

**Town Board Meeting – September 1, 2022**

Item

Page #

<p><b><u>CONTINUATIONS:</u></b></p> <p>1. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 41A OF THE TOWN CODE ENTITLED "PREGNANCY TERMINATION FACILITIES."</p>	<p>4</p>
<p>2. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 70 OF THE TOWN CODE ENTITLED "ZONING."</p>	<p>46</p>
<p>3. A PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE TOWN'S TREE POLICY PURSUANT TO SECTION 20A-4 OF THE TOWN CODE.</p>	<p>46</p>
<p><b><u>PUBLIC HEARINGS:</u></b></p> <p>4. A PUBLIC HEARING TO CONSIDER THE APPLICATION OF LANGEMAN REALTY MANAGEMENT, LLC/ANTHONY AND GINA CORE FOR A CHANGE OF ZONE FROM 'RESIDENCE-C' TO 'BUSINESS-B' FOR THE PREMISES LOCATED AT 173-175 CENTER STREET, WESTBURY AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 10, BLOCK 243, LOTS 350 &amp; 351.</p>	<p>47</p>
<p>5. A PUBLIC HEARING TO CONSIDER THE APPLICATION OF LANGEMAN REALTY MANAGEMENT, LLC/ANTHONY AND GINA CORE FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 173-175 CENTER STREET AND 173 SCHOOL STREET, WESTBURY AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 10, BLOCK 243, LOTS 48-50, 350 &amp; 351.</p>	<p>47</p>
<p>6. A PUBLIC HEARING TO CONSIDER THE APPLICATION OF 40 VOICE ROAD REALTY LLC FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 40 VOICE ROAD, CARLE PLACE AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 663, LOT 8.</p>	<p>60</p>
<p>7. A PUBLIC HEARING TO CONSIDER A PETITION TO DESIGNATE A SECONDARY HONORARY STREET NAME FOR A PORTION OF</p>	<p>40</p>

**Town Board Meeting – September 1, 2022**

Item

Page #

MADISON STREET IN PORT WASHINGTON PURSUANT TO SECTION 10-5 OF THE TOWN CODE.	
8. A PUBLIC HEARING TO CONSIDER THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH ALBERTSON HOOK & LADDER, ENGINE & HOSE CO. NO. 1 TO PURCHASE VEHICLE FUEL.	69
9. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING BROOKLYN AVENUE IN WESTBURY, NEW YORK.	72
10. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING CEDAR ROAD IN WESTBURY, NEW YORK.	76
11. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING NORTH 7TH STREET IN NEW HYDE PARK, NEW YORK.	80
<b><u>RESOLUTION:</u></b>	
12. A RESOLUTION SETTING A DATE FOR A SPECIAL MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD ON SEPTEMBER 28, 2022.	84
13. A RESOLUTION ACCEPTING AS COMPLETE THE DRAFT ENVIRONMENTAL IMPACT STATEMENT AND SETTING A DATE FOR A PUBLIC HEARING FOR THE PREMISES KNOWN AS WEST SHORE RESIDENCES AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 6, BLOCK 53, LOT 1005.A.	89
14. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF 1025 II LLC FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 58 STATE STREET, WESTBURY AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 11, BLOCK 80, LOT 241.	100

**Town Board Meeting – September 1, 2022**

Item

Page #

<p>15. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF HR PORT TENNIS OWNER LLC FOR A CHANGE OF ZONE FROM 'RESIDENCE C' TO 'BUSINESS A' FOR THE PREMISES LOCATED AT 100 HARBOR ROAD, PORT WASHINGTON AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 5 , BLOCK A, LOT 333.</p>	<p>103</p>
<p>16. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF CAROLYN BICHOU PAN FOR AN APPEAL FROM A DISAPPROVAL BY THE COMMISSIONER OF BUILDING SAFETY, INSPECTION AND ENFORCEMENT OF A STRUCTURE (DOCK) APPLICATION PURSUANT TO CHAPTER 42 OF THE TOWN CODE FOR THE PROPERTY LOCATED AT 4 WATERS EDGE, PORT WASHINGTON, NEW YORK 11050 AND IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 5, BLOCK C, LOT 444.</p>	<p>106</p>
<p>17. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER A PETITION TO DESIGNATE A SECONDARY HONORARY STREET NAME FOR A PORTION OF BROOKLYN AVENUE IN NEW CASSEL PURSUANT TO SECTION 10-5 OF THE TOWN CODE.</p>	<p>109</p>
<p>18. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPROVAL OF THE SALE OF PROPERTY OF THE MANHASSET PARK DISTRICT.</p>	<p>112</p>
<p>19. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF ORDINANCES AFFECTING DALLAS AVENUE IN NEW HYDE PARK, NEW YORK.</p>	<p>115</p>
<p>20. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF ORDINANCES AFFECTING PROSPECT STREET IN WILLISTON PARK, NEW YORK.</p>	<p>117</p>
<p>21. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING BOLTON ROAD IN GARDEN CITY PARK, NEW YORK.</p>	<p>119</p>

**Town Board Meeting – September 1, 2022**

Item

Page #

<p>22. A RESOLUTION AUTHORIZING THE TOWN BOARD TO ACCEPT A GIFT TO THE TOWN PURSUANT TO TOWN LAW SECTION 64.</p>	<p>121</p>
<p>23. A RESOLUTION AUTHORIZING A SUPPLEMENTAL BUDGET APPROPRIATION PURSUANT TO TOWN LAW SECTION 112.</p>	<p>124</p>
<p>24. A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR REMOVAL AND RECYCLING OF SCRAP METAL (TNH291-2022).</p>	<p>126</p>
<p>25. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ISLAND FENCE FOR RAILING WORK AT MICHAEL J. TULLY PARK, NEW HYDE PARK, NEW YORK.</p>	<p>128</p>
<p>26. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH GLOBAL FUELING SYSTEMS INC. FOR FUEL MONITORING SERVICES AT VARIOUS TOWN FACILITIES.</p>	<p>131</p>
<p>27. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MET SALES &amp; INTSTALLATIONS CORP. FOR INSTALLATION OF RESTROOM STALLS AT THE ROSLYN COMMUNITY CENTER, ROSLYN HEIGHTS.</p>	<p>133</p>
<p>28. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE LANDTEK GROUP, INC. FOR TURF MAINTENANCE AT MERILLON BALL FIELDS #1 AND #2 IN NEW HYDE PARK, NEW YORK.</p>	<p>136</p>
<p>29. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BUSPATROL AMERICA LLC FOR THE SCHOOL BUS STOP ARM CAMERA PROGRAM (TNH289-2022).</p>	<p>139</p>
<p>30. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH U.S. TECH INCORPORATED FOR ANNUAL POWER SUPPLY MAINTENANCE SERVICES FOR THE TOWN'S DATA CENTER.</p>	<p>148</p>
<p></p>	<p></p>

**Town Board Meeting – September 1, 2022**

Item

Page #

<p>31. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH EMPIRE SAFETY COUNCIL FOR THE USE OF TOWN HALL FOR A DEFENSIVE DRIVING SAFETY COURSE.</p>	<p>151</p>
<p>32. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HILLARY GROSSMAN FOR PROFESSIONAL ACCOUNTING SERVICES.</p>	<p>153</p>
<p>33. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE LAW OFFICES OF LEVENTHAL, MULLANEY &amp; BLINKOFF, LLP FOR LEGAL SERVICES.</p>	<p>STRIKE</p>
<p>34. A RESOLUTION AUTHORIZING USE OF AN AGREEMENT BETWEEN THE NEW YORK STATE OFFICE OF GENERAL SERVICES AND VARIOUS VENDORS FOR TRAFFIC PAINT AND GLASS SPHERES FOR REFLECTORIZED PAVEMENT MARKING.</p>	<p>156</p>
<p>35. A RESOLUTION AUTHORIZING USE OF AN AGREEMENT BETWEEN THE COUNTY OF SUFFOLK AND SAF-GARD SAFETY SHOE CO. FOR SAFETY SHOES.</p>	<p>159</p>
<p>36. A RESOLUTION AUTHORIZING THE EXECUTON OF AN AMENDMENT TO AN AGREEMENT WITH THE NEW HYDE PARK-GARDEN CITY PARK UNION FREE SCHOOL DISTRICT FOR SALT AND SAND STORAGE.</p>	<p>162</p>
<p>37. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH THE LAW OFFICES OF MARK A. CUTHBERTSON FOR LEGAL SERVICES.</p>	<p>165</p>
<p>38. A RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE MAINTENANCE AND TECHNICAL SUPPORT SERVICES FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS FROM ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE INC. D/B/A ESRI.</p>	<p>168</p>
<p></p>	<p></p>

**Town Board Meeting – September 1, 2022**

Item

Page #

<p>39. A RESOLUTION APPOINTING KIMBERLY KEISERMAN TO THE NORTH HEMPSTEAD HOUSING AUTHORITY.</p>	<p>170</p>
<p>40. A RESOLUTION CONFIRMING THE APPOINTMENT OF FRANCISCO VASQUEZ TO THE TOWN OF NORTH HEMPSTEAD BOARD OF ETHICS.</p>	<p>STRIKE</p>
<p>41. A RESOLUTION CONFIRMING THE APPOINTMENT OF MELISSA SLOBIN TO THE TOWN OF NORTH HEMPSTEAD BOARD OF ETHICS.</p>	<p>STRIKE</p>
<p>42. A RESOLUTION CONFIRMING THE APPOINTMENT OF DEREK CHAN TO THE TOWN OF NORTH HEMPSTEAD BOARD OF ETHICS.</p>	<p>STRIKE</p>
<p>43. A RESOLUTION DESIGNATED CLASS B OPERATORS FOR THE TOWN'S UNDERGROUND STORAGE TANKS AND SETTING AN ANNUAL STIPEND.</p>	<p>173</p>
<p>44. A RESOLUTION ADOPTING AN EDUCATION AND ENGAGEMENT PLAN IN CONNECTION WITH TOWN'S EFFORT TO OBTAIN NEW YORK STATE CERTIFICATION AS A CLIMATE SMART COMMUNITY.</p>	<p>175</p>
<p>45. A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM CAPITAL FUNDS TO THE GENERAL FUND CAPITAL PROJECTS RESERVE FUND.</p>	<p>177</p>
<p>46. A RESOLUTION APPROVING STANDARD WORK DAYS AND REPORTING REQUIREMENTS FOR ELECTED OFFICIALS FOR THE NEW YORK STATE AND LOCAL EMPLOYEE RETIREMENT SYSTEM.</p>	<p>179</p>
<p>47. A RESOLUTION AMENDING RESOLUTION NO. 742-2021, ADOPTED DECEMBER 16, 2021, AUTHORIZING THE EXECUTION OF AGREEMENTS WITH VARIOUS INSTRUCTORS FOR FITNESS CLASSES AT VARIOUS LOCATIONS WITHIN THE TOWN IN CONNECTION WITH PROJECT INDEPENDENCE.</p>	<p>182</p>
<p>48. A RESOLUTION AMENDING RESOLUTION NO. 163-2022, ADOPTED MARCH 31, 2022, AUTHORIZING THE EXECUTION OF AN</p>	<p>184</p>

**Town Board Meeting – September 1, 2022**

Item

Page #

<p>AGREEMENT WITH ZODA LLC/D/B/A MAD SCIENCE OF LONG ISLAND FOR A SUMMER SCIENCE PROGRAM AT MICHAEL J. TULLY PARK, NEW HYDE PARK, NEW YORK.</p>	
<p>49. A RESOLUTION AMENDING RESOLUTION NO. 415-2022, ADOPTED AUGUST 4, 2022, AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH D&amp;B ENGINEERS AND ARCHITECTS, P.C. FOR A PROJECT PLAN AND ASSESSMENT REPORT ON BEHALF OF THE MANHASSET BAY PROTECTION COMMITTEE.</p>	<p>186</p>
<p>50. A RESOLUTION AMENDING RESOLUTION 622-2018, ADOPTED DECEMBER 18, 2018, AUTHORIZING THE PAYMENT OF CLAIMS AGAINST THE TOWN OF NORTH HEMPSTEAD AND AUTHORIZING THE COMPTROLLER OR DEPUTY COMPTROLLER TO PAY THE COSTS THEREOF.</p>	<p>188</p>
<p>51. 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.</p>	<p>190</p>
<p>52. A RESOLUTION APPROVING THE ACTION OF THE ALERT ENGINE, HOOK, LADDER AND HOSE CO. NO. 1 INC., GREAT NECK, NEW YORK, IN REMOVING FROM MEMBERSHIP HANFU LU AND ADDING TO MEMBERSHIP JOSE SEGOVIA, SETH NEWMANN, JOSEPH SETAREL, AND ANTHONY FLORES.</p>	<p>191</p>

TOWN OF NORTH HEMPSTEAD  
TOWN BOARD  
PUBLIC HEARING  
Town Hall  
September 1, 2022 7:02 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 4 Councilman
MARIANN DALIMONTE	- District 6 Councilwoman

ALSO PRESENT:

RAGINI SRIVASTAVA - Town Clerk  
MARGARET MALITO - Deputy Town Clerk  
JOHN CHIARA, ESQ., Town Attorney  
MICHAEL LEVINE -- Planning Commissioner



SUPERVISOR DESENA: Good evening everybody. Welcome to the Town of North Hempstead September 1st Board Meeting. To start, I'd like to call upon one of our veterans and community members, Peter Gong to lead us in the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited).

MR. GONG: Now may we have one moment of silence for the people in Ukraine that want freedom. And thank you for all our veterans and all our service people overseas that nothing will happen to them. Thank you.

SUPERVISOR DESENA: Thank you. Madam Clerk, will you please call roll?

CLERK SRIVASTAVA: Thank you. Good evening everyone. Town of North Hempstead Board Meeting Thursday, September 1, 2022. Councilman Troiano?

COUNCILMEMBER TROIANO: Present.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Here.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Here

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Here.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Here.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Here.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Here.

CLERK SRIVASTAVA: Thank you.

SUPERVISOR DESENA: Before we get started, I just want to make a few quick announcements. I would like to share a heroic story that happened ten days ago. Our highway employee Mike Lisbon was replacing a stop sign along with another employee when the stop sign suddenly fell and cut the other employee in an artery on his arm. Seeing this serious bleeding, Mike immediately applied, stop the bleed, a tourniquet. This was training he had received at the town a few years ago. He applied the tourniquet and drove his coworker immediately to North Shore Hospital where he had emergency surgery. Because there was a lot of blood loss, Mike's quick action not only saved his arm but possibly his life. So when I visited him in the hospital after surgery he was so grateful to his colleague and very anxious to get back to work. So on behalf of the town and all of its residences, thank you to Mike Lisbon for your heroic actions.

(Applause.)

SUPERVISOR DESENA: This heroism and quick thinking is an example of how proper training

can save lives and I encourage all to attend this stop the bleed training which is periodically offered by the town. You never know how you can help if you're prepared. Also today is September 1st is the start of national recovery month. It's a time for us to congratulate people in recovery and offer hope to those who are struggling with substance abuse. In honor of this, you might notice on your way out off town hall that it will be illuminated purple which is the color of national recovery month. There is treatment for substance abuse and it works. The town will also be holding narcan training this month so please keep an eye out for that. Yesterday, August 31st was international overdose awareness day and I'd like to offer a moment of silence for the 100,000 Americans who died last year of drug overdoses. Thank you. And please support these families and be compassionate so that people will talk about mental health and problematic substance use as we've seen tremendous increases in both over the past several years. I'd like to thank and acknowledge Chris Keene of Manhasset High School, voted most popular teacher by the class of 2022. He is a coach, psychology teacher, and mentor who helped create the student athlete leadership team and the college 101 program at Manhasset High School to prepare the kids to be safe for when they go to college. He will be honored by Blank Slate Media at their event on September 15th. With school starting all across the Town of North Hempstead, I say to all the teachers, thank you, and students have a great year. Finally I'd like to acknowledge that September is pediatric cancer awareness month and thank Carol and Fran Rokowski for their fundraising and advocating for better treatment options for pediatric cancer. Last night we lit a gold tree in East Williston for pediatric cancer awareness month and there will be other trees lit around North Hempstead. Thank you. Now, Madam Clerk, would you please call the first speaker?

