew up on Long Lake Bay in Douglas Manor, all right? Blue claw crabs are back in. Waterfowl. I mean, it's picking up a lot. The thing is, is that we have eagles now, you know, but the thing is going to be cleaner, a lot cleaner, yeah --

COUNCILWOMAN DALIMONTE: And this will help.

MR. STONE: Yeah. Exactly. It's a step in the right direction, you know. Anyway, so that's that.

COUNCILWOMAN LURVEY: So --

COUNCILWOMAN DALIMONTE: Thank you.

COUNCILWOMAN LURVEY: -- Jeff, the town does do sustainability gardening workshops and I'll reach out to see if they cover fertilizer.

MR. STONE: Well, there's got to be something that's ecologically friendly, you know, that you can put down on your lawn to make it nice and green.

COUNCILWOMAN LURVEY: Right. Right.

MR. STONE: And septic tanks, you know, again, things that flow right into the bay. I know there's a lot of community culprits, but the thing is there's something like that can be looked at as well. It's just, you know, it's what it is

SUPERVISOR DESENA: Thank you.

COUNCILWOMAN DALIMONTE: Thank you for your comments.

CLERK SRIVASTAVA: Thank you. Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Okay. As I was saying, congratulations, Mariann. And to

everyone else who participated, it's a wonderful thing. I vote aye.

COUNCILWOMAN DALIMONTE: Thank you.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: 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. 225 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE CORNELL COOPERATIVE EXTENSION OF SUFFOLK COUNTY FOR A PILOT SHELLFISH RESTORATION PROJECT IN MANHASSET BAY.

WHEREAS, the Town of North Hempstead (the "Town") desires to establish a pilot shellfish restoration project in Manhasset Bay in order to determine if it is possible to introduce shellfish into Manhasset Bay for the purpose of improving water quality (the "Services"); and

WHEREAS, the Commissioner of the Department of Planning and Environmental Protection (the "Commissioner") has recommended that the Town enter into an agreement with the Cornell Cooperative Extension of Suffolk County (the "Cooperative") to provide the Services for a one-year term in consideration of an amount not to exceed Nineteen Thousand Four Hundred and 00/100 Dollars (\$19,400.00) to cover all costs associated with scouting, spawning, planting and monitoring to ensure adequate growth and survival of the oysters in addition to the provision of field support and long-term monitoring by the Town's Bay Constables (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute the Agreement on behalf of the Town, which Agreement shall be on file with the Office of the Town Clerk, and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and oversee the execution of the Agreement, and to take such other action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item No. 31, a resolution authorizing the execution of an agreement Gtechna US Corporation for upgrades to the Town's parking enforcement software and the purchase of annual maintenance and bosting --hosting.

CHAIRMAN DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 226 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH GTECHNA US CORPORATION FOR UPGRADES TO THE TOWN'S PARKING ENFORCEMENT SOFTWARE AND THE PURCHASE OF ANNUAL MAINTENANCE AND HOSTING.

WHEREAS, the Department of Information Technology and Telecommunications (the "Department") requires upgrades to the Town's parking enforcement software (the "Services") and also requires the purchase of annual maintenance and hosting services; and

WHEREAS, the Commissioner of the Department has recommended that the Town enter into an agreement with GTechna US Corporation, 2429 Military Rd., Suite 3, Niagara Falls, NY 14304, to provide the Services in consideration of an amount not to exceed Three Thousand Seven Hundred Eighty-Seven and 50/100 Dollars (\$3,787.50) for the upgrades (the "Agreement") and an amount not to exceed Twenty One Thousand Eight Hundred and 53/100 Dollars (\$21,800.53) for the purchase of the annual maintenance and hosting services (the "Purchase"); and

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

NOW, THEREFORE, BE IT

RESOLVED that the Agreement and the Purchase be and are hereby authorized; and be it further

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute the Agreement on behalf of the Town, which Agreement shall be on file with the Office of the Town Clerk, and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and oversee the execution of the Agreement, and to take such other action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item No. 32, a resolution authorizing the execution of an agreement with Atlantic Nuclear Corporation for calibration and training services for the North Hempstead Transfer Station.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 227 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ATLANTIC NUCLEAR CORPORATION FOR CALIBRATION AND TRAINING SERVICES FOR THE NORTH HEMPSTEAD TRANSFER STATION.

WHEREAS, the Town of North Hempstead Department of Solid Waste Management (the "Department") requires annual calibration of the two fixed radiation monitors at the Transfer Station scale and on-site training for Department employees on radiation procedures and practices (the "Services"); and

WHEREAS, the Commissioner of the Department has recommended that Atlantic Nuclear Corporation, 100 Weymouth Street E1, Rockland, Massachusetts 02370 (the "Contractor"), be retained to perform the Services in consideration of an amount not to exceed Two Thousand Four Hundred and 00/100 Dollars (\$2,400.00) (the "Agreement"); and

WHEREAS, the Board finds it in the best interest of the Town 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 or her designee is authorized and directed to execute the Agreement, and a copy of the Agreement shall be on file in the Office of the Town Clerk, and take such further action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Agreement, and take such further action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Solid Waste Management

CLERK SRIVASTAVA: Item No. 33, a resolution authorizing the execution of an agreement with Pump and Motor Corporation for high volume pump repairs.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 228 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PUMP AND MOTOR CORP. FOR HIGH VOLUME PUMP REPAIRS (TNH216-2019).

WHEREAS, the Town of North Hempstead Department of Solid Waste Management (the "Department") requires as-needed repairs to the Department's high volume pumps used to pump water from the landfill retention basins to the golf course retention basins (the "Services"); and

WHEREAS, the Commissioner of the Department has recommended awarding a contract for the Services to Pump and Motor Corp., 201 Montrose Road, Westbury, New York 11590 (the "Contractor") for a term beginning on May 1, 2022 and terminating on April 30, 2023, in consideration of an amount not to exceed \$128.75 per hour for labor and \$90.00 per site visit for travel allowance, with parts to be billed at cost plus fifteen percent (15%) (the "Agreement"); and

WHEREAS, the Board finds it in the best interest of the Town 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 or her designee is authorized and directed to execute the Agreement, and a copy of the Agreement shall be on file in the Office of the Town Clerk, and take such further action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Agreement, and take such further action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Solid Waste Management

CLERK SRIVASTAVA: Item No. 34, a resolution authorizing the execution of an agreement with the Village of Westbury Police Department in connection with the Town's Stop Throwing Out Pollutants program.

COUNCILMAN TROIANO: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 229 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE VILLAGE OF OLD WESTBURY POLICE DEPARTMENT IN CONNECTION WITH THE TOWN'S STOP THROWING OUT POLLUTANTS PROGRAM.

WHEREAS, the Town of North Hempstead Department of Solid Waste Management (the "Department") requires an officer to perform traffic management and keep general vehicular order for the Town's Stop Throwing Out Pollutants event at Westbury High School on June 25, 2022 during the hours of 8am to 4pm (the "Services"); and

WHEREAS, the Commissioner of the Department has recommended that the Village of Old Westbury Police Department, 1 Store Hill Road, Old Westbury, New York 11568 be retained to perform the Services in consideration of an amount not to exceed One Thousand Seven Hundred Fifty and 00/100 Dollars (\$1,750.00) (the "Agreement"); and

WHEREAS, the Board finds it in the best interest of the Town 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 or her designee is authorized and directed to execute the Agreement, and a copy of the Agreement shall be on file in the Office of the Town Clerk, and take such further action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Agreement, and take such further action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Solid Waste Management

CLERK SRIVASTAVA: Item No. 35, a resolution authorizing the use of a New York State Office of General Services contract for the purchase of school and art supplies.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 230 - 2022

A RESOLUTION AUTHORIZING THE USE OF A NEW YORK STATE OFFICE OF GENERAL SERVICES CONTRACT FOR THE PURCHASE OF SCHOOL AND ART SUPPLIES.

WHEREAS, the Town of North Hempstead (the "Town") requires the purchase of school and art supplies (the "Purchase"); and

WHEREAS, the New York State Office of General Services awarded a contract entitled "Group 23100 – School and Art Supplies" (the "Agreement") to various vendors; and

WHEREAS, under New York General Municipal Law §104, the Town is authorized to contract for purchases through the New York State Office of General Services; and

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute any documentation and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and oversee the execution of the documentation, and to take such other action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Purchasing Comptroller

CLERK SRIVASTAVA: Item No. 36, a resolution authorizing the use of agreements between the County of Nassau and various vendors for town purchases and services.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 231 - 2022

A RESOLUTION AUTHORIZING THE USE OF AGREEMENTS BETWEEN THE COUNTY OF NASSAU AND VARIOUS VENDORS FOR TOWN PURCHASES AND SERVICES.

WHEREAS, the Town of North Hempstead (the "Town") requires various goods and services (the "Purchases and Services"); and

WHEREAS, the County of Nassau awarded contract #BPNC21000191 entitled "Playground Sand and Limestone" to D.F. Stone Contracting, LTD., 1230 Station Road, Medford, New York 11763 (the "Sand and Limestone Agreement"); and

WHEREAS, the County of Nassau awarded contract #BPNC20000170 entitled "Auto Accessories Hardware" to Choice Distribution, Inc., 111 Bell Street, West Babylon, New York 11704 (the "Auto Accessories Agreement"); and

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

WHEREAS, the Board wishes to authorize the use of the Sand and Limestone Agreement and the Auto Accessories Agreement (collectively the "Agreements") for the Purchases and Services for the duration of the Agreements, inclusive of any extensions.

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute any documentation and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and oversee the execution of the documentation, and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs of the Purchases and Services upon receipt of the Agreement and certified claims therefore.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Admin Services Comptroller

CLERK SRIVASTAVA: Item No. 37, a resolution authorizing the use of an agreement between the County of Suffolk and various vendors for sewer systems and appurtenances, installation and repair.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 232 - 2022

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE COUNTY OF SUFFOLK AND VARIOUS VENDORS FOR SEWER SYSTEMS AND APPURTENANCES INSTALLATION AND REPAIR.

WHEREAS, the Town of North Hempstead (the "Town") requires the services of vendors for sewer systems and appurtenances installation and repair (the "Services"); and

WHEREAS, the County of Suffolk awarded contract #SSAIR10221 entitled "Sewer Systems and Appurtenances Installation and Repair" to Adjo Contracting Corp., 207 Knickerbocker Avenue, Bohemia, NY 11716 as a primary vendor and Bancker Construction Corp., 171 Freeman Ave, Islip, NY 11751 as a secondary vendor (the "Agreement"); and

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

WHEREAS, the Board wishes to authorize the use of the Agreement retroactively from April 18, 2022 for the duration of the Agreement, inclusive of any extensions.

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute any documentation and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and oversee the execution of the documentation, and to take such other action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Admin Services Comptroller

CLERK SRIVASTAVA: Item No. 38, a resolution authorizing the use of agreements between the County of Suffolk and various vendors for town purchases and services.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 233 - 2022

A RESOLUTION AUTHORIZING THE USE OF AGREEMENTS BETWEEN THE COUNTY OF SUFFOLK AND VARIOUS VENDORS FOR TOWN PURCHASES AND SERVICES.

WHEREAS, the Town of North Hempstead (the "Town") requires the purchase of various goods and services (the "Purchases and Services"); and

WHEREAS, the County of Suffolk awarded contract #JP121720 entitled "Janitorial - Papers" to American Paper Towel Co LLC DBA American Paper and Supply Co., 10 Industrial Rd., PO Box 346 Carlstadt, New Jersey 07072 (the "Janitorial Papers Agreement"); and

WHEREAS, the County of Suffolk awarded contract #JCS041820 entitled "Janitorial Cleaning Solutions" (the "Janitorial Cleaning Solutions Agreement") and contract # JS030821 entitled "Janitorial Supplies" to I. Janvey & Sons, 218 Front Street, P.O. Box 335, Hempstead, New York 11550 (the "Janitorial Supplies Agreement"); and

WHEREAS, the County of Suffolk awarded contract #LSSP011320 entitled "Lawn Sprinkler System Parts" to Siteone Landscape Supply, 1385 East 36th Street, Cleveland, Ohio 44114 (the "Lawn Sprinkler System Parts Agreement"); and

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

WHEREAS, the Board wishes to authorize the use of the Janitorial Papers Agreement, Janitorial Cleaning Solutions Agreement, Janitorial Supplies Agreement and the Lawn Sprinkler System Parts Agreement (collectively the "Agreements") for the Purchases and Services for the duration of the Agreements, inclusive of any extensions.

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute any documentation and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and oversee the execution of the documentation, and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs of the Purchases and Services upon receipt of the Agreement and certified claims therefore.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Admin Services Comptroller

CLERK SRIVASTAVA: Item No.39, a resolution authorizing the use of agreements between Sourcewell and various vendors for town purchases and services.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 234 - 2022

A RESOLUTION AUTHORIZING THE USE OF AGREEMENTS BETWEEN SOURCEWELL AND VARIOUS VENDORS FOR TOWN PURCHASES AND SERVICES.

WHEREAS, the Town of North Hempstead requires the purchase of technology solutions and the purchase of a stump grinder (the "Purchases and Services"); and

WHEREAS, Sourcewell awarded contract #081419-CDW (the "CDW Agreement") to CDW Government LLC, 230 N. Milwaukee Ave., Vernon Hills, IL 60061; and

WHEREAS, Sourcewell awarded contract #062117-BAN (the "Bandit Agreement") to Bandit Industries, Inc. 6750 Millbrook Road, Remus, MI 49340; and

WHEREAS, the utilization of certain public entity contracts in lieu of competitive bidding is permitted by New York General Municipal Law Section 103(16); and

WHEREAS, the Director of Purchasing has recommended that the Town utilize the CDW Agreement for the purchase of technology solutions and the Bandit Agreement for the purchase of a stump grinder (collectively the "Agreements"); and

WHEREAS, the Town Board finds it in the best interest of the Town to authorize the use of the Agreements.

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute any documentation and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and oversee the execution of the documentation, and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs of the Purchases and Services upon receipt of the Agreement and certified claims therefore.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Purchasing Comptroller

CLERK SRIVASTAVA: Item No. 40, a resolution authorizing the use of an agreement between the Town of Huntington and various vendors for uniforms.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 235 - 2022

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE TOWN OF HUNTINGTON AND VARIOUS VENDORS FOR UNIFORMS.

WHEREAS, the Town of North Hempstead (the "Town") requires the purchase of uniforms for employees in various departments (the "Services"); and

WHEREAS, the Town of Huntington awarded bid #TOH 21-10R-063 entitled "Uniforms" to various vendors (the "Agreement"); and

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

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute any documentation and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and oversee the execution of the documentation, and to take such other action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Admin Services Comptroller

CLERK SRIVASTAVA: Item No. 41, a resolution authorizing the execution of an amendment to an agreement with Posillico Civil, Inc., for on call services for milling and paving various town roadways, DPW Project No. 19-01.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 236 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH POSILICO CIVIL, INC. FOR ON CALL SERVICES FOR MILLING AND PAVING VARIOUS TOWN ROADWAYS, DPW PROJECT NO. 19-01.

WHEREAS, pursuant to resolutions duly adopted by this Board, the Town entered into and amended an agreement with Posillico Civil, Inc., 1750 New Highway, Farmingdale, New York 11735 (the "Contractor"), to provide on call services for milling and paving Town roadways (the "Original Agreement"); and

WHEREAS, the Original Agreement contained the option to renew the Original Agreement for three (3) additional one (1) year periods with the same terms and conditions (the "Options"); and

WHEREAS, the Acting Commissioner of the Department of Public Works (the "Commissioner") has recommended that the Town exercise the third and final of these Options to extend the term of the Original Agreement for a period of one (1) year such that the Original Agreement shall terminate on December 31, 2022 (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 or her designee is authorized and directed to execute, on behalf of the Town, the Amendment, all as more particularly set forth in a copy of the Amendment, which shall be on file in the Office of the Town Clerk; and be it further

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

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs of the Amendment upon receipt of duly executed Amendment and certified claims therefor.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller DPW

CLERK SRIVASTAVA: Item No. 42, a resolution authorizing the execution of an amendment to an agreement with Genuine Parts Company, d/b/a NAPA, for auto parts inventory management.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 237 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH GENUINE PARTS COMPANY D/B/A NAPA FOR AUTO PARTS INVENTORY MANAGEMENT.

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town entered into, and amended, an agreement with Genuine Parts Company D/B/A NAPA, to provide for the administration of the Department of Public Works Division of Highways parts room (the "Original Agreement"); and

WHEREAS, the Director of Purchasing has recommended that the Town amend the Original Agreement to extend the term of the Original Agreement for a period of one year (1) year commencing on May 17, 2022 and terminating May 16, 2023, under the Sourcewell Contract No. 03521-GPC, (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 or her designee is authorized and directed to execute, on behalf of the Town, the Amendment, all as more particularly set forth in a copy of the Amendment, which shall be on file in the Office of the Town Clerk; and be it further

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

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs of the Amendment upon receipt of a duly executed Amendment and certified claims therefor.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Highways

CLERK SRIVASTAVA: Item No. 43, a resolution authorizing the execution of an amendment to an agreement with Port Washington Water Taxi, Inc., and Meyran Marine Services, Inc., for water taxi services and installation and maintenance of transient and deep draft moorings in Manhasset Bay.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: 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. 238 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH PORT WASHINGTON WATER TAXI, INC. AND MEYRAN MARINE SERVICES, INC. FOR WATER TAXI SERVICES AND THE INSTALLATION AND MAINTENANCE OF TRANSIENT AND DEEP DRAFT MOORINGS IN MANHASSET BAY.

WHEREAS, the Town requires water taxi services from the Town Dock in Port Washington to the moorings located at the Town Dock, along with management and maintenance services for the Town's deep draft and transient moorings in Manhasset Bay (the "Services"); and

WHEREAS, the Town previously entered into and amended an agreement (the "Original Agreement") with Port Washington Water Taxi, Inc. and Meyran Marine Services Inc. (the "Contractors") to provide the Services; and

WHEREAS, the Acting Commissioner of the Department of Parks and Recreation has requested that the Town retroactively extend the term of the Original Agreement for one (1) year such that the Original Agreement will terminate on December 31, 2022, increase the number of transient moorings from twenty (20) to twenty-four (24), and increase the amount the Contractors may charge the user of a transient mooring to Thirty Five and 00/100 Dollars (\$35.00) a day following the free first night of usage of a transient mooring (the "Amendment"); and

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

NOW, THEREFORE, BE IT

RESOLVED that the Amendment be and hereby is authorized; and be it further

RESOLVED the Supervisor or her designee is authorized and directed to execute, on behalf of the Town, the Amendment, all as more particularly set forth in a copy of the Amendment, which shall be on file in the Office of the Town Clerk; and be it further

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

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs of the Amendment upon receipt of duly executed Amendment and certified claims therefor.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item No. 44, a resolution authorizing an amendment to an agreement with American Recreation Products for playground equipment and installation.

COUNCILMAN ZUCKERMAN: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: 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. 239 - 2022

A RESOLUTION AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH AMERICAN RECREATIONAL PRODUCTS FOR PLAYGROUND EQUIPMENT AND INSTALLATION.

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town entered into an agreement with American Recreation Products, 144-1 Remington Blvd., Ronkonkoma, NY 11779 (the "Contractor"), for the installation of playground equipment at John D. Caemmerer Park in Albertson in consideration of an amount not to exceed One Hundred Sixty-One Thousand One Hundred Seventy-Four and 98/100 Dollars (\$161,174.98) (the "Original Agreement"); and

WHEREAS, the Director of Purchasing (the "Director") has recommended that that the Town amend the Original Agreement to incorporate the installation of an additional piece of playground equipment, thereby increasing the contract amount under the Original Agreement by Eleven Thousand Nine Hundred and 16/100 Dollars (\$11,900.16) (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 or her designee is authorized and directed to execute, on behalf of the Town, the Amendment, all as more particularly set forth in a copy of the Amendment, which shall be on file in the Office of the Town Clerk; and be it further

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

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs of the Amendment upon receipt of duly executed Amendment and certified claims therefor.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Parks Comptroller

CLERK SRIVASTAVA: Item No. 45, a resolution authorizing the execution of an amendment to an agreement that Lexington Technologies for methane improvements at Michael J. Tully Park, New Hyde Park.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 240 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH LEXINGTON TECHNOLOGIES FOR METHANE IMPROVEMENTS AT MICHAEL J. TULLY PARK, NEW HYDE PARK.

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town entered into an agreement with Lexington Technologies, 99 Rome Street, Farmingdale, NY 11735, for annual service of the Methane Detection System at Tully Park (the "Original Agreement"); and

WHEREAS, the Original Agreement contained an option to renew the Original Agreement for two (2) additional one (1) year periods with the same terms and conditions, including price (the "Options"); and

WHEREAS, the Department of Parks and Recreation (the "Department") did not exercise the first Option to renew the Original Agreement as the services were not used during this period; and

WHEREAS, as the Department now requires the annual service, the Commissioner of the Department has recommended that the Town exercise the second Option to renew the Original Agreement for an additional one (1) year period (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 or her designee is authorized and directed to execute, on behalf of the Town, the Amendment, all as more particularly set forth in a copy of the Amendment, which shall be on file in the Office of the Town Clerk; and be it further

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

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs of the Amendment upon receipt of duly executed Amendment and certified claims therefor.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item No. 46, a resolution authorizing the execution of an amendment -- of amendments to agreements between the town and various incorporated villages, school districts, and special districts within the Town for cooperative purchasing and services.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 241 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENTS TO AGREEMENTS BETWEEN THE TOWN AND VARIOUS INCORPORATED VILLAGES, SCHOOL DISTRICTS AND SPECIAL DISTRICTS WITHIN THE TOWN FOR COOPERATIVE PURCHASING AND SERVICES.

WHEREAS, pursuant to Article 8, Sections 1 and 2-a of the New York State Constitution, as effectuated by General Municipal Law Section 119-o, municipal corporations are empowered to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis; and

WHEREAS, the Town of North Hempstead (the "Town") previously entered into and amended various intermunicipal agreements for cooperative purchasing and services with the following entities:

Carle Place School District
Glenwood Water District
Great Neck Park District
Great Neck Water Pollution Control District
Herricks Union Free School District
Manhasset Lakeville Water District
New Hyde Park-Garden City Park Union Free School District
Port Washington Business Improvement District
Port Washington Police District
Port Washington School District
Port Washington Water District
Port Washington Water Pollution Control District
Roslyn Union Free School District
Shelter Rock Library District
Village of East Hills
Village of East Williston
Village of Great Neck
Village of Great Neck Estates
Village of Great Neck Plaza
Village of Kensington
Village of Kings Point
Village of Lake Success
Village of Manorhaven
Village of Munsey Park
Village of North Hills
Village of Old Westbury

Village of Plandome Heights
Village of Port Washington North
Village of Roslyn
Village of Roslyn Estates
Village of Roslyn Harbor
Village of Russell Gardens
Village of Sands Point
Village of Williston Park
Westbury Union Free School District

(the "Original Agreements"); and

WHEREAS, the Town desires to amend the Original Agreements to extend each term to July 31, 2027 and to include a new rate schedule for Town services provided under the agreements (the "Amendments"); and

WHEREAS, this Board finds it in the best interests of the Town to authorize the Amendments.

NOW, THEREFORE, BE IT

RESOLVED the Amendments are hereby authorized; and be it further

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute the Amendments on behalf of the Town, 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 negotiate and supervise the execution of the Amendments and any related documents, and to take such further action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

CLERK SRIVASTAVA: Item No. 47, a resolution authorizing the execution of an amendment to an agreement with Eco-Leap, LLC, for consulting services to assist the Town in attaining certification under the New York State Climate Smart Communities Program.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 242 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH ECO-LEAP, LLC FOR CONSULTING SERVICES TO ASSIST THE TOWN IN ATTAINING CERTIFICATION UNDER THE NEW YORK STATE CLIMATE SMART COMMUNITIES PROGRAM.

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town entered into an agreement, as amended, with Eco-Leap LLC (the "Contractor"), to provide consulting services to assist the Town in attaining certification under the New York State Climate Smart Communities Program from June 17, 2021 through March 31, 2022 (the "Original Agreement"); and

WHEREAS, the Commissioner of the Department of Planning and Environmental Protection has recommended that the Town further amend the Original Agreement to extend the term of the agreement through December 31, 2022 or until the execution of a new agreement 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 Amendment be and hereby is authorized; and be it further

RESOLVED the Supervisor or her designee is authorized and directed to execute, on behalf of the Town, the Amendment, all as more particularly set forth in a copy of the Amendment, which shall be on file in the Office of the Town Clerk; and be it further

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

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs of the Amendment upon receipt of duly executed Amendment and certified claims therefor.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

CLERK SRIVASTAVA: Item No. 48, a resolution authorizing the execution of an amendment to an agreement with Sovereign Consulting, Inc., for groundwater sampling and analysis services.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 243 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH SOVEREIGN CONSULTING INC. FOR GROUNDWATER SAMPLING AND ANALYSIS SERVICES.

WHEREAS, the Town of North Hempstead Department of Solid Waste Management (the "Department") has previously entered into an agreement, as amended, (the "Original Agreement") with Sovereign Consulting, Inc., 175G Commerce Drive, Hauppauge, NY 11788 ("Sovereign") to provide water quality monitoring services in the vicinity of the L4 and L5 Landfills in Port Washington, including the quarterly sampling and testing of wells located on the former Morewood property, now used as Harbor Links Golf Course (the "Services"); and

WHEREAS, the Commissioner of the Department has requested that the Agreement be amended to account for reduced water quality testing as authorized by the EPA and DEC, from quarterly to semi-annually, as well as the elimination of analysis for natural attenuation parameters, metals, and miscellaneous parameters, except for iron (total and dissolved), manganese (total and dissolved), chloride and ammonia, all due to an improvement of water quality in the area of the landfills after water treatment by the Town, resulting in a reduction of the laboratory analysis fee in the amount of \$2,470.00 such that the total per event cost for the Morewood Property Sampling Program (Testing Task #4) is reduced from Five Thousand Eighty Nine and 00/100 Dollars (\$5,089.00) to Two Thousand Six Hundred Nineteen and 00/100 Dollars (\$2,619.00) (the "Amendment"); and

WHEREAS, this Board finds it in the best interests of the Town to authorize the execution of the Amendment.