COUNCILMEMBER LURVEY: If I may take a moment of silence. I would like to take a moment to remember former Councilwoman Maria Christina Kitty Coons. Kitty was raised born and raised in Mexico City and came to the United States in 1959 to study in Texas. She later moved to Brooklyn where she met her husband Ronald. They married and moved to Great Neck in 1963. Kitty was selected to fill a vacancy on the North Hempstead Town Board in 2007 where she served until 2011. She was the first Hispanic to hold a seat on the town board. I now have the privilege of continuing in the line of dedicated council members representing district four and I stand on the shoulders of giants. Kitty's dedication to the community began long before her time in public office. She worked in the Great Neck public schools for over 30 years and served as a bilingual education consultant for many school districts in North Hempstead. She was a board member of many community organizations and in 1989 Kitty formed the Hispanic Community of Great Neck, a non-profit support group to help Hispanic immigrants assimilate and thrive in American culture. At the end of her career before her appointment to the town board, Kitty worked in North Hempstead's Department of Community Services as the liaison for the Hispanic community. This position speaks to her lifetime of service to the Hispanic community and all the residents of North Hempstead. Kitty Coons passed away peacefully surrounded by her family on Sunday August 21st. She is survived by her husband of 59 years, Ron, her four daughters and their husbands, nine grandchildren and her beloved sister. Please join me in a moment of silence as we remember Kitty. Thank you.

COUNCILMEMBER ZUCKERMAN: Supervisor, before we begin, I would like to extend our collective appreciation to Karen Zimmerman and Jerry Marciano, who are both retiring from their positions in Public Safety and Parks respectively for the Town of North Hempstead after serving 32 years and 35 years. Karen served as a clerk typist within the Department of Public

Safety. She was always efficient, and efficient in all her roles. Karen was an asset that will be sorely missed. Jerry served as a public safety officer for his entire career with the Town of North Hempstead. We are so grateful for his steadfast commitment to the health and safety of our residents and town employees. Thank you to both of them for their incredible work and ultimately the service to the Town of North Hempstead. We are better with them. Our employees and our residents appreciate it. We would like to wish Karen and Jerry the best of luck in their retirement.

(Applause.)

COUNCILMEMBER ZUCKERMAN: Thank you.

SUPERVISOR DESENA: Madam Clerk, will you call the first speaker.

CLERK SRIVASTAVA: We are going to start with the public hearing comments.

SUPERVISOR DESENA: The microphone.

(Off the record.)

SUPERVISOR DESENA: Madam Clerk, do we have time for one more? We started 10 minutes late, so I'm going to allow one more question. I mean one more comment.

CLERK SRIVASTAVA: We have three more cards left.

SUPERVISOR DESENA: Let's do one.

(Off the record.)

SUPERVISOR DESENA: Anyway, thank you very much. We need to move on.

COUNCILMEMBER DALIMONTE: If there were interviews, there should be notes and if there were interviews there should be notes and he should be provided with that information.

SUPERVISOR DESENA: That sounds like teamwork. All right, it is 7:45.

AUDIENCE MEMBER: We took time out of our day.

SUPERVISOR DESENA: I'm sorry.

COUNCILMEMBER WALSH: We have to have order. We start to move on, thank you.

SUPERVISOR DESENA: It has been tradition to allow 30 minutes of public comment and then go into our agenda. I already extended that a little bit. So with that Madam Clerk will you -- actually before we go to the first item, I'm going to be withdrawing Items 33, 40, 41, and 42.

CLERK SRIVASTAVA: Item Number 1. A public hearing to consider the adoption of a local law amending Chapter 41A of the town code entitled pregnancy termination facilities.

SUPERVISOR DESENA: Thank you. Excuse me, excuse me, excuse me -- Councilwoman, I preside over -- excuse me. This is a public hearing and I preside over the hearing.

COUNCILMEMBER DALIMONTE: This is her item.

COUNCILMEMBER LURVEY: I brought this item last meeting --

SUPERVISOR DESENA: Mr. Chiara --

COUNCILMEMBER WALSH: That was last meeting.

COUNCILMEMBER DALIMONTE: But it's her item.

SUPERVISOR DESENA: Excuse me, the supervisor presides over the hearing. This is a continuation -- excuse me. I'm going to ask the town attorney. Excuse me. This is a continuation of a hearing from August 4th. Before we proceed, I would like the town attorney to assist the board and the public tonight because at the last meeting, we did not hear an expansion of this, what this law is. So Mr. Chiara, if you could please, I would like you to come to the podium so that we could ask some questions of you about what this item is. Could you just tell us the history of this section of the code?

TOWN ATTORNEY CHIARA: I will do the best I can.

SUPERVISOR DESENA: Into the microphone.

TOWN ATTORNEY CHIARA: I certainly will do the best I can, I was not given notice that you were going to be asking questions directly about it. So Chapter 41A of the town code --

SUPERVISOR DESENA: I'm sorry, into the microphone.

TOWN ATTORNEY CHIARA: Chapter 41A of the town code entitled pregnancy termination facilities purports to regulate the location at which an abortion may be performed within the Town of North Hempstead and provides enforcement of this provision and penalties and violations. The law was adopted in 1971 prior to the United States Supreme Court decision in Roe v. Wade.

SUPERVISOR DESENA: And can you tell us why it needs to be repealed?

TOWN ATTORNEY CHIARA: That's a policy decision for the town board.

SUPERVISOR DESENA: But can you explain what is the affect of this provision?

TOWN ATTORNEY CHIARA: The effect, there is no actual effect of this. It's unenforceable but it purports to regulate the medical profession, an area of regulation preempted by New York State Health Law and the New York State Education Law. That being said it is a law on the books that is contrary to state law.

SUPERVISOR DESENA: So it's contrary to New York State law?

TOWN ATTORNEY CHIARA: Yes.

SUPERVISOR DESENA: As of what time? As of what year did it become contrary to State law?

TOWN ATTORNEY CHIARA: It became contrary to federal law in 1973 under Roe v. Wade and since 1973 there's been a series of state laws that have preempted regulation of these types of clinics throughout New York City. I think as recent this past year there's been additional laws that have preempted any sort of town law, town right, as I'm sure you know Supervisor, the town is a function of the state government. We gain our power from them and anything they want to withhold is withheld.

COUNCILMEMBER WALSH: If this is, if this is voted down how will it affect the town?

TOWN ATTORNEY CHIARA: How will it affect the town in what capacity?

COUNCILMEMBER WALSH: In the capacity of the last meeting where we heard a lot about the ability to open up abortion clinics outside of a hospital setting. Does this, what we're voting

on tonight have anything to do with the ability to open up abortion clinics in the Town of North Hempstead.

TOWN ATTORNEY CHIARA: It would not have an effect unless of course State law changed. So --

SUPERVISOR DESENA: Hold on.

TOWN ATTORNEY CHIARA: I will tell you that obviously in states across the country, nobody felt that the State law, how State law came back into effect was going to affect them because they didn't anticipate Roe v. Wade being overturned. That being said, if there's an effective State law and this is still in place, of then course this could regulate the medical facilities.

SUPERVISOR DESENA: Is there any indication that New York State Law is changing.

TOWN ATTORNEY CHIARA: No, but there was no indication that Roe v. Wade was going to be overturned either, so I don't know

SUPERVISOR DESENA: In fact, is there a move to put this protection into the New York State constitution?

TOWN ATTORNEY CHIARA: It wouldn't have to be in the New York State constitution, it would be a change in the education law or obviously the New York education law or the New York public health law. It wouldn't have to be a change in the constitution. There is no constitutional right in New York State for a woman's right to choose. It's regulated by law. Some states, of course, as you probably know do have that right as you all saw in the news when Kansas had that law was being possibly overturned and was overturned. New York does not have that exclusively in the State constitution.

SUPERVISOR DESENA: Is there anything happening that you're aware of in New York State that is undoing Roe v. Wade?

TOWN ATTORNEY CHIARA: I'm not specifically aware, but I do not follow state policy.

COUNCILMEMBER LURVEY: Mr. Chiara, when is the governor's term up?

TOWN ATTORNEY CHIARA: It's up the end of this year.

COUNCILMEMBER LURVEY: In November will be the elections?

TOWN ATTORNEY CHIARA: It's up December 30th.

COUNCILMEMBER LURVEY: She's not running unopposed. And this is not a question for you but it's really a question, it's really a fact that --

SUPERVISOR DESENA: I think we're getting into --

COUNCILMEMBER LURVEY: You brought it up. You asked if there was any -- excuse me, you're talking over me. If there was any possibility or any indication that there could be a change in state law. And I would like to point out that nobody knows who the governor will be at the end of the year. And the new governor, whoever that may be, may decide to change the state law regarding abortions and regarding medical procedures.

COUNCILMEMBER WALSH: And also the Assembly and the Senate have to be involved in

this, it's not going to be overturned.

COUNCILMEMBER TROIANO: The number of state senators are up for election also.

COUNCILMEMBER WALSH: Yes, but not --

COUNCILMEMBER TROIANO: Please don't talk over me. There's also the possibility that -- thank you for permission for talk.

COUNCILMEMBER WALSH: You don't need my permission to talk.

TOWN ATTORNEY CHIARA: Is there any other legal questions?

SUPERVISOR DESENA: Thank you Mr. Chiara.

COUNCILMEMBER TROIANO: I just want to be clear that the state senate may turn.

SUPERVISOR DESENA: We're looking at the Town of North Hempstead zoning law tonight. With that --

COUNCILMEMBER DALIMONTE: Why did we bring up about the State? Why did we ask questions about the State.

SUPERVISOR DESENA: I didn't ask you any question, I asked Mr. Chiara.

COUNCILMEMBER DALIMONTE: I know, but if you're bringing up the State, then you're bringing up the State.

SUPERVISOR DESENA: Has New York State law changed? No.

COUNCILMEMBER DALIMONTE: I don't have a genie bottle. I don't know --

SUPERVISOR DESENA: Has New York State Law changed?

COUNCILMEMBER ZUCKERMAN: Let's move forward with the hearing.

SUPERVISOR DESENA: Do we have public comments? Madam Clerk, please make the call.

COUNCILMEMBER LURVEY: I would like to make a comment before.

COUNCILMEMBER DALIMONTE: It is your item.

COUNCILMEMBER LURVEY: This is the item that I put on the agenda at the last board meeting. We're here again to continue our discussion of the repeal of Chapter 41A of the town code, which limits where abortions can be performed. After the overturning of Roe v. Wade all local laws regarding abortion must be carefully scrutinized. Often in laws that seem on the face reasonable, the actually is that they are enacted with an ulterior motive, especially laws enacted in the early 1970s as this one was. Chapter 41A of the town code entitled pregnancy termination facility purports to regulate the locations at which an abortion may be performed within the Town of North Hempstead and provides for enforcement of this provision and penalties for violation. The law makes it illegal to perform an abortion, whether it is done medically or been prescribed a drug or otherwise unless it is performed in a hospital or facility administered by a hospital or facility having a hospital affiliation agreement. Passed as it was in 1971 the law is antiquated. It does not take into consideration the availability of medical abortion. Now due to advances in the field of medicine a woman can take medication prescribed by a doctor in the privacy of her own home. Chapter 41A is not antiquated, not just antiquated but it places an undue burden on a woman who may want to terminate her pregnancy as well as on the medical

undue burden on a woman who may want to terminate her pregnancy as well as on the medical professional performing the procedure. I have been receiving e-mails and communications as has the entire board on this subject and I look forward to hearing more comments tonight. I would like to take a brief moment to clarify a few points. The repeal of 41A is not a zoning change. As we heard earlier, medical offices or clinics that may offer abortion procedures will not be popping up all over the place in residential areas et cetera. The repeal of 41A will also not result in the town funding of abortion. These are just some things that came through by e-mail. I have been asked why there is confusion. There is confusion because we are in a post-Roe world, following decades of certainty around abortion restrictions, we now have uncertainty. A woman vulnerable and faced with a difficult decision should not have to engage in legal analysis to determine which laws apply to her and which don't. In sum, the town board has no business entering the procedure or a woman's medicine cabinet and getting involved in these types of decisions. Medical professionals, family clergy, close confidants those are the people who woman want to consult with. The town should not have a say and the town board should not be putting an undue burden on a woman's right to choose.

(Applause.)

COUNCILMEMBER LURVEY: Madam Clerk, please call first card.

CLERK SRIVASTAVA: The first card we have is Sue Melon.

MS. MELON: I think we can agree on one point. Our concern for women's safety. I urge you to vote no on the repeal of Section 41A in the town code. This section regulates where abortions can be performed, it does not require that abortions be performed in a hospital. It simply requires that at least that the facility be suitably staffed and equipped and has a hospital affiliated agreement. The ordinance serves a purpose and its age is not relevant. This repeal would remove a basic safeguard for women. The requirements of admitting privileges at a nearby hospital for a medical emergency room. Repeal would expose the Town of North Hempstead to the possibility of unregulated clinics. This is not an issue of abortion access. Women can have abortions in walking distance of this building at 1615 Northern Boulevard, Premier, or 44 Community Drive, All Womens Care or in my town on Maple Street. Or any other location in the Town of North Hempstead. In this geographic area as in all of New York State since 1970, no one's being deprived of access. This repeal is unnecessary and can be harmful, New York, New Jersey, Connecticut, they have expansive abortion rights. What's the need in North Hempstead to remove one safeguard for women that remains in place throughout New York State, 50 plus years of access to legal abortion. In December 2021, the North Hempstead Town Board voted 6-0 to opt out of the state law that allows retail establishments the sale and onsite consumption of recreational marijuana. Ms. DeSena herself urged the board not to allow those establishments in the Town of North Hempstead. Why do we then lock, step conform with New York State law with regards to abortion facilities while opting out of a New York State law to allow retail establishments for sale and onsite consumption for marijuana. I don't know. Perhaps there are board members who while supporting the legalization of recreational marijuana voted to opt out notwithstanding state law because they see a benefit for the people they serve. Are there board members who while supporting the right to abortion and notwithstanding the state law see that there's a benefit to the people of the town they serve, particularly the women, when the town code provides a safeguard for them. Why repeal the provision that does not say not in my neighborhood which is exactly what the cannabis opt out vote said. Instead this provision says

wherever abortions take place, and abortions will take place even in the Town of North Hempstead. But the facility must at least be suitably staffed and equipped and have a hospital affiliation agreement. Let's remember that this law is not about depriving women of abortion. It's about their safety and ensuring that abortion facilities in our town will meet a minimal requirement. Earlier in the year just four blocks from my house, Washington Surgery Clinic had dropped two large boxes labeled biohazard to be carted away by the Curtis Bay Carting Company. One box had found remains of a 110 aborted baby parts, aborted during their first trimester. This is it. 14 weeks the baby, can I give you these pictures. I'm sure you saw them but they're enlarged so you can see. One box was found that had remains of 110 aborted baby parts aborted in their first trimester. Aborted children are being discarded every single day. That adds 63 million human beings aborted in 50 years. But the second box had five babies, you ready for this, five full term babies. Five of them. This is illegal infanticide done through the induction method used to induce labor. Muriel Bowser, the DC mayor, was more concerned about the people who discovered it rather than the illegal infanticide. Curtis Bay Carting, the sanitation company that takes all the biomedical waste turns it into energy for Baltimore. Please, please, who's to say this couldn't happen in the Town of North Hempstead. Please, please vote no. (Applause.)