NOW, THEREFORE, BE IT

RESOLVED that the Amendment be and hereby is authorized; and be it further

RESOLVED that the Supervisor or her designee is authorized and directed to execute the Amendment, and a copy of the Amendment shall be on file in the Office of the Town Clerk, and take such further action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Amendment, and take such further action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs thereof upon receipt of a duly executed Amendment and certified claims therefor.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Solid Waste Management

CLERK SRIVASTAVA: Item No. 49, a resolution authorizing the purchase from Vermont Systems, Inc., for an annual software maintenance and hosting for the Town's Recreation Management System.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 244 - 2022

A RESOLUTION AUTHORIZING THE PURCHASE FROM VERMONT SYSTEMS, INC. OF ANNUAL SOFTWARE MAINTENANCE AND HOSTING FOR THE TOWN'S RECREATION MANAGEMENT SYSTEM.

WHEREAS, the Department of Parks and Recreation (the "Department") requires software maintenance, technical support, and hosting for the Town's Recreation Management System (the "Services"); and

WHEREAS, the Commissioner of the Department has recommended that the Town purchase the Services from Vermont Systems, Inc., 12 Market Place, Essex Junction, Vermont 05452 (the "Contractor") for a term of one (1) year in consideration of an amount not to exceed Thirty Seven Thousand Nine Hundred Ninety-One and 40/100 Dollars (\$37,991.40) (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

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller DoITT Parks

CLERK SRIVASTAVA: Item No. 50, a resolution establishing a new property address of 460 Westbury Avenue, Carle Place, New York, for Police Booth J, located at the premises identified as Section 10, Block 19, Lot 14 on the land and tax map of the County of Nassau.

COUNCILMAN TROIANO: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 245 - 2022

A RESOLUTION ESTABLISHING A NEW PROPERTY ADDRESS OF 460 WESTBURY AVENUE, CARLE PLACE, NEW YORK FOR POLICE BOOTH J LOCATED AT THE PREMISES IDENTIFIED AS SECTION 10, BLOCK 19, LOT 14 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU.

WHEREAS, Section 10-3 of the Code of the Town of North Hempstead authorizes the Town Board to adjust and renumber street addresses as may be required from time to time; and

WHEREAS, the Nassau County Police Department (the "Applicant") is the owner of real property known as Police Booth J located on Westbury Avenue just east of Rushmore Avenue in Carle Place (the "Property"); and

WHEREAS, the Applicant has requested that the Property be assigned a street address; and

WHEREAS, the Town has determined that, in the interest of promoting the health, safety and general welfare of Town residents, the Premises should be assigned the following street address: 460 Westbury Avenue, Carle Place, New York 11514 (the "Address Designation"); and

WHEREAS, the Carle Place Postmaster has approved the Address Designation sought by the Applicant; and

WHEREAS, subject to the Nassau County Fire Marshal rendering a determination that the designation would not impede optimum emergency response time (the "Determination"), the Town Board wishes to grant the Applicant's request for the Address Designation.

NOW, THEREFORE, BE IT

RESOLVED that subject to the Determination of the Nassau County Fire Marshal, the Town Board of the Town of North Hempstead hereby authorizes and directs that the Property known as Police Booth J be assigned the street address 460 Westbury Avenue, Carle Place, New York; and be it further

RESOLVED that the Town Board hereby authorizes and directs that all necessary action be taken by the Town Department of Building Safety, Inspection and Enforcement to effectuate the foregoing; and be it further

RESOLVED that the Town Board hereby authorizes and directs the Town Clerk to notify the Nassau County Clerk, the Nassau County Engineer, and the post-office department of the United States where the premises is located, within ten days following receipt of the Determination of the Nassau County Fire Marshal as set forth above, to advise them of the Address Designation.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Receiver of Taxes Planning Building DPW Town Clerk

CLERK SRIVASTAVA: Item No. 51, a resolution establishing a new property address of 631 Main Street, Westbury, New York for Police Booth M, located at the premises identified as Section 11, Block 181, Lot 30 on the land and tax map of the County of Nassau.

COUNCILMAN TROIANO: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 246 - 2022

A RESOLUTION ESTABLISHING A NEW PROPERTY ADDRESS OF 631 MAIN STREET, WESTBURY, NEW YORK FOR POLICE BOOTH M LOCATED AT THE PREMISES IDENTIFIED AS SECTION 11, BLOCK 181, LOT 30 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU.

WHEREAS, Section 10-3 of the Code of the Town of North Hempstead authorizes the Town Board to adjust and renumber street addresses as may be required from time to time; and

WHEREAS, the Nassau County Police Department (the "Applicant") is the owner of real property known as Police Booth M located on the northeast corner of Main Street and New York Avenue in Westbury (the "Property"); and

WHEREAS, the Applicant has requested that the Property be assigned a street address; and

WHEREAS, the Town has determined that, in the interest of promoting the health, safety and general welfare of Town residents, the Premises should be assigned the following street address: 631 Main Street, Westbury, New York 11590 (the "Address Designation"); and

WHEREAS, the Westbury Postmaster has approved the Address Designation sought by the Applicant; and

WHEREAS, subject to the Nassau County Fire Marshal rendering a determination that the designation would not impede optimum emergency response time (the "Determination"), the Town Board wishes to grant the Applicant's request for the Address Designation.

NOW, THEREFORE, BE IT

RESOLVED that subject to the Determination of the Nassau County Fire Marshal, the Town Board of the Town of North Hempstead hereby authorizes and directs that the Property known as Police Booth M be assigned the street address 631 Main Street, Westbury, New York; and be it further

RESOLVED that the Town Board hereby authorizes and directs that all necessary action be taken by the Town Department of Building Safety, Inspection and Enforcement to effectuate the foregoing; and be it further

RESOLVED that the Town Board hereby authorizes and directs the Town Clerk to notify the Nassau County Clerk, the Nassau County Engineer, and the post-office department of the United States where the premises is located, within ten days following receipt of the Determination of the Nassau County Fire Marshal as set forth above, to advise them of the Address Designation.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Receiver of Taxes Planning Building DPW Town Clerk

CLERK SRIVASTAVA: Item No. 52, a resolution authorizing an extension of time for the completion of improvements pursuant to site plan approval granted for the premises located at 1542 Northern Boulevard, Manhasset, and designated on the Nassau County land and tax map as Section 3, Block 145, Lot 434A.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 247 - 2022

A RESOLUTION AUTHORIZING AN EXTENSION OF TIME FOR THE COMPLETION OF IMPROVEMENTS PURSUANT TO SITE PLAN APPROVAL GRANTED FOR THE PREMISES LOCATED AT 1542 NORTHERN BOULEVARD, MANHASSET AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 3, BLOCK 145, LOT 434.A.

WHEREAS, by Resolution No. 164-2019 (the "Authorizing Resolution"), duly adopted at its meeting held on April 9, 2019, the Town Board approved, pursuant to Town Code §70-219(B), the site plan application of C&B Realty #1, LLC, (the "Applicant") to convert a 30,483 square foot retail building to a medical office and associated interior alterations on a 1.45 acre site at the premises located at 1542 Northern Boulevard, Manhasset and designated on the Nassau County Land and Tax Map as Section 3, Block 145, Lot 434.A (the "Site Plan Approval"); and

WHEREAS, in accordance with §70-219.1(D) the Site Plan Approval expired on April 9, 2022 due to the Applicant's failure to obtain a building permit within three years after the date of the Authorizing Resolution; and

WHEREAS, by letter dated March 30, 2022 the Applicant has requested an extension of time to obtain a building permit to complete the improvements authorized by the Site Plan Approval; and

WHEREAS, the Commissioner of Planning and Environmental Protection (the "Commissioner") has recommended that the Board extend the Site Plan Approval for an additional one-year period commencing retroactively on April 9, 2022 and expiring on April 9, 2023 (the "Extension"); and

WHEREAS, upon the recommendation of the Commissioner, and having found that the conditions and circumstances essential to the original granting of the Site Plan Approval have not changed, the Board finds it in the best interest of the Town to authorize the Extension.

NOW, THEREFORE, BE IT

RESOLVED that this Board hereby grants the Extension; and be it further

RESOLVED that a copy of this resolution shall be filed with the Commissioner of the Building Department (the "Building Commissioner"), and the Building Commissioner is hereby authorized and directed to issue a building permit within the time period authorized by the Extension, upon compliance with the building permit application requirements as set forth in the Town Code, and any other conditions or requirements

imposed by any other governmental entity having jurisdiction over the property, and to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Planning Buildings

CLERK SRIVASTAVA: Item No. 53, a resolution confirming the reappointment of Dr. Isma Chaudry to the Town of North Hempstead Board of Ethics.

SUPERVISOR DESENA: So these next seven resolutions will be to consider my appointments to the Town's Board of Ethics. As anyone who has been following our Town Board meetings knows this is the third month that we're considering nominations for a new independent Board of Ethics. Upon taking office in January, I discovered that all members of our Town Board of Ethics were serving on terms that had expired years ago. Under Town Code, it's the supervisor's responsibility to appoint the seven members of the Town Board, taking into account the concerns and recommendations of my fellow board members. Having a truly independent board of ethics who are capable of exercising meaningful oversight is crucial to prevent conflicts of interest and misdeeds. It's equally important that these members serve in guaranteed terms, independent and autonomous of the outside influence of the Town Board and me. I've heard from all of my fellow board members regarding their concerns, taken them into consideration, and I believe these seven nominees are excellent candidates who represent the geographic diversity of our community, as well as gender, religion, and ethnic diversity. With that, I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Thank you. It's -- there's been a great deal of discussion about these appointments. There's also been discussion within town hall about the terms that each of the appointees would be slotted into. It's my understanding that staff is still working on that. So I consider the presentation of these resolutions as being premature until that is worked out with staff. And so I'm going to vote to abstain.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: I abstain.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: I abstain.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: I abstain.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: I'm disappointed that my fellow board members are refusing to consider the merits. And by the way, this is Dr. Isma Chaudry who currently is on the Board of Ethics. So to refuse to vote, to reappoint her to a new independent term just really baffles me. These terms are all expired so they all need to be replaced and to, to again delay on this this theory that you don't know the term is very disappointing. I vote aye.

CLERK SRIVASTAVA: Item No. 54, a resolution confirming the appointment of Robert Reilly, Esq., to the Town of North Hempstead Board of Ethics.

COUNCILMAN TROIANO: So I'm not going to belabor the point I made earlier, but I think it is important and the Supervisor has made this part of her rationale for removing, in effect, the existing Ethics Board members that they don't have terms. That their terms were expired. So I think it's very important that we allow staff to continue to work to make sure that we set these terms correctly. I, again vote aye, and I'm not quite sure what's -- I'm sorry. I vote to abstain, and I'm not sure why Supervisor doesn't understand that.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: I abstain.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Yeah. These jobs were not meant to keep forever. These people have been on this Board for a long time. And it's my concern that, you know, that the Board of Ethics is going to be -- instead of being -- instead of allowing the Supervisor to do what the Supervisor is supposed to do and appoint people to this Board, meeting after meeting after meeting, meeting, we have abstention about this. And I just believe that the Ethics Board is now beholden to the majority on this Board. That's how I feel. And my vote is yes. Aye.

CLERK SRIVASTAVA: Thank you. Councilwoman Lurvey.

COUNCILWOMAN LURVEY: I would like to reiterate what I said last time. I believe that my abstention has nothing to do with the substance of the people themselves. It has to do with other items such as the first time these -- we have -- it has been several months now, the first time that the Supervisor put these on the agenda that had been no consideration to the recommendations of the Town Board. And so that was the first item that we had to resolve. And now there are issues with the terms. And there are also -- we are working on financial disclosure and I think all of these needs to be worked out -- so that we know that we're appointing the people in the right way, with the right disclosure obligations and into the right term. So I abstain.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Abstain.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: While they have no terms, the members of the Board of Ethics can be removed at any time by the majority council members. And this is why I think it was so important that they are given the independent terms that the Board of Ethics deserves. And I just can't -- I just can't understand being dead set against installing new -- a new independent board. So I vote aye.

CLERK SRIVASTAVA: Item No. 55, a resolution confirming the appointment of Rabbi Anchelle Perl to the Town of North Hempstead Board of Ethics.

COUNCILMAN WALSH: Can you call for the --

COUNCILMAN TROIANO: Did you make a motion --

SUPERVISOR DESENA: Oh, I'm sorry.

MR. CHIARA: --to adopt.

SUPERVISOR DESENA: I skipped that. Too many motions. I move for the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Again, I just want to make the point that Councilwoman Lurvey made. It's not against any independent board member, any particular individual. There is an issue that I believe that legal staff for the Supervisor and legal staff for Town Council members are still working on the terms and that's the issue on the issue. I'm not quite sure why we're willing to accept -- some members of this Board are willing to accept the lack of precision of who's filling what term. And let me also note that the Ethics Board continues to function with the existing members, so there is no delay in the work of the Ethics board. So I vote to abstain.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Abstain.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: I want to --

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILMAN WALSH: No, no, no, no. Hold on. Hold on.

SUPERVISOR DESENA: He said --

COUNCILMAN WALSH: Let me speak. Anchelle -- this is Anchelle Perl we're talking about Rabbi Perl. I don't know if anybody knows this, but every Monday night, 50 Monday nights out of a year, there's 52 Monday nights in a year. Anchelle Perl goes to the East Meadow Prison and talks to prisoners. He's a chaplain to Nassau County. And I know him personally. His Chabad was next to the Village Hall and we had many involvements together. And I just can't understand all the, you know -- we're going to hear one excuse after the other, after the other, after the other, you know, for God only knows how long. But Anchelle Perl deserves to be on the Ethics Board. And I vote aye.

CLERK SRIVASTAVA: Thank you. Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Rabbi Perl is a wonderful man. The rabbi that he is being proposed to replace is also a wonderful man who has been serving selflessly and with distinction to the Town. And I abstain.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilperson Dalimonte.

COUNCILWOMAN DALIMONTE: I abstain for the reason -- Rabbi Perl is a wonderful man and I think he should be on the Board of Ethics, but I don't feel that he should be replacing the other rabbi that's on the board. That maybe he could take a vacant spot. So I abstain.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: That's a very good point, Councilwoman. There are two vacant

spots. So can you please explain to me why you will not give independent four year terms to fill the vacant spots on the Ethics Board?

COUNCILWOMAN DALIMONTE: So if Rabbi Perl was in that vacant spot, I would have just voted yes. But he's not. So I am not voting to replace -- because maybe there's somebody here that's in one of your vacant spots that you might say, you know what, I'd rather have Rabbi Perl. So I'm letting you know if you put Rabbi Perl in one of the vacant spots at the next Town Board meeting, I will vote for him.

COUNCILWOMAN LURVEY: It's an issue with the resolutions as drafted currently.

COUNCILWOMAN DALIMONTE: Yes.

COUNCILWOMAN LURVEY: Currently, Rabbi Perl is not being put in a vacant spot. He is replacing another rabbi who has served with distinction and I don't see the reason why he needs to be replaced.

SUPERVISOR DESENA: There's no replacing. These are expired terms. I have -- be -- I know that these current members have served with distinction. I know that and I have thanked them. But these are not life terms. In fact, the terms were shortened a few years ago from six to four, showing that there's a real interest in allowing new people to serve. It's always important to bring more people into government and letting them serve. So there is absolutely no disrespect to our current Board of Ethics, but their terms should have been renewed by the prior administration and they were not. And therefore they're in holdover terms and they are vulnerable to being replaced. So for that reason, I have nominated people who represent much more geographic diversity. Our current members are only from Districts 4 and 5. This is the most diverse board that -- what my proposal would be the most diverse Board we've had. So I vote aye.

CLERK SRIVASTAVA: Thank you. Item No. 56, a resolution confirming the appointment of Derek Chan to the Town of North Hempstead Board of Ethics.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: The Supervisor just said it's important to bring new people that the government and I do believe that. In my many years in serving an elected position, I've always tried to bring people into government who I thought had great policy. But on this Board, on this Town Council, when it was formed in 2003, it was formed I thought wight great wisdom, with the decision made to stagger terms. That way you would always have a -- could have a mix of veterans with experience, as well as newcomers. What's being done here, in almost every case, is to replace the entire Board that's functioning well with new members. I think it would be much better if we put them on periodically so that there's a mix of new and old. At any rate, I vote to abstain.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: I vote to abstain.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Yeah. New and old. Okay. These jobs are not meant to keep forever. They've been there a long time. I think they're terrific people. I went before the Ethics

Board, I think about two weeks ago. I didn't know that I had the option of not going before the Ethics Board. I got an e-mail saying that you need to go before the Ethics Board, and I did. And I subsequently found out that not everybody here did go before the Ethics Board, so I don't understand why the Supervisor isn't allowed to do her job and appoint people to the Ethics Board because if I knew that I didn't have to go, I may not have gone because all they're terms are expired. So I vote aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: I abstain.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Abstain.

CLERK SRIVASTAVA: Supervisor DeSena

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item No. 57, a resolution confirming the appointment of Francisco Vasquez to the Town of North Hempstead Board of Ethics.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Abstain.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: I abstain.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: I abstain.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Abstain.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item No. 58, a resolution confirming the appointment of Robin Boiling to the Town of North Hempstead Board of Ethics.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Ms. Boiling is a -- more than an associate of mine, she's a friend of mine. We served together on the Westbury Board of Education. I think she'd be a great addition to the Ethics Board. I was very pleased that as I read the Town Code, the Supervisor called me and we had a discussion about her recommendation to appoint Robin to the Board. And I agreed with that recommendation. So, in no way, and I want this clear to Ms. Boiling if she'd be listening. There's no way is my vote to abstain a vote against her. But it's my wanting her to be put into the right position with the right term. I abstain.

SUPERVISOR DESENA: What is the term that she's being proposed for?

COUNCILMAN TROIANO: So this is-- I've said to you that it's my understanding that Supervisor staff and Town Council staff have been discussing the length of terms and doesn't go into what position and until that's resolved, I don't think any of us should be -- I don't think she should be presented until that's done. Notwithstanding, whatever term Robin has been appointed in, going to be appointment to, or would be appointed to, the point is that staff has not yet determined what the appropriate terms are for any of these people.

SUPERVISOR DESENA: If Robin Boiling was being appointed to a vacant term, would you vote yes?

COUNCILMAN TROIANO: So are taking the vote. I have voted to abstain. Can we go onto the next person?

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: I abstain.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: I abstain.

CLERK SRIVASTAVA: Councilperson Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilperson Dalimonte.

COUNCILWOMAN DALIMONTE: Abstain.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item No. 59, a resolution confirming the appointment of Melissa Slobin to the Town of North Hempstead Board of Ethics.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Abstain.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Abstain.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: I think there's gonna be one reason after another on and on and on and on, through these meetings to make sure that the Supervisor doesn't have any accomplishments at all. That's my opinion. And I vote aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: I abstain.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Abstain.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: It's pretty clear that there's not a lot of independent thought being put into the votes. I vote aye.

CLERK SRIVASTAVA: Item No. 60, a resolution authorizing the town to co-sponsor a Haitian flag day celebration with the Haitian-American Political Committee of New York, HAPAC New York, at Martin "Bunky" Reid Park on May 14, 2022.

COUNCILMAN TROIANO: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 248 - 2022

A RESOLUTION AUTHORIZING THE TOWN TO CO-SPONSOR A HAITIAN FLAG DAY CELEBRATION WITH THE HAITIAN AMERICAN POLITICAL COMMITTEE OF NEW YORK (HAPAC NY), AT MARTIN "BUNKY" REID PARK ON MAY 14, 2022.

WHEREAS, The Town of North Hempstead (the "Town") wishes to sponsor a Haitian Flag Day ceremony organized by the Haitian American Political Committee of New York on May 14, 2022, at Martin "Bunky" Reid Park in New Cassel (the "Event"); and

WHEREAS, the Town's sponsorship would include: the waiving of Parks Department permit and miscellaneous fees in the amount of Two Thousand Five Hundred Fifty and 00/100 Dollars (\$2,550), the provision of maintenance staff and signage, and in-kind publicity (the "Town Sponsorship"); and

WHEREAS, this Board wishes to authorize the Town Sponsorship.

NOW, THEREFORE, BE IT

RESOLVED that the Town shall sponsor the Event and provide the Town Sponsorship.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Parks & Rec.

CLERK SRIVASTAVA: Item No. 61, a resolution implementing a cafeteria plan including a health flexible spending account and dependent care flexible spending account as of April 1, 2022.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 249 - 2022

A RESOLUTION IMPLEMENTING A CAFETERIA PLAN INCLUDING A HEALTH FLEXIBLE SPENDING ACCOUNT AND A DEPENDENT CARE FLEXIBLE SPENDING ACCOUNT AS OF APRIL 1, 2022.

WHEREAS, the Town previously entered into an agreement with HealthEquity, Inc. to provide a Flexible Spending Account plan and administration thereof for employees of the Town in order to permit employees to contribute, on a pre-tax basis, a portion of their monthly salaries to temporary accounts to be used for the reimbursement of healthcare expenses; and

WHEREAS, the Town would like to implement a Cafeteria Plan pursuant to §125 of the United State Internal Revenue Code, including a Health Flexible Spending Account and Dependent Care Flexible Spending Account effective as of April 1, 2022 (the "Cafeteria Plan"); and

WHEREAS, the Cafeteria Plan requires the adoption and approval of the Town of North Hempstead Flexible Benefits Plan, annexed hereto as Exhibit A and the Town of North Hempstead Summary Plan Description, annexed hereto as Exhibit B; and

WHEREAS, this Board finds it to be in the best interests of the Town to implement and adopt the Cafeteria Plan, the Town of North Hempstead Flexible Benefits Plan and the Town of North Hempstead Summary Plan Description.

NOW, THEREFORE, BE IT

RESOLVED that the Cafeteria Plan be and is hereby approved, adopted, and implemented; and be it further

RESOLVED that the Town of North Hempstead Flexible Benefits Plan and the Town of North Hempstead Summary Plan Description be and are hereby approved and adopted; and be it further

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute and deliver to the Administrator of the Cafeteria Plan one or more counterparts of the Cafeteria Plan, including Exhibits A and B.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Commissioner of Human Resources

**TOWN OF NORTH HEMPSTEAD
FLEXIBLE BENEFITS PLAN**

**AND ALL SUPPORTING FORMS HAVE BEEN PRODUCED FOR
HEALTH EQUITY INC**

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**TOWN OF NORTH HEMPSTEAD
FLEXIBLE BENEFITS PLAN**

NOTE: THIS DOCUMENT SHOULD BE REVIEWED AND APPROVED BY THE EMPLOYER'S LEGAL COUNSEL PRIOR TO BEING ADOPTED (SIGNED AND IMPLEMENTED). ANY CHANGES SUGGESTED DURING THAT REVIEW ARE THE RESPONSIBILITY OF THE EMPLOYER.

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**TOWN OF NORTH HEMPSTEAD
FLEXIBLE BENEFITS PLAN**

INTRODUCTION

The Employer has adopted this Plan effective April 1, 2022, to recognize the contribution made to the Employer by its Employees. Its purpose is to reward them by providing benefits for those Employees who shall qualify hereunder and their Dependents and beneficiaries. The concept of this Plan is to allow Employees to choose among different types of benefits based on their own particular goals, desires and needs. The Plan shall be known as Town of North Hempstead Flexible Benefits Plan (the "Plan").

The intention of the Employer is that the Plan qualify as a "Cafeteria Plan" within the meaning of Section 125 of the Internal Revenue Code of 1986, as amended, and that the benefits which an Employee elects to receive under the Plan be excludable from the Employee's income under Section 125(a) and other applicable sections of the Internal Revenue Code of 1986, as amended.

**ARTICLE I
DEFINITIONS**

1.1 **"Administrator"** means the Employer unless another person or entity has been designated by the Employer pursuant to Section 9.1 to administer the Plan on behalf of the Employer. If the Employer is the Administrator, the Employer may appoint any person, including, but not limited to, the Employees of the Employer, to perform the duties of the Administrator. Any person so appointed shall signify acceptance by filing written acceptance with the Employer. Upon the resignation or removal of any individual performing the duties of the Administrator, the Employer may designate a successor.

1.2 **"Affiliated Employer"** means the Employer and any corporation which is a member of a controlled group of corporations (as defined in Code Section 414(b)) which includes the Employer; any trade or business (whether or not incorporated) which is under common control (as defined in Code Section 414(c)) with the Employer; any organization (whether or not incorporated) which is a member of an affiliated service group (as defined in Code Section 414(m)) which includes the Employer; and any other entity required to be aggregated with the Employer pursuant to Treasury regulations under Code Section 414(o).

1.3 **"Benefit" or "Benefit Options"** means any of the optional benefit choices available to a Participant as outlined in Section 4.1.

1.4 **"Cafeteria Plan Benefit Dollars"** means the amount available to Participants to purchase Benefit Options as provided under Section 4.1. Each dollar contributed to this Plan shall be converted into one Cafeteria Plan Benefit Dollar.

1.5 **"Code"** means the Internal Revenue Code of 1986, as amended or replaced from time to time.

1.6 **"Compensation"** means the amounts received by the Participant from the Employer during a Plan Year.

1.7 **"Dependent"** means any individual who qualifies as a dependent under an Insurance Contract for purposes of coverage under that Contract only or under Code Section 152 (as modified by Code Section 105(b)).

"Dependent" shall include any Child of a Participant who is covered under an Insurance Contract, as defined in the Contract, or under the Health Flexible Spending Account or as allowed by reason of the Affordable Care Act.

For purposes of the Health Flexible Spending Account, a Participant's "Child" includes his/her natural child, stepchild, foster child, adopted child, or a child placed with the Participant for adoption. A Participant's Child will be an eligible Dependent until reaching the limiting age of 26, without regard to student status, marital status, financial dependency or residency status with the Employee or any other person. When the child reaches the applicable limiting age, coverage will end at the end of the calendar year.

The phrase "placed for adoption" refers to a child whom the Participant intends to adopt, whether or not the adoption has become final, who has not attained the age of 18 as of the date of such placement for adoption. The term "placed" means the assumption and retention by such Employee of a legal obligation for total or partial support of the child in anticipation of adoption of the child. The child must be available for adoption and the legal process must have commenced.

1.8 **"Effective Date"** means April 1, 2022.

1.9 **"Election Period"** means the period immediately preceding the beginning of each Plan Year established by the Administrator, such period to be applied on a uniform and nondiscriminatory basis for all Employees and Participants. However, an Employee's initial Election Period shall be determined pursuant to Section 5.1.

1.10 **"Eligible Employee"** means any Employee who has satisfied the provisions of Section 2.1.

An individual shall not be an "Eligible Employee" if such individual is not reported on the payroll records of the Employer as a common law employee. In particular, it is expressly intended that individuals not treated as common law employees by the Employer on its payroll records are not "Eligible Employees" and are excluded from Plan participation even if a court or administrative agency determines that such individuals are common law employees and not independent contractors.

1.11 **"Employee"** means any person who is employed by the Employer. The term Employee shall include leased employees within the meaning of Code Section 414(n)(2).

1.12 **"Employer"** means Town of North Hempstead and any successor which shall maintain this Plan; and any predecessor which has maintained this Plan. In addition, where appropriate, the term Employer shall include any Participating, Affiliated or Adopting Employer.

1.13 **"Grace Period"** means, with respect to any Plan Year, the time period ending on the fifteenth day of the third calendar month after the end of such Plan Year, during which Medical Expenses and Employment-Related Dependent Care Expenses incurred by a Participant will be deemed to have been incurred during such Plan Year.

1.14 **"Insurance Contract"** means any contract issued by an Insurer underwriting a Benefit.

1.15 **"Insurance Premium Payment Plan"** means the plan of benefits contained in Section 4.1 of this Plan, which provides for the payment of Premium Expenses.

1.16 **"Insurer"** means any insurance company that underwrites a Benefit under this Plan.

1.17 **"Key Employee"** means an Employee described in Code Section 416(i)(1) and the Treasury regulations thereunder.

1.18 **"Participant"** means any Eligible Employee who elects to become a Participant pursuant to Section 2.3 and has not for any reason become ineligible to participate further in the Plan.

1.19 **"Plan"** means this instrument, including all amendments thereto.

1.20 **"Plan Year"** means the 12-month period beginning January 1 and ending December 31, except for the short Plan Year beginning April 1, 2022 and ending on December 31, 2022. The Plan Year shall be the coverage period for the Benefits provided for under this Plan. In the event a Participant commences participation during a Plan Year, then the initial coverage period shall be that portion of the Plan Year commencing on such Participant's date of entry and ending on the last day of such Plan Year.

1.21 **"Premium Expenses"** or **"Premiums"** mean the Participant's cost for the Benefits described in Section 4.1.

1.22 **"Premium Expense Reimbursement Account"** means the account established for a Participant pursuant to this Plan to which part of his Cafeteria Plan Benefit Dollars may be allocated and from which Premiums of the Participant shall be paid or reimbursed. If more than one type of insured Benefit is elected, sub-accounts shall be established for each type of insured Benefit.

1.23 **"Salary Redirection"** means the contributions made by the Employer on behalf of Participants pursuant to Section 3.1. These contributions shall be converted to Cafeteria Plan Benefit Dollars and allocated to the funds or accounts established under the Plan pursuant to the Participants' elections made under Article V.

1.24 **"Salary Redirection Agreement"** means an agreement between the Participant and the Employer under which the Participant agrees to reduce his Compensation or to forego all or part of the increases in such Compensation and to have such amounts contributed by the Employer to the Plan on the Participant's behalf. The Salary Redirection Agreement shall apply only to Compensation that has not been actually or constructively received by the Participant as of the date of the agreement (after taking this Plan and Code Section 125 into account) and, subsequently does not become currently available to the Participant.

1.25 **"Spouse"** means spouse as determined under Federal law.

ARTICLE II PARTICIPATION

2.1 ELIGIBILITY

Any Eligible Employee shall be eligible to participate hereunder as of the date he satisfies the eligibility conditions for the Employer's group medical plan, the provisions of which are specifically incorporated herein by reference.

2.2 EFFECTIVE DATE OF PARTICIPATION

An Eligible Employee shall become a Participant effective as of the date on which he satisfies the requirements of Section 2.1.

2.3 APPLICATION TO PARTICIPATE

An Employee who is eligible to participate in this Plan shall, during the applicable Election Period, complete an application to participate in a manner set forth by the Administrator. The election shall be irrevocable until the end of the applicable Plan Year unless the Participant is entitled to change his Benefit elections pursuant to Section 5.4 hereof.

An Eligible Employee shall also be required to complete a Salary Redirection Agreement during the Election Period for the Plan Year during which he wishes to participate in this Plan. Any such Salary Redirection Agreement shall be effective for the first pay period beginning on or after the Employee's effective date of participation pursuant to Section 2.2.

Notwithstanding the foregoing, an Employee who is eligible to participate in this Plan and who is covered by the Employer's insured Benefits under this Plan shall automatically become a Participant to the extent of the Premiums for such insurance unless the Employee elects, during the Election Period, not to participate in the Plan.

2.4 TERMINATION OF PARTICIPATION

A Participant shall no longer participate in this Plan upon the occurrence of any of the following events:

- (a) **Termination of employment.** The Participant's termination of employment, subject to the provisions of Section 2.5;
- (b) **Death.** The Participant's death, subject to the provisions of Section 2.6; or
- (c) **Termination of the plan.** The termination of this Plan, subject to the provisions of Section 10.2.

2.5 TERMINATION OF EMPLOYMENT

If a Participant's employment with the Employer is terminated for any reason other than death, his participation in the Benefit Options provided under Section 4.1 shall be governed in accordance with the following:

- (a) **Insurance Benefit.** With regard to Benefits which are insured, the Participant's participation in the Plan shall cease, subject to the Participant's right to continue coverage under any Insurance Contract for which premiums have already been paid.
- (b) **Dependent Care FSA.** With regard to the Dependent Care Flexible Spending Account, the Participant's participation in the Plan shall cease and no further Salary Redirection contributions shall be made. However, such Participant may submit claims for employment related Dependent Care Expense reimbursements for claims incurred up to the date of termination and submitted within 90 days after termination, based on the level of the Participant's Dependent Care Flexible Spending Account as of the date of termination.
- (c) **COBRA applicability.** With regard to the Health Flexible Spending Account, the Participant may submit claims for expenses that were incurred during the portion of the Plan Year before the end of the period for which payments to the Health Flexible Spending Account have already been made. Thereafter, the health benefits under this Plan including the Health Flexible Spending Account shall be applied and administered consistent with such further rights a Participant and his Dependents may be entitled to pursuant to Code Section 4980B and Section 11.14 of the Plan.

2.6 DEATH

If a Participant dies, his participation in the Plan shall cease. However, such Participant's spouse or Dependents may submit claims for expenses or benefits for the remainder of the Plan Year or until the Cafeteria Plan Benefit Dollars allocated to each specific benefit are exhausted. In no event may reimbursements be paid to someone who is not a spouse or Dependent. If the Plan is subject to the provisions of Code Section 4980B, then those provisions and related regulations shall apply for purposes of the Health Flexible Spending Account.

ARTICLE III CONTRIBUTIONS TO THE PLAN

3.1 SALARY REDIRECTION

Benefits under the Plan shall be financed by Salary Redirections sufficient to support Benefits that a Participant has elected hereunder and to pay the Participant's Premium Expenses. The salary administration program of the Employer shall be revised to allow each Participant to agree to reduce his pay during a Plan Year by an amount determined necessary to purchase the elected Benefit Options. The amount of such Salary Redirection shall be specified in the Salary Redirection Agreement and shall be applicable for a Plan Year. Notwithstanding the above, for new Participants, the Salary Redirection Agreement shall only be applicable from the first day of the pay period following the Employee's entry date up to and including the last day of the Plan Year. These contributions shall be converted to Cafeteria Plan Benefit Dollars and allocated to the funds or accounts established under the Plan pursuant to the Participants' elections made under Article IV.

Any Salary Redirection shall be determined prior to the beginning of a Plan Year (subject to initial elections pursuant to Section 5.1) and prior to the end of the Election Period and shall be irrevocable for such Plan Year. However, a Participant may revoke a Benefit election or a Salary Redirection Agreement after the Plan Year has commenced and make a new election with respect to the remainder of the Plan Year, if both the revocation and the new election are on account of and consistent with a change in status and such other permitted

events as determined under Article V of the Plan and consistent with the rules and regulations of the Department of the Treasury. Salary Redirection amounts shall be contributed on a pro rata basis for each pay period during the Plan Year. All individual Salary Redirection Agreements are deemed to be part of this Plan and incorporated by reference hereunder.

3.2 APPLICATION OF CONTRIBUTIONS

As soon as reasonably practical after each payroll period, the Employer shall apply the Salary Redirection to provide the Benefits elected by the affected Participants. Any contribution made or withheld for the Health Flexible Spending Account or Dependent Care Flexible Spending Account shall be credited to such fund or account. Amounts designated for the Participant's Premium Expense Reimbursement Account shall likewise be credited to such account for the purpose of paying Premium Expenses.

3.3 PERIODIC CONTRIBUTIONS

Notwithstanding the requirement provided above and in other Articles of this Plan that Salary Redirections be contributed to the Plan by the Employer on behalf of an Employee on a level and pro rata basis for each payroll period, the Employer and Administrator may implement a procedure in which Salary Redirections are contributed throughout the Plan Year on a periodic basis that is not pro rata for each payroll period. However, with regard to the Health Flexible Spending Account, the payment schedule for the required contributions may not be based on the rate or amount of reimbursements during the Plan Year.

ARTICLE IV BENEFITS

4.1 BENEFIT OPTIONS

Each Participant may elect any one or more of the following optional Benefits:

- (1) Health Flexible Spending Account
- (2) Dependent Care Flexible Spending Account

In addition, each Participant shall have a sufficient portion of his Salary Redirections applied to the following Benefits unless the Participant elects not to receive such Benefits:

- (3) Health Insurance Benefit

4.2 HEALTH FLEXIBLE SPENDING ACCOUNT BENEFIT

Each Participant may elect to participate in the Health Flexible Spending Account option, in which case Article VI shall apply.

4.3 DEPENDENT CARE FLEXIBLE SPENDING ACCOUNT BENEFIT

Each Participant may elect to participate in the Dependent Care Flexible Spending Account option, in which case Article VII shall apply.

4.4 HEALTH INSURANCE BENEFIT

(a) **Coverage for Participant and Dependents.** Each Participant may elect to be covered under a health Insurance Contract for the Participant, his or her Spouse, and his or her Dependents.

(b) **Employer selects contracts.** The Employer may select suitable health Insurance Contracts for use in providing this health insurance benefit, which policies will provide uniform benefits for all Participants electing this Benefit.

(c) **Contract incorporated by reference.** The rights and conditions with respect to the benefits payable from such health Insurance Contract shall be determined therefrom, and such Insurance Contract shall be incorporated herein by reference.

4.5 NONDISCRIMINATION REQUIREMENTS

(a) **Intent to be nondiscriminatory.** It is the intent of this Plan to provide benefits to a classification of employees which the Secretary of the Treasury finds not to be discriminatory in favor of the group in whose favor discrimination may not occur under Code Section 125.

(b) **25% concentration test.** It is the intent of this Plan not to provide qualified benefits as defined under Code Section 125 to Key Employees in amounts that exceed 25% of the aggregate of such Benefits provided for all Eligible Employees under the Plan. For purposes of the preceding sentence, qualified benefits shall not include benefits which (without regard to this paragraph) are includible in gross income.

(c) **Adjustment to avoid test failure.** If the Administrator deems it necessary to avoid discrimination or possible taxation to Key Employees or a group of employees in whose favor discrimination may not occur in violation of Code Section 125, it may, but shall not be required to, reduce contributions or non-taxable Benefits in order to assure compliance with this Section. Any act taken by the Administrator under this Section shall be carried out in a uniform and nondiscriminatory manner. Contributions which are not utilized to provide Benefits to any Participant by virtue of any administrative act under this paragraph shall be forfeited and deposited into the benefit plan surplus.

ARTICLE V PARTICIPANT ELECTIONS

5.1 INITIAL ELECTIONS

An Employee who meets the eligibility requirements of Section 2.1 on the first day of, or during, a Plan Year may elect to participate in this Plan for all or the remainder of such Plan Year, provided he elects to do so on or before his effective date of participation pursuant to Section 2.2.

Notwithstanding the foregoing, an Employee who is eligible to participate in this Plan and who is covered by the Employer's insured benefits under this Plan shall automatically become a Participant to the extent of the Premiums for such insurance unless the Employee elects, during the Election Period, not to participate in the Plan.

5.2 SUBSEQUENT ANNUAL ELECTIONS

During the Election Period prior to each subsequent Plan Year, each Participant shall be given the opportunity to elect, on an election of benefits form to be provided by the Administrator, which spending account Benefit options he wishes to select. Any such election shall be effective for any Benefit expenses incurred during the Plan Year which follows the end of the Election Period. With regard to subsequent annual elections, the following options shall apply:

- (a) A Participant or Employee who failed to initially elect to participate may elect different or new Benefits under the Plan during the Election Period;
- (b) A Participant may terminate his participation in the Plan by notifying the Administrator in writing during the Election Period that he does not want to participate in the Plan for the next Plan Year;
- (c) An Employee who elects not to participate for the Plan Year following the Election Period will have to wait until the next Election Period before again electing to participate in the Plan, except as provided for in Section 5.4.

5.3 FAILURE TO ELECT

With regard to Benefits available under the Plan for which no Premium Expenses apply, any Participant who fails to complete a new benefit election form pursuant to Section 5.2 by the end of the applicable Election Period shall be deemed to have elected not to participate in the Plan for the upcoming Plan Year. No further Salary Redirections shall therefore be authorized or made for the subsequent Plan Year for such Benefits.

With regard to Benefits available under the Plan for which Premium Expenses apply, any Participant who fails to complete a new benefit election form pursuant to Section 5.2 by the end of the applicable Election Period shall be deemed to have made the same Benefit elections as are then in effect for the current Plan Year. The Participant shall also be deemed to have elected Salary Redirection in an amount necessary to purchase such Benefit options.

5.4 CHANGE IN STATUS

(a) **Change in status defined.** Any Participant may change a Benefit election after the Plan Year (to which such election relates) has commenced and make new elections with respect to the remainder of such Plan Year if, under the facts and circumstances, the changes are necessitated by and are consistent with a change in status which is acceptable under rules and regulations adopted by the Department of the Treasury, the provisions of which are incorporated by reference. Notwithstanding anything herein to the contrary, if the rules and regulations conflict, then such rules and regulations shall control.

In general, a change in election is not consistent if the change in status is the Participant's divorce, annulment or legal separation from a Spouse, the death of a Spouse or Dependent, or a Dependent ceasing to satisfy the eligibility requirements for coverage, and the Participant's election under the Plan is to cancel accident or health insurance coverage for any individual other than the one involved in such event. In addition, if the Participant, Spouse or Dependent gains or loses eligibility for coverage, then a Participant's election under the Plan to cease or decrease coverage for that individual under the Plan corresponds with that change in status only if coverage for that individual becomes applicable or is increased under the family member plan.

Regardless of the consistency requirement, if the individual, the individual's Spouse, or Dependent becomes eligible for continuation coverage under the Employer's group health plan as provided in Code Section 4980B or any similar state law, then the individual may elect to increase payments under this Plan in order to pay for the continuation coverage. However, this does not apply for COBRA eligibility due to divorce, annulment or legal separation.

Any new election shall be effective at such time as the Administrator shall prescribe, but not earlier than the first pay period beginning after the election form is completed and returned to the Administrator. For the purposes of this subsection, a change in status shall only include the following events or other events permitted by Treasury regulations:

- (1) **Legal Marital Status:** events that change a Participant's legal marital status, including marriage, divorce, death of a Spouse, legal separation or annulment;
- (2) **Number of Dependents:** Events that change a Participant's number of Dependents, including birth, adoption, placement for adoption, or death of a Dependent;
- (3) **Employment Status:** Any of the following events that change the employment status of the Participant, Spouse, or Dependent: termination or commencement of employment, a strike or lockout, commencement or return from an unpaid leave of absence, or a change in worksite. In addition, if the eligibility conditions of this Plan or other employee benefit plan of the Employer of the Participant, Spouse, or Dependent depend on the employment status of that individual and there is a change in that individual's employment status with the consequence that the individual becomes (or ceases to be) eligible under the plan, then that change constitutes a change in employment under this subsection;
- (4) **Dependent satisfies or ceases to satisfy the eligibility requirements:** An event that causes the Participant's Dependent to satisfy or cease to satisfy the requirements for coverage due to attainment of age, student status, or any similar circumstance; and
- (5) **Residency:** A change in the place of residence of the Participant, Spouse or Dependent, that would lead to a change in status (such as a loss of HMO coverage).

For the Dependent Care Flexible Spending Account, a Dependent becoming or ceasing to be a "Qualifying Dependent" as defined under Code Section 21(b) shall also qualify as a change in status.

Notwithstanding anything in this Section to the contrary, the gain of eligibility or change in eligibility of a child, as allowed under Code Sections 105(b) and 106, and guidance thereunder, shall qualify as a change in status.

(b) **Special enrollment rights.** Notwithstanding subsection (a), the Participants may change an election for group health coverage during a Plan Year and make a new election that corresponds with the special enrollment rights provided in Code Section 9801(f), including those authorized under the provisions of the Children's Health Insurance Program Reauthorization Act of 2009 (SCHIP); provided that such Participant meets the sixty (60) day notice requirement imposed by Code Section 9801(f) (or such longer period as may be permitted by the Plan and communicated to Participants). Such change shall take place on a prospective basis, unless otherwise required by Code Section 9801(f) to be retroactive.

(c) **Qualified Medical Support Order.** Notwithstanding subsection (a), in the event of a judgment, decree, or order (including approval of a property settlement) ("order") resulting from a divorce, legal separation, annulment, or change in legal custody which requires accident or health coverage for a Participant's child (including a foster child who is a Dependent of the Participant):

- (1) The Plan may change an election to provide coverage for the child if the order requires coverage under the Participant's plan; or
- (2) The Participant shall be permitted to change an election to cancel coverage for the child if the order requires the former Spouse to provide coverage for such child, under that individual's plan and such coverage is actually provided.

(d) **Medicare or Medicaid.** Notwithstanding subsection (a), a Participant may change elections to cancel or reduce accident or health coverage for the Participant or the Participant's Spouse or Dependent if the Participant or the Participant's Spouse or Dependent is enrolled in the accident or health coverage of the Employer and becomes entitled to coverage (i.e., enrolled) under Part A or Part B of the Title XVIII of the Social Security Act (Medicare) or Title XIX of the Social Security Act (Medicaid), other than coverage consisting solely of benefits under Section 1928 of the Social Security Act (the program for distribution of pediatric vaccines). If the Participant or the Participant's Spouse or Dependent who has been entitled to Medicaid or Medicare coverage loses eligibility, that individual may prospectively elect coverage under the Plan if a benefit package option under the Plan provides similar coverage.

(e) **Cost increase or decrease.** If the cost of a Benefit provided under the Plan increases or decreases during a Plan Year, then the Plan shall automatically increase or decrease, as the case may be, the Salary Redirections of all affected Participants for such Benefit. Alternatively, if the cost of a benefit package option increases significantly, the Administrator shall permit the affected Participants to either make corresponding changes in their payments or revoke their elections and, in lieu thereof, receive on a prospective basis coverage under another benefit package option with similar coverage, or drop coverage prospectively if there is no benefit package option with similar coverage.

A cost increase or decrease refers to an increase or decrease in the amount of elective contributions under the Plan, whether resulting from an action taken by the Participants or an action taken by the Employer.

(f) **Loss of coverage.** If the coverage under a Benefit is significantly curtailed or ceases during a Plan Year, affected Participants may revoke their elections of such Benefit and, in lieu thereof, elect to receive on a prospective basis coverage under another plan with similar coverage, or drop coverage prospectively if no similar coverage is offered.

(g) **Addition of a new benefit.** If, during the period of coverage, a new benefit package option or other coverage option is added, an existing benefit package option is significantly improved, or an existing benefit package option or other coverage option is eliminated, then the affected Participants may elect the newly-added option, or elect another option if an option has been eliminated prospectively and make corresponding election changes with respect to other benefit package options providing similar coverage. In addition, those Eligible Employees who are not participating in the Plan may opt to become Participants and elect the new or newly improved benefit package option.

(h) **Loss of coverage under certain other plans.** A Participant may make a prospective election change to add group health coverage for the Participant, the Participant's Spouse or Dependent if such individual loses group health coverage sponsored by a governmental or educational institution, including a state children's health insurance program under the Social Security Act, the Indian Health Service or a health program offered by an Indian tribal government, a state health benefits risk pool, or a foreign government group health plan.

(i) **Change of coverage due to change under certain other plans.** A Participant may make a prospective election change that is on account of and corresponds with a change made under the plan of a Spouse's, former Spouse's or Dependent's employer if (1) the cafeteria plan or other benefits plan of the Spouse's, former Spouse's or Dependent's employer permits its participants to make a change; or (2) the cafeteria plan permits participants to make an election for a period of coverage that is different from the period of coverage under the cafeteria plan of a Spouse's, former Spouse's or Dependent's employer.

(j) **Change in dependent care provider.** A Participant may make a prospective election change that is on account of and corresponds with a change by the Participant in the dependent care provider. The availability of dependent care services from a new childcare provider is similar to a new benefit package option becoming available. A cost change is allowable in the Dependent Care Flexible Spending Account only if the cost change is imposed by a dependent care provider who is not related to the Participant, as defined in Code Section 152(a)(1) through (8).

(k) **Health FSA cannot change due to insurance change.** A Participant shall not be permitted to change an election to the Health Flexible Spending Account as a result of a cost or coverage change under any health insurance benefits.

(l) **Changes due to reduction in hours or enrollment in an Exchange Plan.** A Participant may prospectively revoke coverage under the group health plan (that is not a health Flexible Spending Account) which provides minimum essential coverage (as defined in Code §5000A(f)(1)) provided the following conditions are met:

Conditions for revocation due to reduction in hours of service:

(1) The Participant has been reasonably expected to average at least 30 hours of service per week and there is a change in that Participant's status so that the Participant will reasonably be expected to average less than 30 hours of service per week after the change, even if that reduction does not result in the Participant ceasing to be eligible under the group health plan; and

(2) The revocation of coverage under the group health plan corresponds to the intended enrollment of the Participant, and any related individuals who cease coverage due to the revocation, in another plan that provides minimum essential coverage with the new coverage effective no later than the first day of the second month following the month that includes the date the original coverage is revoked.

The Administrator may rely on the reasonable representation of the Participant who is reasonably expected to have an average of less than 30 hours of service per week for future periods that the Participant and related individuals have enrolled or intend to enroll in another plan that provides minimum essential coverage for new coverage that is effective no later than the first day of the second month following the month that includes the date the original coverage is revoked.

Conditions for revocation due to enrollment in a Qualified Health Plan:

(1) The Participant is eligible for a Special Enrollment Period to enroll in a Qualified Health Plan through a Marketplace (federal or state exchange) pursuant to guidance issued by the Department of Health and Human Services and any other applicable guidance, or the Participant seeks to enroll in a Qualified Health Plan through a Marketplace during the Marketplace's annual open enrollment period; and

(2) The revocation of the election of coverage under the group health plan corresponds to the intended enrollment of the Participant and any related individuals who cease coverage due to the revocation in a Qualified Health Plan through a Marketplace for new coverage that is effective beginning no later than the day immediately following the last day of the original coverage that is revoked.

The Administrator may rely on the reasonable representation of a Participant who has an enrollment opportunity for a Qualified Health Plan through a Marketplace that the Participant and related individuals have enrolled or intend to enroll in a Qualified Health Plan for new coverage that is effective beginning no later than the day immediately following the last day of the original coverage that is revoked.

ARTICLE VI HEALTH FLEXIBLE SPENDING ACCOUNT

6.1 ESTABLISHMENT OF PLAN

This Health Flexible Spending Account is intended to qualify as a medical reimbursement plan under Code Section 105 and shall be interpreted in a manner consistent with such Code Section and the Treasury regulations thereunder. Participants who elect to participate in this Health Flexible Spending Account may submit claims for the reimbursement of Medical Expenses. All amounts reimbursed shall be periodically paid from amounts allocated to the Health Flexible Spending Account. Periodic payments reimbursing Participants from the Health Flexible Spending Account shall in no event occur less frequently than monthly.

6.2 DEFINITIONS

For the purposes of this Article and the Cafeteria Plan, the terms below have the following meaning:

(a) **"Health Flexible Spending Account"** means the account established for Participants pursuant to this Plan to which part of their Cafeteria Plan Benefit Dollars may be allocated and from which all allowable Medical Expenses incurred by a Participant, his or her Spouse and his or her Dependents may be reimbursed.

(b) **"Highly Compensated Participant"** means, for the purposes of this Article and determining discrimination under Code Section 105(h), a participant who is:

- (1) one of the 5 highest paid officers;
- (2) a shareholder who owns (or is considered to own applying the rules of Code Section 318) more than 10 percent in value of the stock of the Employer; or
- (3) among the highest paid 25 percent of all Employees (other than exclusions permitted by Code Section 105(h)(3)(B) for those individuals who are not Participants).