COUNCILMEMBER TROIANO: Before the clerk proceeds, Clerk just a moment. Earlier in this meeting the Supervisor correctly stated that its been the board's practice to allow a half hour of public comments prior to the start of the agenda items. It's also been the practice of this board and that I'm aware to give deference to elected officials that want to speak, to be able to speak at the top of the meeting. We did that at the last meeting. I'd like us to continue to do that this evening, so if you can call --

SUPERVISOR DESENA: Councilman, this is a continuation of a public hearing. Nothing has changed. You did not close the hearing last time. This is a continuation of the same hearing. So to call another, the same person twice to speak when we haven't heard from other people who came here tonight, and I believe you said last meeting that you wanted to hear from other people it just seems very rude to the rest of our residents.

COUNCILMEMBER TROIANO: I do want to hear --

SUPERVISOR DESENA: Councilman --

COUNCILMEMEBER TROIANO: I'm speaking now. I'm prepared to stay here as long as we need to, to have everybody speak. That was the motion that I made when we met last week. But it's been our practice Supervisor that you, and every government I've ever been in, you know, I've been doing this for a long time, and the town council, and the county legislature, back in the town council. And it's always been the practice that the night of the hearing, whether it's a continuation or not, that elected officials that are here get the opportunity to speak. And it's not asking a whole lot to give them three minutes. I'm not delaying anybody to give them three minutes to talk and for you to say no, why don't you want to hear them.

SUPERVISOR DESENA: It's just that Senator Kaplan has very many opportunities to speak. She hardly needs to have this forum obviously, and she did get to speak last time --

AUDIENCE MEMBER: You were not here.

SUPERVISOR DESENA: Excuse me. I was watching you. I was on vacation in Delaware with



COUNCILMEMBER TROIANO: You're right --

SUPERVISOR DESENA: And I saw you earlier today. We could have spoken then too.

COUNCILMEMBER TROIANO: The Senator has many opportunities to speak, but not many opportunities to speak at a public hearing.

SUPERVISOR DESENA: But this public hearing, Senator Kaplan had the opportunity to speak first.

COUNCILMEMBER TROIANO: We have spent more time debating this --

SUPERVISOR DESENA: So let's move on. Excuse me, let's please move on and let our residents speak.

COUNCILMEMBER ZUCKERMAN: I think you should let Senator Kaplan speak.

SUPERVISOR DESENA: Are we going to have a vote on this now. I think this is the same hearing, this is a continuation of a hearing. If, are we going to have a repeat of everything that we did. And by the way you could have voted, I saw that everyone was ready to vote but you kept it going to hear additional comments from additional residents. So please, Senator Kaplan has so many opportunities to speak. Frankly, it's campaigning.

(Audience noise.)

SUPERVISOR DESENA: I would like to hear from the other residents who don't always have a chance to speak. Senator Kaplan did address this board last meeting first. And that was a courtesy. So please we must get through this hearing, so please call the next card of someone who has not had their turn yet.

CLERK SRIVASTAVA: Next card is Joan Helpridge.

MS. HELPRIDGE: My name is Joan Helpridge and I'm a resident of the Town of North Hempstead since 1948. And I'm very happy to be a resident of the town. I'm grateful that you postponed the meeting last time because many things were brought up that were very important to consider more seriously and I think if the vote had been taken last week, last month, it would have been rather rash. I concur with most of what was just stated by the resident that spoke. That 41A has to do with the place. I have great sympathy for a woman who has an unplanned pregnancy. If she's made the decision to abort it would be so important that she's in a place that is safe, well supervised, well equipped and where she's treated with dignity. 41A talks about place, not if a person should have an abortion or not. The place should be well equipped, suitably staffed, it should be a hospital or a place where hospital administers it as she had just said or affiliated, and I question also don't we have enough access in the Town of North Hempstead. We have such a luxury of hospitals. If there's a problem for a woman having access once she's to have an abortion, it seems that there should be no difficulty for her to find a safe place. If there's a problem, why can't there be more affiliation rather than rescinding what seems to be a very good law, if you call it a law or chapter, whatever you call it. It made me think when I left the meeting of traffic lights. Some people see this regulation as restriction and other see it as safeguard, but I see it as both. It is restrictive but it's a safeguard for the woman. So, I would ask the board to really consider this so seriously. This is very important. If you take away and rescind 41A, what will be the alternative. We had some imagination of what might happen but where would be the oversight, where would be the credentialing. We don't know who would be

able to open a place, where, who would see that it's equipped properly. You know there's too many questions that are unclear that makes one very nervous about what will happen if this is rescinded. I don't think it's obsolete. So I just ask that you seriously consider the consequences of rescinding 41A as a courtesy to your constituents. Thank you.

(Applause.)

COUNCILMEMBER LURVEY: Thank you.

CLERK SRIVASTAVA: Sheila Herman.

MS. HERMAN: Thank you for this opportunity to speak. My name is Sheila Herman, I am definitely supporting the rescinding of this 41A, I guess we'll call it. I have a letter here that I would like to share and you know thinking as the other people were speaking, how they are very emotional about this, I understand, and I also understand that they're not based in science, their thoughts. This letter is from a physician and she was not able to come today and I will read it. 'I am a family physician and abortions provider in Texas. I teach residents and medical students, I am also a mother and a daughter. I have won teaching and patient care awards. In Texas my rights and the rights of my patients have been under siege for a long time. Several years ago our clinic was targeted by Operation Rescue, a violent anti-abortion organization. This targeting resulted in thousands of dollars and hours spent by the clinic dealing with complaints to regulatory organizations and physicians, dealing with investigations at the medical board all of which were unfounded, were deemed unfounded. I had discussions with my husband after my photo was posted on the Operation Rescue website as a physician that should be killed with her picture and her address. I understand the lengths with which people go to remove a woman's basic rights to make choices for herself and her family. The government of Texas has slowly chipped away at abortion rights by implementing unnecessary restrictions over the past 20 years. The intent of these laws is to create obstacles for providers and patients. Among these restrictions, doctors have been required to tell patients unfound risks, show patients an ultrasound of the fetus, and make the woman listen to the heartbeat despite the fact that an ultrasound is not required for an abortion. As obtained, hospital privileges even though most outpatient doctors that do procedure in their offices do not need this. The restrictions also implement a 24-hour waiting after the first appointment for patients required parental consent for minors and stripped patients of abortion coverage in insurance plans. I think this is related to what we are talking about today because once you start chipping away, this is what happens. In 2013 House bill 2 imposed several additional restrictions which included all abortion facilities must meet the standards of ambulatory surgical centers, meaning hospitals even if a facility only provides abortion by providing pills to swallow. Reproductive rights advocates challenged two parts of this law at the Supreme Court arguing that the law had nothing to do with health or safety. The Supreme Court agreed and struck down the admitting privileges and ambulatory surgical center requirements in 2016. Other portions of the law remained in effect. While awaiting the Supreme Court decision, the ambulatory surgical center requirement shut down more than half of the abortion clinics in Texas, requiring many patients to now travel more than a hundred miles to seek care. The remaining clinics needed to make costly and burdensome changes to their sites. Vasectomy is a procedure with similarly very low complications. This procedure is performed in urologist's and primary care offices. There has been no proposal to require ambulatory surgical center requirements for this procedure nor should there be. New research from the organizations advancing new standards in reproductive health based at the

research from the organizations advancing new standards in reproductive health based at the University of California in San Francisco bolstered the argument that these regulations have no relationship to abortion safety. The research looked at whether there is any relationship between a type of facility where an abortion where is performed and abortion related complications. The study looked at data from more than 50,000 abortions and found no difference in complications for abortions that were performed in ACSs versus office-based settings. Importantly, there was no significant difference in abortion complication rates for either first or second trimester abortions. This research adds to the overflowing body of evidence that abortion is a safe procedures and laws that require that abortions be performed in ambulatory –

CLERK SRIVASTAVA: Please, it's time.

MS. HERMAN: I'm sorry, what was that? Time. I'll just finish with integrating abortion into general practice allows patients to escape the marginalization and vilification imposed by anti-choice groups. Proposals to move abortion services into ambulatory surgical centers has no relation to improving the safety of the patient. Thank you.

(Applause.)

CLERK SRIVASTAVA: Vinnie Caponia.

MR. CAPONIA: Good evening Supervisor DeSena and members of the board. I was here on August 4th and I listen to some of the AirBnB discussion and then onto the topic of Chapter 41A. I heard someone say during that evening that it's not unsafe or any less safe to have medical procedures such as an abortion performed outside of a hospital and actually compared it to getting a colonoscopy in a doctor's office. In one of my businesses I have a partner who's sister-in-law went into a doctor's office to get a colonoscopy and unfortunately something was punctured and they rushed her by ambulance to the hospital and tragically, she didn't make it, she bled out. For this mistake of course it could happen anywhere to anyone at any time. I'm not saying it's because it wasn't in a hospital, could have happened in a hospital. However I ask you to consider if the same thing did happen in a hospital would they be rushing an ambulance to a doctor's office or some storefront medical facility, of course not. Which is, it's the safest place to be which is why to vote to eliminate a safeguard that has been in place for some 50 years and with good reason should be unconscionable. Striking down 41A does nothing to ensure abortion remain legal and available in New York State, nor does it do anything to prevent it from becoming illegal. That's a decision that will be never be in the hands of any town board. What we're considering, what you're considering is if it's better for our residents, our friends, our neighbors to strike down a requirement that has been in place for some 50 years requiring anyone seeking an abortion to do so in one of the many incredible hospitals in the Town of North Hempstead. We are blessed to have some of the greatest hospitals in the state, in the country as our neighbors. I've owned my home here for over 30 years and I know that sometimes the hardest decision has been choosing which of these hospitals to go to. When my father had a heart issue, boom, off to St. Francis. When my wife was to give birth, it was off to North Shore University Hospital, could have been any other Northwell Hospital, Long Island Jewish or which especially now, the Katz Women's Hospital which is a world class hospital dedicated to the unique needs of women. A hospital dedicated to the unique needs of women, or maybe NYU Langone Winthrop which is currently rated Number One in the state and Number Three in the country. Number Three in the country. We are so fortunate to live in this one little town where such great facilities are accessible within minutes from virtually any point. Why would anyone

choose to potentially make things less safe when there is clearly no need as I said earlier, and I think we all can agree, no hospital is shipping a patient to a doctor's office or a clinic in an emergency, but emergencies do happen. That ambulance ride goes one way, from a less safe position to a more safe. I ask you please don't choose to make things less safe. I ask you always to look honestly when you're voting on and why, to cast aside any possible division and let reason, logic, and good will common sense again reign. Please do not vote in a way that makes things less safe and and for which there's clearly no need. Thank you for your time.

COUNCILMEMBER TROIANO: Sir I'm sorry –

(Applause.)

COUNCILMEMBER TROIANO: I didn't catch your name and I'm not sure I followed your argument all the way through so I just want to rehash what I think I heard, you tell me if I'm right or wrong.

MR. CAPONIA: My name is Vince Caponia. I think we met before. I was the chairman of the, founder of the Green Building Council on Long Island. I know we met way back when. Thank you for putting this off to have the opportunity.

COUNCILMEMBER TROIANO: I thought your example of the colonoscopy that someone had had, someone had a colonoscopy at a doctor's office or a clinic?

MR. CAPONIA: Yes.

COUNCILMEMBER TROIANO: Who had their colon or semicolon punctured as a result, is that right?

MR. CAPONIA: I believe she had bled out.

COUNCILMEMBER TROIANO: And they couldn't get her to a hospital in time to save her.

MR. CAPONIA: That's right.

COUNCILMEMBER TROIANO: But you're not advocating that we require colonoscopies to be performed --

(Applause.)

MR. CAPONIA: I was stating that that was what someone had said in the last meeting. I'm not advocating that, I'm not saying that – this is not what we're here for. But I think that you'd agree that of the two, which spot is the safer of the two. No one is sending somebody even if they're having a colonoscopy at a hospital to a clinic or a doctor's office. They would be sending them the other direction.

COUNCILMEMBER TROIANO: Since you've asked me the question, I asked for the first hearing on August 1st, I asked for a continuation in part because I want residents of the, additional residents of the town to be able to speak as Supervisor DeSena said. And also because I wanted to be able to review the veracity of some of the reports that were given here, saying that clinics were an unsafe environment. But there was little to support that other than that assertion. So over the past nearly a month I've have the opportunity to speak with practitioners in regard to whether or not there is any greater danger in a clinic then there is in a hospital. I've learned a bit about mental procedures, that all patients, all potential candidates for an abortion are evaluated and determined whether or not they're a high risk of having a complication or not. And that they

make a decision based on that, whether or not the procedure can be performed safely in a clinic. So I put a great deal of, we heard evidence, I didn't get your name either Doctor, but she put in evidence as well of clinical studies that over long periods of time show there really is no difference. So I hear you make reference to common sense but we really need to pay attention to the science, and the science doesn't show that there's any greater risk by performing this procedure in a clinic versus a hospital.

MR. CAPONIA: There would be no reason then to be sending someone god forbid in problem and emergency some sort of terrible event that happened to a hospital, if it wasn't the better spot to be.

COUNCILMEMBER TROIANO: But according to your own example, and maybe it was in your own history, but it's something you chose to quote in making your argument

MR. CAPONIA: It's just common sense.

COUNCILMEMBER TROIANO: But if you use your argument, there's been no evidence, nothing has been offered in two nights of hearing so far about an abortion gone bad at a clinic that resulted in a woman dying as a result. But you offered evidence of a colonoscopy. Something we can, you offered it. It may not be your experience, but you offered it here. And so I want to make the point again, you don't know if that's true but since you brought it to our attention, the argument, the consistency would be that we should clog up the hospital system by having procedures like colonoscopies, and other procedures like plastic surgery performed only in a hospital because something may go wrong during the procedure. I don't think that anyone should have to -- I'm not advocating for it but --

MR. CAPONIA: That's not what we're here about. We're here for Chapter 41A.

COUNCILMEMBER TROIANO: You made mention of it. If you're going to make mention of it, you chose to make mention of it. You prepared your comments, you chose to make mention of it.

MR. CAPONIA: That's right, I did.

COUNCILMEMBER TROIANO: So I need to recount, that that's not really, if you're going to use that argument that you chose to make it, then it's not logically consistent. Because if you're going to apply that logic to abortion then you have to apply it to colonoscopy, and you have to apply it to plastic surgery and it goes on and on and on.

MR. CAPONIA: But we're not here for that. We're here for this, Chapter 41A.

COUNCILMEMBER WALSH: Exactly. We're here to listen to people, and we're not here to testify. And it sounds like we're hearing testimony from the board here. I appreciate your comment and we can move on.

COUNCILMEMBER TROIANO: This is a hearing and I believe that you deserve either answers to your questions or the opportunity to field questions from those of us who have to vote. So if I'm not clear about a point you made, I think I have the obligation, I think I have the right so I can make an informed vote -- so I don't think you're offended by the fact that I'm asking these followups.

MR. CAPONIA: Of course not. I'm not offended, I'm just pointing out that that's not what we're here for.

COUNCILMEMBER TROIANO: Thank you.

(Applause.)

CLERK SRIVASTAVA: Maryann Muller.