(c) **"Medical Expenses"** means any expense for medical care within the meaning of the term "medical care" as defined in Code Section 213(d) and the rulings and Treasury regulations thereunder, and not otherwise used by the Participant as a deduction in determining his tax liability under the Code. "Medical Expenses" can be incurred by the Participant, his or her Spouse and his or her Dependents. "Incurred" means, with regard to Medical Expenses, when the Participant is provided with the medical care that gives rise to the Medical Expense and not when the Participant is formally billed or charged for, or pays for, the medical care.

A Participant may not be reimbursed for the cost of other health coverage such as premiums paid under plans maintained by the employer of the Participant's Spouse or individual policies maintained by the Participant or his Spouse or Dependent.

A Participant may not be reimbursed for "qualified long-term care services" as defined in Code Section 7702B(c).

(d) The definitions of Article I are hereby incorporated by reference to the extent necessary to interpret and apply the provisions of this Health Flexible Spending Account.

6.3 FORFEITURES

The amount in the Health Flexible Spending Account as of the end of any Plan Year (and after the processing of all claims for such Plan Year pursuant to Section 6.7 hereof) shall be forfeited and credited to the benefit plan surplus. In such event, the Participant shall have no further claim to such amount for any reason, subject to Section 8.2.

6.4 LIMITATION ON ALLOCATIONS

(a) Notwithstanding any provision contained in this Health Flexible Spending Account to the contrary, the maximum amount of salary reductions that may be allocated to the Health Flexible Spending Account by a Participant in or on account of any Plan Year is the statutory amount under Code Section 125(i)(2), as adjusted for increases in the cost of living. The cost of living adjustment in effect for a calendar year applies to any Plan Year beginning with or within such calendar year. The dollar increase in effect on January 1 of any calendar year shall be effective for the Plan Year beginning with or within such calendar year. For any short Plan Year, the limit shall be an amount equal to the limit for the calendar year in which the Plan Year begins multiplied by the ratio obtained by dividing the number of full months in the short Plan Year by twelve (12).

(b) The minimum amount that may be allocated to the Health Flexible Spending Account by a Participant in or on account of any Plan Year is \$500. For any short Plan Year, the maximum amount that may be allocated to the Health Flexible Spending Account is \$2,137.50.

(c) **Participation in Other Plans.** All employers that are treated as a single employer under Code Sections 414(b), (c), or (m), relating to controlled groups and affiliated service groups, are treated as a single employer for purposes of the statutory limit. If a Participant participates in multiple cafeteria plans offering health flexible spending accounts maintained by members of a controlled group or affiliated service group, the Participant's total Health Flexible Spending Account contributions under all of the cafeteria plans are limited to the statutory limit (as adjusted). However, a Participant employed by two or more employers that are not members of the same controlled group may elect up to the statutory limit (as adjusted) under each Employer's Health Flexible Spending Account.

(d) **Grace Period.** Payment of expenses from a previous year in the first months of the next Plan Year, the limit above applies to the Plan Year including the Grace Period. Amounts carried into the next Plan Year as part of the Grace Period shall not affect the limit for that next Plan Year.

6.5 NONDISCRIMINATION REQUIREMENTS

(a) **Intent to be nondiscriminatory.** It is the intent of this Health Flexible Spending Account not to discriminate in violation of the Code and the Treasury regulations thereunder.

(b) **Adjustment to avoid test failure.** If the Administrator deems it necessary to avoid discrimination under this Health Flexible Spending Account, it may, but shall not be required to, reject any elections or reduce contributions or Benefits in order to assure compliance with this Section. Any act taken by the Administrator under this Section shall be carried out in a uniform and nondiscriminatory manner. Contributions which are not utilized to provide Benefits to any Participant by virtue of any administrative act under this paragraph shall be forfeited and credited to the benefit plan surplus.

6.6 COORDINATION WITH CAFETERIA PLAN

All Participants under the Cafeteria Plan are eligible to receive Benefits under this Health Flexible Spending Account. The enrollment under the Cafeteria Plan shall constitute enrollment under this Health Flexible Spending Account. In addition, other matters concerning contributions, elections and the like shall be governed by the general provisions of the Cafeteria Plan.

6.7 HEALTH FLEXIBLE SPENDING ACCOUNT CLAIMS

(a) **Expenses must be incurred during Plan Year.** All Medical Expenses incurred by a Participant, his or her Spouse and his or her Dependents during the Plan Year including the Grace Period shall be reimbursed during the Plan Year subject to Section 2.5, even though the submission of such a claim occurs after his participation hereunder ceases; but provided that the Medical Expenses were incurred during the applicable Plan Year. Medical Expenses are treated as having been incurred when the Participant is provided with the medical care that gives rise to the medical expenses, not when the Participant is formally billed or charged for, or pays for the medical care.

(b) **Reimbursement available throughout Plan Year.** The Administrator shall direct the reimbursement to each eligible Participant for all allowable Medical Expenses, up to a maximum of the amount designated by the Participant for the Health Flexible Spending Account for the Plan Year. Reimbursements shall be made available to the Participant throughout the year without regard to the level of Cafeteria Plan Benefit Dollars which have been allocated to the fund at any given point in time. Furthermore, a Participant shall be entitled to reimbursements only for amounts in excess of any payments or other reimbursements under any health care plan covering the Participant and/or his Spouse or Dependents.

(c) **Payments.** Reimbursement payments under this Plan shall be made directly to the Participant. However, in the Administrator's discretion, payments may be made directly to the service provider. The application for payment or reimbursement shall be made to the Administrator on an acceptable form within a reasonable time of incurring the debt or paying for the service. The application shall include a written statement from an independent third party stating that the Medical Expense has been incurred and the amount of such expense. Furthermore, the Participant shall provide a written statement that the Medical Expense has not been reimbursed or is not reimbursable under any other health plan coverage and, if reimbursed from the Health Flexible Spending Account, such amount will not be claimed as a tax deduction. The Administrator shall retain a file of all such applications.

(d) **Grace Period.** Notwithstanding anything in this Section to the contrary, Medical Expenses incurred during the Grace Period, up to the remaining account balance, shall also be deemed to have been incurred during the Plan Year to which the Grace Period relates.

(e) **Claims for reimbursement.** Claims for the reimbursement of Medical Expenses incurred in any Plan Year shall be paid as soon after a claim has been filed as is administratively practicable; provided however, that if a Participant fails to submit a claim no later than the end of the month following 90 days after the end of the Plan Year, those Medical Expense claims shall not be considered for reimbursement by the Administrator. However, if a Participant terminates employment during the Plan Year, claims for the reimbursement of Medical Expenses must be submitted within 7 days after termination of employment.

6.8 DEBIT AND CREDIT CARDS

Participants may, subject to a procedure established by the Administrator and applied in a uniform nondiscriminatory manner, use debit and/or credit (stored value) cards ("cards") provided by the Administrator and the Plan for payment of Medical Expenses, subject to the following terms:

- (a) **Card only for medical expenses.** Each Participant issued a card shall certify that such card shall only be used for Medical Expenses. The Participant shall also certify that any Medical Expense paid with the card has not already been reimbursed by any other plan covering health benefits and that the Participant will not seek reimbursement from any other plan covering health benefits.
- (b) **Card issuance.** Such card shall be issued upon the Participant's Effective Date of Participation and reissued for each Plan Year the Participant remains a Participant in the Health Flexible Spending Account. Such card shall be automatically cancelled upon the Participant's death or termination of employment, or if such Participant has a change in status that results in the Participant's withdrawal from the Health Flexible Spending Account.
- (c) **Maximum dollar amount available.** The dollar amount of coverage available on the card shall be the amount elected by the Participant for the Plan Year. The maximum dollar amount of coverage available shall be the maximum amount for the Plan Year as set forth in Section 6.4.
- (d) **Only available for use with certain service providers.** The cards shall only be accepted by such merchants and service providers as have been approved by the Administrator following IRS guidelines.
- (e) **Card use.** The cards shall only be used for Medical Expense purchases at these providers, including, but not limited to, the following:
 - (1) Co-payments for doctor and other medical care;
 - (2) Purchase of drugs prescribed by a health care provider, including, if permitted by the Administrator, over-the-counter medications and menstrual care products as allowed under IRS regulations;
 - (3) Purchase of medical items such as eyeglasses, syringes, crutches, etc.
- (f) **Substantiation.** Such purchases by the cards shall be subject to substantiation by the Administrator, usually by submission of a receipt from a service provider describing the service, the date and the amount. The Administrator shall also follow the requirements set forth in Revenue Ruling 2003-43 and Notice 2006-69. All charges shall be conditional pending confirmation and substantiation.
- (g) **Correction methods.** If such purchase is later determined by the Administrator to not qualify as a Medical Expense, the Administrator, in its discretion, shall use one of the following correction methods to make the Plan whole. Until the amount is repaid, the Administrator shall take further action to ensure that further violations of the terms of the card do not occur, up to and including denial of access to the card.
 - (1) Repayment of the improper amount by the Participant;
 - (2) Withholding the improper payment from the Participant's wages or other compensation to the extent consistent with applicable federal or state law;
 - (3) Claims substitution or offset of future claims until the amount is repaid; and
 - (4) if subsections (1) through (3) fail to recover the amount, consistent with the Employer's business practices, the Employer may treat the amount as any other business indebtedness.

6.9 QUALIFIED RESERVIST DISTRIBUTIONS

- (a) **Qualified Reservist Distribution.** A Participant may request a Qualified Reservist Distribution, provided the following provisions are satisfied. "Qualified Reservist Distribution" means any distribution to a Participant of all or a portion of the balance in the Participant's Health Flexible Spending Account if:
 - (1) Such Participant was an individual who was (by reason of being a member of a reserve component (as defined in Section 101 of Title 37, United States Code)) ordered or called to active duty for a period of 180 days or more or for an indefinite period.
 - (2) A Participant may have been called prior to June 18, 2008, provided the individual's active duty continues after June 18, 2008 and the period of duty complies with subsection (a).

(3) The distribution is made during the period beginning on the date of the order or call that applies to the Participant and ending on the last day of the Plan Year (or Grace Period) which includes the date of such order or call.

(4) The Qualified Reservist Distribution option is offered to all Participants who qualify under this Article.

(5) Qualified Reservist Distributions may only be made if the Participant is ordered or called to active duty, not the Participant's spouse or dependents.

(6) Under Section 101 of the Title 37 of the United States Code, "reserve component" means: (1) the Army National Guard, (2) the Army Reserve, (3) the Navy Reserve, (4) the Marine Corps Reserve, (5) the Air National Guard, (6) the Air Force Reserve, (7) the Coast Guard Reserve, or (8) the Reserve Corps of the Public Health Service.

(b) **Conditions:** The following conditions apply:

(1) The Employer must receive a copy of the order or call to active duty and may rely on the order or call to determine the period that the Participant has been ordered or called to duty.

(2) Eligibility for a Qualified Reservist Distribution is not affected if the order or call is for 180 days or more or is indefinite, but the actual period of active duty is less than 180 days or is changed otherwise from the order or call.

(3) If the original order is less than 180 days, then no Qualified Reservist Distribution is allowed. However, if subsequent calls or orders increase the total days of active duty to 180 or more, then a Qualified Reservist Distribution will be allowed.

(c) **Amount:** The amount a Participant may be reimbursed from the Health Flexible Spending Account is the amount contributed by the Participant to the Health Flexible Spending Account as of the date of the distribution request, less any reimbursements received as of the date of the distribution request.

(d) **Procedure.** The Employer must specify a process for requesting the distribution. The Employer may limit the number of distributions processed for a Participant to 2 per Plan Year. The distribution request must be made on or after the call or order and before the last day of the Grace Period. The QRD shall be paid within a reasonable time but in no event more than 60 days after the date of the request.

(e) **Claims.** Claims incurred prior to the date of the request of the distribution shall be paid as any other claim. Claims incurred after the date of the distribution shall be paid on submission as any other claim.

ARTICLE VII DEPENDENT CARE FLEXIBLE SPENDING ACCOUNT

7.1 ESTABLISHMENT OF ACCOUNT

This Dependent Care Flexible Spending Account is intended to qualify as a program under Code Section 129 and shall be interpreted in a manner consistent with such Code Section. Participants who elect to participate in this program may submit claims for the reimbursement of Employment-Related Dependent Care Expenses. All amounts reimbursed shall be paid from amounts allocated to the Participant's Dependent Care Flexible Spending Account.

7.2 DEFINITIONS

For the purposes of this Article and the Cafeteria Plan the terms below shall have the following meaning:

(a) **"Dependent Care Flexible Spending Account"** means the account established for a Participant pursuant to this Article to which part of his Cafeteria Plan Benefit Dollars may be allocated and from which Employment-Related Dependent Care Expenses of the Participant may be reimbursed for the care of the Qualifying Dependents of Participants.

(b) **"Earned Income"** means earned income as defined under Code Section 32(c)(2), but excluding such amounts paid or incurred by the Employer for dependent care assistance to the Participant.

(c) **"Employment-Related Dependent Care Expenses"** means the amounts paid for expenses of a Participant for those services which if paid by the Participant would be considered employment related expenses under Code Section 21(b)(2). Generally, they shall include expenses for household services and for the care of a Qualifying Dependent, to the extent that such expenses are incurred to enable the Participant to be gainfully employed for any period for which there are one or more Qualifying Dependents with respect to such Participant. Employment-Related Dependent Care Expenses are treated as having been incurred when the Participant's Qualifying Dependents are provided with the dependent care that gives rise to the Employment-Related Dependent Care Expenses, not when the Participant is formally billed or charged for, or pays for the dependent care. The determination of whether an amount qualifies as an Employment-Related Dependent Care Expense shall be made subject to the following rules:

(1) If such amounts are paid for expenses incurred outside the Participant's household, they shall constitute Employment-Related Dependent Care Expenses only if incurred for a Qualifying Dependent as defined in Section 7.2(d)(1) (or deemed to be, as described in Section 7.2(d)(1) pursuant to Section 7.2(d)(3)), or for a Qualifying Dependent as defined in Section 7.2(d)(2) (or deemed to be, as described in Section 7.2(d)(2) pursuant to Section 7.2(d)(3)) who regularly spends at least 8 hours per day in the Participant's household;

(2) If the expense is incurred outside the Participant's home at a facility that provides care for a fee, payment, or grant for more than 6 individuals who do not regularly reside at the facility, the facility must comply with all applicable state and local laws and regulations, including licensing requirements, if any; and

(3) Employment-Related Dependent Care Expenses of a Participant shall not include amounts paid or incurred to a child of such Participant who is under the age of 19 or to an individual who is a Dependent of such Participant or such Participant's Spouse.

(d) **"Qualifying Dependent"** means, for Dependent Care Flexible Spending Account purposes,

(1) a Participant's Dependent (as defined in Code Section 152(a)(1)) who has not attained age 13;

(2) a Dependent or the Spouse of a Participant who is physically or mentally incapable of caring for himself or herself and has the same principal place of abode as the Participant for more than one-half of such taxable year; or

(3) a child that is deemed to be a Qualifying Dependent described in paragraph (1) or (2) above, whichever is appropriate, pursuant to Code Section 21(e)(5).

(e) The definitions of Article I are hereby incorporated by reference to the extent necessary to interpret and apply the provisions of this Dependent Care Flexible Spending Account.

7.3 DEPENDENT CARE FLEXIBLE SPENDING ACCOUNTS

The Administrator shall establish a Dependent Care Flexible Spending Account for each Participant who elects to apply Cafeteria Plan Benefit Dollars to Dependent Care Flexible Spending Account benefits.

7.4 INCREASES IN DEPENDENT CARE FLEXIBLE SPENDING ACCOUNTS

A Participant's Dependent Care Flexible Spending Account shall be increased each pay period by the portion of Cafeteria Plan Benefit Dollars that he has elected to apply toward his Dependent Care Flexible Spending Account pursuant to elections made under Article V hereof.

7.5 DECREASES IN DEPENDENT CARE FLEXIBLE SPENDING ACCOUNTS

A Participant's Dependent Care Flexible Spending Account shall be reduced by the amount of any Employment-Related Dependent Care Expense reimbursements paid or incurred on behalf of a Participant pursuant to Section 7.12 hereof.

7.6 ALLOWABLE DEPENDENT CARE REIMBURSEMENT

Subject to limitations contained in Section 7.9 of this Program, and to the extent of the amount contained in the Participant's Dependent Care Flexible Spending Account, a Participant who incurs Employment-Related Dependent Care Expenses shall be entitled to receive from the Employer full reimbursement for the entire amount of such expenses incurred during the Plan Year or portion thereof during which he is a Participant.

7.7 ANNUAL STATEMENT OF BENEFITS

On or before January 31st of each calendar year, the Employer shall furnish to each Employee who was a Participant and received benefits under Section 7.6 during the prior calendar year, a statement of all such benefits paid to or on behalf of such Participant during the prior calendar year. This statement is set forth on the Participant's Form W-2.

7.8 FORFEITURES

The amount in a Participant's Dependent Care Flexible Spending Account as of the end of any Plan Year (and after the processing of all claims for such Plan Year pursuant to Section 7.12 hereof) shall be forfeited and credited to the benefit plan surplus. In such event, the Participant shall have no further claim to such amount for any reason.

7.9 LIMITATION ON PAYMENTS

(a) **Plan limits.** Notwithstanding any provision contained in this Dependent Care Flexible Spending Account to the contrary, the following limits apply in addition to the Code limits. The minimum amount that may be allocated to the Dependent Care Flexible Spending Account by a Participant in or on account of any Plan Year is \$500.

(b) **Code limits.** Notwithstanding any provision contained in this Article to the contrary, amounts paid from a Participant's Dependent Care Flexible Spending Account in or on account of any taxable year of the Participant shall not exceed the lesser of the Earned Income limitation described in Code Section 129(b) or \$5,000 (\$2,500 if a separate tax return is filed by a Participant who is married as determined under the rules of paragraphs (3) and (4) of Code Section 21(e)).

7.10 NONDISCRIMINATION REQUIREMENTS

(a) **Intent to be nondiscriminatory.** It is the intent of this Dependent Care Flexible Spending Account that contributions or benefits not discriminate in favor of the group of employees in whose favor discrimination may not occur under Code Section 129(d).

(b) **25% test for shareholders.** It is the intent of this Dependent Care Flexible Spending Account that not more than 25 percent of the amounts paid by the Employer for dependent care assistance during the Plan Year will be provided for the class of individuals who are shareholders or owners (or their Spouses or Dependents), each of whom (on any day of the Plan Year) owns more than 5 percent of the stock or of the capital or profits interest in the Employer.

(c) **Adjustment to avoid test failure.** If the Administrator deems it necessary to avoid discrimination or possible taxation to a group of employees in whose favor discrimination may not occur in violation of Code Section 129 it may, but shall not be required to, reject any elections or reduce contributions or non-taxable benefits in order to assure compliance with this Section. Any act taken by the Administrator under this Section shall be carried out in a uniform and nondiscriminatory manner. Contributions which are not utilized to provide Benefits to any Participant by virtue of any administrative act under this paragraph shall be forfeited.

7.11 COORDINATION WITH CAFETERIA PLAN

All Participants under the Cafeteria Plan are eligible to receive Benefits under this Dependent Care Flexible Spending Account. The enrollment and termination of participation under the Cafeteria Plan shall constitute enrollment and termination of participation under this Dependent Care Flexible Spending Account. In addition, other matters concerning contributions, elections and the like shall be governed by the general provisions of the Cafeteria Plan.

7.12 DEPENDENT CARE FLEXIBLE SPENDING ACCOUNT CLAIMS

The Administrator shall direct the payment of all such Dependent Care claims to the Participant upon the presentation to the Administrator of documentation of such expenses in a form satisfactory to the Administrator. However, in the Administrator's discretion, payments may be made directly to the service provider. In its discretion in administering the Plan, the Administrator may utilize forms and require documentation of costs as may be necessary to verify the claims submitted. At a minimum, the form shall include a statement from an independent third party as proof that the expense has been incurred during the Plan Year including the Grace Period and the amount of such expense. In addition, the Administrator may require that each Participant who desires to receive reimbursement under this Program for Employment-Related Dependent Care Expenses submit a statement which may contain some or all of the following information:

- (a) The Dependent or Dependents for whom the services were performed;
- (b) The nature of the services performed for the Participant, the cost of which he wishes reimbursement;
- (c) The relationship, if any, of the person performing the services to the Participant;
- (d) If the services are being performed by a child of the Participant, the age of the child;
- (e) A statement as to where the services were performed;
- (f) If any of the services were performed outside the home, a statement as to whether the Dependent for whom such services were performed spends at least 8 hours a day in the Participant's household;
- (g) If the services were being performed in a day care center, a statement:
 - (1) that the day care center complies with all applicable laws and regulations of the state of residence,

- (2) that the day care center provides care for more than 6 individuals (other than individuals residing at the center), and
- (3) of the amount of fee paid to the provider.
- (h) If the Participant is married, a statement containing the following:
 - (1) the Spouse's salary or wages if he or she is employed, or
 - (2) if the Participant's Spouse is not employed, that
 - (i) he or she is incapacitated, or
 - (ii) he or she is a full-time student attending an educational institution and the months during the year which he or she attended such institution.

(i) **Grace Period.** Notwithstanding anything in this Section to the contrary, Employment-Related Dependent Care Expenses incurred during the Grace Period, up to the remaining account balance, shall also be deemed to have been incurred during the Plan Year to which the Grace Period relates.

(j) **Claims for reimbursement.** If a Participant fails to submit a claim no later than the end of the month following 90 days after the end of the Plan Year, those claims shall not be considered for reimbursement by the Administrator. However, if a Participant terminates employment during the Plan Year, claims for reimbursement must be submitted within 90 days after termination of employment.

ARTICLE VIII BENEFITS AND RIGHTS

8.1 CLAIM FOR BENEFITS

(a) **Insurance claims.** Any claim for Benefits underwritten by Insurance Contract(s) shall be made to the Insurer. If the Insurer denies any claim, the Participant or beneficiary shall follow the Insurer's claims review procedure.

(b) **Dependent Care Flexible Spending Account or Health Flexible Spending Account claims.** Any claim for Dependent Care Flexible Spending Account or Health Flexible Spending Account Benefits shall be made to the Administrator. For the Health Flexible Spending Account, if a Participant fails to submit a claim no later than the end of the month following 90 days after the end of the Plan Year, those claims shall not be considered for reimbursement by the Administrator. However, if a Participant terminates employment during the Plan Year, claims for the reimbursement of Medical Expenses must be submitted within 7 days after termination of employment. For the Dependent Care Flexible Spending Account, if a Participant fails to submit a claim no later than the end of the month following 90 days after the end of the Plan Year, those claims shall not be considered for reimbursement by the Administrator. However, if a Participant terminates employment during the Plan Year, claims for reimbursement must be submitted within 90 days after termination of employment. If the Administrator denies a claim, the Administrator may provide notice to the Participant or beneficiary, in writing, within 90 days after the claim is filed unless special circumstances require an extension of time for processing the claim. The notice of a denial of a claim shall be written in a manner calculated to be understood by the claimant and shall set forth:

- (1) specific references to the pertinent Plan provisions on which the denial is based;
 - (2) a description of any additional material or information necessary for the claimant to perfect the claim and an explanation as to why such information is necessary; and
 - (3) an explanation of the Plan's claim procedure.
- (c) **Appeal.** Within 60 days after receipt of the above material, the claimant shall have a reasonable opportunity to appeal the claim denial to the Administrator for a full and fair review. The claimant or his duly authorized representative may:
- (1) request a review upon written notice to the Administrator;
 - (2) review pertinent documents; and
 - (3) submit issues and comments in writing.

(d) **Review of appeal.** A decision on the review by the Administrator will be made not later than 60 days after receipt of a request for review, unless special circumstances require an extension of time for processing (such as the need to hold a hearing), in which event a decision should be rendered as soon as possible, but in no event later than 120 days after such receipt. The decision of the Administrator shall be written and shall include specific reasons for the decision, written in a manner

calculated to be understood by the claimant, with specific references to the pertinent Plan provisions on which the decision is based.

(f) **Forfeitures.** Any balance remaining in the Participant's Health Flexible Spending Account or Dependent Care Flexible Spending Account as of the end of the time for claims reimbursement for each Plan Year and Grace Period (if applicable) shall be forfeited and deposited in the benefit plan surplus of the Employer pursuant to Section 6.3 or Section 7.8, whichever is applicable, unless the Participant had made a claim for such Plan Year, in writing, which has been denied or is pending; in which event the amount of the claim shall be held in his account until the claim appeal procedures set forth above have been satisfied or the claim is paid. If any such claim is denied on appeal, the amount held beyond the end of the Plan Year shall be forfeited and credited to the benefit plan surplus. If the Plan Administrator is unable to make payment to any Participant or other person to whom a payment is due under the Plan because it cannot ascertain the identity or whereabouts of such Participant or other person after reasonable efforts have been made to identify or locate such person, then such payment and all subsequent payments otherwise due to such Participant or other person shall be forfeited and returned to the Employer following a reasonable time after the date any such payment first became due.

8.2 APPLICATION OF BENEFIT PLAN SURPLUS

Any forfeited amounts credited to the benefit plan surplus by virtue of the failure of a Participant to incur a qualified expense or seek reimbursement in a timely manner may, but need not be, separately accounted for after the close of the Plan Year (or after such further time specified herein for the filing of claims) in which such forfeitures arose. In no event shall such amounts be carried over to reimburse a Participant for expenses incurred during a subsequent Plan Year for the same or any other Benefit available under the Plan; nor shall amounts forfeited by a particular Participant be made available to such Participant in any other form or manner, except as permitted by Treasury regulations. Amounts in the benefit plan surplus shall be used to defray any administrative costs and experience losses or used to provide additional benefits under the Plan.

ARTICLE IX ADMINISTRATION

9.1 PLAN ADMINISTRATION

The Employer shall be the Administrator, unless the Employer elects otherwise. The Employer may appoint any person, including, but not limited to, the Employees of the Employer, to perform the duties of the Administrator. Any person so appointed shall signify acceptance by filing acceptance in writing (or such other form as acceptable to both parties) with the Employer. Upon the resignation or removal of any individual performing the duties of the Administrator, the Employer may designate a successor.

If the Employer elects, the Employer shall appoint one or more Administrators. Any person, including, but not limited to, the Employees of the Employer, shall be eligible to serve as an Administrator. Any person so appointed shall signify acceptance by filing acceptance in writing (or such other form as acceptable to both parties) with the Employer. An Administrator may resign by delivering a resignation in writing (or such other form as acceptable to both parties) to the Employer or be removed by the Employer by delivery of notice of removal (in writing or such other form as acceptable to both parties), to take effect at a date specified therein, or upon delivery to the Administrator if no date is specified. The Employer shall be empowered to appoint and remove the Administrator from time to time as it deems necessary for the proper administration of the Plan to ensure that the Plan is being operated for the exclusive benefit of the Employees entitled to participate in the Plan in accordance with the terms of the Plan and the Code.

The operation of the Plan shall be under the supervision of the Administrator. It shall be a principal duty of the Administrator to see that the Plan is carried out in accordance with its terms, and for the exclusive benefit of Employees entitled to participate in the Plan. The Administrator shall have full power and discretion to administer the Plan in all of its details and determine all questions arising in connection with the administration, interpretation, and application of the Plan. The Administrator may establish procedures, correct any defect, supply any information, or reconcile any inconsistency in such manner and to such extent as shall be deemed necessary or advisable to carry out the purpose of the Plan. The Administrator shall have all powers necessary or appropriate to accomplish the Administrator's duties under the Plan. The Administrator shall be charged with the duties of the general administration of the Plan as set forth under the Plan, including, but not limited to, in addition to all other powers provided by this Plan:

- (a) To make and enforce such procedures, rules and regulations as the Administrator deems necessary or proper for the efficient administration of the Plan;
- (b) To interpret the provisions of the Plan, the Administrator's interpretations thereof in good faith to be final and conclusive on all persons claiming benefits by operation of the Plan;
- (c) To decide all questions concerning the Plan and the eligibility of any person to participate in the Plan and to receive benefits provided by operation of the Plan;
- (d) To reject elections or to limit contributions or Benefits for certain highly compensated participants if it deems such to be desirable in order to avoid discrimination under the Plan in violation of applicable provisions of the Code;

(e) To provide Employees with a reasonable notification of their benefits available by operation of the Plan and to assist any Participant regarding the Participant's rights, benefits or elections under the Plan;

(f) To keep and maintain the Plan documents and all other records pertaining to and necessary for the administration of the Plan;

(g) To review and settle all claims against the Plan, to approve reimbursement requests, and to authorize the payment of benefits if the Administrator determines such shall be paid if the Administrator decides in its discretion that the applicant is entitled to them. This authority specifically permits the Administrator to settle disputed claims for benefits and any other disputed claims made against the Plan;

(h) To appoint such agents, counsel, accountants, consultants, and other persons or entities as may be required to assist in administering the Plan.

Any procedure, discretionary act, interpretation or construction taken by the Administrator shall be done in a nondiscriminatory manner based upon uniform principles consistently applied and shall be consistent with the intent that the Plan shall continue to comply with the terms of Code Section 125 and the Treasury regulations thereunder.

9.2 EXAMINATION OF RECORDS

The Administrator shall make available to each Participant, Eligible Employee and any other Employee of the Employer such records as pertain to their interest under the Plan for examination at reasonable times during normal business hours.

9.3 PAYMENT OF EXPENSES

Any reasonable administrative expenses shall be paid by the Employer unless the Employer determines that administrative costs shall be borne by the Participants under the Plan or by any Trust Fund which may be established hereunder. The Administrator may impose reasonable conditions for payments, provided that such conditions shall not discriminate in favor of highly compensated employees.

9.4 INSURANCE CONTROL CLAUSE

In the event of a conflict between the terms of this Plan and the terms of an Insurance Contract of an independent third party Insurer whose product is then being used in conjunction with this Plan, the terms of the Insurance Contract shall control as to those Participants receiving coverage under such Insurance Contract. For this purpose, the Insurance Contract shall control in defining the persons eligible for insurance, the dates of their eligibility, the conditions which must be satisfied to become insured, if any, the benefits Participants are entitled to and the circumstances under which insurance terminates.

9.5 INDEMNIFICATION OF ADMINISTRATOR

The Employer agrees to indemnify and to defend to the fullest extent permitted by law any Employee serving as the Administrator or as a member of a committee designated as Administrator (including any Employee or former Employee who previously served as Administrator or as a member of such committee) against all liabilities, damages, costs and expenses (including attorney's fees and amounts paid in settlement of any claims approved by the Employer) occasioned by any act or omission to act in connection with the Plan, if such act or omission is in good faith.

ARTICLE X AMENDMENT OR TERMINATION OF PLAN

10.1 AMENDMENT

The Employer, at any time or from time to time, may amend any or all of the provisions of the Plan without the consent of any Employee or Participant. No amendment shall have the effect of modifying any benefit election of any Participant in effect at the time of such amendment, unless such amendment is made to comply with Federal, state or local laws, statutes or regulations.

10.2 TERMINATION

The Employer reserves the right to terminate this Plan, in whole or in part, at any time. In the event the Plan is terminated, no further contributions shall be made. Benefits under any Insurance Contract shall be paid in accordance with the terms of the Insurance Contract.

No further additions shall be made to the Health Flexible Spending Account or Dependent Care Flexible Spending Account, but all payments from such fund shall continue to be made according to the elections in effect until 90 days after the termination date of the Plan. Any amounts remaining in any such fund or account as of the end of such period shall be forfeited and deposited in the benefit plan surplus after the expiration of the filing period.

**ARTICLE XI
MISCELLANEOUS**

11.1 PLAN INTERPRETATION

All provisions of this Plan shall be interpreted and applied in a uniform, nondiscriminatory manner. This Plan shall be read in its entirety and not severed except as provided in Section 11.12.

11.2 GENDER, NUMBER AND TENSE

Wherever any words are used herein in one gender, they shall be construed as though they were also used in all genders in all cases where they would so apply; whenever any words are used herein in the singular or plural form, they shall be construed as though they were also used in the other form in all cases where they would so apply; and whenever any words are used herein in the past or present tense, they shall be construed as though they were also used in the other form in all cases where they would so apply.

11.3 WRITTEN DOCUMENT

This Plan, in conjunction with any separate written document which may be required by law, is intended to satisfy the written Plan requirement of Code Section 125 and any Treasury regulations thereunder relating to cafeteria plans.

11.4 EXCLUSIVE BENEFIT

This Plan shall be maintained for the exclusive benefit of the Employees who participate in the Plan.

11.5 PARTICIPANT'S RIGHTS

This Plan shall not be deemed to constitute an employment contract between the Employer and any Participant or to be a consideration or an inducement for the employment of any Participant or Employee. Nothing contained in this Plan shall be deemed to give any Participant or Employee the right to be retained in the service of the Employer or to interfere with the right of the Employer to discharge any Participant or Employee at any time regardless of the effect which such discharge shall have upon him as a Participant of this Plan.

11.6 ACTION BY THE EMPLOYER

Whenever the Employer under the terms of the Plan is permitted or required to do or perform any act or matter or thing, it shall be done and performed by a person duly authorized by its legally constituted authority.

11.7 EMPLOYER'S PROTECTIVE CLAUSES

(a) **Insurance purchase.** Upon the failure of either the Participant or the Employer to obtain the insurance contemplated by this Plan (whether as a result of negligence, gross neglect or otherwise), the Participant's Benefits shall be limited to the insurance premium(s), if any, that remained unpaid for the period in question and the actual insurance proceeds, if any, received by the Employer or the Participant as a result of the Participant's claim.

(b) **Validity of insurance contract.** The Employer shall not be responsible for the validity of any Insurance Contract issued hereunder or for the failure on the part of the Insurer to make payments provided for under any Insurance Contract. Once insurance is applied for or obtained, the Employer shall not be liable for any loss which may result from the failure to pay Premiums to the extent Premium notices are not received by the Employer.

11.8 NO GUARANTEE OF TAX CONSEQUENCES

Neither the Administrator nor the Employer makes any commitment or guarantee that any amounts paid to or for the benefit of a Participant under the Plan will be excludable from the Participant's gross income for federal or state income tax purposes, or that any other federal or state tax treatment will apply to or be available to any Participant. It shall be the obligation of each Participant to determine whether each payment under the Plan is excludable from the Participant's gross income for federal and state income tax purposes, and to notify the Employer if the Participant has reason to believe that any such payment is not so excludable. Notwithstanding the foregoing, the rights of Participants under this Plan shall be legally enforceable.

11.9 INDEMNIFICATION OF EMPLOYER BY PARTICIPANTS

If any Participant receives one or more payments or reimbursements under the Plan that are not for a permitted Benefit, such Participant shall indemnify and reimburse the Employer for any liability it may incur for failure to withhold federal or state income tax or Social Security tax from such payments or reimbursements. However, such indemnification and reimbursement shall not exceed the amount of additional federal and state income tax (plus any penalties) that the Participant would have owed if the payments or reimbursements had been made to the Participant as regular cash compensation, plus the Participant's share of any Social Security tax that would have been paid on such compensation, less any such additional income and Social Security tax actually paid by the Participant.

11.10 FUNDING

Unless otherwise required by law, contributions to the Plan need not be placed in trust or dedicated to a specific Benefit, but may instead be considered general assets of the Employer. Furthermore, and unless otherwise required by law, nothing herein shall be construed to require the Employer or the Administrator to maintain any fund or segregate any amount for the benefit of any Participant, and no Participant or other person shall have any claim against, right to, or security or other interest in, any fund, account or asset of the Employer from which any payment under the Plan may be made.

11.11 GOVERNING LAW

This Plan is governed by the Code and the Treasury regulations issued thereunder (as they might be amended from time to time). In no event shall the Employer guarantee the favorable tax treatment sought by this Plan. To the extent not preempted by Federal law, the provisions of this Plan shall be construed, enforced and administered according to the laws of the State of New York.

11.12 SEVERABILITY

If any provision of the Plan is held invalid or unenforceable, its invalidity or unenforceability shall not affect any other provisions of the Plan, and the Plan shall be construed and enforced as if such provision had not been included herein.

11.13 CAPTIONS

The captions contained herein are inserted only as a matter of convenience and for reference, and in no way define, limit, enlarge or describe the scope or intent of the Plan, nor in any way shall affect the Plan or the construction of any provision thereof.

11.14 CONTINUATION OF COVERAGE (COBRA)

Notwithstanding anything in the Plan to the contrary, in the event any benefit under this Plan subject to the continuation coverage requirement of Code Section 4980B becomes unavailable, each Participant will be entitled to continuation coverage as prescribed in Code Section 4980B, and related regulations. This Section shall only apply if the Employer employs at least twenty (20) employees on more than 50% of its typical business days in the previous calendar year.

11.15 FAMILY AND MEDICAL LEAVE ACT (FMLA)

Notwithstanding anything in the Plan to the contrary, in the event any benefit under this Plan becomes subject to the requirements of the Family and Medical Leave Act and regulations thereunder, this Plan shall be operated in accordance with Regulation 1.125-3.

11.16 HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

Notwithstanding anything in this Plan to the contrary, this Plan shall be operated in accordance with HIPAA and regulations thereunder.

11.17 UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (USERRA)

Notwithstanding any provision of this Plan to the contrary, contributions, benefits and service credit with respect to qualified military service shall be provided in accordance with the Uniform Services Employment And Reemployment Rights Act (USERRA) and the regulations thereunder.

11.18 COMPLIANCE WITH HIPAA PRIVACY STANDARDS

(a) **Application.** If any benefits under this Cafeteria Plan are subject to the Standards for Privacy of Individually Identifiable Health Information (45 CFR Part 164, the "Privacy Standards"), then this Section shall apply.

(b) **Disclosure of PHI.** The Plan shall not disclose Protected Health Information to any member of the Employer's workforce unless each of the conditions set out in this Section are met. "Protected Health Information" shall have the same definition as set forth in the Privacy Standards but generally shall mean individually identifiable information about the past, present or future physical or mental health or condition of an individual, including genetic information and information about treatment or payment for treatment.

(c) **PHI disclosed for administrative purposes.** Protected Health Information disclosed to members of the Employer's workforce shall be used or disclosed by them only for purposes of Plan administrative functions. The Plan's administrative functions shall include all Plan payment functions and health care operations. The terms "payment" and "health care operations" shall have the same definitions as set out in the Privacy Standards, but the term "payment" generally shall mean activities taken to determine or fulfill Plan responsibilities with respect to eligibility, coverage, provision of benefits, or reimbursement for health care. Protected Health Information that consists of genetic information will not be used or disclosed for underwriting purposes.

(d) **PHI disclosed to certain workforce members.** The Plan shall disclose Protected Health Information only to members of the Employer's workforce who are designated and authorized to receive such Protected Health Information, and only

to the extent and in the minimum amount necessary for that person to perform his or her duties with respect to the Plan. "Members of the Employer's workforce" shall refer to all employees and other persons under the control of the Employer. The Employer shall keep an updated list of those authorized to receive Protected Health Information.

- (1) An authorized member of the Employer's workforce who receives Protected Health Information shall use or disclose the Protected Health Information only to the extent necessary to perform his or her duties with respect to the Plan.
- (2) In the event that any member of the Employer's workforce uses or discloses Protected Health Information other than as permitted by this Section and the Privacy Standards, the incident shall be reported to the Plan's privacy official. The privacy official shall take appropriate action, including:
 - (i) investigation of the incident to determine whether the breach occurred inadvertently, through negligence or deliberately; whether there is a pattern of breaches; and the degree of harm caused by the breach;
 - (ii) appropriate sanctions against the persons causing the breach which, depending upon the nature of the breach, may include oral or written reprimand, additional training, or termination of employment;
 - (iii) mitigation of any harm caused by the breach, to the extent practicable; and
 - (iv) documentation of the incident and all actions taken to resolve the issue and mitigate any damages.
- (e) **Certification.** The Employer must provide certification to the Plan that it agrees to:
 - (1) Not use or further disclose the information other than as permitted or required by the Plan documents or as required by law;
 - (2) Ensure that any agent or subcontractor, to whom it provides Protected Health Information received from the Plan, agrees to the same restrictions and conditions that apply to the Employer with respect to such information;
 - (3) Not use or disclose Protected Health Information for employment-related actions and decisions or in connection with any other benefit or employee benefit plan of the Employer;
 - (4) Report to the Plan any use or disclosure of the Protected Health Information of which it becomes aware that is inconsistent with the uses or disclosures permitted by this Section, or required by law;
 - (5) Make available Protected Health Information to individual Plan members in accordance with Section 164.524 of the Privacy Standards;
 - (6) Make available Protected Health Information for amendment by individual Plan members and incorporate any amendments to Protected Health Information in accordance with Section 164.526 of the Privacy Standards;
 - (7) Make available the Protected Health Information required to provide an accounting of disclosures to individual Plan members in accordance with Section 164.528 of the Privacy Standards;
 - (8) Make its internal practices, books and records relating to the use and disclosure of Protected Health Information received from the Plan available to the Department of Health and Human Services for purposes of determining compliance by the Plan with the Privacy Standards;
 - (9) If feasible, return or destroy all Protected Health Information received from the Plan that the Employer still maintains in any form, and retain no copies of such information when no longer needed for the purpose for which disclosure was made, except that, if such return or destruction is not feasible, limit further uses and disclosures to those purposes that make the return or destruction of the information infeasible; and
 - (10) Ensure the adequate separation between the Plan and members of the Employer's workforce, as required by Section 164.504(f)(2)(iii) of the Privacy Standards and set out in (d) above.

11.19 COMPLIANCE WITH HIPAA ELECTRONIC SECURITY STANDARDS

Under the Security Standards for the Protection of Electronic Protected Health Information (45 CFR Part 164.300 et. seq., the "Security Standards"):

- (a) **Implementation.** The Employer agrees to implement reasonable and appropriate administrative, physical and technical safeguards to protect the confidentiality, integrity and availability of Electronic Protected Health Information that the Employer creates, maintains or transmits on behalf of the Plan. "Electronic Protected Health Information" shall have the same definition as set out in the Security Standards, but generally shall mean Protected Health Information that is transmitted by or maintained in electronic media.

(b) **Agents or subcontractors shall meet security standards.** The Employer shall ensure that any agent or subcontractor to whom it provides Electronic Protected Health Information shall agree, in writing, to implement reasonable and appropriate security measures to protect the Electronic Protected Health Information.

(c) **Employer shall ensure security standards.** The Employer shall ensure that reasonable and appropriate security measures are implemented to comply with the conditions and requirements set forth in Section 11.18.

11.20 MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT

Notwithstanding anything in the Plan to the contrary, the Plan will comply with the Mental Health Parity and Addiction Equity Act.

11.21 GENETIC INFORMATION NONDISCRIMINATION ACT (GINA)

Notwithstanding anything in the Plan to the contrary, the Plan will comply with the Genetic Information Nondiscrimination Act.

11.22 WOMEN'S HEALTH AND CANCER RIGHTS ACT

Notwithstanding anything in the Plan to the contrary, the Plan will comply with the Women's Health and Cancer Rights Act of 1998.

11.23 NEWBORNS' AND MOTHERS' HEALTH PROTECTION ACT

Notwithstanding anything in the Plan to the contrary, the Plan will comply with the Newborns' and Mothers' Health Protection Act.

IN WITNESS WHEREOF, this Plan document is hereby executed this _____ day of _____.

Town of North Hempstead

By _____
EMPLOYER

**TOWN OF NORTH HEMPSTEAD
FLEXIBLE BENEFITS PLAN
SUMMARY PLAN DESCRIPTION**

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**XI
SUMMARY**

**TOWN OF NORTH HEMPSTEAD
FLEXIBLE BENEFITS PLAN**

INTRODUCTION

We are pleased to announce that we have established a "Flexible Benefit Plan" for you and other eligible employees. Under this Plan, you will be able to choose among certain benefits that we make available. The benefits that you may choose are outlined in this Summary Plan Description. We will also tell you about other important information concerning the Plan, such as the rules you must satisfy before you can join and the laws that protect your rights.

One of the most important features of our Plan is that the benefits being offered are generally ones that you are already paying for, but normally with money that has first been subject to income and Social Security taxes. Under our Plan, these same expenses will be paid for with a portion of your pay before Federal income or Social Security taxes are withheld. This means that you will pay less tax and have more money to spend and save.

Read this Summary Plan Description carefully so that you understand the provisions of our Plan and the benefits you will receive. This SPD describes the Plan's benefits and obligations as contained in the legal Plan document, which governs the operation of the Plan. The Plan document is written in much more technical and precise language. If the non-technical language in this SPD and the technical, legal language of the Plan document conflict, the Plan document always governs. Also, if there is a conflict between an insurance contract and either the Plan document or this Summary Plan Description, the insurance contract will control. If you wish to receive a copy of the legal Plan document, please contact the Administrator.

This SPD describes the current provisions of the Plan which are designed to comply with applicable legal requirements. The Plan is subject to federal laws, such as the Internal Revenue Code and other federal and state laws which may affect your rights. The provisions of the Plan are subject to revision due to a change in laws or due to pronouncements by the Internal Revenue Service (IRS) or other federal agencies. We may also amend or terminate this Plan. If the provisions of the Plan that are described in this SPD change, we will notify you.

We have attempted to answer most of the questions you may have regarding your benefits in the Plan. If this SPD does not answer all of your questions, please contact the Administrator (or other plan representative). The name and address of the Administrator can be found in the Article of this SPD entitled "General Information About the Plan."

**I
ELIGIBILITY**

1. When can I become a participant in the Plan?

Before you become a Plan member (referred to in this Summary Plan Description as a "Participant"), there are certain rules which you must satisfy. First, you must meet the eligibility requirements and be an active employee. After that, the next step is to actually join the Plan on the "entry date" that we have established for all employees. The "entry date" is defined in Question 3 below. You will also be required to complete certain application forms before you can enroll in the Health Flexible Spending Account or Dependent Care Flexible Spending Account.

2. What are the eligibility requirements for our Plan?

You will be eligible to join the Plan once you have satisfied the conditions for coverage under our group medical plan.

3. When is my entry date?

You can join the Plan on the day you meet the eligibility requirements.

4. What must I do to enroll in the Plan?

Before you can join the Plan, you must complete an application to participate in the Plan. The application includes your personal choices for each of the benefits which are being offered under the Plan. You must also authorize us to set some of your earnings aside in order to pay for the benefits you have elected.

However, if you are already covered under any of the insured benefits, you will automatically participate in this Plan to the extent of your premiums unless you elect not to participate in this Plan.

**II
OPERATION**

1. How does this Plan operate?

Before the start of each Plan Year, you will be able to elect to have some of your upcoming pay contributed to the Plan. These amounts will be used to pay for the benefits you have chosen. The portion of your pay that is paid to the Plan is not subject to Federal income or Social Security taxes. In other words, this allows you to use tax-free dollars to pay for certain kinds of benefits and expenses

which you normally pay for with out-of-pocket, taxable dollars. However, if you receive a reimbursement for an expense under the Plan, you cannot claim a Federal income tax credit or deduction on your return. (See the Article entitled "General Information About Our Plan" for the definition of "Plan Year.")

III CONTRIBUTIONS

1. How much of my pay may the Employer redirect?

Each year, we will automatically contribute on your behalf enough of your compensation to pay for the insurance coverage provided unless you elect not to receive any or all of such coverage. You may also elect to have us contribute on your behalf enough of your compensation to pay for any other benefits that you elect under the Plan. These amounts will be deducted from your pay over the course of the year.

2. What happens to contributions made to the Plan?

Before each Plan Year begins, you will select the benefits you want and how much of the contributions should go toward each benefit. It is very important that you make these choices carefully based on what you expect to spend on each covered benefit or expense during the Plan Year. Later, they will be used to pay for the expenses as they arise during the Plan Year. In addition, you should also note that any previous benefit payments made from any Account under the Plan that are unclaimed (e.g., uncashed benefit checks) by the end of the Plan Year following the period of coverage in which the qualifying expense was incurred will be forfeited to the Employer.

3. When must I decide which accounts I want to use?

You are required by Federal law to decide before the Plan Year begins, during the election period (defined below). You must decide two things. First, which benefits you want and, second, how much should go toward each benefit.

If you are already covered by any of the insured benefits offered by this Plan, you will automatically become a Participant to the extent of the premiums for such insurance unless you elect, during the election period (defined below), not to participate in the Plan.

4. When is the election period for our Plan?

You will make your initial election on or before your entry date. (You should review Section I on Eligibility to better understand the eligibility requirements and entry date.) Then, for each following Plan Year, the election period is established by the Administrator and applied uniformly to all Participants. It will normally be a period of time prior to the beginning of each Plan Year. The Administrator will inform you each year about the election period. (See the Article entitled "General Information About Our Plan" for the definition of Plan Year.)

5. May I change my elections during the Plan Year?

Generally, you cannot change the elections you have made after the beginning of the Plan Year. However, there are certain limited situations when you can change your elections. You are permitted to change elections if you have a "change in status" and you make an election change that is consistent with the change in status. Currently, Federal law considers the following events to be a change in status:

- Marriage, divorce, death of a spouse, legal separation or annulment;
- Change in the number of dependents, including birth, adoption, placement for adoption, or death of a dependent;
- Any of the following events for you, your spouse or dependent: termination or commencement of employment, a strike or lockout, commencement or return from an unpaid leave of absence, a change in worksite, or any other change in employment status that affects eligibility for benefits;
- One of your dependents satisfies or ceases to satisfy the requirements for coverage due to change in age, student status, or any similar circumstance; and
- A change in the place of residence of you, your spouse or dependent that would lead to a change in status, such as moving out of a coverage area for insurance.

In addition, if you are participating in the Dependent Care Flexible Spending Account, then there is a change in status if your dependent no longer meets the qualifications to be eligible for dependent care.

There are detailed rules on when a change in election is deemed to be consistent with a change in status. In addition, there are laws that give you rights to change health coverage for you, your spouse, or your dependents. If you change coverage due to rights you have under the law, then you can make a corresponding change in your elections under the Plan. If any of these conditions apply to you, you should contact the Administrator.

If the cost of a benefit provided under the Plan increases or decreases during a Plan Year, then we will automatically increase or decrease, as the case may be, your salary redirection election. If the cost increases significantly, you will be permitted to either make corresponding changes in your payments or revoke your election and obtain coverage under another benefit package option with similar coverage, or revoke your election entirely.

If the coverage under a Benefit is significantly curtailed or ceases during a Plan Year, then you may revoke your elections and elect to receive on a prospective basis coverage under another plan with similar coverage. In addition, if we add a new coverage option or eliminate an existing option, you may elect the newly-added option (or elect another option if an option has been eliminated) and make corresponding election changes to other options providing similar coverage. If you are not a Participant, you may elect to join the Plan. There are also certain situations when you may be able to change your elections on account of a change under the plan of your spouse's, former spouse's or dependent's employer.

These rules on change due to cost or coverage do not apply to the Health Flexible Spending Account, and you may not change your election to the Health Flexible Spending Account if you make a change due to cost or coverage for insurance.

You may not change your election under the Dependent Care Flexible Spending Account if the cost change is imposed by a dependent care provider who is your relative.

You may revoke your coverage under the employer's group health plan outside of our open enrollment period, if your employment status changes from working at least 30 hours per week to less than 30 hours. This is regardless of whether the reduction in hours has resulted in loss of eligibility. You must show intent to enroll in another health plan.

You may also revoke your coverage under our Employer sponsored group health plan if you are eligible to obtain coverage through the health exchanges.

6. May I make new elections in future Plan Years?

Yes, you may. For each new Plan Year, you may change the elections that you previously made. You may also choose not to participate in the Plan for the upcoming Plan Year. If you do not make new elections during the election period before a new Plan Year begins, we will assume you want your elections for insured benefits only to remain the same and you will not be considered a Participant for the non-insured benefit options under the Plan for the upcoming Plan Year.