DR. MULLER: Hello, good evening. My name is Dr. Maryann Muller, I thought I did write that on there. I'm here to talk about the repeal of Ordinance 41A of our town code, through the eyes of truth if I may. The ordinance has been in effect as a protection for our women for 50 years in this town. And now it seems all of a sudden very imperative to repeal. I asked myself why, and do we no longer care about the safety of our woman and that was a sad truth to myself. Do we no longer have abortion available in not only our three local huge hospitals but all these other areas where another person mentioned all of the abortion centers available, that it can not be performed in a safer manner. Why is there a need to repeal it now. That is where I feel the truth comes in. There was and always will be an inordinate amount of money that has to come from abortion and there's also political gain that comes from abortion. And in order to keep abortion accessible at any cost, I feel you are proposing to repeal Ordinance 41A to get it out of the way so it clears out a legal roadblock. As an abortion haven state, which you are going to be and are, Governor Hochul, she is all for lots of clinics to pop up and take on the proposed flood of women that will be coming, abortion-minded from all over the United States. At our taxpayer state taxpayers, we will be paying for this in our neighborhoods and women will be having abortions in abortion clinics if this ordinance does not stand, that are not affiliated with any of our local hospitals or without any admittance provision of these physicians that are doing these procedures or not even physicians, nurse practitioners, medical PAs. The consequences are going to be against poor unsuspecting women of our town and those that will be flooding in from wherever. How many women will die, we don't know. When and where will the safety measures be. Every medical institutions has governing safety boards, has protocols. These abortion clinics that are popping up surely won't, and apparently, women's safety doesn't seem to matter -- when politics are happening. The truth is we already have safe places as I mentioned for abortion in our surrounding areas. We could not allow proliferation of these abortion places in our town if we have any compassion and concern and love our women, and those that may flood into our state. We do not allow or concern about more accessibility to abortion outside our judgement for what is right and safe for our town. The proliferation of these alleged places definitely cannot in good conscience come before the safety of our women. I appeal to your concern for women and ask that you please reconsider your proposal to repeal Ordinance 41A. My final words of truth about our rights as our North Hempstead constituents here. We elected you to represent our truth and what we want in our town and not what all these other people from other towns come here want. It is your civic duty and oath that you took to take our concerns into account and vote along our lines. Lastly I am address our women politicians. You will never be seen as champions of our rights as women if our safety is compromised. You will instead be seen as sellouts to money, to political power, whatever you want to serve as an expense on our lives. I know that I for one could not live with even one death that would occur in any of these places, allow this to happen. I would not have that on my conscience. Thank you.

(Applause.)

CLERK SRIVASTAVA: Laurie Radner.

MS. RADNER: My name is Laurie Radner, I live in Port Washington and you had asked the

question about who regulates abortion facilities and what is the law and et cetera, and I'm going to tell you now. I sent this to you and I sent it to all of you the day after we had the board meeting the last time. Abortion clinics are regulated by the New York Code Rules and Regulations Title 10 Article 6 Part 756 Abortion Services. General requirements are when abortion services are performed, the operator shall ensure that the center complies with the requirements and if there are anesthesia services also complies with other sections and there is a documented plan at procedure for the transfer of patients to a nearby hospital when hospitalization is indicated. Such plans shall include arrangements for an ambulance service and when appropriate, escort of the patient to the hospital by a clinical staff member of the abortion service and services are provided in accordance with current standards of professional practice. Medical director, in addition to the requirements, if the medical director is not an OBGYN who meets the definition of a qualified specialist as set forth in other sections of this title, there shall be consultation from an obstetrician gynecologist in the development of policies and procedures governing the provision of abortion services. Patient management, Section 756.3. By the way this section it was effective, it's updated as of January 19, 2022, and the others I just read were effective 6/22/22. Patient management, the operator shall ensure that prior to abortion services, the patient receives a clinically relevant examination which may be satisfied when clinically appropriate through a review of the patient's history, and discussion of patient's symptoms through telemedicine. The result of such examination shall be documented in a patient's medical record. After procedure an evaluation of the status of the patient is made and documented in patient's medical records. Information and counseling about methods of contraception are made available to all patients who want such information, referral is made to another facility for family planning services if not available at the center and desired by the patient. And, this is very important, there's a lot of conversations about this, determination of blood group and RH type if clinically indicated is made in accordance with evidence based clinical guidance. If the use of RH immunoglobulin is indicated and the patient consents, an appropriate dosage is administered within 72 hours after the termination of the pregnancy. Healthcare practitioner services. The operator shall ensure that a healthcare practitioner licensed, served by, or authorized under Title 8 of the education law acting within such practitioner's lawful scope of practice performs the abortion and the abortion is performed only when according to the practitioner's reasonable and good faith professional judgement based on the fact of the patient's case, the patient is within 24 weeks of the commencement of the pregnancy, or there is absence of fetal viability or the abortion is necessary to protect the patient's life or health. Nursing services, the operator shall ensure that nursing services or staff to assure that the nursing needs of all patients are met. Patient care responsibilities are delineated in writing for all nursing service personnel. As a minimum, a licensed nurse is present in each treatment room when an abortion procedure is being performed. The recovery area is staffed to allow for continual observation of post-procedure patients. If abortions are performed in operating rooms, a registered professional nurse is in charge of the nursing services in the operating rooms. If our room for post-operative recovery patients are registered professional nurse is in charge of the nursing services for the recovery rooms to ensure continual observation of post-op patients and only registered professional nurses function as circulating nurses in the OR. Lastly, quality assurance. In addition to the requirements set forth in Section 751.8 of this title, the operator shall ensure there is a review of any abortion procedure complication with the use of these findings and development and revision of policies and in consideration of renewing or granting staff privileges.

COUNCILMEMBER LURVEY: Just to be clear, these are regulations that would apply to any clinic performing these procedures?

MS. RADNER: Yes, this is according to New York Codes Rules and Regulations.

COUNCILMEMBER LURVEY: Thank you. I wanted to confirm that because these are stricter than any regulations we could ever put into effect, thank you.

(Applause.)

CLERK SRIVASTAVA: Bernadette McHugh.

SUPERVISOR DESENA: Hold on. Mr. McHugh, you spoke last time. I can't, we have to hear the other people who didn't get a chance to speak.

MR. McHugh: My wife is conceding.

SUPERVISOR DESENA: That's nice that she conceded, as to the residents but we can't let you go ahead of other residents who came, I'm sorry.

MR. McHugh: That's fine. I just want to make one comment.

SUPERVISOR DESENA: You have to wait.

Mr. McHugh, please.

COUNCILMEMBER WALSH: No procedural comment. You have to follow the rules like everybody else.

MR. McHugh: Last time --

SUPERVISOR DESENA: Please. Go ahead and sit down. We are following the procedure.

CLERK SRIVASTAVA: Margaret Pritchee.

MS. PRITCHEE: Good evening. My name is Margaret Pritchee, and I've been a resident of the Town of North Hempstead for 22 years. I'm here tonight to oppose the repeal of 41A, pregnancy termination facility. As the Supervisor and members of the board, you have the responsibility to protect the inhabitants of the town and those entering our town. I ask you tonight to put aside your political aspirations that would have a negative impact on the safety of those choosing to have an abortion in the Town of North Hempstead and vote nay to the repeal. I work at a hospital in the town, and understand the importance of facilities that are accredited by the Joint Commission. The Joint Commission is a global driver of quality improvement in patient safety in healthcare. Their mission is to improve healthcare for the public by evaluating organizations and inspiring them to excel in providing a safe and effective care of the highest quality and value. Healthcare facilities such as clinics and doctor's offices are not required to be accredited and choose against it due to stringent requirements regarding safety and infection control. The repeal of 41A would open the door for non Joint Commission accredited abortion facilities to open in our town. Abortionist Dr. Kermit Gosnell ran such a clinic in Philadelphia, PA. It enjoyed the complete protection of the pro-choice Pennsylvania state government and Department of Health. It was allowed to operate without inspection or oversight for nearly two decades. He routinely overdosed his patients with dangerous drugs, spread venereal disease among them with infected instruments, perforated their uterus and bowels and on least two occasions killed them through his drug negligence. At the time of his arrest, his anesthesiologist was a 15 year old high school



girl who administered powerful drugs to patients based upon a series of colored dots on a piece of paper Gosnell gave her. Is this what we want in our town. What would you choose if it was your daughter. Would you send her here or to a hospital setting. At the August 4th town meeting one of the speakers mentioned that many people have colonoscopies and endoscopies at non-hospital facilities. Comedian Joan Rivers probably felt safe when she went for her appointment at Manhattan Yorkville Endoscopy Clinic. She died of therapeutic complications. The classification of a death as a therapeutic complication means that the death resulted from a predictable complication of medical therapy. The complication was predictable, yet they were unable to provide the care necessary to save her. There are many complications that can occur during an abortion. In the absence of a hospital setting the appropriate care is not always available such as a blood transfusion due to excessive blood loss. No woman should be put in harm's way because she trusted the decision of our town board. Abortion is available in the Town of North Hempstead. It is not restricted like the sale of marijuana. We need to focus on women's safety which this law is about, rather than addressing it as taking away a woman's right to choose. I'd like to leave you with some food for thought. Where would you be today if your own mother had chosen to abort you rather than allowing you to be born. Thank you.

(Applause.)

CLERK SRIVASTAVA: Thank you. Phyllis Curtis.

MS. CURTIS: Hello, and thank you for giving me the opportunity to speak to you tonight. I want to point out sitting in the back that you can barely hear anything but it's very loud in the hall. I've been in this town since 1972, first in Manhasset, then Port Washington and I worked in the county here since 1969 and I recall when these laws were passed. These laws were passed all over the county. They were invalidated in Town of Hempstead but if you look at the Newsday archives, you'll see there were no abortion clinics at the time here in our town in North Hempstead. There was no one to sue, to invalidate it. I think that's why it's been on the books this long. But when you think back then to 1970, 1971 what experience did doctors and medical establishments have with abortion. Abortions had been illegal in New York State. The women they saw in hospitals were, who came in because of abortion problems, they were victims of their own self-induced abortions or sketchy, stealthy abortion places because it was illegal. So the medical establishment was probably a little afraid of abortion and they could support a law like this for that reason. But now it's 50 years later and you heard tonight about studies that show that abortion is a safe procedure. We should repeal this law for that reason. It's based on outdated and tired medical knowledge. Last meeting, we also heard and we heard some tonight of the tired rhetoric that people used in the 1970s, 50 years ago against abortion. In the meeting last month for example, we heard several speakers refer to abortion mills in their neighborhood. Abortion mills, that is really a 1970s word coming out of the anti-abortion movement. We know women are not looking for abortion mills. Women are seeking abortion for good reasons. Some of them wished they were pregnant, but something goes wrong. Some of them don't wish to be pregnant. Women should be entitled to make their own decisions about abortion. This law was passed really in 1971 in response to pressure by the anti-abortion movement which was very, very strong in Nassau county at the time. It was not passed to help women be medically safe by those people, and today the people who are speaking about medical safety for women, I think they really want just to ban abortions all together. I urge you to act on fact of 2022 and women's need of 2022, and to repeal this law. Thank you very much.

(Applause.)

CLERK SRIVASTAVA: Nancy Willard.

MS. WILLARD: Thank you. I've lived here for 52 years. My husband was a physician, he was the first resident from Cornell Medical School to come out to North Shore. I had come here tonight prepared to talk about basically what other people had talked about in terms of this repeal issue. But as I've listened I realize how delusion everybody is. You all think that we go to the hospital it's safe. It is not safe.

(Applause.)

MS. WILLARD: Not. Because my husband was literally killed at North Shore. Why. Because he was over anesthetized. When I went to see him in the recovery room I knew that something was wrong. So that's one part of the experience. Another part of the experience was during the time he was in a hospital bed and I slept for five nights on a couch, a PA or nurse walked to the room and said I'm here to do your blood transfusion. Blood transfusion. What if I weren't there. What if a nurse was there and somebody came in and said I'm going to do your transfusion, she would have let that person do it. I said, very dulcetly and nicely because you don't want to aggravate anybody, I said gee is he supposed to have a transfusion, like a dummy, that's what they want. Do you have any idea of how much malpractice goes on, how many mistakes are made all the time because people are not perfect. So you go to a hospital and your carotid artery is being severed, your colonoscopy may be a disaster, but to think that because you have to go to a hospital you are guaranteed to come out healthy and well, is an illusion.

(Applause.)

MS. WILLARD: So, I hope you will all do the right thing. And you know what the right thing is. Thank you.

(Applause.)

CLERK SRIVASTAVA: Paul Kerlin. Paul Kerlin.

MR. KERLING: I'm going to waive my time and if possible to transfer it to Anna Kaplan.

(Applause.)

SUPERVISOR DESENA: Call the next card, please.

COUNCILMEMBER TROIANO: I'm sorry, Madam Clerk and Supervisor, with all due respect this gentleman asked to waive his time, if he could pass it to Senator Kaplan.

SUPERVISOR DESENA: So did Mr. McHugh. Mr. McHugh offered to waive his time, so no.

COUNCILMEMBER TROIANO: Please let me finish my thought. He offered to waive his time in exchange for Senator Kaplan, that has been denied. He has been told that he cannot waive his time so Senator Kaplan could speak, so can he please speak if he would like to.

SUPERVISOR DESENA: Sure. You're welcome to speak.

COUNCILMEMBER TROIANO: Would you like to speak sir?

AUDIENCE MEMBER: I've heard enough. My views were expressed by others. But I would like to hear from our state senator -- the last time she was here.

SUPERVISOR DESENA: Can you call the next resident?

CLERK SRIVASTAVA: Judy Estevez.

SUPERVISOR DESENA: Can you repeat it.

CLERK SRIVASTAVA: Judy Estevez.

MS. ESTEVEZ: Hi, thank you. I'm Judy Estevez, I've been a Manhasset resident for over three decades. I'm a board member of the New York City Chapter of Physicians for National Health program. I speak to Section 41A of the town code, I ask that it be repealed. This law puts legislators between patients and their healthcare providers and it threatens them with criminal charges without making anyone safer. It needs to be repealed. It was unscientific government overreach 50 years ago when it criminalized doctors offering abortion care outside hospital level facilities, which was not New York State law then. It was more restrictive, expensive, and burdensome than medical quote on quote standard of care required then. But it's completely out of date now because one, it's a violation of New York State law which covers abortion in its civil code, not in its criminal code. This is a criminal statute, not a civil statute. Two, hospitals were not required in New York State for childbirth 50 years ago. And they're not required now. In fact, 40 years I close to have my child at a midwife center rather than going to a hospital, after spending three months trying to figure out what would be safer and better for me. That was not illegal for me. But carrying pregnancy to term is 17 times more dangerous than abortion. New York State government reports from 2022 say that New York State rates 23rd in the U.S. for maternal maternity for childbirth. That's an average of 18 maternal deaths for every hundred thousand live births. Abortion has a death rate of point 7. That is more than a level of magnitude, it's close to 20 times. Less danger than colonoscopies, as we've heard, which are not criminalized if they happen outside of hospital which is what this law does. Three, healthcare has changed a great deal over the 50 years. 50 years ago abortion required a surgical procedure. They were then in fact closer to colonoscopies than they are now. Today, more than half of all abortion are induced by medications. And during the pandemic many of these were prescribed by telemedicine at the patient's home. They didn't actually even see if a doctor other than that videoconference. They took the pills at home and they were safe. Two thirds of all abortion because of these medications are now before eight weeks. Requiring patients to go to a hospital or face possible criminal charges to take a pill which is what this law requires, all patients even those taking a pill if they do it at home are in danger of criminal charges, that is this bill, is against the public interest. It's an unreasonably burden on patients and providers and quite frankly it's nuts. So let me summarize. A law that criminalizes abortion violates New York State law. Healthcare should not be in the criminal code. Two, criminalizing abortions that happen outside of hospital or hospital type settings put political interests above medical judgment. Particularly outrageous for care that is safer than childbirth, and childbirth is legal outside hospitals. Three, it's particularly wrong given that more than half of all abortions require swallowing a pill. And then you wait for weeks. Our legislators need to leave healthcare decisions to patients, and their healthcare providers and get out of criminalizing patients. Please repeat the law, thank you.