IV BENEFITS

1. Health Flexible Spending Account

The Health Flexible Spending Account enables you to pay for expenses allowed under Sections 105 and 213(d) of the Internal Revenue Code which are not covered by our insured medical plan and save taxes at the same time. The Health Flexible Spending Account allows you to be reimbursed by the Employer for expenses incurred by you and your dependents.

Drug costs, including insulin, may be reimbursed.

You may not be reimbursed for the cost of other health care coverage maintained outside of the Plan, or for long-term care expenses. A list of covered expenses is available from the Administrator.

For 2022, the most you can contribute is \$2,850. After 2022, the dollar limit may increase for cost of living adjustments. The minimum amount that you may contribute to the Health Flexible Spending Account each Plan Year is \$500. For any short Plan Year, the most that you can contribute to your Health Flexible Spending Account each Plan Year is \$2,137.50.

In order to be reimbursed for a health care expense, you must submit to the Administrator an itemized bill from the service provider. We will also provide you with a debit or credit card to use to pay for medical expenses. The Administrator will provide you with further details. Amounts reimbursed from the Plan may not be claimed as a deduction on your personal income tax return. Reimbursement from the fund shall be paid at least once a month. Expenses under this Plan are treated as being "incurred" when you are provided with the care that gives rise to the expenses, not when you are formally billed or charged, or you pay for the medical care.

You may be reimbursed for expenses for any child until the end of the calendar year in which the child reaches age 26. A child is a natural child, stepchild, foster child, adopted child, or a child placed with you for adoption. If a child gains or regains eligibility due to these new rules, that qualifies as a change in status to change coverage.

Newborns' and Mothers' Health Protection Act: Group health plans generally may not, under Federal law, restrict benefits for any hospital length of stay in connection with childbirth for the mother or newborn child to less than 48 hours following a vaginal delivery, or less than 96 hours following a cesarean section. However, Federal law generally does not prohibit the mother's or newborn's attending provider, after consulting with the mother, from discharging the mother or her newborn earlier than 48 hours (or 96 hours as applicable). In any case, plans and issuers may not, under Federal law, require that a provider obtain authorization from the plan or the issuer for prescribing a length of stay not in excess of 48 hours (or 96 hours).

Women's Health and Cancer Rights Act: This plan, as required by the Women's Health and Cancer Rights Act of 1998, will reimburse up to plan limits for benefits for mastectomy-related services including reconstruction and surgery to achieve symmetry between the breasts, prostheses, and complications resulting from a mastectomy (including lymphedema). Contact your Plan Administrator for more information.

2. Dependent Care Flexible Spending Account

The Dependent Care Flexible Spending Account enables you to pay for out-of-pocket, work-related dependent day-care cost with pre-tax dollars. If you are married, you can use the account if you and your spouse both work or, in some situations, if your spouse goes to school full-time. Single employees can also use the account.

An eligible dependent is someone for whom you can claim expenses on Federal Income Tax Form 2441 "Credit for Child and Dependent Care Expenses." Children must be under age 13. Other dependents must be physically or mentally unable to care for themselves. Dependent Care arrangements which qualify include:

- (a) A Dependent (Day) Care Center, provided that if care is provided by the facility for more than six individuals, the facility complies with applicable state and local laws;
- (b) An Educational Institution for pre-school children. For older children, only expenses for non-school care are eligible; and
- (c) An "Individual" who provides care inside or outside your home: The "Individual" may not be a child of yours under age 19 or anyone you claim as a dependent for Federal tax purposes.

You should make sure that the dependent care expenses you are currently paying for qualify under our Plan.

The law places limits on the amount of money that can be paid to you in a calendar year from your Dependent Care Flexible Spending Account. Each Plan Year, the minimum amount you may contribute to the Dependent Care Flexible Spending Account is \$500. Generally, your reimbursements may not exceed the lesser of: (a) \$5,000 (if you are married filing a joint return or you are head of a household) or \$2,500 (if you are married filing separate returns); (b) your taxable compensation; (c) your spouse's actual or deemed earned income (a spouse who is a full time student or incapable of caring for himself/herself has a monthly earned income of \$250 for one dependent or \$500 for two or more dependents).

Also, in order to have the reimbursements made to you from this account be excludable from your income, you must provide a statement from the service provider including the name, address, and in most cases, the taxpayer identification number of the service provider on your tax form for the year, as well as the amount of such expense as proof that the expense has been incurred. In addition, Federal tax laws permit a tax credit for certain dependent care expenses you may be paying for even if you are not a Participant in this Plan. You may save more money if you take advantage of this tax credit rather than using the Dependent Care Flexible Spending Account under our Plan. Ask your tax adviser which is better for you.

3. Premium Expense Account

A Premium Expense Account allows you to use tax-free dollars to pay for certain premium expenses under various insurance programs that we offer you. These premium expenses include:

- Health care premiums under our insured group medical plan.

Under our Plan, we will establish sub-accounts for you for each different type of insurance coverage that is available. Also, certain limits on the amount of coverage may apply.

The Administrator may terminate or modify Plan benefits at any time, subject to the provisions of any insurance contracts providing benefits described above. We will not be liable to you if an insurance company fails to provide any of the benefits described above. Also, your insurance will end when you leave employment, are no longer eligible under the terms of any insurance policies, or when insurance terminates.

Any benefits to be provided by insurance will be provided only after (1) you have provided the Administrator the necessary information to apply for insurance, and (2) the insurance is in effect for you.

If you cover your children up to age 26 under your insurance, you can pay for that coverage through the Plan.

V BENEFIT PAYMENTS

1. When will I receive payments from my accounts?

During the course of the Plan Year, you may submit requests for reimbursement of expenses you have incurred. Expenses are considered "incurred" when the service is performed, not necessarily when it is paid for. The Administrator will provide you with acceptable forms for submitting these requests for reimbursement. If the request qualifies as a benefit or expense that the Plan has agreed to pay, you will receive a reimbursement payment soon thereafter. Remember, these reimbursements which are made from the Plan are

generally not subject to federal income tax or withholding. Nor are they subject to Social Security taxes. Requests for payment of insured benefits should be made directly to the insurer. You will only be reimbursed from the Dependent Care Flexible Spending Account to the extent that there are sufficient funds in the Account to cover your request.

2. What happens if I don't spend all Plan contributions during the Plan Year?

If you have not spent all the amounts in your Health Flexible Spending Account or Dependent Care Flexible Spending Account by the end of the Plan Year, you may continue to incur claims for expenses during the "Grace Period." The "Grace Period" extends 2 1/2 months after the end of the Plan Year, during which time you can continue to incur claims and use up all amounts remaining in your Health Flexible Spending Account or Dependent Care Flexible Spending Account.

Any monies left at the end of the Plan Year and the Grace Period will be forfeited. Obviously, qualifying expenses that you incur late in the Plan Year or during the Grace Period for which you seek reimbursement after the end of such Plan Year and Grace Period will be paid first before any amount is forfeited. For the Health Flexible Spending Account, you must submit claims no later than the end of the month following 90 days after the end of the Plan Year. For the Dependent Care Flexible Spending Account, you must submit claims no later than the end of the month following 90 days after the end of the Plan Year. Because it is possible that you might forfeit amounts in the Plan if you do not fully use the contributions that have been made, it is important that you decide how much to place in each account carefully and conservatively. Remember, you must decide which benefits you want to contribute to and how much to place in each account before the Plan Year begins. You want to be as certain as you can that the amount you decide to place in each account will be used up entirely.

3. Family and Medical Leave Act (FMLA)

If you take leave under the Family and Medical Leave Act, you may revoke or change your existing elections for health insurance and the Health Flexible Spending Account. If your coverage in these benefits terminates, due to your revocation of the benefit while on leave or due to your non-payment of contributions, you will be permitted to reinstate coverage for the remaining part of the Plan Year upon your return. For the Health Flexible Spending Account, you may continue your coverage or you may revoke your coverage and resume it when you return. You can resume your coverage at its original level and make payments for the time that you are on leave. For example, if you elect \$1,200 for the year and are out on leave for 3 months, then return and elect to resume your coverage at that level, your remaining payments will be increased to cover the difference - from \$100 per month to \$150 per month. Alternatively your maximum amount will be reduced proportionately for the time that you were gone. For example, if you elect \$1,200 for the year and are out on leave for 3 months, your amount will be reduced to \$900. The expenses you incur during the time you are not in the Health Flexible Spending Account are not reimbursable.

If you continue your coverage during your unpaid leave, you may pre-pay for the coverage, you may pay for your coverage on an after-tax basis while you are on leave, or you and your Employer may arrange a schedule for you to "catch up" your payments when you return.

4. Uniformed Services Employment and Reemployment Rights Act (USERRA)

If you are going into or returning from military service, you may have special rights to health care coverage under your Health Flexible Spending Account under the Uniformed Services Employment and Reemployment Rights Act of 1994. These rights can include extended health care coverage. If you may be affected by this law, ask your Administrator for further details.

5. What happens if I terminate employment?

If you terminate employment during the Plan Year, your right to benefits will be determined in the following manner:

- (a) You will remain covered by insurance, but only for the period for which premiums have been paid prior to your termination of employment.
- (b) You will still be able to request reimbursement for qualifying dependent care expenses incurred prior to your date of termination from the balance remaining in your dependent care account at the time of termination of employment. However, no further salary redirection contributions will be made on your behalf after you terminate. You must submit claims within 90 days after termination.
- (c) For health benefit coverage and Health Flexible Spending Account coverage on termination of employment, please see the Article entitled "Continuation Coverage Rights Under COBRA." Upon your termination of employment, your participation in the Health Flexible Spending Account will cease, and no further salary redirection contributions will be contributed on your behalf. However, you will be able to submit claims for health care expenses that were incurred before the end of the period for which payments to the Health Flexible Spending Account have already been made. Your further participation will be governed by "Continuation Coverage Rights Under COBRA."

6. Will my Social Security benefits be affected?

Your Social Security benefits may be slightly reduced because when you receive tax-free benefits under our Plan, it reduces the amount of contributions that you make to the Federal Social Security system as well as our contribution to Social Security on your behalf.

7. Qualified Reservist Distributions

If you are a member of a reserve unit and if you are ordered or called to active duty, then you may request a Qualified Reservist Distribution (QRD). A Qualified Reservist Distribution is a distribution of all or a portion of the amounts remaining in your Health Flexible Spending Account. You can only request this distribution if you are called to active duty for a period of 180 days or more or for an indefinite period. The distribution must be made during the period beginning on the date of the call and ending on the last date that reimbursements could otherwise be made under the Plan for the Plan Year which includes the date of the call.

You can receive the amount you have actually contributed minus any reimbursements you have already received (or are in process). The amount you request may be adjusted if needed to conform with your actual account balance. You must request the QRD before the last day of the Grace Period. You can only request 2 QRDs for a Plan Year.

VI HIGHLY COMPENSATED AND KEY EMPLOYEES

1. Do limitations apply to highly compensated employees?

Under the Internal Revenue Code, highly compensated employees and key employees generally are Participants who are officers, shareholders or highly paid. You will be notified by the Administrator each Plan Year whether you are a highly compensated employee or a key employee.

If you are within these categories, the amount of contributions and benefits for you may be limited so that the Plan as a whole does not unfairly favor those who are highly paid, their spouses or their dependents. Federal tax laws state that a plan will be considered to unfairly favor the key employees if they as a group receive more than 25% of all of the nontaxable benefits provided for under our Plan.

Plan experience will dictate whether contribution limitations on highly compensated employees or key employees will apply. You will be notified of these limitations if you are affected.

VII PLAN ACCOUNTING

1. Periodic Statements

The Administrator will provide you with a statement of your account periodically during the Plan Year that shows your account balance. It is important to read these statements carefully so you understand the balance remaining to pay for a benefit. Remember, you want to spend all the money you have designated for a particular benefit by the end of the Plan Year.

VIII GENERAL INFORMATION ABOUT OUR PLAN

This Section contains certain general information which you may need to know about the Plan.

1. General Plan Information

Town of North Hempstead Flexible Benefits Plan is the name of the Plan.

Your Employer has assigned Plan Number 000 to your Plan.

The provisions of the Plan become effective on April 1, 2022, which is called the Effective Date of the Plan.

Your Plan's records are maintained on a twelve-month period of time. This is known as the Plan Year. The Plan Year begins on January 1 and ends on December 31, except for the short Plan Year which will begin on April 1, 2022 and end on December 31, 2022.

2. Employer Information

Your Employer's name, address, and identification number are:

Town of North Hempstead
220 Plandome Rd
Manhasset, New York 11030
11-6001933

3. Plan Administrator Information

The name, address and business telephone number of your Plan's Administrator are:

Steven Mazza
Town of North Hempstead
220 Plandome Rd
Manhasset, New York 11030
516-869-7743

The Administrator keeps the records for the Plan and is responsible for the administration of the Plan. The Administrator will also answer any questions you may have about our Plan. You may contact the Administrator for any further information about the Plan.

4. Service of Legal Process

The name and address of the Plan's agent for service of legal process are:

Town of North Hempstead
220 Plandome Rd
Manhasset, New York 11030

5. Type of Administration

The type of Administration is Employer Administration.

6. Claims Submission

Claims for expenses should be submitted to:

HealthEquity Inc.
P.O. Box 14053
Lexington, KY 40512

**IX
ADDITIONAL PLAN INFORMATION**

1. Claims Process

You should submit all reimbursement claims during the Plan Year. For the Health Flexible Spending Account, you must submit claims no later than the end of the month following 90 days after the end of the Plan Year. However, if you terminate employment during the Plan Year, you must submit your Health Flexible Spending Account claims within 7 days after your termination of employment. For the Dependent Care Flexible Spending Account, you must submit claims no later than the end of the month following 90 days after the end of the Plan Year. However, if you terminate employment during the Plan Year, you must submit your Dependent Care Flexible Spending Account claims within 90 days after your termination of employment. Any claims submitted after that time will not be considered.

Claims that are insured will be handled in accordance with procedures contained in the insurance policies. All other general requests should be directed to the Administrator of our Plan. If a dependent care or medical expense claim under the Plan is denied in whole or in part, you or your beneficiary will receive written notification. The notification will include the reasons for the denial, with reference to the specific provisions of the Plan on which the denial was based, a description of any additional information needed to process the claim and an explanation of the claims review procedure. Within 60 days after denial, you or your beneficiary may submit a written request for reconsideration of the denial to the Administrator.

Any such request should be accompanied by documents or records in support of your appeal. You or your beneficiary may review pertinent documents and submit issues and comments in writing. The Administrator will review the claim and provide, within 60 days, a written response to the appeal. (This period may be extended an additional 60 days under certain circumstances.) In this response, the Administrator will explain the reason for the decision, with specific reference to the provisions of the Plan on which the decision is based. The Administrator has the exclusive right to interpret the appropriate plan provisions. Decisions of the Administrator are conclusive and binding.

**X
CONTINUATION COVERAGE RIGHTS UNDER COBRA**

Under federal law, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), certain employees and their families covered under health benefits under this Plan will be entitled to the opportunity to elect a temporary extension of health coverage (called "COBRA continuation coverage") where coverage under the Plan would otherwise end. This notice is intended to inform Plan Participants and beneficiaries, in summary fashion, of their rights and obligations under the continuation coverage provisions of COBRA, as amended and reflected in final and proposed regulations published by the Department of the Treasury. This notice is intended to reflect the law and does not grant or take away any rights under the law.

The Plan Administrator or its designee is responsible for administering COBRA continuation coverage. Complete instructions on COBRA, as well as election forms and other information, will be provided by the Plan Administrator or its designee to Plan Participants who become Qualified Beneficiaries under COBRA. While the Plan itself is not a group health plan, it does provide health benefits. Whenever "Plan" is used in this section, it means any of the health benefits under this Plan including the Health Flexible Spending Account.

1. What is COBRA continuation coverage?

COBRA continuation coverage is the temporary extension of group health plan coverage that must be offered to certain Plan Participants and their eligible family members (called "Qualified Beneficiaries") at group rates. The right to COBRA continuation coverage is triggered by the occurrence of a life event that results in the loss of coverage under the terms of the Plan (the "Qualifying Event"). The coverage must be identical to the coverage that the Qualified Beneficiary had immediately before the Qualifying Event, or if the coverage has been changed, the coverage must be identical to the coverage provided to similarly situated active employees who have not experienced a Qualifying Event (in other words, similarly situated non-COBRA beneficiaries).

There may be other options available when you lose group health coverage. For example, you may be eligible to buy an individual plan through the Health Insurance Marketplace. By enrolling in coverage through the Marketplace, you may qualify for lower costs on your monthly premiums and lower out-of-pocket costs. Additionally, you may qualify for a 30-day special enrollment period for another group health plan for which you are eligible (such as a spouse's plan), even if that plan generally doesn't accept late enrollees.

2. Who can become a Qualified Beneficiary?

In general, a Qualified Beneficiary can be:

(a) Any individual who, on the day before a Qualifying Event, is covered under a Plan by virtue of being on that day either a covered Employee, the Spouse of a covered Employee, or a Dependent child of a covered Employee. If, however, an individual who otherwise qualifies as a Qualified Beneficiary is denied or not offered coverage under the Plan under circumstances in which the denial or failure to offer constitutes a violation of applicable law, then the individual will be considered to have had the coverage and will be considered a Qualified Beneficiary if that individual experiences a Qualifying Event.

(b) Any child who is born to or placed for adoption with a covered Employee during a period of COBRA continuation coverage, and any individual who is covered by the Plan as an alternate recipient under a qualified medical support order. If, however, an individual who otherwise qualifies as a Qualified Beneficiary is denied or not offered coverage under the Plan under circumstances in which the denial or failure to offer constitutes a violation of applicable law, then the individual will be considered to have had the coverage and will be considered a Qualified Beneficiary if that individual experiences a Qualifying Event.

The term "covered Employee" includes any individual who is provided coverage under the Plan due to his or her performance of services for the employer sponsoring the Plan. However, this provision does not establish eligibility of these individuals. Eligibility for Plan coverage shall be determined in accordance with Plan Eligibility provisions.

An individual is not a Qualified Beneficiary if the individual's status as a covered Employee is attributable to a period in which the individual was a nonresident alien who received from the individual's Employer no earned income that constituted income from sources within the United States. If, on account of the preceding reason, an individual is not a Qualified Beneficiary, then a Spouse or Dependent child of the individual will also not be considered a Qualified Beneficiary by virtue of the relationship to the individual. A domestic partner is not a Qualified Beneficiary.

Each Qualified Beneficiary (including a child who is born to or placed for adoption with a covered Employee during a period of COBRA continuation coverage) must be offered the opportunity to make an independent election to receive COBRA continuation coverage.

3. What is a Qualifying Event?

A Qualifying Event is any of the following if the Plan provided that the Plan participant would lose coverage (i.e., cease to be covered under the same terms and conditions as in effect immediately before the Qualifying Event) in the absence of COBRA continuation coverage:

(a) The death of a covered Employee.

(b) The termination (other than by reason of the Employee's gross misconduct), or reduction of hours, of a covered Employee's employment.

(c) The divorce or legal separation of a covered Employee from the Employee's Spouse. If the Employee reduces or eliminates the Employee's Spouse's Plan coverage in anticipation of a divorce or legal separation, and a divorce or legal separation later occurs, then the divorce or legal separation may be considered a Qualifying Event even though the Spouse's coverage was reduced or eliminated before the divorce or legal separation.

(d) A covered Employee's enrollment in any part of the Medicare program.

(e) A Dependent child's ceasing to satisfy the Plan's requirements for a Dependent child (for example, attainment of the maximum age for dependency under the Plan).

If the Qualifying Event causes the covered Employee, or the covered Spouse or a Dependent child of the covered Employee, to cease to be covered under the Plan under the same terms and conditions as in effect immediately before the Qualifying Event, the persons losing such coverage become Qualified Beneficiaries under COBRA if all the other conditions of COBRA are also met. For example, any increase in contribution that must be paid by a covered Employee, or the Spouse, or a Dependent child of the covered Employee, for coverage under the Plan that results from the occurrence of one of the events listed above is a loss of coverage.

The taking of leave under the Family and Medical Leave Act of 1993, as amended ("FMLA") does not constitute a Qualifying Event. A Qualifying Event will occur, however, if an Employee does not return to employment at the end of the FMLA leave and all other COBRA continuation coverage conditions are present. If a Qualifying Event occurs, it occurs on the last day of FMLA leave and the applicable maximum coverage period is measured from this date (unless coverage is lost at a later date and the Plan provides for the extension of the required periods, in which case the maximum coverage date is measured from the date when the coverage is lost.) Note that the covered Employee and family members will be entitled to COBRA continuation coverage even if they failed to pay the employee portion of premiums for coverage under the Plan during the FMLA leave.

4. What factors should be considered when determining to elect COBRA continuation coverage?

When considering options for health coverage, Qualified Beneficiaries should consider:

- **Premiums:** This plan can charge up to 102% of total plan premiums for COBRA coverage. Other options, like coverage on a spouse's plan or through the Marketplace, may be less expensive. Qualified Beneficiaries have special enrollment rights under federal law (HIPAA). They have the right to request special enrollment in another group health plan for which they are otherwise eligible (such as a plan sponsored by a spouse's employer) within 30 days after Plan coverage ends due to one of the Qualifying Events listed above.
- **Provider Networks:** If a Qualified Beneficiary is currently getting care or treatment for a condition, a change in health coverage may affect access to a particular health care provider. You may want to check to see if your current health care providers participate in a network in considering options for health coverage.
- **Drug Formularies:** For Qualified Beneficiaries taking medication, a change in health coverage may affect costs for medication – and in some cases, the medication may not be covered by another plan. Qualified beneficiaries should check to see if current medications are listed in drug formularies for other health coverage.
- **Severance payments:** If COBRA rights arise because the Employee has lost his job and there is a severance package available from the employer, the former employer may have offered to pay some or all of the Employee's COBRA payments for a period of time. This can affect the timing of coverage available in the Marketplace. In this scenario, the Employee may want to contact the Department of Labor at 1-866-444-3272 to discuss options.
- **Medicare Eligibility:** You should be aware of how COBRA coverage coordinates with Medicare eligibility. If you are eligible for Medicare at the time of the Qualifying Event, or if you will become eligible soon after the Qualifying Event, you should know that you have 8 months to enroll in Medicare after your employment –related health coverage ends. Electing COBRA coverage does not extend this 8-month period. For more information, see medicare.gov/sign-up-change-plan.
- **Service Areas:** If benefits under the Plan are limited to specific service or coverage areas, benefits may not be available to a Qualified Beneficiary who moves out of the area.
- **Other Cost-Sharing:** In addition to premiums or contributions for health coverage, the Plan requires participants to pay copayments, deductibles, coinsurance, or other amounts as benefits are used. Qualified beneficiaries should check to see what the cost-sharing requirements are for other health coverage options. For example, one option may have much lower monthly premiums, but a much higher deductible and higher copayments.

Are there other coverage options besides COBRA Continuation Coverage? Yes. Instead of enrolling in COBRA continuation coverage, there may be other coverage options for Qualified Beneficiaries through the Health Insurance Marketplace, Medicaid, or other group health plan coverage options (such as a spouse's plan) through what is called a "special enrollment period." Some of these options may cost less than COBRA continuation coverage. You can learn more about many of these options at www.healthcare.gov.

5. What is the procedure for obtaining COBRA continuation coverage?

The Plan has conditioned the availability of COBRA continuation coverage upon the timely election of such coverage. An election is timely if it is made during the election period.

6. What is the election period and how long must it last?

The election period is the time period within which the Qualified Beneficiary must elect COBRA continuation coverage under the Plan. The election period must begin no later than the date the Qualified Beneficiary would lose coverage on account of the Qualifying Event and ends 60 days after the later of the date the Qualified Beneficiary would lose coverage on account of the Qualifying Event or the date notice is provided to the Qualified Beneficiary of her or his right to elect COBRA continuation coverage. If coverage is not elected within the 60 day period, all rights to elect COBRA continuation coverage are forfeited.

Note: If a covered Employee who has been terminated or experienced a reduction of hours qualifies for a trade readjustment allowance or alternative trade adjustment assistance under a federal law called the Trade Act of 2002, as extended by the Trade Preferences Extension Act of 2015, and the employee and his or her covered dependents have not elected COBRA coverage within the normal election period, a second opportunity to elect COBRA coverage will be made available for themselves and certain family members, but only within a limited period of 60 days or less and only during the six months immediately after their group health plan coverage ended. Any person who qualifies or thinks that he or she and/or his or her family members may qualify for assistance under this special provision should contact the Plan Administrator or its designee for further information about the special second election period. If continuation coverage is elected under this extension, it will not become effective prior to the beginning of this special second election period.

7. Is a covered Employee or Qualified Beneficiary responsible for informing the Plan Administrator of the occurrence of a Qualifying Event?

The Plan will offer COBRA continuation coverage to Qualified Beneficiaries only after the Plan Administrator or its designee has been timely notified that a Qualifying Event has occurred. The Employer (if the Employer is not the Plan Administrator) will notify the Plan Administrator or its designee of the Qualifying Event within 30 days following the date coverage ends when the Qualifying Event is:

- (a) the end of employment or reduction of hours of employment,
- (b) death of the employee,
- (c) commencement of a proceeding in bankruptcy with respect to the Employer, or
- (d) entitlement of the employee to any part of Medicare.

IMPORTANT:

For the other Qualifying Events (divorce or legal separation of the employee and spouse or a dependent child's losing eligibility for coverage as a dependent child), you or someone on your behalf must notify the Plan Administrator or its designee in writing within 60 days after the Qualifying Event occurs, using the procedures specified below. If these procedures are not followed or if the notice is not provided in writing to the Plan Administrator or its designee during the 60-day notice period, any spouse or dependent child who loses coverage will not be offered the option to elect continuation coverage. You must send this notice to the Plan Administrator or its designee.

NOTICE PROCEDURES:

Any notice that you provide must be ***in writing***. Oral notice, including notice by telephone, is not acceptable. You must mail, fax or hand-deliver your notice to the person, department or firm listed below, at the following address:

Town of North Hempstead
220 Plandome Rd
Manhasset, New York 11030

If mailed, your notice must be postmarked no later than the last day of the required notice period. Any notice you provide must state:

- the **name of the plan or plans** under which you lost or are losing coverage,
- the **name and address of the employee** covered under the plan,
- the **name(s) and address(es) of the Qualified Beneficiary(ies)**, and
- the **Qualifying Event** and the **date** it happened.

If the Qualifying Event is a **divorce or legal separation**, your notice must include a **copy of the divorce decree or the legal separation agreement**.

Be aware that there are other notice requirements in other contexts, for example, in order to qualify for a disability extension.

Once the Plan Administrator or its designee receives ***timely notice*** that a Qualifying Event has occurred, COBRA continuation coverage will be offered to each of the qualified beneficiaries. Each Qualified Beneficiary will have an independent right to elect COBRA continuation coverage. Covered employees may elect COBRA continuation coverage for their spouses, and parents may elect COBRA continuation coverage on behalf of their children. For each Qualified Beneficiary who elects COBRA continuation coverage, COBRA continuation coverage will begin on the date that plan coverage would otherwise have been lost. If you or your spouse or

dependent children do not elect continuation coverage within the 60-day election period described above, the right to elect continuation coverage will be lost.

8. Is a waiver before the end of the election period effective to end a Qualified Beneficiary's election rights?

If, during the election period, a Qualified Beneficiary waives COBRA continuation coverage, the waiver can be revoked at any time before the end of the election period. Revocation of the waiver is an election of COBRA continuation coverage. However, if a waiver is later revoked, coverage need not be provided retroactively (that is, from the date of the loss of coverage until the waiver is revoked). Waivers and revocations of waivers are considered made on the date they are sent to the Plan Administrator or its designee, as applicable.

9. Is COBRA coverage available if a Qualified Beneficiary has other group health plan coverage or Medicare?

Qualified Beneficiaries who are entitled to elect COBRA continuation coverage may do so even if they are covered under another group health plan or are entitled to Medicare benefits on or before the date on which COBRA is elected. However, a Qualified Beneficiary's COBRA coverage will terminate automatically if, after electing COBRA, he or she becomes entitled to Medicare or becomes covered under other group health plan coverage.

10. When may a Qualified Beneficiary's COBRA continuation coverage be terminated?

During the election period, a Qualified Beneficiary may waive COBRA continuation coverage. Except for an interruption of coverage in connection with a waiver, COBRA continuation coverage that has been elected for a Qualified Beneficiary must extend for at least the period beginning on the date of the Qualifying Event and ending not before the earliest of the following dates:

- (a) The last day of the applicable maximum coverage period.
- (b) The first day for which Timely Payment is not made to the Plan with respect to the Qualified Beneficiary.
- (c) The date upon which the Employer ceases to provide any group health plan (including a successor plan) to any employee.
- (d) The date, after the date of the election, that the Qualified Beneficiary first becomes entitled to Medicare (either part A or part B, whichever occurs earlier).
- (e) In the case of a Qualified Beneficiary entitled to a disability extension, the later of:
 - (1) (i) 29 months after the date of the Qualifying Event, or (ii) the first day of the month that is more than 30 days after the date of a final determination under Title II or XVI of the Social Security Act that the disabled Qualified Beneficiary whose disability resulted in the Qualified Beneficiary's entitlement to the disability extension is no longer disabled, whichever is earlier; or
 - (2) the end of the maximum coverage period that applies to the Qualified Beneficiary without regard to the disability extension.

The Plan can terminate for cause the coverage of a Qualified Beneficiary on the same basis that the Plan terminates for cause the coverage of similarly situated non-COBRA beneficiaries, for example, for the submission of a fraudulent claim.

In the case of an individual who is not a Qualified Beneficiary and who is receiving coverage under the Plan solely because of the individual's relationship to a Qualified Beneficiary, if the Plan's obligation to make COBRA continuation coverage available to the Qualified Beneficiary ceases, the Plan is not obligated to make coverage available to the individual who is not a Qualified Beneficiary.

11. What are the maximum coverage periods for COBRA continuation coverage?

The maximum coverage periods are based on the type of the Qualifying Event and the status of the Qualified Beneficiary, as shown below.

- (a) In the case of a Qualifying Event that is a termination of employment or reduction of hours of employment, the maximum coverage period ends 18 months after the Qualifying Event if there is not a disability extension and 29 months after the Qualifying Event if there is a disability extension.
- (b) In the case of a covered Employee's enrollment in the Medicare program before experiencing a Qualifying Event that is a termination of employment or reduction of hours of employment, the maximum coverage period for Qualified Beneficiaries ends on the later of:
 - (1) 36 months after the date the covered Employee becomes enrolled in the Medicare program. This extension does not apply to the covered Employee; or
 - (2) 18 months (or 29 months, if there is a disability extension) after the date of the covered Employee's termination of employment or reduction of hours of employment.

(c) In the case of a Qualified Beneficiary who is a child born to or placed for adoption with a covered Employee during a period of COBRA continuation coverage, the maximum coverage period is the maximum coverage period applicable to the Qualifying Event giving rise to the period of COBRA continuation coverage during which the child was born or placed for adoption.

(d) In the case of any other Qualifying Event than that described above, the maximum coverage period ends 36 months after the Qualifying Event.

12. Under what circumstances can the maximum coverage period be expanded?

If a Qualifying Event that gives rise to an 18-month or 29-month maximum coverage period is followed, within that 18- or 29-month period, by a second Qualifying Event that gives rise to a 36-months maximum coverage period, the original period is expanded to 36 months, but only for individuals who are Qualified Beneficiaries at the time of and with respect to both Qualifying Events. In no circumstance can the COBRA maximum coverage period be expanded to more than 36 months after the date of the first Qualifying Event. The Plan Administrator must be notified of the second qualifying event within 60 days of the second qualifying event. This notice must be sent to the Plan Administrator or its designee in accordance with the procedures above.

13. How does a Qualified Beneficiary become entitled to a disability extension?

A disability extension will be granted if an individual (whether or not the covered Employee) who is a Qualified Beneficiary in connection with the Qualifying Event that is a termination or reduction of hours of a covered Employee's employment, is determined under Title II or XVI of the Social Security Act to have been disabled at any time during the first 60 days of COBRA continuation coverage. To qualify for the disability extension, the Qualified Beneficiary must also provide the Plan Administrator with notice of the disability determination on a date that is both within 60 days after the date of the determination and before the end of the original 18-month maximum coverage. This notice must be sent to the Plan Administrator or its designee in accordance with the procedures above.

14. Does the Plan require payment for COBRA continuation coverage?

For any period of COBRA continuation coverage under the Plan, Qualified Beneficiaries who elect COBRA continuation coverage may be required to pay up to 102% of the applicable premium and up to 150% of the applicable premium for any expanded period of COBRA continuation coverage covering a disabled Qualified Beneficiary due to a disability extension. Your Plan Administrator will inform you of the cost. The Plan will terminate a Qualified Beneficiary's COBRA continuation coverage as of the first day of any period for which timely payment is not made.

15. Must the Plan allow payment for COBRA continuation coverage to be made in monthly installments?

Yes. The Plan is also permitted to allow for payment at other intervals.

16. What is Timely Payment for COBRA continuation coverage?

Timely Payment means a payment made no later than 30 days after the first day of the coverage period. Payment that is made to the Plan by a later date is also considered Timely Payment if either under the terms of the Plan, covered Employees or Qualified Beneficiaries are allowed until that later date to pay for their coverage for the period or under the terms of an arrangement between the Employer and the entity that provides Plan benefits on the Employer's behalf, the Employer is allowed until that later date to pay for coverage of similarly situated non-COBRA beneficiaries for the period.

Notwithstanding the above paragraph, the Plan does not require payment for any period of COBRA continuation coverage for a Qualified Beneficiary earlier than 45 days after the date on which the election of COBRA continuation coverage is made for that Qualified Beneficiary. Payment is considered made on the date on which it is postmarked to the Plan.

If Timely Payment is made to the Plan in an amount that is not significantly less than the amount the Plan requires to be paid for a period of coverage, then the amount paid will be deemed to satisfy the Plan's requirement for the amount to be paid, unless the Plan notifies the Qualified Beneficiary of the amount of the deficiency and grants a reasonable period of time for payment of the deficiency to be made. A "reasonable period of time" is 30 days after the notice is provided. A shortfall in a Timely Payment is not significant if it is no greater than the lesser of \$50 or 10% of the required amount.

17. Must a Qualified Beneficiary be given the right to enroll in a conversion health plan at the end of the maximum coverage period for COBRA continuation coverage?

If a Qualified Beneficiary's COBRA continuation coverage under a group health plan ends as a result of the expiration of the applicable maximum coverage period, the Plan will, during the 180-day period that ends on that expiration date, provide the Qualified Beneficiary with the option of enrolling under a conversion health plan if such an option is otherwise generally available to similarly situated non-COBRA beneficiaries under the Plan. If such a conversion option is not otherwise generally available, it need not be made available to Qualified Beneficiaries.

18. How is my participation in the Health Flexible Spending Account affected?

You can elect to continue your participation in the Health Flexible Spending Account for the remainder of the Plan Year, subject to the following conditions. You may only continue to participate in the Health Flexible Spending Account if you have elected to contribute more money than you have taken out in claims. For example, if you elected to contribute an annual amount of \$500 and, at the time you terminate employment, you have contributed \$300 but only claimed \$150, you may elect to continue coverage under the Health Flexible Spending Account. If you elect to continue coverage, then you would be able to continue to receive your health reimbursements up to the \$500. However, you must continue to pay for the coverage, just as the money has been taken out of your paycheck, but on an after-tax basis. The Plan can also charge you an extra amount (as explained above for other health benefits) to provide this benefit.

IF YOU HAVE QUESTIONS

If you have questions about your COBRA continuation coverage, you should contact the Plan Administrator or its designee. For more information about your rights under ERISA, including COBRA, the Health Insurance Portability and Accountability Act (HIPAA), and other laws affecting group health plans, contact the nearest Regional or District Office of the U.S. Department of Labor's Employee Benefits Security Administration (EBSA). Addresses and phone numbers of Regional and District EBSA Offices are available through EBSA's website at www.dol.gov/ebsa.

KEEP YOUR PLAN ADMINISTRATOR INFORMED OF ADDRESS CHANGES

In order to protect your family's rights, you should keep the Plan Administrator informed of any changes in the addresses of family members. You should also keep a copy, for your records, of any notices you send to the Plan Administrator or its designee.

**XI
SUMMARY**

The money you earn is important to you and your family. You need it to pay your bills, enjoy recreational activities and save for the future. Our flexible benefits plan will help you keep more of the money you earn by lowering the amount of taxes you pay. The Plan is the result of our continuing efforts to find ways to help you get the most for your earnings.

If you have any questions, please contact the Administrator.

CLERK SRIVASTAVA: Item No. 62, a resolution authorizing certain supervisory arrangements concerning personnel of various departments in accordance with Chapter 16B of the Town Code.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 250 - 2022

A RESOLUTION AUTHORIZING CERTAIN SUPERVISORY ARRANGEMENTS CONCERNING PERSONNEL OF VARIOUS DEPARTMENTS IN ACCORDANCE WITH CHAPTER 16B OF THE TOWN CODE.

WHEREAS, the Town has previously adopted Chapter 16B of the Town Code of the Town of North Hempstead entitled “Anti-Nepotism” (the “Anti-Nepotism Law”), which, among other things, prohibits Town officers and employees from supervising relatives employed by the Town; and

WHEREAS, the Anti-Nepotism Law allows officers and employees to supervise a relative with the approval of the Town Board; and

WHEREAS, the Commissioner of Parks and Recreation (the “Commissioner”) has requested that this Board authorize the following persons to work at the same locations as their relatives, even though their working at the same location may create an indirect supervisory relationship:

<u>NAME</u>	<u>TITLE</u>	<u>LOCATION</u>
Luigi Iannucci	Laborer 1	Clark
Luigi Iannucci	Laborer	Highway/Westbury
Samantha Sanger	Lifeguard	Manorhaven
Victoria Sanger	Lifeguard	Manorhaven
Warren Sanger	Lifeguard	Manorhaven
Caitlin Shaub	Lifeguard	Manorhaven
Gordon Shaub	Lifeguard	Manorhaven
Jaelyn Shaub	Lifeguard Trainee	Manorhaven
Durery Czarkowski	Lifeguard	Manorhaven
Christopher Czarkowski	Lifeguard	Manorhaven

; and

WHEREAS, the Commissioner has represented to this Board that allowing these indirect supervisory arrangements to exist is essential to the successful operation of the Town’s parks and pools for the summer season and that any indirect supervision

will be minor and will not involve the formation or execution of policy at the Town's parks and pools; and

WHEREAS, the Town Board finds it in the best interests of the Town to authorize the above persons to work at the same locations as their relatives as described above, in accordance with the authority given to it under the Anti-Nepotism Law.

NOW, THEREFORE, BE IT

RESOLVED that the indirect supervisory arrangements described in this resolution be and hereby are authorized; and be it further

RESOLVED that the Town Board's authorization as described in this Resolution shall expire September 15, 2022.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Parks and Recreation

CLERK SRIVASTAVA: Item No. 63, a resolution amending Resolution No.160-2022, adopted March 31, 2022, awarding a bid for Arborist Services (TNH034-2022).

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 251 - 2022

A RESOLUTION AMENDING RESOLUTION NO. 160-2022, ADOPTED MARCH 31, 2022, AWARDING A BID FOR ARBORIST SERVICES (TNH 034-2022).

WHEREAS, pursuant to Resolution No. 160-2022, duly adopted on March 31, 2021, the Town Board authorized the award of a bid for arborist services, TNH034-2022 (the "Resolution"); and

WHEREAS, subsequent to the Board meeting it became clear that the winning bidder, Davey Resource Group, was not able to comply with the Town's bid requirements and was deemed nonresponsible; and

WHEREAS, it has been requested that the Resolution be amended to reflect that bids were received as set forth in Exhibit A, attached hereto (the "Amended Bids"); and

WHEREAS, it has been requested that that the Resolution be further amended to reflect that following a review of the Amended Bids, the Director of Purchasing has recommended an award as set forth in Exhibit B, attached hereto (the "Amendment").

NOW, THEREFORE, BE IT

RESOLVED that the Resolution be and hereby is amended to reflect the Amended Bids and the Amendment; and be it further

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute, on behalf of the Town, any purchase agreements and related documents, a copy of which shall be on file in the Division of Purchasing, and to take such other related action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be, and hereby is, authorized and directed to pay the costs of said awards upon receipt of a duly executed and certified claims therefor.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney

Item	Description	Barbara Thayer, P.E.; Arch; Landscape Ar 99 Sunnyside Boulevard Woodbury, NY 11797 (516)364-0660 ext 119 Daniel Maher dmaher@bthayerassociates.com		Davey Resource Group 399 Conklin Street, Suite 204 Farmingdale, NY 11735 (646)740-9424 Andrew Ullman, Project Developer andrew.ullman@davey.com		Dom's Lawnmaker Inc. 101 Harbor Road Port Washington, NY 11050 (516)944-6497 Dominick D'Alonzo domstree2@aol.com	
		PRICE Years 1-3	PRICE YEAR 4-5 (Town Option)	PRICE Years 1-3	PRICE YEAR 4-5 (Town Option)	PRICE Years 1-3	PRICE YEAR 4-5 (Town Option)
1	Level 2 Inspection	\$180	\$190	\$73.75	\$78.50	225.00	250.00
2	Level 3 Inspection	n/a	n/a	\$320.00	\$325.00	425.00	450.00
3	Hourly Rate	\$105	\$112	\$125.00 Davey Resource Group is unable to comply with the Town's contract requirements	\$140.00	125.00	135.00

TNH034-2022-Arborists Services	
Winning Vendor	Items Won
Barbara Thayer, P.E; Arch; Landscape Architecture	
99 Sunnyside Boulevard	
Woodbury, NY 11797	Item 1-Level 2 Inspection
(516)364-0660 ext 119	Item3-Hourly rate
Daniel Maher	
dmaher@bthayerassociates.com	
Dom's Lawnmaker Inc.	
101 Harbor Road	
Port Washington, NY 11050	Item 2-Level 3 Inspection
(516)944-6497	
Dominick D'Alonzo	
domstree2@aol.com	

CLERK SRIVASTAVA: Item No. 64, a resolution amending Resolution No. 169-2022, adopted March 31, 2022, authorizing the execution of agreements with various agencies to provide activities and services for senior citizens within the Town of North Hempstead.

SUPERVISOR DESENA: I offer –

CLERK SRIVASTAVA: We have cards

SUPERVISOR DESENA: Oh.

CLERK SRIVASTAVA: --on this?

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Thank you. Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 252 - 2022

A RESOLUTION AMENDING RESOLUTION NO. 169-2022, ADOPTED MARCH 31, 2022, AUTHORIZING THE EXECUTION OF AGREEMENTS WITH VARIOUS AGENCIES TO PROVIDE ACTIVITIES AND SERVICES FOR SENIOR CITIZENS WITHIN THE TOWN OF NORTH HEMPSTEAD.

WHEREAS, pursuant to Resolution No. 169-2022, duly adopted on March 31, 2022, the Town Board authorized the execution of agreements with various agencies for municipal assistance to provide recreational, instructional and/or nutritional programs for senior citizens (the "Services") for the period beginning on January 1, 2022 and terminating on December 31, 2022 (the "Resolution"); and

WHEREAS, the Resolution inadvertently omitted the East Williston Seniors as an agency deserving of such assistance for the provision of the Services; and

WHEREAS, the Commissioner of the Department of Services for the Aging has requested that the Resolution be amended to include the execution of an agreement with the East Williston Seniors for an amount not to exceed Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00) (the "Amendment").

NOW, THEREFORE, BE IT

RESOLVED that the Resolution be and hereby is amended to reflect the Amendment.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney

CLERK SRIVASTAVA: Item No. 65, a resolution amending Resolution No.187-2022, adopted March 31, 2022, authorizing the purchase of software maintenance, technical support, and cloud hosting services for various town departments.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 253 - 2022

A RESOLUTION AMENDING RESOLUTION NO. 187-2022, ADOPTED MARCH 31, 2022, AUTHORIZING THE PURCHASE OF SOFTWARE MAINTENANCE, TECHNICAL SUPPORT AND CLOUD HOSTING SERVICES FOR VARIOUS TOWN DEPARTMENTS.

WHEREAS, pursuant to Resolution No. 187-2022, duly adopted on March 31, 2022, the Town Board authorized the purchase of annual software maintenance, technical support, and cloud hosting services for the Town's time and attendance system from Andrews Technology HMS, Inc., 1213 Culbreth Drive, Suite #126, Wilmington, North Carolina 28405 for a term of one (1) year in consideration of an amount not to exceed One Thousand Five Hundred Thirty-Six and 00/100 Dollars (\$1,536.00) (the "Resolution"); and

WHEREAS, the Resolution inadvertently contained the incorrect amount for the purchase; and

WHEREAS, it has been requested that the Resolution be amended to correct the amount of the purchase such that the amount to be paid for the purchase be an amount not to exceed Forty Four Thousand Seven Hundred Forty-Five and 00/100 Dollars (\$44,745.00) (the "Amendment").

NOW, THEREFORE, BE IT

RESOLVED that the Resolution be and hereby is amended to reflect the Amendment; and be it further

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the cost of the purchase upon receipt of certified claims therefore.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney

CLERK SRIVASTAVA: Item No. 66, a resolution authorizing the employment appointment, transfer, adjustment corrections, change in grade or salary, and/or termination of employees and/or officials in various departments of the Town.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILWOMAN DALIMONTE: There's no cards on this?

CLERK SRIVASTAVA: Item No. 66 --offering the --

SUPERVISOR DESENA: Okay. I offer the resolution and move for its adoption.

MR. CHIARA: Do you want -- I'm sorry --

SUPERVISOR DESENA: Should I say items 1 --

MR. CHIARA: I just want the Clerk to read the whole --

CLERK SRIVASTAVA: --to read the whole thing because -- Item No. 66, offering various resolutions No. 66-1 through 66-101, authorizing the employment, appointment, transfer, adjustment, correction, change in grade or salary, and/or termination of employees and/or officials in various departments of the Town.

SUPERVISOR DESENA: I offer the resolutions and move for their adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: I vote aye on No. 66-1 through 66- 101, with the exception of items 66-100 and 66-101 to which I abstain.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: I vote aye on items 66-1 through 66- 101, except for items 66-100 and 66-101 for which I abstain.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Yeah, I vote for everybody. Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: I vote aye on item No. 66-1 through 66- 101, except for items No. 66-100 and 66-101 to which I abstain.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: I vote aye on all of them.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: I vote aye on items 66-1 through 66-101, except for items 66-100 and 66-101, I abstain.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye. On all of them.

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

RESOLUTION NO. 254 - 2022

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, 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 the below resolutions; and

WHEREAS, that employments, appointments, transfers, adjustments, corrections, changes in grade or salary, and/or terminations (the "Employment Actions") that have been adopted are subject to completion of paperwork and civil service approval and are subject to the rules and regulations of the Nassau County Civil Service Commission and New York State Civil Service Law; and be it further

WHEREAS, that the term of appointment and employment of any person to an exempt position shall be at the pleasure of the Town Board.

WHEREAS, this Board finds it to be in the best interest of the Town to authorize the Employment Actions as follows:

RESOLVED

cc: Town Attorney Human Resources

RESOLUTION NO: 254-1

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the full-time hire of Jason Brill to the title of PSO I in the Parks & Rec Public Safety at the pay rate of \$23.41 hourly / \$48,684 annually at Grade 10 / Step 1 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-2

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the full-time hire of Steven Caceres to the title of PSO I in the Parks & Rec Public Safety at the pay rate of \$23.41 hourly / \$48,684 annually at Grade 10 / Step 1 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-3

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the full-time hire of Lourdes Long to the title of Laborer 1 in the Parks & Rec YWCCC at the pay rate of \$22.82 hourly / \$47,471 annually at Grade 9 / Step 1 effective 05/14/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-4

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the full-time hire of Robert McCormick to the title of Laborer 1 in the Parks & Rec NHBP at the pay rate of \$22.82 hourly / \$47,471 annually at Grade 9 / Step 1 effective 05/14/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-5

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the full-time hire of Jessica Russo to the title of Laborer 1 in the Parks & Rec NHBP at the pay rate of \$22.82 hourly / \$47,471 annually at Grade 9 / Step 1 effective 05/14/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-6

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the full-time hire of Jeyakowri Shanmugarajah to the title of Laborer 1 in the Department of Parks & Rec Tully at the pay rate of \$22.82 hourly / \$47,471 annually at Grade 9 / Step 1 effective 05/14/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-7

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the full-time hire of Angelo Tomasino to the title of Laborer 1 in the Department of Parks & Rec Trades Crew at the pay rate of \$22.82 hourly / \$47,471 annually at Grade 9 / Step 1 effective 05/14/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-8

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the full-time hire of Devon Williams to the title of Laborer 1 in the Parks & Rec Tully at the pay rate of \$22.82 hourly / \$47,471 annually at Grade 9 / Step 1 effective 05/14/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-9

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the new hire seasonal of Isaiah Bien-Aise to the title of Rec Aide in the Department of Parks & Rec YWCCC at the pay rate of \$16.50 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-10

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the new hire seasonal of Anthony Danile to the title of Laborer 1 in the Department of Parks & Rec Clinton G. Martin at the pay rate of \$15.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-11

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the new hire seasonal of Angelo Ferrara to the title of Laborer 1 in the Department of Parks & Rec Clinton G. Martin at the pay rate of \$15.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-12

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the new hire seasonal of Logan Frankel to the title of Laborer 1 in the Department of Parks & Rec Caemmerer at the pay rate of \$15.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-13

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the new hire seasonal of Luigi Iannucci to the title of Laborer 1 in the Department of Parks & Rec Clark Garden at the pay rate of \$15.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-14

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the new hire seasonal of Sharde Jones to the title of PSO 1 in the Department of Parks & Rec Parks Public Safety at the pay rate of \$18.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-15

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the new hire seasonal of Christine Peitler to the title of Lifeguard 1 in the Department of Parks & Rec Whitney Pond Park at the pay rate of \$17.75 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-16

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the new hire seasonal of Daniel Pun to the title of Lifeguard 1 in the Department of Parks & Rec Tully Park at the pay rate of \$17.75 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-17

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the new hire seasonal of Michael Rivera to the title of PSO 1 in the Department of Parks & Rec Parks Public Safety at the pay rate of \$18.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-18

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the new hire seasonal of Kevin Rodriguez to the title of Laborer 1 in the Department of Parks & Rec Gerry Pond Park at the pay rate of \$15.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-19

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the new hire seasonal of Jaclyn Shaub to the title of Lifeguard Trainee in the Department of Parks & Rec Manorhaven Beach Park at the pay rate of \$16.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-20

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the new hire seasonal of Ian Spence to the title of PSO 1 in the Department of Parks & Rec Parks Public Safety at the pay rate of \$18.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-21

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the new hire seasonal of Justin Vasek to the title of Laborer 1 in the Department of Parks & Rec Clinton G. Martin at the pay rate of \$15.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-22

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the new hire seasonal of Samantha Zebitsch to the title of Lifeguard 1 in the Department of Parks & Rec Clinton G. Martin at the pay rate of \$20.25 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-23

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the new hire seasonal of Sana Farooqi to the title of Rec Aide in the Department of Public Safety at the pay rate of \$15.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-24

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the new hire seasonal of Alexis Pieters to the title of Clerk Typist 1 in the Community Services Department at the pay rate of \$18.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano,

councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-25

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the new hire seasonal of Spencer Lane to the title of Rec Aide in the Community Services Department at the pay rate of \$18.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-26