(Applause.)

CLERK SRIVASTAVA: Casey Hanglely.

MS. HANGLEY: Good evening and thank you for giving me the opportunity to speak. I want to

thank Councilmember Lurvey for proposing the repeal of 41A. She did a wonderful job of explaining what that means, so I won't get into that. We are not here to comment on legality or morality of abortion. Right now abortion is legal in New York State, and many of us, myself included are committed to making sure it stays that way. But tonight's conversation is about Town of North Hempstead Code 41A which states that an abortion can only be performed in a hospital or a quote suitably equipped and staffed facility administered by such hospital or having a hospital affiliation, end quote. Many speakers at last month's meeting and tonight have expressed concern about women's health and stated that an abortion facility with no hospital affiliation is unsafe. These concerns are not based in science or fact. Here are some facts about the risks of abortion to pregnant people. In 2018 the National Academy of Science, Engineering and Medicine undertook a comprehensive review of studies on the safety of abortion methods. In their conclusions they found quote, the clinical evidence clearly shows that legal abortion in the United States whether by medication, aspiration, DNE or induction are safe and effective. With regards to 41A as Dr. S requested, let's talk about medication abortion. The abortion pill was approved by the FDA in 2020 and is currently approved for use up to ten weeks gestation. As of 2020 medication abortions account for more than half of all abortions in the United States. This means that more than half of patients can manage their own abortions by taking medication at home. The NASEM study I cited earlier found that the risks of medication abortion are extremely low with complications occurring in no more than a fraction of a percentage of patients, end quote. 41A as written could be interpreted to mean that a person who takes the abortion pill at home could face fines and imprisonment. When we talk about all abortions including those performed in clinics and doctor's offices, a California study completed in 2015 found that major complications occurred in fewer than one quarter of 1 percent of first trimester abortions, and fewer than half of one percent for abortions performed after the first trimester. That study also found that quote, most abortions can be provided safely in office-based settings, end quote. According to an institute report on targeted regulation abortion provider laws, trap laws like 41A do nothing to enhance the safety of or outcome for patients. To quote, clinics and providers are required to comply with federal and state safety standards. Another speaker tonight went into great detail about those standards and I really appreciate that and I hope that everyone pays attention to that and doesn't state alternative facts this evening. In other words, in the rare case that a patient experiences complications during or after an abortion and the facility does not have the resources on site to manage them, they do what most of us would do in a medical emergency. They call an ambulance. In a 2015 paper published in the Journal of Obstetrics and Gynecology, one study cited found that one out of 5,491 abortion procedures resulted in a patient being transferred to a hospital by ambulance. One. There is no medical or science-based reason for code 41A to remain on the books. The risk of death from childbirth is at least 14 times higher than that from abortion, perhaps as high as 20 times according to a CDC report from 2021. I would suggest that those who are concerned for the health of women and mothers turn their efforts in that direction, rather than to preserving a law that is not justified by facts or science and is clearly intended to limit access to a safe, legal, medical procedure. I look forward to a unanimous vote approving the repeal of this law. Thank you for your time.

(Applause.)

CLERK SRIVASTAVA: George A. Joel.

SUPERVISOR DESENA: That's him.

GEORGE JOEL: Good evening. My name is George Joel, I've been in the Town of North Hempstead for over 60 years. There's been a lot of passion, a lot of facts, a lot of figures. Seems like four things to keep in mind. One has been discussed rather thoroughly and that is to have stringent laws and provisions safeguarding the woman regardless of where the abortion might take place. But secondly, there should be inspections on a consistent and regular basis. Thirdly, if violations are found, there should be rigorous follow up to make sure that it doesn't occur in the future, and four, if the violations have not been basically taken care of, then there should be rigorous enforcement. I'm just going to read something that was mentioned. I'm going to go into a little more detail about Kermit Gosnell. This comes from the Grand Jury report and I quote, this case is about a doctor who killed babies and endangered women and by that we mean regularly and illegally delivered live viable babies in the third trimester of pregnancy, then murdered these newborns by severing their spinal cords with scissors, unquote. Quote, the medical practice by which he carried out this business was a filthy, fraud in which he overdose his patients with dangerous drugs, spread venereal disease among them with infected instruments, perforated their wombs and bowels and on at least two occasions caused their deaths. Now you may ask, and by the way, nobody inspected this fellow for 20 years. But on February 18th, between the FBI raided the Woman's Medical Society, that was the name of his obituary, entering his office about 8:30 p.m. Agents expected to find evidence that there was illegally selling prescription drugs. On entering they quickly realized something else was amiss and the Grand Jury reports, quote, there was blood on the floor and a stench of urine filled the air. A flea infested cat was walking through the facility, there were cat feces on the stairs. Several women scheduled for abortions were mulling in the waiting room or the recovery room, where they sat on dirty recliners covered with blood stained blankets. All the women had been sedated by unlicensed staff, close quote. The authorities also learned about the patient that had died several months prior. Now, how could this have happened. How on earth did this go on for so long and without anybody stopping it. The Grand Jury delved into that very question. The problem is the first line of defense was the Pennsylvania Department of Health. After 1993 they abruptly decided to stop inspecting abortion clinics at all. The only exception to this was for complaints dumped directly on the department's doorstep. At least those would be investigated, except there were lots of complaints about Gosnell and nothing was done. So then we go to the second line of defense which was the Department of State through its medical board that oversees and licenses individual physicians. About a decade ago a former employee of Gosnell presented the board of medicine with a complaint that laid out the whole scope of his operation, the unclean unsterile conditions, the unlicensed workers, the unsupervised sedations, the underage abortion patients and the overprescribing of pain killers with a high resale value on the street. The Department assigned an investigator whose investigation consisted primarily offsite review of Gosnell. The investigator never inspected the facility, never questioned other employees or reviewed any records. The attorneys just chose to accept this incomplete investigation and dismissed the complaint as unconfirmed. So, it's not about do you have regulations, are they going to be enforced consistently, thoroughly. Otherwise, god forbid and I'm not saying we're going to have a Gosnell on our hands, I'm just saying this happened and it should never be allowed to happen again. Thank you.

COUNCILMEMBER LURVEY: Thank you. I would ask the Town Attorney, who would be in charge of inspecting, enforcing the state law requirements governing medical facilities and medical procedures? Would that be Nassau County Department of Health.

TOWN ATTORNEY CHIARA: It's the New York State Department of Health.

COUNCILPERSON LURVEY: New York State Department of Health, thank you.

CLERK SRIVASTAVA: Ann Mugler.

MS. MUGLER: I just want to say thank you so much for the opportunity of speaking. This is something that is very near and dear to my heart. I am a daughter, I am a mother, I'm a wife, I have to say this because I won't remember, and I'm also a grandmother, and soon to be a grandmother again. I have been through three pregnancies myself and I know for a fact how difficult pregnancies are. One, my daughter is an OBGYN and we have had many many discussions about this issue. You know, if anybody here plays chess you know that you put through a move and then you anticipate the next move. And to me, just reading about this and learning about this law that was passed 50 years ago is to me a chess move. And we don't know who our next governor is going to be as was said previously, we don't know who any of our next people are going to be who are in office. And I truly believe that a woman's right to choose is the most paramount thing that we have to really think about here today. You've heard from Laurie Radner who I respect and adore about all the requirements of any place that does an abortion and any place that offers abortion, you don't just walk in and buy a stick of gum, it's like you go and get an abortion. There's counseling involved, they discuss things with you. Just like when you go for a colonoscopy or even a mammogram you have to go and be counselled first and then there's follow-up after. It's the same thing here. They go in and if they see that there's a chance there could be something wrong they will not allow you to have the abortion in that facility. The same way when I went recently for an exam for something and they made me go to the hospital for a very simple procedure. I believe that we have to trust medical professionals, considering I have so many in my family, I have to trust somebody, but seriously the issue for me is that we need to trust medical professionals, we need to trust a woman's right to choose and we have to understand that a law that was passed 50 years ago before Roe versus Wade when perhaps things were not as clean as now and all of the horror stories that you've heard about garbage bins and about people being put to sleep by 15 years old, those are not in New York in North Hempstead in the last 15 or 20 years. Those are old, old tales that are being put forth by people who don't believe in abortion. I'm not saying I am pro-abortion, I'm pro-choice. No woman wants to have an abortion. If a woman has to have an abortion for whatever the reason is, she should have the right to go and be confident and have it in a safe environment. We know that it's a safe procedure. We're in a challenging time and we want to be sure that the next group of legislators hear our voice. We know it's low complications and it's a safe procedure. And honestly after hearing that last statement about the colonoscopy, I'm a little concerned about my next one in a couple of months from now. But seriously, what we really all need to do is understand that this is all a game of chess. That we have to as North Hempstead be very, very strategic in understanding that we want the next step to be that nobody should come between a woman's right to choose, no politician should be telling a woman right, what to do as far as where to go and whatever. Every person who does these procedures, every person who goes to a dentist for a filling looks them up on Google and you know gets all the qualifications. I can't quote all of the important statistics that have been quoted here today I can just speak to you as a daughter, a mother, a wife and a grandmother and I just beg you to please repeal this. It's really so important. Thank you.

CLERK SRIVASTAVA: Paul Aloe. Paul Aloe.

SUPERVISOR DESENA: How do you spell it? Is there a Paul Aloe out in the lobby. Okay, he might have gone. Next.

CLERK SRIVASTAVA: Rory Lanston.

MR. LANSTON: Good evening. I'm Rory Lanston, formerly member of the New York State Assembly and New York City Council but now I'm a proud and grateful resident of Great Neck and the Town of North Hempstead. Since the Supreme Court overturned 50 years of precedent and stripped women of the right to make their own decisions on whether to terminate their pregnancy, the obligation to defend that right has expanded to every level of government across the country. While some jurisdictions who we read about in the papers and see on TV are doing everything that they can to dehumanize women and endanger their health with draconian bans and punishment, others have risen to the occasion. President of the United States has promulgated executive orders to protect women's access to abortion, to protect women's privacy when seeking an abortion, the New York State legislature in response to the Supreme Court's decision passed numerous law to expand access to abortion, particularly for poor women to protect women and medical professionals from retaliation and from threats to their physical safety. New York City Council passed the bill to protect women's rights and access to abortion procedures and to protect the rights of women who are coming from other states to receive an abortion here in New York State. The county of Westchester, Westchester County legislature passed legislation to protect women from being harassed and accosted when they seek an abortion in the county of Westchester. The question for the Town of North Hempstead is not just the repeal of this law which I think the case for repealing it has been made far better and with far stronger arguments and data than I could present. The issue is I want to know what is this board's, what is my town government's fundamental policy and position when it comes to a women's right to choose to terminate her pregnancy. So I ask you, I want to know where each of you stand. This conversation tonight we're all intelligent people, we're all capable of understanding this is a proxy for the battle, the conversation whether you're pro-choice or anti-choice. I want to know where you stand, not just on this bill, but on what I believe is this government's obligation to do what it can with the jurisdiction that it has to protect a woman's right to choose. We are going to see how you vote tonight on this bill, but I want to ask each of you. I'll start with the Supervisor. You sit in the big chair, Supervisor DeSena. Do you support a woman's fundamental right to terminate her pregnancy before viability? Will you give me an answer to that question.

SUPERVISOR DESENA: Assemblyman, that is not appropriate for this forum. That is not appropriate for the Town, the Town of North Hempstead is considering one of its zoning codes. That is what we are talking about tonight. It's inappropriate for you to poll this board on their personal views.

(Applause.)

MR. LANSTON: Respectfully Supervisor, as a resident of this town, a voter in this town, a taxpayer in this town, I believe that I have a right to know that in contemplating how you're going to vote on this bill whether or not you support a woman's fundamental right to terminate her pregnancy before viability. Because I want to know what is the thinking and the philosophy that is animating your vote. And Supervisor I cannot force you to answer my question and I'm not asking to even give me a yes or no answer. I hate it when people put questions to me in that way. But I think that I, the voters, and the taxpayers in this town have a right to know how each

member of this board feels about whether a woman has a fundamental right to terminate her pregnancy prior to viability.

COUNCILMEMBER WALSH: I'd like to say something. You're going way beyond the scope of this hearing here, and I want to say this --

(Applause.)

COUNCILMEMBER WALSH: We don't have an army in the Town of North Hempstead, so we need not comment about matters having to do with Afghanistan. We don't have a navy in the Town of North Hempstead, so we need not comment about matters that are happening in the South China Sea, even though they're very important. So can we please get on with this hearing, because you, that's what we're here for. We're here for a hearing tonight about 41A not for you to cross examine the people up here.

MR. LANSTON: Councilman, respectfully, you are considering, you are considering repealing a bill that relates to the rights that women have access to a safe and legal abortion. I'm not asking, I'm not asking you a question about Afghanistan or the army or anything else. I want to know on this issue --

COUNCILMEMBER WALSH: Can we move on, we have other people.

SUPERVISOR DESENA: Sir, we do not poll the board on other issues. You will have our vote at the end of the hearing, thank you very much.

MR. LANSTON: Thank you.

CLERK SRIVASTAVA: Christine Monteroso

SUPERVISOR DESENA: What's the last name.

CLERK SRIVASTAVA: Christine Monty --

SUPERVISOR DESENA: Monteroso.

MS. MONTEROSO: My name is Christine Monteroso. I've been a resident of the town for 18 years. I'd like to voice my strong support for Ms. Lurvey's efforts to repeal Chapter 41A of the town code. This was never about safety. If it were, the provision would also have prohibited many other medical procedures, many of which are more invasive and more risky than abortion from taking place outside of hospital. I was going to quote statistics about how incredibly safe abortion is but others had already done that, and I don't want to be repetitive and the night is getting long. So instead I'll just say that 41A was one of countless local provisions passed all over the country that were intended to whittle away at the right of a woman in conversation with her physician to make the best decisions for her own health. Let's get rid of this archaic provision and demonstrate to everyone in the town that we value women and we take their freedom and their health very seriously. Thank you.

(Applause.)

CLERK SRIVASTAVA: Linda Lebowitz.

MS. LEBOWITZ: Good evening. My name is Linda Lebowitz and I am an attorney. I am not a healthcare provider and I really intended to prove some people wrong that I could keep my mouth shut this evening but I can't. But I'm going to be very brief. I did not prepare anything, I



really did not intend to speak tonight at all but I have to say that when you, Madam Supervisor, ask your attorney what affect this would have and he said none, because these issues are controlled by state law, that's all that needs to be done. That's all that needs to be said. The fact that Ms. Radler did an incredible job of enumerating the various laws that control how procedures are done not only in a hospital but offsite in hospital and they are incredibly safe procedures, that's been reiterated time and time and time again this evening. So, contrary to my professional reputation I will not go over it again. Fortunately we are not here to discuss a woman's right to choose and so far and hopefully forever, it will remain a right that New York women at least if not the rest of this country and rest of the world will enjoy forever and ever. By the way I have been a Nassau county resident and Town of North Hempstead resident for my entire life except for ten years when I lived in California. Nobody is condoning inappropriate or unclean or unsupervised facility for any medical procedure to be performed. I am just at a loss. If a law is useless, if it's superseded by state law, it's superfluous and should be vacated, repealed from our town code. And believe it or not, that's all I'm going to say.

(Applause.)

CLERK SRIVASTAVA: Suzanne Bachur.

MS. BACHUR: I spoke last time, it's okay.

CLERK SRIVASTAVA: Senator Anna Kaplan.

SUPERVISOR DESENA: Thank you Senator for your patience.

MS. KAPLAN: My pleasure. Good evening, everyone. My name is Anna Kaplan and I proudly represent seven Senate districts. I'm here tonight to once again add my voice to those who have gathered here to support of this resolution, repealing a section of the town code that places unlawful barriers between women and their right to have an abortion. I want to thank town board and particularly the resolution sponsored of Councilwoman Lurvey not only for proposing this important resolution, but for ensuring that everyone in our community has an opportunity to make their voices heard on it including Supervisor DeSena. Supervisor, I was disappointed that you weren't able to be here last time because I know that so many of our residents are eager to hear whether or not you support a woman's right to access an abortion in the Town of North Hempstead. After all, it was just a few months ago that the extremist Supreme Court stole our constitutional right to choose by overturning 50 years of established precedent. And those of us in government, all of us have to step up and do our part to protect women's reproductive freedom in our communities. And to fight back against those who are trying to control our bodies. Tonight, it's imperative that every member of this town board vote to dismantle North Hempstead's abortion restrictions to send a message that we are always standing up for women in Town of North Hempstead and to send a message to the extremists out there that we are not going back.

(Applause.)

MS. KAPLAN: I've been watching in horror over the last few weeks as conservative restrictions like we have here take effect across the country. And it shows just how urgent the situation is that we get this law off of our books without delay. To those members of the board who have the courage to be here and to do the right thing in repealing this unjust barrier to women's healthcare, thank you. And to all the members of the public who came out to make their voices once again.

Thank you for being here and speaking out.

SUPERVISOR DESENA: Thank you.

CLERK SRIVASTAVA: Vashu Krishnamuthy. James J. McHugh.

SUPERVISOR DESENA: Thank you for your patience.

MR. MCHUGH: Good evening town board, James McHugh, 15 White Avenue, New Hyde Park. Before I came to prepare for this next hearing, I went through extensively the law from the federal level to the state level all the way down. Here it is. This is not the original 70, this is everything that's happen since then under Roe, the late Roe decision, the New York State 2019 Reproductive Health Act and what came after that some statutory decisions that were made by the health department that were not included in the 2019 Reproductive Health Act. What that did was, of course they didn't necessarily anticipate Roe going down, when they did the Reproductive Health Act in 2019 they mirrored Roe, or they tried to mirror Roe. But the problem was, it was a stale bill. I went to my Assemblyman, Ed Roger and said, how long has this bill been sitting around before they voted on it. His office sent me the history of the Reproductive Rights Act of 2019. And he said well, Jim it's been there since I got there in 2011 and they bring it up every year. The government, Governor Cuomo put it in an Omnibus bill, a women's rights bill, it was ten parts. But he couldn't get it through so he then dismantled the bill and tried to get it through in pieces. This bill then went up almost every year, got through the assembly every year, couldn't get out of committee in the state senate. It never really went to the floor, it was one house bill from 2013 to 2018. Every year it came up. Problem was nobody amended the amendments. The bill is from 2011. So there were late Roe decisions that were not included in the Reproductive Health Right Act of 2019. There were late Roe, one was the Louisiana decision, I can cite the exact citation, but I call it that because that's where it comes out of, in 2016. In 2020 decision, I call the COVID decision because that had to do with misappropyl, which I'm familiar with because I'm a pharmacist. So they in 2018 they had an election and the state senate overturned to the other party. So I spoke to Ed, I said what happened, well, the first session in '19, the first bill on my desk was this one, why, because now we got the Senate and they rammed it through in 22 days. Problem was, it had holes in it. It was incomplete because it was an old bill, such an old packet they had been pushing around for ten years that it didn't cover the late Roe decisions. It didn't cover the 2016, it didn't cover the 2020 but they passed it anyway. Then they realized, we got some holes here how do we cover them. What they did was, the 2019 Reproductive Act what it did, decriminalized in New York Sate the penal code provisions that were in there from 1970. What happened was they basically struck them all out. If anyone wants to see it, I have the '19 revisions right here, you can read them. I did my homework on this law. I went from top to bottom. I'm not an attorney but I went to attorneys to get advice that were friends of mine because I said, tell me the repercussions of all this, and I went to people there were sitting in the Senate back then and I went to people that were sitting in the Assembly now, to find out what was going on with all this. Now, what they did was, they went -- the 2020 act that someone just spoke about in June, what that did is they went to the Health Department and they went to the Health Commissioner and they send the 2016 and 2020, they're not in the Reproductive Rights Act. We never amended it so how do we fix that.

CLERK SRIVASTAVA: Time.

MR. MCHUGH: What they did was, they went by statutory, they allowed the statutory rights of

the Health Commissioner to go in and basically change in the health code law to bring it up to speed. Where are going with all of this? I was going to talk extensively on the law.

SUPERVISOR DESENA: We can't talk extensively --

MR. MCHUGH: All these facts and figures that we're bringing up here, of course.

SUPERVISOR DESENA: Can you sum it up?

MR. MCHUGH: I'm going to sum it up right now. The question is, 41A goes down, what are we looking at? Here's the bottom line. It's basically women's safety versus proliferation. Why do I know that, well they're not making a secret out of it. The governor's not making a secret out of it, the newspapers are not making a secret out of it. This is -- not that I want to get into a Blindsight media plug, but this is their last edition. Demand by -- if you read this, it tells you where they're going. Where they're going is this, once 41A goes down right now under the code you're allowed abortion clinics in only three zones, hospital, business B, and IB. That's it. Not allowed in any other zone. Once this goes, and you want more of these, here's what we do, it's very simple. We go back to this and we revise it. We go okay, where else do we want to put them, we want more of them. This is telling you, the governor's telling you, they're all telling you, we're bringing women from outside the state to clinics, ledgers are filling up, they don't have enough appointments in existing clinics, where are we going to put them, North Hempstead, why because you amend this, you amend business A. Boom, it can go into the supermarket across the street from me which right now is Business A. This is where you're going. This is all about money. This is all about the planned parenthood, the business of abortion making more money.

SUPERVISOR DESENA: Thank you Mr. McHugh.

MR. MCHUGH: At the safety of the women.

COUNCILMEMBER LURVEY: I would ask Commissioner Levine, there seems to be some sort of implication that by amending this provision or repealing this provision that there would be some to the town zoning.

COMMISSIONER LEVINE: It doesn't change anything else with regards to where medical offices could go. What the town regulates is the use of a structure, and physical characteristics. So, we will, our code will say what can be a medical officer versus retail versus general office versus any other type of land use. But what the town does not regulate are the operations within. What medical procedures is regulated by State Health, not by the town, what personnel qualifications are required is regulated by State Education Department, not by the town. So, basically the town can say what is acceptable as a medical office and we get into more the town worries about --

SUPERVISOR DESENA: Can you speak more into the microphone?

COMMISSIONER LEVINE: Fire code regulating egress, parking, safety, lighting, compliance with American Disabilities Act. All those things are normally regulated by the town. But who can perform what medical procedures is not within the town's jurisdiction. That doesn't change if this law is repealed.

COUNCILMEMBER LURVEY: Thank you.

CLERK SRIVASTAVA: Eric Friedman.

MR. FRIEDMAN: Good evening Supervisor, good evening Councilmembers. Women's lives are on the line in North Hempstead. For the record I'd like to enter a comment that the order of speakers last month's discussion of the 41A proposal was not carried out properly, and speakers were not called in the order in which they filed their comment cards. I came in 25 minutes before the meeting, I was one of the first dozen who filed a card and I didn't speak for over two and a half hours. Those cards were shuffled, it was not fair. Also, it should be first come, first served. With all due respect to Councilmember Troiano, it was correct to make sure that anybody who spoke last month did not speak first this month. I'm happy with that decision and I'm happy it was enforced. Holding a public office should not give one the right to preempt or precede any other speaker. As far as last month's meeting, I was not impressed by the loud impassioned comments of two of our elected officials who boldly proclaimed that nobody is going to take away the rights of any women to an abortion. I was not impressed by their emotional stands, and have two comments regarding their grandstand performances both of which are pertinent to this evening's discussion. First, are they aware of the laws which they themselves have created or supported, giving all New York women the right to an abortion. These laws have been on the books in New York State. This meeting is not about a woman's right. That right is already established regardless of one's viewpoint regarding abortion or termination of viable life. That is a different argument for a different day. Second, do they have any concern that repeal of Chapter 41A will endanger the health of women who seek abortion in North Hempstead. 41A was enacted to protect those aborting a pregnancy from unscrupulous and unlicensed practitioners who are not associated with a medical facility or hospital. It does not deny a woman any related services but provides failsafe measures should there be a procedural complication. Nowhere does it state that it must be performed in a hospital, only that a hospital services must be immediately available to handle complications. I'm hopeful that cool heads will prevail and that this board will vote to protect the women's health and safety by voting down this proposal and voting to retain Chapter 41A of our town code. You may save some lives by doing so, thank you.

(Applause.)

CLERK SRIVASTAVA: Rosanne Pirra.

MS. PIRRA: Supervisor DeSena, councilmen and women. My name is Rosanne Pirra, I'm a Town of North Hempstead resident for 49 years now. I'm going to skip the part about the order in which the questions were taken because that's already been spoken about it and I totally understand why you would take the new questions first. Unfortunately Supervisor DeSena could not be present at the August 4th town hall meeting and the deputy supervisor had no voting power. What I found most troubling is that Supervisor disclosed to the media in advance as to how she would be voting on this issue. I know for a fact that people I know decided to stay home when they became aware of this. Considering the decision complete, meaning a decision that has already been made without knowledge to those who will be impacted by it. In my opinion this should not have happened, not in democracy. Tonight and last month on August 4, 2022, when the topic of repealing Chapter 41A was first visited, I read my son's letter even though he's a resident of the town, he has a house in the town of North Hempstead, he's now living in Maryland, he's a constitutional attorney. And I supplied his letter to all of you, you've all gotten it. I read it. One of the reasons I'm attending and participating both then and tonight is that I realize that this topic of suggesting the repeal of Chapter 41A should be one that both sides of the abortion argument should not be having. As repealing Chapter 41A would then make it less safe,

so where is the argument. For those who claim an abortion is by choice, by repealing Chapter 41A have just chosen safety be damned. And those who claim I'm pro-life would naturally be on the side of safety for women, for women's lives. And for those who want Chapter 41A repealed, I've heard some of you on the board and in the audience describe this code as extremist, unenforceable, antiquated, and this is not true. I also heard the opinion last month among those attending it's not a baby until it's breathing. There is zero science behind that statement. I would ask people with that belief would you be willing to leave an aborted, born alive, breathing infant to languish and die? So then where does that definition, not a baby until it's breathing fall upon those born-alive breathing infants and what does that make you. Answer that, and keep in mind that repealing Chapter 41A leaves no recourse for those failed abortion, born-alive breathing infants. This is not a rhetorical question but one rather that deserves and answer and for opening one's eyes and ears and then listening with our hearts. It is true, President Bill Clinton once said abortions should be safe and rare, but oh how we regress. Repealing Chapter 41A would not make abortion safer and as far are rare, those who lament that they are losing their rights have somehow blocked out the news that they already live in a state that has gone from rare to alas, lighting up the Empire State Building in red, white, and blue to celebrate that we are a sanctuary state. Sanctuary -- there's nothing sacred or holy about it. When you consider the need of the state to joyfully celebrate such decisions indicates that New York State's governing officials have lost their moral compass. Repealing Chapter 41A does nothing but make abortion more unsafe for women. So I would conclude to say that repealing Chapter 41A does not serve to benefit either side of this debate, but instead has become a distraction and a divisive argument rather than a solution. Supervisor, Councilmen and Councilwomen, when voting this evening please consider these points as a reason to leave Chapter 41A as part of our town code. Again, it is an argument we should not be having. Thank you.

(Applause.)

CLERK SRIVASTAVA: Bernadette McHugh.

MS. MCHUGH: Bernadette McHugh, 15 White Avenue and what I would say is --

SUPERVISOR DESENA: Can you pull the microphone closer.

MS. MCHUGH: What I would say is my feeling is this is about bringing people from outside the state because abortion is still legal in New York State for all nine months of pregnancy. Has been since the 1930s, so that's not really the issue. The issue is because of the overturn of Roe versus Wade there are states where it has affected whether you can get an abortion, and so we want to bring people into this state to have abortion, so we need more providers as they say. That's why we want to repeal this. So that we can bring more into more providers, that's why you want to do it. So there you're going to increase your patient population that's going to come here, and really you don't what their medical history are. And they say that they're going through their medical history but I worry who is going to regulate that. I work for a hospital. When you get Medicare, when you get Medicaid money they regulate you up the wazoo. I know where I work they have a gazillion regulations you have to meet and they're really, you work for a health system they're like crazy lunatic about that. If you have individual providers come in because you need to meet for people to have abortion, who's going to regulate that. They say New York State's going to regulate it but you know it's like government, how do you know that's actually going to happen. I just, this is what bothers me is that we're going to bring a lot more people in and we have no idea whether you're going to have providers that are really going to do the right thing by the women

having the abortion. That's what concerns me.

(Applause.)

CLERK SRIVASTAVA: Betty Russo.

MS. RUSSO: Good evening. My name is Betty Russo, I've been a resident of Port Washington for 47 years. I'm the mother of seven, grandmother of 35, I have one great grandchild. I'm familiar with pregnancy and pre-born babies. Childbirth is not riskier than abortion. At last month's meeting regarding the proposal to rescind 41A, a number of people said this would benefit women. Abortion is false compassion. A number of years ago I met a 19-year old woman who found herself pregnant and unmarried. My husband and I invited her into our home. When she went into labor, I held her hand. And in the delivery room I had the privilege of cutting the umbilical cord. That baby today is helping many people, making a difference in the legal profession. Killing a pre-born baby is violence of the worst kind. It's cruel. Violence only leads to more violence. In a world gone wrong, we need to restore respect for life for the pre-born and the born. Please do not rescind 41A. Do the right thing. It takes courage, courage doesn't come easily. The board did the right thing in December when it voted against the pot stores. Allowing abortion clinics is far more painless than those. There are plenty of places in New York State where abortion can take place. Please do not rescind this law. Thank you.

(Applause.)

CLERK SRIVASTAVA: Ellen Urea.

MS. UREA: Hi, I'm a Williston Park resident for 30 years. And I spoke at the last meeting so I have nothing more to say other than just rescind, rescind 41A and let's get to the vote.

CLERK SRIVASTAVA: Doug D Barrigo. Doug D. Barrigo.

MR. BARRIGO: So, I'm from Port Washington, thank you for having me. I'm here to advocate for my kids. I have two daughters, they can't be here right now. It's past their bedtime, past a lot of our bedtimes. I'm not a doctor, but you know if I was, I would be pretty pissed at a lot of people in this room having so little faith in me and my profession. We're hearing horror stories of doctor's offices that don't have regulations, that don't have inspections. We all know damn well that doctor's offices, surgeons, they have inspection, they are looked over by the New York State Board of Health and the fact is we're not talking about moving oral surgeries at an ophthalmologist's office, at a dentist's office. We're not talking about moving eye surgery out of an ophthalmologist's office, plastic surgeries out of their offices. We're talking about something that discriminates against women, trans men, and non-binary people. And the fact, is the difference is based on that -- we've heard, it's based on an exacerbated amount of misinformation, we've heard that as well. And it's being exacerbated by decades of anti-choice propaganda which we have yet to cut through in this meeting. We keep hearing it, we keep listening to it, and it needs to be called out. The fact is I'm not a doctor, but I know damn well that when people are denied access to healthcare, people die.

(Applause.)