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the location change of Joanne Calabig in the title of Accountant IV in the Town Clerk Department at the pay rate of \$3,213 bi-weekly / \$83,537 annually at Grade 21 / Step 10.5 effective 01/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-27

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the merit raise of Joseph Canzoneri, Jr. in the title of Plans Examiner 1 in the Department of Buildings at the pay rate of \$3,806.30 bi-weekly / \$98,963 annually at to Grade 25 / Step 9.0 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254 -28

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the merit raise of Laurie Sarro in the title of Administrative Officer 1 in the Department of Buildings at the pay rate of \$3,151.80 bi-weekly / \$81,946 annually at to Grade 21 / Step 9.5 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-29

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the merit raise of Frank Calo in the title of Equipment Operator 3 in the Department of Highways at the pay rate of \$43.28 hourly / \$90,030 annually at Grade 17 / Step 24 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-30

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the merit raise of Terri Machado in the title of Accounting Assistant 2 in the Department of Highways at the pay rate of \$3,052.60 bi-weekly / \$79,367 annually at Grade 14 / Step 21.5 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-31

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the merit raise of Parbatie Maharaj in the title of Clerk 2 in the Department of Highways at the pay rate of \$2,796.70 bi-weekly /\$72,715 annually at Grade 12 / Step 21 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-32

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the merit raise of Barbara Tierney in the title of Administrative Assistant in the Department of Highways at the pay rate of \$2,964.50 bi-weekly / \$77,077 annually at Grade 20 / Step 9 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-33

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the merit raise of Steven Hightower in the title of Storeyard Supervisor in the Department of Highways at the pay rate of \$31.33 hourly / \$65,168 annually at Grade 17 / Step 5.5 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-34

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the merit raise of John Dileo in the title of Equipment Operator 1 in the Department of Highways at the pay rate of \$31.33 hourly / \$65,165 annually at Grade 13 / Step 12.5 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-35

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the merit raise of Maurice Franciamore in the title of Laborer 2 in the Department of Highways at the pay rate of \$32.13 hourly / \$66,824 annually at Grade 11 / Step 13 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-36

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the merit raise of Raymond Jones in the title of Equipment Operator 3 in the Department of Highways at the pay rate of \$43.68 hourly / \$90,859 annually at Grade 17 / Step 25.5 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-37

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the merit raise of Ronald Clyburn III in the title of Laborer 2 in the Department of Highways at the pay rate of \$31.33 hourly / \$65,176 annually at Grade 11 / Step 16 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-38

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the merit raise of Andrew Klein in the title of Labor Supervisor 1 in the Port Washington Public Parking District at the pay rate of \$31.65 hourly / \$65,830 annually at Grade 17 / Step 6 effective 04/02/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-39

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the merit raise and location change of Jennifer Costantino in the title of Rec Aide in the Parks & Rec Clinton G. Martin at the pay rate of \$32.15 hourly / \$66,870 annually at Grade 9 / Step 22.5 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-40

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the merit raise and location change of Frank Fabiano in the title of Recreation Leader in the Parks & Rec Clinton G. Martin at the pay rate of \$28.98 hourly / \$60,283 annually at Grade 13 / Step 8 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-41

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the title change, grade, step and salary change of Maria Radomancyk to the title of Clerk 2 in the at the pay rate of \$2,055.70 bi-weekly / \$53,448 annually at Grade 12 / Step 3.0 effective 04/02/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-42

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the title change, grade, step and salary change of Julie Bergin to the title of Clerk 2 in the at the pay rate of \$2,015.40 bi-weekly / \$52,400 annually at Grade 12/Step 2.0 effective 04/02/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano,

councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-43

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the title change, grade, step and salary change of Kevin Campbell to the title of Equipment Operator 1 in the at the pay rate of \$25.33 hourly / \$52,689 annually at Grade 13 / Step 1.0 effective 02/20/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-44

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the title change, grade, step and salary change of Matthew Matta to the title of Equipment Operator 1 in the at the pay rate of \$25.33 hourly / \$52,689 annually at Grade 13 / Step 1.0 effective 03/05/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-45

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the title change, grade, step and salary change of Robert Montgomery to the title of Equipment Operator 1 in the at the pay rate of \$25.33 hourly / \$52,689 annually at Grade 13 / Step 1.0 effective 04/02/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-46

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the title change, grade, step and salary change of Ethan Brower to the title of Equipment Operator 2 in the at the pay rate of \$26.94 hourly / \$56,030 annually at Grade 15 / Step 1 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-47

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the title change, grade, step and salary change of Kevin Casey to the title of Equipment Operator 2 in the at the pay rate of \$26.94 hourly / \$56,030 annually at Grade 15 / Step 1 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-48

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the title change, grade, step and salary change of Kevin Lewis to the title of PSO II in the Department of Parks & Rec Parks Public Safety at the pay of \$30.55 hourly / \$63,536 annually at Grade 13 / Step 11 effective 05/14/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano,

councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-49

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the location, title, salary, grade & step change of Austin Scarpati in the title of Maintenance Mechanic 1 in the Parks & Rec Michael J. Tully at the pay rate of \$27.16 hourly / \$56,485 annually at Grade 13 / Step 4.5 effective 05/14/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-50

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the location change of Nicole Fredericks in the title of Rec Aide in the Parks & Rec

NHBP at the pay rate of \$26.22 hourly / \$54,530 annually at Grade 9 / Step 8.5 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-51

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the location change of Justin Gerhardt in the title of Laborer 1 in the Parks & Rec

Fuschillo at the pay rate of \$22.82 hourly / \$47,471 annually at Grade 9 / Step 1 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-52

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the location change of Bernard Granum in the title of Laborer 1 in the Parks & Rec

Whitney at the pay rate of \$24.18 hourly / \$50,291 annually at Grade 9 / Step 4 effective 04/30/22

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-53

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the location change of Nicholas Halufska in the title of Rec Aide in the Parks & Rec Manorhaven at the pay rate of \$26.22 hourly / \$54,530 annually at Grade 9 / Step 8.5 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-54

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the location change of Jesse Madden in the title of Laborer 1 in the Parks & Rec NHBP at the pay rate of \$23.27 hourly / \$48,411 annually at Grade 9 / Step 2 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano,

councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-55

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the location change of Daniel Riordan in the title of Groundskeeper 1 in the Parks & Rec

Harbor Hills at the pay rate of \$29.09 hourly / \$60,499 annually at Grade 17 / Step 2 effective 04/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-56

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the location change of Matthew Riquelme in the title of Laborer 1 in the Parks & Rec Clark at the pay rate of \$23.27 hourly / \$48,411 annually at Grade 9 / Step 2 effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-57

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the part time hourly rate change of Brian Kilgannon in the title of Parking Meter Servicer in the Department of Public Safety at the pay rate of \$19.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-58

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt to seasonal of William Moran in the title of Bay Constable in the Department of Public Safety at the pay rate of \$25.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-59

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt to seasonal of David Norman in the title of Bay Constable in the Department of Public Safety at the pay rate of \$25.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-60

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt to seasonal of Victor Fuentes in the title of Bay Constable in the Department of Public Safety at the pay rate of \$25.00 hourly effective 05/01/22

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-61

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt to seasonal of Aaron Tomlinson in the title of Bay Constable in the Department of Public Safety at the pay rate of \$25.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-62

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt to seasonal of Michael Green in the title of Bay Constable in the Department of Public Safety at the pay rate of \$25.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-63

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt to seasonal of Kevin Lang in the title of Bay Constable in the Department of Public Safety at the pay rate of \$25.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-64

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt to seasonal of Paula Kellner in the title of Clerk 1 in the Department of Public Safety at the pay rate of \$16.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-65

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt to seasonal of Lisa Cioffi in the title of attendant / feral cat coordinator in the Department of Public Safety at the pay rate of \$20.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-66

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt to seasonal of Joshua Gersman in the title of Laborer 1 in the Department of Public Safety at the pay rate of \$15.00 hourly effective 5/1/2022.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-67

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt to seasonal of Brian Lackner in the title of Laborer 1 in the Department of Public Safety at the pay rate of \$15.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-68

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt to seasonal of Maria D'Urso in the title of Sr. Citizen's Program Dev. Aide P/T in the Community Services Department at the pay rate of \$40.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-69

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs. of Sherri Marx-Eisenstadt in the title of Clerk Typist P/T in the Human Resources Department at the pay rate of \$40.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-70

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs. of Kimberly Priester in the title of attendant / 311 call rep in the 311 Call Center at the pay rate of \$17.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-71

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs. of Jordan Gable in the title of attendant / 311 call rep in the 311 Call Center at the pay rate of \$17.50 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-72

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs. of Nuris Melendez in the title of attendant / 311 call rep in the 311 Call Center at the pay rate of \$16.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-73

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs. of Sophia Gordon in the title of attendant / 311 call rep in the 311 Call Center at the pay rate of \$16.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-74

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs. of Anna Woytysiak in the title of attendant / 311 call rep in the 311 Call Center at the pay rate of \$16.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-75

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs. of Jordan Haas in the title of attendant / 311 call rep in the 311 Call Center at the pay rate of \$16.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-76

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs. of Ronald Carnicom in the title of Laborer 1 P/T in the Department of Information Technology at the pay rate of \$30.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-77

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs. of Thomas DiGiuse in the title of laborer 1 in the Department of Highways at the pay rate of \$19.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-78

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs. of Lorena Giammarino in the title of Clerk 1 in the Department of Highways at the pay rate of \$19.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-79

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs. of John Miller in the title of laborer 1 in the Department of Highways at the pay rate of \$19.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

R

RESOLUTION NO: 254-80

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs. of Drew Nicholson in the title of laborer 1 in the Department of Highways at the pay rate of \$20.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

R

RESOLUTION NO: 254-81

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs. of Douglas Lyons in the title of laborer 1 in the Department of Highways at the pay rate of \$20.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

R

ESOLUTION NO: 254-82

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs. of Anthony Calo in the title of laborer 1 in the Department of Highways at the pay rate of \$15.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

R

ESOLUTION NO: 254-83

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs. of Gerard R Merolla in the title of Clerk Typist 1 P/T in the Receiver of Taxes Department at the pay rate of \$30.00 hourly effective 05/01/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

R

ESOLUTION NO: 254-84

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs w/title chg of Nicholas Rubinic in the title of Lifeguard II in the Department of Parks & Rec Manorhaven Beach Park at the pay rate of \$19.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-85

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs w/loc chg of Cody Campbell in the title of Laborer 1 in the Parks & Rec Whitney at the pay rate of \$15.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-86

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs w/loc & sal chg of Nishon Parson in the title of Laborer 1 in the Parks & Rec NHBP at the pay rate of \$16.75 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-87

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the returning seasonal w/ sal chg. of Frank Cienski in the title of attendant in the Department of Parks & Rec Clinton G. Martin at the pay rate of \$15.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-88

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the returning seasonal w/ sal chg. of John Flemm in the title of attendant in the Department of Parks & Rec Clinton G. Martin at the pay rate of \$15.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-89

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the returning seasonal w/ sal chg. of Annie Serkes in the title of Lifeguard 1 in the Department of Parks & Rec Clinton G. Martin at the pay rate of \$18.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-90

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the returning seasonal w/ sal chg. of Terrence McGinty in the title of Laborer 1 in the Department of Parks & Rec Manorhaven at the pay rate of \$15.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-91

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the returning seasonal w/ sal chg. of Madeline Menke in the title of Attendant in the Department of Parks & Rec Whitney Pond Park at the pay rate of \$15.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-92

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the returning seasonal w/ sal chg. of Jordan Stoner in the title of Attendant in the Department of Parks & Rec NHBP at the pay rate of \$15.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-93

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the returning seasonal w/title & sal chg of Charles Bosworth in the title of Laborer 1 in the Department of Parks & Rec Manorhaven at the pay rate of \$15.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-94

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the returning seasonal w/loc & sal chg of Allyson Currier in the title of attendant in the Parks & Rec NHBP at the pay rate of \$15.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-95

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs. of James Linehan in the title of lifeguard 1 in the Department of Parks & Rec Tully at the pay rate of \$16.00 hourly effective 04/14/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano,

councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.
Nays: None.

RESOLUTION NO: 254-96

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the pt w/seasonal hrs w/loc chg of Matthew Rubinic in the title of attendant in the Department of Parks & Rec Tully Park at the pay rate of \$15.00 hourly effective 04/30/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-97

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the retirement of Joseph Athan in the title of Equipment Operator 2 in the Department of Parks & Rec NHBP at the pay rate of \$41.47 hourly / \$86,257 annually at Grade 15 / Step 28.5 effective 04/03/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-98

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the resignation of Aliza Batrez in the title of in the at the pay rate of at effective 03/28/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-99

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the resignation of Kyle Zhu in the title of in the at the pay rate of at effective 04/15/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 254-100

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the title change, grade, step and salary change of Antonio Cavezza to the title of Highway Construction Supervisor in the at the pay rate of \$32.89 hourly / \$68,411

annually at Grade 21 / Step 1.0 effective 01/08/22.

Ayes: Councilperson Adhami, councilperson Walsh, Supervisor DeSena.

Nays: Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Zuckerman.

RESOLUTION NO: 254-101

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board hereby approves the title change, grade, step and salary change of Michael Catapano to the title of Highway Maintenance Supervisor in the at the pay rate of \$44.80 hourly / \$93,177 annually at Grade 27 / Step 1.0 effective 01/08/22.

Ayes: Councilperson Adhami, councilperson Walsh, Supervisor DeSena.

Nays: Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Zuckerman.

CLERK SRIVASTAVA: Thank you. Item No. 67, a resolution approving the action of the Fire-Medic Company No.1, Port Washington, New York, in adding to membership, Kenneth Doza and Rachel Nissan.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: 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. 255 - 2022

A RESOLUTION APPROVING THE ACTION OF THE FIRE-MEDIC CO., NO. 1, PORT WASHINGTON, NEW YORK, IN ADDING TO MEMBERSHIP KENNETH DOZA AND RACHEL NISSAN.

WHEREAS, the Fire-Medic Co. No. 1, Port Washington, New York, has advised of adding Kenneth Doza and Rachel Nissan 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 Kenneth Doza of 25 Fifth Avenue, Port Washington, NY 11050 and Rachel Nissan of 150 South Road, Sands Point 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

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

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

SUPERVISOR DESENA: I move to -- untable item 68.

CLERK SRIVASTAVA: A resolution

SUPERVISOR DESENA: -- wait. Do we need to vote on that?

MR. CHIARA: Yes.

SUPERVISOR DESENA: Okay. Can you call a vote to move to untable it?

CLERK SRIVASTAVA: Okay. Oh, yeah. We have --

MR. CHIARA: -- you should --

CLERK SRIVASTAVA: --a card on this.

MR. WALSH: Wait.

CLERK SRIVASTAVA: Should we call the --

MR. CHIARA: Untable it first.

CLERK SRIVASTAVA: Okay. Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Now, we have a cards on this item.

SUPERVISOR DESENA: Do you have to read it first?

CLERK SRIVASTAVA: Tom --

MR. CHIARA: You should read it

CLERK SRIVASTAVA: Should I --

SUPERVISOR DESENA: Yeah. I think --

MR. CHIARA: Yeah. Read it.

CLERK SRIVASTAVA: Oh, okay.

MR. CHIARA: Like --

CLERK SRIVASTAVA: Thank you. Okay. A resolution identifying titles of employees of the Town of North Hempstead who hold policy making positions for purposes of requiring the filing of the annual statement of financial disclosure.

SUPERVISOR DESENA: Town Attorney, would you speak on this?

MR. CHIARA: Sure. So last meeting, the Board asked me -- tabled this item and asked the Town Attorney's Office to review the people in the, you know, on the -- actually, the titles on the list. And I just wanted to kind of review with the Town Board what exactly what we did. We reviewed every -- all the titles. We removed a lot of the titles that haven't been in existence. We went to the Board of Ethics. We reviewed all the names associated with the titles with the Board of Ethics as part of that because we knew this is a management issue. We asked the Board of Ethics to approve the list, which they did. And then they also agreed that when Labor and Management met on the item that we -- that they would allow them to remove those names. The Town Attorney's Office with, you know, Deputy Supervisor, met with the president. A whole series of names were offered by the president to remove. Most of them were removed. We were in agreement with most of them. Two of them, I think, were not removed. And I think there -- I have heard that some other people felt they should be removed, but that was not raised. And what I would say to all employees and I -- you know, is that if you feel that you should still not be on the list, there is also a way to be exempt under the rules. They can request it from the Board of Ethics, which I would make sure that request goes to the Board of Ethics for their consideration.

SUPERVISOR DESENA: Okay. Thank you. Do we have a card?

CLERK SRIVASTAVA: Yes. Tom McDonough.

MR. MCDONOUGH: Good evening, Supervisor. Board members.

SUPERVISOR DESENA: Saving the best for last.

MR. MCDONOUGH: Maybe. So as the Town Attorney said that I did meet with the chief deputy Town Attorney, Amanda Abata, and we met again as of this afternoon. Again, there's a couple of individuals that I don't agree that should be on there. We came to an agreement on most of them. I will send a letter to the Board of Ethics. I will ask to meet with the Board of Ethics and put forth what my reasoning being because I'm following the letter of the law. Letter of the law doesn't say because the persons handling, it's -- the interpretation of it is one thing. And my interpretation is one. And the Town Attorney's Officer's interpretations another. That's why the Board of Ethics needs to do it. So but I will write them a letter and I thank you for holding this over from last month and allowing us to work it out a little bit. With that, because I know this is the was last item, I'd like to change hats. Put on my resident and my vote hat. And all of you guys know me. Whether you like me, whether we agree, we don't agree, that's everybody's individual thing. But I think that the one thing that you need to do, it's a suggestion that you do it. Maybe over the weekend go and watch the tape of this meeting, and see what everybody out here is seeing and what everybody's streaming is seeing. Just a suggestion. Have a good night because it's about an hour-and-a-half past my bedtime.

SUPERVISOR DESENA: Thank you.

COUNCILWOMAN LURVEY: Thank you.

CLERK SRIVASTAVA: Thank you.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 256 - 2022

A RESOLUTION IDENTIFYING TITLES OF EMPLOYEES OF THE TOWN OF NORTH HEMPSTEAD WHO HOLD POLICY MAKING POSITIONS FOR PURPOSES OF REQUIRING THE FILING OF THE ANNUAL STATEMENT OF FINANCIAL DISCLOSURE.

WHEREAS, the Town Code of Ethics lists officers, employees and board members who must file Annual Statements of Financial Disclosure (“Disclosure Statements”) with the Town of North Hempstead Board of Ethics (“Board of Ethics”); and

WHEREAS, Town Code § 16A-7(A) authorizes the Town Board to determine those additional officers, employees and board members who hold policy-making positions or whose work involve the negotiation, authorization or approval of contracts, licenses, purchasing, obtaining of grants or money and/or the adoption of rules and regulations;

WHEREAS, employees involved in such work are required to file Disclosure Statements; and

WHEREAS, the Board of Ethics has reviewed the additional titles that it believes should be required to file Disclosure Statements and those titles are listed below.

NOW, THEREFORE BE IT

RESOLVED that the Town Board has determined that, in addition to those titles set forth in the Town Code, employees in the following titles hold positions for purposes of requiring the filing of Disclosure Statements:

Building Department

Architect – Linda Stein Brickman

Building Inspector I - Raymond Oriol, Anthony Laurino, Paul Vetere, Anthony Burresci, Thomas Prochilo, Victor Cornelius, Patrick Abramski, Domenick Russo, Paul Ehrbar, Dominick Pedulla, Charles Lombardo

Building Inspector II – Bill Smalley, Gabe Garcia

Building Plans Examiner I – Ben Voutsinas, Anthony Raguseo, Michael Miano, Nicholas Vissichelli, Anthony Basile, Joseph Canzoneri, Michael Maracic

Electrical Board Member – Luigi Amorese, Giuseppe Dibartolomeo, William Titterton

Multiple Residence Inspector I – Matt Cardone

Plumbing Inspector I – Frank Evangelista, Gennaro Delucia, Daniel Richards,
Michael Pilo

Plumbing Inspector II – Dominick Frissora

Plumbing Board Member – John Bachor, John Mccann, Ronald Sakowich

Secretary to the Commissioner of Bldg Safety Inspection/Enforcement – Donna
Argila

Community Services

Legal Typist I – Gia Montelbano

Department of Services for the Aging

Accounting I, P/D – James Allen

Director of Senior Citizen Affairs – Kristina Lew

Director of Community Relations – Chari Biton

Comptroller

Director of Governmental Research – Steve Pollack

Deputy Commissioner of Finance – Stephen Mazza

Grants Technician – Tom Devaney

Payroll Supervisor – Christina Magistro

Secretary to Comptroller – Diana Long

Auditing Assistant I – Deniqua Murray, Priya Ramoutar, Virginia Locke

Cashier I P/T – Tami Secunda

Department of Highways

Highway Maintenance Supervisor I – John Sullivan, Brian Waterson
Auto Lead Mechanic – Antonio Gianmarino, Bryan Borra, Anthony Maneri

Laborer I P/T - John Miller

Administrative Assistant - Barbara Tierney

Clerk I P/T - Lorena Gianmarino

Human Resources

Administrative Officer – Virginia Smith, Sharon Abramski

Clerk Typist I P/T – Sherri Eisenstadt

Administrative Services

Building Maintenance Supervisor I – Paul Castigiola

Parks and Recreation

Recreation Aide – Patricia Rubinic, Elisabetta Veltri

Assistant to the Commissioner of Parks and Rec for Administration – Eileen Kraneburg

Equipment Supervisor – Arthur Gerhardt

Superintendent of Recreation – Kevin Hawkins

Public Safety Officer IV – Christina Lucia

Buyer I – Alexandra Kapetanos

Building Maintenance Supervisor I – Byron Johnson, Howard Loewenstein

Assistant to Comm Parks and Rec Cult Dev – Estefany Garay

Parks Construction Coordinator – Vincent J. Sacco

James Viras – Century Golf

Eileen Worth - Century Golf

Planning

Environmental Control Specialist – Kevin Braun, Meagan Fastuca

Planner II – Caroline Forger, Michael Tumbarello

Planner III – Neal Stone, Wesley Sternberg

Secretary to BZA – Virginia Wagner

Department of Public Works

Architect – Victor Thomas

Assistant to Comm of Public Works – Robert Fazio

Civil Engineer I – Donna Plante

Civil Engineer III – Jill Guiney

Secretary to Comm of Public Works – Pat Olive

Traffic Engineer I – Vishak Thomas

Receiver of Taxes

Accountant II – Ivan Ramirez

Research Assistant to Town Board – Sharon Troiano

Secretary to Receiver of Taxes – Lynda Del Balzo

Tax Cashier I – Christine Vasquez, Pritibala Thakore, Laura Hansen

Administrative Officer I – Susan Sullivan

Supervisor

Buyer I – Vonda Henderson, Viviana Trabolisi

Director of Finance – Paul Wood

Director of Purchasing – Moira Labarbera

Procurement Coordinator – Georgina Carr

Secretary to the Supervisor – Lauren Summa

Special Counsel – Charles McQuair

Public Information Officer – Gordon Tepper

Town Attorney

Secretary to the Town Attorney – Jennifer Quinn

Clerk Typist 1 P/T – Paul Herzfeld

Town Board

Administrative Assistant to the Town Board – Rebecca Cheng, Kay Farrell, Meagan Mccarthy, Romina Tehrany, Erin Molyneux, Brandon Gimpelman

Secretary to the Commissioner of Finance – Mitchel Pitnick

Secretary to Town Board – Julie Schoch

Chief Research Assistant – Jeanine Dillon

Secretary to Commissioner of Parks and Recreation – Sagar Mehta

Secretary to Councilman – Rachel Brinn

Town Clerk

Accountant 4 – Joanne Calabig

Public Safety

Director of Animal Shelter – Jenna Marie Givargidize

Public Safety Officer I – Pamela Rodney

Code Enforcement Inspector – Christopher Fay, Roxanna Escobar, Kiersten Gaertner, Eric Jiminez

Bay Constable I – Steven Somma

Bay Constable I P/T – Aaron Tomlinson, William Moran, David Norman, Michael Green, Phillip Purcell, Victor Fuentes

Bay Constable II – Mal Nathan

Safety Coordinator – Tom McDonough

Senior Code Enforcement Officer – Ron Shannon

Parking Meter Servicer – Noreen Murphy, Silmara Marciano, George Bakogiannis, Daniel Miller, Thomas Tiernan II, Kevin O'Reilly, Vincent Faccuito

Information Technology and Telecommunications

Commissioner of IT – Dan Guillermo

Deputy Commissioner of IT – George Morfessis

Info Tech III – Steve Bauer

Info Tech II – Jessica Ring

Solid Waste Management

Executive Director – Michael Kelly

Deputy Executive Director – Marshah-Reaff Barrett

Secretary to Executive Director – Joanne Kenney

Secretary – Donelle Benjamin

311

Commissioner of 311 – Vincent Malizia

Secretary to the Commissioner of IT – Monique John

Secretary to Councilman – Stephanie Sajous

Secretary to Councilman – Lucie Delva-Bolden

; and be it further

RESOLVED, that the Board of Ethics is hereby authorized to exempt those holding any of the above titles from the annual statement of financial disclosure filing requirement in the event the individual is otherwise not subject to Section 16A-7(C) of the Town Code; and be it further

RESOLVED, that the individuals holding the titles identified herein shall have until May 15, 2022 to file their financial disclosure forms.

Dated: Manhasset, New York

April 28, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

cc: Town Attorney

SUPERVISOR DESENA: Okay. Thank you. Everybody. Do we have a motion to adjourn?

COUNCILWOMAN LURVEY: Yes.

SUPERVISOR DESENA: I move to adjourn.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

(No response.)

SUPERVISOR DESENA: Adhami?

COUNCILWOMAN DALIMONTE: You're

COUNCILWOMAN LURVEY: Let us go.

COUNCILWOMAN DALIMONTE: Let us go.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you, Goodnight.

(At 10:50 p.m., the proceedings were concluded.)



Town Clerk