MR. BARRIGO: That is -- an abortion, whether people like it or not is healthcare. I have a wife, I have two daughters and we moved to Port Washington because we wanted the best life for them. We wanted a place where they could be treated as equals, where they would not be

subjugated or looked down upon or made to be felt they were less than. I want to live in that Town of North Hempstead. We need to rescind 41A. It denies people care, it's discriminatory, and we are only doing it to a certain subset of the population. Please when you vote, vote to rescind 41A.

CLERK SRIVASTAVA: Kimberly Duff.

MS. DUFF: Hi, my name is Kimberly Duff. As I was sitting I wrote some things down that I just want to make a few points. This is not about the politics of abortion or the access to abortion. Abortion was made legal in 1970 in New York State by Nelson Rockefeller. We were one of the first states to have it legal way before Roe v Wade. In February of 2019 the Reproductive Health Care Act was passed by Governor Cuomo. So abortion is always going to be available in New York. That's no question about it. I also wanted to say unregulated clinics are like having back alley abortions. Also, abortion is unfortunately legal but there is no such thing as a safe abortion. It is interrupting the natural cycle of a human pregnancy. Women have hemorrhaged and died from abortion from a perforated uterus and hemorrhage. Abortion also, someone said it's a constitutional right, I believe it was the Senator. Abortions is not in the constitution and it is not a constitutional right. Since Roe v Wade, January 22, 1973, over 61 million babies have died in this country. I don't want six more babies to be, to go through a barbaric premeditated murder. All the pro-abortionists say about the pill, the abortion pill, see how fun a medical abortion is, a medicinal abortion is when it will be unplanned. Also I highly recommend to all of you to see the movie Gosnell, because it's not only a movie, it's a documentary. And many women aside from babies have been killed and murdered by him in Philadelphia. In the movie there are live babies scrambling about in the garbage pails. Thank you.

(Applause.)

MS. RUSSO: You don't need to have like 7/11 abortion clinics at every corner. There's access everywhere else, and thank you.

(Applause.)

CLERK SRIVASTAVA: Kristin Hepper.

MS. HEPPER: My name is Kristin Hepper, and I'm a mother of two and I've been a resident for 30 years mostly in Williston Park. I believe our town needs to support its women and children by offering high quality reproductive healthcare. And for some of the points that have been made, people have been saying that if what will happen if we remove 41A, you said at the beginning it's already not in effect. That argument does not stand that it's not harmful. The letter from the Texas doctor made it very clear that this type of law is what supported closing a lot of clinics in Texas. To those who say that abortion will always be legal in New York, Roe is also going to stand. We cannot afford to have this law left on the books. It can be a back door that can harm our children. Thank you.

SUPERVISOR DESENA: Madam Clerk are there any other cards?

CLERK SRIVASTAVA: There are cards. Amanda Field.

MS. FIELD: Hi, how are you. My name is Amanda Field, I'm a Commissioner of Water and I'm here to address 41A. I just have a question. When making, we established that this is not about pro-choice nor pro-life. When making health decisions, it's my experience, I've worked very

closely with the State Department of Health in making regulations and proposing new legislation at the state level. And when doing so, we work very closely with sound science. And in passing that legislation, especially those that involve public health, it's my experience as an elected official that those laws that are passed, it's our priority to ensure that those health decisions are being made based on sound science and directly made by experienced health officials that specialize in that area. That being said, my question is, why is the town board making those health decisions and if it's the priority of this board to be most protective of healthcare, then this matter should be referred to the officials and the State Department of Health. And that being said, I think this should be referred, and that these decisions should not be health decisions. We've heard a lot of people that have stated facts today, we've heard a lot of opinions. But if this truly is not a matter that has anything to do with politics or anybody's view on pro-choice and pro-life and it is based solely on science, I don't believe that this should be made by a town board. As someone who every single day makes decisions, you know, that's in the best interest of my constituents, it should not be made by this town board. I just wanted to say that and it should be repealed based on that and not be left to the town, thank you.

SUPERVISOR DESENA: Where are you Water Commissioner?

MS. FIELD: I'm a commissioner in Plainview but I also represent Long Island, I'm the legislative chair of the Nassau Suffolk Water Commissioners and also One on One Conference in all of Long Island to be most protective of public health.

SUPERVISOR DESENA: Thank you.

CLERK SRIVASTAVA: Nina Harden.

MS. HARDEN: Okay. Hi, sorry I don't get to talk about cats tonight but we'll talk about this. But you know I told someone I was coming to talk about cats and abortion and they said there's a connection somewhere and there is. There's a lot of pregnant cats in North Hempstead. It may well be that this shouldn't be on the books of the town to repeal but it was a law that was enacted by the town and it was enacted by the town before Roe v Wade, it was enacted by the town as someone else said in a reactionary way in response to New York State making abortion legal. So, you can't say it's not political, it is political. Anyway, I've lived in the Town of North Hempstead, my family has been in the Town of North Hempstead since 1955 and I maybe the longest resident that has spoken tonight. In 1981 I got my marriage license here and I began a new life in Bayside with my husband. A few months later, I discovered I was pregnant and I knew this was not the right time to start a family. We had just started a band, we were performing five nights a week, my husband had a six-year old child from a prior marriage and was not sure he wanted more children. I made a choice, a choice to have an abortion, a choice that was legal and available to me with no problem in New York City. Four years later when I became pregnant again, I made a choice to have that child. Four years later, I made another choice to have a second child. The key word here is choice. I chose to move back to North Hempstead in 2014 to care for my mom, and I love living here because of the town and the services that are provided to me. Project Independence has given me the choice to age gracefully in my own home. My son, born in 1986 chose to buy a home in North Hempstead in 2018. Should he marry and have a daughter, I want her to have the freedom to choose whether or not to carry a pregnancy to term without any restrictions on where she receives care. My children had their tonsils out at free-standing clinics in North Hempstead not affiliated with any hospitals. I have had other procedures at doctor's offices not affiliated with a hospital. This law is archaic and it needs to be



repealed, thank you very much.

(Applause.)

COUNCILMEMBER LURVEY: Madam Clerk, any other cards?

CLERK SRIVASTAVA: No, not anymore cards on this.

COUNCILMEMBER LURVEY: I want to thank everybody for speaking tonight. It's clear that we needed some more time to hear more about this issue, more about New York law including safety statistics, abortion developments and more. I really truly appreciate everyone who spoke. It's not easy to speak in front of an audience and you all did great. I believe in protecting women, in women's safety, women's right to choose. Repealing 41A will not harm women. Abortion even in clinics as we have heard are governed by state law which is stricter than we could ever put in place. A speaker a while ago asked us where we stand on a woman's right to choose. I can now answer that I am proudly pro-choice, and I'm optimistic that we will hear tonight that a majority of my town board members are as well. Would anybody like to speak before I close the public hearing? I close the public hearing, offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: I have listened intently over the last two hearing periods for I don't know how many hours, and I have been impressed by the sincerity of all the speakers that have come and I actually consider it to be a real honor to be sitting in my position now and see how the American system of government works. That we can come together peacefully and have people express their thoughts on both sides of the, if I could use the term, both sides of the aisle. I made the observation last month and it's been true again this month that it's pretty equally divided. People on the bride's side of the room are pro-repeal, people on the groom's side are against the repeal. So, while I have been persuaded by the sincerity of these people that have come tonight, I am not persuaded by the arguments on both sides of the aisle. I'll say more about that in a second. I also think I bring a different perspective than what I've heard from anyone here tonight except maybe the last gentleman, and I didn't get the name at all, the last gentleman dressed in black from Port Washington who said that the real issue here is restricting access to a subset of people. He said it's discriminatory and most of the people who have come here I believe have access, ready access to healthcare. But I represent the portion of the town where we have many people who don't have access to healthcare. Either because of poverty, lack of a job that provides healthcare or because they're undocumented. And I know that we go as a society, we go to great lengths to provide adequate healthcare for everybody. But it doesn't always work. And there are people in my community who are afraid because of their legal status in this country, who are afraid to go to an institution like a hospital for any kind of medical care, whether it be an abortion or a colonoscopy. It doesn't matter. And the hospital for them is the establishment, it's an institution, it's where you go potentially to go be deported. That's just a sad reality. That may not even be true, but that is their perception. So rather than going to a hospital and we had a lot of discussion about the safety of what, I think that's a discussion from where you sit, where you sit in your home and your access to healthcare, but there are many women in my community who will go to, and heard this term before, go have a back alley abortion before they're going to go to a hospital and risk having immigration come and take them away from their families. So, my concern is about their health and their safety as well and their comfort level. It's my belief that if they have access to having the procedure done from a clinic where

they can be spoken to and it's much easier access, where they can feel more comfortable, that they're more likely to go to an environment like that and receive a safe abortion rather than going down the street to some other operation in a storefront. So I think I have to be concerned about protecting them as well and providing them with adequate healthcare. As I said, I've been persuaded by the sincerity of people that have spoken tonight, but not so much persuaded by the force of their arguments. I've heard the assertion that clinics are not safe, I've heard anecdotal evidence that clinics are not safe but I've heard no data at all to support that. In contrast there's been ample evidence provided tonight that suggests, not suggests, that indicates maybe even proves that clinics are just as safe an environment as our hospitals. That, I've also gotten this from my review of talking to doctors and talking to practitioners that a great deal of forethought goes into the survey process when someone comes in for a counseling session. Someone else mentioned counseling, that the intake person does an evaluation as to whether or not this environment is the right environment for them. I have been persuaded that a clinic is just as safe as a hospital. So in conclusion, I'd like to say that I believe a woman's right to choice extends to where she gets her healthcare. I vote yes to repeal 41A.

(Applause.)

CLERK SRIVASTAVA: Counsel Zuckerman?

COUNCILMEMBER ZUCKERMAN: You know, this has been, I'd like to really thank everyone for coming out for two long evenings. This could not have been easy for all of you, it's after 10:00. I'm sure everyone here is hungry and that's twice that everyone came out. I really appreciate that everyone came out twice, we did extend the hearing because he wanted to hear from everyone and we felt that possibly there were people who couldn't attend, who weren't able to speak and we wanted to hear from them. I've heard a lot of compelling things tonight and in the last meeting. And I think there always will be disagreements as Councilman Troiano said, whether you're on the side of the bride or groom or what have you. But I think the most important thing that we can do being here is to make a decision that we feel is appropriate and I feel that a woman's right to choose is of the utmost importance and women should have the right to choose. I vote Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Thank you for coming out, I vote yes.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: I vote Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Someone this evening asked if we were pro-choice, and I want to let you know that I am pro-choice and I vote Aye, and thank you everyone for coming out.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: I support the repeal of this chapter, I vote yes for it as it brings North

Hempstead's town code into conformity with state law and removes a chapter of our code which is unenforceable and superseded by the New York Public Health law.

(Applause.)

**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. 431 - 2022**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 41A OF THE TOWN CODE ENTITLED "PREGNANCY TERMINATION FACILITIES."**

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

**WHEREAS**, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend the Town Code by the adoption of a Local Law repealing Chapter 41A of the Town Code entitled "Pregnancy Termination Facilities"; and

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

**WHEREAS**, due notice has been heretofore given of a public hearing to be held on the 4th day of August, 2022, which hearing was continued to September 1, 2022, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

**WHEREAS**, the Town Board carefully considered the proposed Local Law during the aforesaid seven-day period, conducted said hearing on August 4, 2022 and September 1, 2022, with respect to said Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

**WHEREAS**, in accordance with the State Environmental Quality Review Act and the Act's implementing regulations (the "SEQRA Regulations") the Department of Planning and Environmental Protection has recommended that the adoption of the Local Law be determined to be a Type II Action pursuant to Section 617.5(c)(26), (33) and (37) of the SEQRA Regulations and, as such, no further environmental review is required; and

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board determines that the adoption of the Local Law is a Type II Action pursuant to Section 617.5(c)(26), (33) and (37) of the SEQRA Regulations and, as such, no further environmental review is required; and be it further

**RESOLVED** that Local Law No. 14 of 2022 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD  
LOCAL LAW NO. 14 OF 2022**

**A LOCAL LAW REPEALING CHAPTER 41A OF THE TOWN CODE  
ENTITLED "PREGNANCY TERMINATION FACILITIES"**

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

**Section 1. Legislative Intent.**

Chapter 41A of the Town Code entitled "Pregnancy Termination Facilities" purports to regulate the locations at which an abortion may be performed within the Town of North Hempstead and provides for enforcement of its provisions and penalties for violations. Chapter 41A was adopted in 1971, prior to the U.S. Supreme Court's decision in Roe v. Wade. Notwithstanding the Court's 1973 decision, Chapter 41A was likely, and continues to be, unenforceable as it purports to regulate the medical profession, an area of regulation preempted by the New York Public Health Law and the New York Education Law. However, in light of the U.S. Supreme Court's 2022 decision in Dobbs v. Jackson Women's Health Organization overturning Roe v. Wade, the continued existence of Chapter 41A, though unenforceable, is confusing and misleading as to New York State and the Town of North Hempstead. Therefore, the Town Board finds it in the best interests of the Town and its residents to repeal Chapter 41A of the Town Code entitled "Pregnancy Termination Facilities."

**Section 2.**

Chapter 41A of the Town Code of the Town of North Hempstead is hereby REPEALED.

**Section 3.**

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

and; be it further

**RESOLVED** that the Town Clerk be and hereby is authorized and directed, in the manner required by law, to file a copy of said Local Law with the Secretary of State, and

to publish a notice of adoption of said Local Law, which notice shall be in substantially the following form:

**NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on September 1, 2022, Local Law No. 14 of 2022 was adopted. The local law repeals Chapter 41A of the Town Code entitled "Pregnancy Termination Facilities."

**Dated:** Manhasset, New York

September 1, 2022

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

**Dated:** Manhasset, New York

September 1, 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

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

Henry Krukowski, being duly sworn, deposes and says that on the 19<sup>th</sup> day of July, 2022, he posted the attached Notice of Hearing to consider the adoption of a Local Law amending Chapter 41A of the Town Code entitled "Pregnancy Termination Facilities" in order to repeal the Chapter in its entirety, at the following locations:

- Town Clerk Bulletin Board
- Manhasset Post Office
- Great Neck Post Office
- Port Washington Post Office
- Greenvale Post Office
- Roslyn Heights Post Office
- Albertson Post Office
- Carle Place Post Office
- Westbury Post Office
- New Hyde Park Post Office

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

Sworn to me this

20<sup>th</sup> day of July, 2022

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

Adriana Demirclyan  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 02DE6370858 *S.A.H.*  
Qualified in Nassau County  
Commission Expires February 12, 2026

# NEWSDAY AFFIDAVIT OF PUBLICATION

TOWN OF NORTH HEMPSTEAD (GEN ACCT)  
200 PLANDOME ROAD  
TOWN CLERK  
MANHASSET, NY 11030-2326  
STATE OF NEW YORK)

Legal Notice No. 0021735169

:SS.:  
COUNTY OF ERIE)

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

Tuesday July 19, 2022 Nassau

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

*Ciara Woodin*

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

*Ciara Woodin*

Authorized Designer of Newsday LLC, Publisher of Newsday

SWORN to before me this  
20 Day of July, 2022.

*Cara Wilson*

Notary Public

CARRA V. WILSON  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration Number # 01W16425406  
Qualified in Erie County  
Commission Expires Nov. 22, 2025



## **Ad Content**

**Legal Notice # 21735169**  
**NOTICE OF HEARING**  
**PLEASE TAKE NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead on the 4th day of August, 2022, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, to consider the adoption of a Local Law amending Chapter 41A of the Town Code entitled "Pregnancy Termination Facilities" in order to repeal the Chapter in its entirety.  
**PLEASE TAKE FURTHER NOTICE** that all interested persons shall have an opportunity to be heard concerning the Local Law at the public hearing.  
**PLEASE TAKE FURTHER NOTICE** that the full text of the proposed Local Law will be (ton available on the Town's website and on file in the Office of the Town Clerk prior to the hearing and may be examined during regular business hours.  
Dated: Manhasset, New York  
July 7, 2022  
**BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD**  
RAGINI SRIVASTAVA  
TOWN CLERK

## **NEWSDAY PROOF**

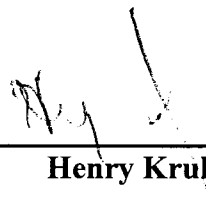
**Ad Number: 0021735169**

**Advertiser: TOWN OF NORTH HEMPSTEAD (GEN ACCT)**

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

Henry Krukowski, being duly sworn, deposes and says that on the 2nd day of September, 2022, he posted the attached Notice of Adoption of a Local Law amending Chapter 41A of the Town Code entitled "Pregnancy Termination Facilities" at the following locations:

Town Clerk Bulletin Board

  
\_\_\_\_\_

**Henry Krukowski**

Sworn to me this

2<sup>nd</sup> day of September, 2022

  
\_\_\_\_\_

**Notary Public**

DONNA R. CURCI

NOTARY PUBLIC-STATE OF NEW YORK

No. 01CU6119852

Qualified in Nassau County

My Commission Expires December 06, 2024

# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No. 0021743789

:SS.:

COUNTY OF ERIE)

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

Tuesday September 06, 2022 Nassau

By: Ciara Woodin

Print Name: Ciara L Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

**SWORN** to before me this  
6 Day of September, 2022.

Sarah Perez  
Notary Public

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

## Ad Content

Legal Notice # 21248789  
NOTICE OF ADOPTION  
PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on September 1, 2022, Local Law No. 24 of 2022 was adopted. The local law repeals Chapter 41A of the Town Code entitled "Pregnancy Termination Facilities."  
Dated: Manhasset, New York  
September 1, 2022  
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD  
RAGINI SIVASTAVA  
TOWN CLERK

## **NEWSDAY PROOF**

**Ad Number: 0021743789**

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

SUPERVISOR DESENA: Can you call the next hearing?

COUNCILMEMBER DALIMONTE: Supervisor DeSean, I was wondering, I have a bunch of VFW Vets, a sister, they're all here waiting for Item Number 7. Is there anyway we can move Item Number 7 --

SUPERVISOR DESENA: Absolutely.

COUNCILMEMBER DALIMONTE: Christina, would you mind just tell them, they're in the hallway.

COUNCILMEMBER ZUCKERMAN: We do need to take a vote.

COUNCILMEMBER DALIMONTE: I move to bring Item 7 right after Item 2, I mean 1.

COUNCILMEMBER TROIANO: I support the motion in going out of order and take Item 7 now as opposed to Item 2.

COUNCILMEMBER DALIMONTE: Thank you.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye, I said Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: I vote Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: We will move onto the next item.

COUNCILMEMBER DALIMONTE: Item 7.

CLERK SRIVASTAVA: Item Number 7. A public hearing to consider a petition to designate a secondary honorary street name for a portion of Madison Street in Port Washington Pursuant to Section 10-5 of the town code.

COUNCILMEMBER DALIMONTE: So today is Sal DeFeo's mother's birthday. And, did his sister leave?

AUDIENCE MEMBER: She had to go.

COUNCILMEMBER DALIMONTE: I tried, sorry. So I find it very fitting that we will be voting on this item this evening. Mr. DeFeo was a veteran of World War II, a longtime member of the Port Washington VFW Post 1819 and a wonderful person. He was the founder of Ghost Motorcycles, he put Port Washington on the map. As his nephew Anthony Scaramucci stated in the application, and I quote, "Sal was a father, an entrepreneur, an innovator and a lover of all things related to Port Washington," so he was, "and the Town of North Hempstead. He was also an incredibly kind and generous human being. Uncle Sal was extremely devoted to supporting the local communities, promoting his warm small-town values and generating as much commercial activity in the town as possible," end of his quote. Mr. DeFeo was a wonderful kindhearted person, I agree with everything his nephew said about him. It is truly my honor to present this resolution. Do we have any cards on this item? Would anyone like to speak on this item? State your name and where you live.

MR. SCARAMUCCI: After your last resolution I'm going to speak very briefly, is that okay. I just want to say thank you to you Marianne. And so we all grew up with my uncle, I'm going to let Kenny speak in a second, but he took care of everybody. Didn't matter if you were from Harbor Homes or you were from Sands Point, he was the type of person that greeted you and he helped every one of us as kids. You know I grew up in a blue-collar family and without my uncle, I don't think I would be where I am today. So we would love to have him honored and we all love the town. I've been here forever except for my 11-day fiasco --

(Laughter.)

COUNCILMEMBER DALIMONTE: We're glad you're back.

MR. SCARAMUCCI: And I really appreciate the support of the council on this and you know we love the town. I'll let Kenny talk for a couple of seconds.

MR. KENNY: My name is Kenny -- I'm from Port Washington my whole life. I grew up with Marianne, her husband and children. I'm 54 years old, I live in the town, I worked for Sal since I was 12 years old. Up until his 94th birthday, he was still my mentor and my best friend, someone -- I work for a municipality in Great Neck, water pollution control district. He told me to get a good job and work, he taught me that since I was a child. I became part of the DeFeo family from day 1. Not only myself, but there's a lot of successful young men and women that came from Port Washington that he sponsored. We became the best in BMX racing, mountain biking, and motorcycle racing due to his support for all of us. He put us through school, he taught us things in life. And I'm still heartbroken from his death over a year ago. He was like a father to me. That town has never been so safe with him growing up for everyone. There was nothing he wouldn't do for anyone. I never heard an unkind word out of the man's mouth in my entire life. I would love nothing more than to drive by Main Street and see his name in honor because the town, the police, he worked on the police motorcycles, the cars. I mean he was a pillar in my family in my entire life. I respect and love the town board and I work for the town and I would ask that you did this, in some type of honor for him. Because he's a veteran, you see these veterans are from World War II today. He was a part of the veteran's of Mannerhaven Post and every year he rode the side car there. But everyone knew him as Sal DeFeo and the honor that he gave to this country is 10 times more than what he did for that town. I still live there and will live there for the rest of my life because of him. Thank you.

COUNCILMEMBER DALIMONTE: Thank you. Little John from the VFW.

MR. DEL FIORE: Good evening. My name is John Baptise Del Fiore. I am the Commander of Henderson Reno Post 1819 in Port Washington. I had the honor to have Sal DeFeo in my command. This is a man of very few words, but he spoke a lot. His heart was in the right place, I don't know if he had room in his body for any other organs. Sal was very good. In a very small way he contributed quite a bit. He would sit in front of his house with our jars with the little poppies. This is a man of stature. I stood there while he was selling his ghost motorcycle shirts and he would get poppies and every other month he committed \$300, \$400 in donations to our post. I can't speak enough about him and his family. I felt very close to Sal and I was honored to have him in my command. This motorcycle that Kenny spoke of before is an iconic part of what the VFW does in all its parades. That motorcycle today will be brought to every one of their functions I go to in honor of Sal. We have given him a plaque to put on the windscreen that this is in memory of Sal. If this is going to be considered I don't think you're wasting anybody's time. Thank you for your time.

SUPERVISOR DESENA: Thank you.

COUNCILMEMBER DALIMONTE: Is there anyone else that would like to speak? You're wearing two hats.

MR. BLUMLEIN: Two hats. My name is Fred Blumlein, I'm the quarter master of the VFW Post 1819. I'm also the past president of the Cowneck Peninsula Historical Society in Port Washington. We have the endorsement of the new president who's been there a number of years now, Chris Bain, who actually came up with the letter that was sent to the councilwoman as far as total support of the society for this move. We are all behind it. We will support this in any way that we possibly can through publicity or any event that's held. So the Cowneck Peninsula Historical Society is right behind this motion that will be in front of you as far as going ahead with this particular tribute. Thank you.

COUNCILMEMBER DALIMONTE: I'd just like to add Sal was a very, very special person to Port Washington. And it's really my honor to offer this resolution and I can't wait to drive by and see that. And we will do a ceremony because this is being supported by his family, the VFW, the Cowneck Historical Society, and when I told people about this they were, they were just in awe of it. And he deserves it and I wish it was done when he was alive. But he will be shining down on us that night, right Bobby?

AUDIENCE MEMBER: There was 1500 people at his wake.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Wow. I'm saddened by the fact that I didn't get to know him and your comments are really awesome, but I really want one of those T-shirts.

COUNCILMEMBER DALIMONTE: You can buy one. We're going to wear them at the ceremony.

COUNCILMEMBER TROIANO: I'd really like to know the derivation of that nickname because in community it has a whole different connotation, you know what I'm saying. I vote Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: I had the opportunity to meet Sal a long time ago and he was actually nice to me, without getting into particulars. But he was very nice to me and it's my pleasure to vote Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Can you tell me what year Ghost Motorcycle started?

AUDIENCE MEMBER: 1952.

COUNCILMEMBER WALSH: Thank god it was before my time. I had a motorcycle, a very fast motorcycle in the '70s, and I got it fixed over there. And god rest that man's soul and I vote Aye.

AUDIENCE MEMBER: Do you have a ghost sticker on it?

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: I could feel the love that's radiating from all of you guys. I vote Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: It's my pleasure to vote Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: This is a beautiful tribute. Thank you all for coming and really showing how special he was. And I look forward to seeing the motorcycle in the parade and look forward to hearing the story of the Ghost name. So thank you and I vote Aye.

AUDIENCE MEMBER: If you go to St. Peter's the pries will tell you the story.

COUNCILMEMBER DALIMONTE: Thank you.



**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. 434 - 2022**

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

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

**WHEREAS**, Bobby DeFeo (the "Petitioner") has applied for a secondary honorary street name for a portion of Madison Street in Port Washington, from the corner of Main Street to the corner of Webster Avenue, to be known as "Sal 'Ghost' DeFeo Street" (the "Petition"); and

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

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

**WHEREAS**, due notice has been heretofore given of a public hearing to be held on the 1st day of September, 2022 to consider the Petition; and

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

**WHEREAS**, the Town Board has carefully considered the proposed Petition, conducted a public hearing on September 1, 2022, with respect to the Petition, and has afforded all interested persons an opportunity to be heard at the public hearing; and

**WHEREAS**, this Board deems it in the public interest to grant the Petition for a secondary honorary street for a portion of Madison Street in Port Washington, from the corner of Main Street to the corner of Webster Avenue, to be known as "Sal 'Ghost' DeFeo Street".

**NOW, THEREFORE, BE IT**

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

**RESOLVED** that the Highway Department is authorized and directed to take such action as may be necessary to effectuate the foregoing, including the installation of appropriate signage, to identify a secondary honorary street name for a portion of Madison Street in Port Washington, from the corner of Main Street to the corner of Webster Avenue, to be known as "Sal 'Ghost' DeFeo Street".

**Dated:** Manhasset, New York

September 1, 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 Highways

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

Henry Krukowski, being duly sworn, deposes and says that on the 16<sup>th</sup> day of August, 2022, he posted the attached Notice of Hearing to consider the Petition for a secondary honorary street name for a portion of Madison Street in Port Washington, from the corner of Main Street to the corner of Webster Avenue, to be known as "Sal 'Ghost' DeFeo Street", at the following locations:

- Town Clerk Bulletin Board
- Port Washington Post Office
- Main St and Madison St
- Madison St, 100 feet south of Main St
- Madison St and Webster Ave

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

Sworn to me this  
16<sup>th</sup> day of August, 2022

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

DONNA R. CURCI  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01CU6119852  
Qualified in Nassau County  
My Commission Expires December 06, 2024

# Affidavit of Publication

County of Nassau  
State of New York,

SS

REC'D TNH TOWN CLERK  
AUG 22 '22 PH8158

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: August 17, 2022

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

**LEGAL NOTICE  
NOTICE OF HEARING  
PLEASE TAKE NO-**  
TICE that a public hearing will be held by the Town Board of the Town of North Hempstead on the 1st day of September, 2022, at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the Petition for a secondary honorary street name for a portion of Madison Street in Port Washington, from the corner of Main Street to the corner of Webster Avenue, to be known as "Sal 'Ghost' DeFeo Street".  
**PLEASE TAKE FURTHER NOTICE** that all

interested persons shall have an opportunity to be heard concerning the Petition at the time and place advertised.

Dated: Manhasset, New York  
August 4, 2022

**BY ORDER OF THE  
TOWN BOARD OF  
THE TOWN OF  
NORTH HEMPSTEAD  
RAGINI SRIVASTAVA  
TOWN CLERK  
8-17-2022-1T-#234493-  
PORT**

*Linda Baccoli*

Sworn to me this 17 day of  
August-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

# Affidavit of Publication

County of Nassau                      SS  
State of New York,

REC'D TWH TOWN CLERK  
AUG 22 '22 PM 3:53

**LEGAL NOTICE  
NOTICE OF HEARING  
PLEASE TAKE NO-**  
TICE that a public hearing  
will be held by the Town  
Board of the Town of North  
Hempstead on the 1st day of  
September, 2022, at 7:00 P.M.  
in the Town Board Room at  
Town Hall, 220 Plandome  
Road, Manhasset, New York,  
to consider the Petition for  
a secondary honorary street  
name for a portion of Madi-  
son Street in Port Washing-  
ton, from the corner of Main  
Street to the corner of Web-  
ster Avenue, to be known as  
"Sal 'Ghost' DeFeo Street".  
**PLEASE TAKE FUR-**  
**THEr NOTICE** that all  
interested persons shall have  
an opportunity to be heard  
concerning the Petition at the  
time and place advertised.  
Dated: Manhasset, New York  
August 4, 2022  
**BY ORDER OF THE  
TOWN BOARD OF  
THE TOWN OF  
NORTH HEMPSTEAD  
RAGINI SRIVASTAVA  
TOWN CLERK  
8-17-2022-1T-#234493-  
PORT**

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:

August 17, 2022

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

*Linda Baccoli*

Sworn to me this 17 day of  
August-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

COUNCILMEMBER TROIANO: I make a motion to take a 10-minute recess.

(Whereupon, a recess was taken.)

CLERK SRIVASTAVA: We will move on to the next item. Item Number 2, a public hearing to consider the adoption of a local law amending Chapter 70 of the town code entitled zoning.

COUNCILMEMBER TROIANO: Does anybody want to be heard on this? Okay. I have, I met with the North Hempstead Business and Contracting Association earlier this week. We had a discussion about this proposal, they've got some concerns about it. And although I have not quite been persuaded by some of the issues they raised, they did ask for an opportunity to have other members of their association come and speak, so I want to grant them that opportunity and I'm going to move to continue the public hearing to September 22nd.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item Number 3, a public hearing to consider amendments to the town's tree policy pursuant to Section 20A-2 of the town code.

COUNCILMEMBER LURVEY: Is anybody here to speak on this item? So these amendments are now with the Tree Advisory Committee and we are scheduling a meeting to go over them to get their input as quickly as possible. I will be moving to continue this hearing to September 22.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item Number 4, a public hearing to consider the application of Langeman Realty Management LLC, Anthony and Gina Core for a change of zone from Residence C to Business B for the premises located at 173-175 Center Street, Westbury, and designated on the Nassau County Land and Tax Map as Section 10 Block 243 Lots 350 and 351.

COUNCILMEMBER TROIANO: Madam Clerk, can I ask that you call Item 5 at the same time, they are related items.

CLERK SRIVASTAVA: Item Number 5, a public hearing to consider the application of Langeman Realty Management LLC, Anthony and Gina Core for a change of zone from Residence C to Business B for the premises located at 173-175 Center Street, Westbury, and designated on the Nassau County Land and Tax Map as Section 10 Block 243 Lots 48-50, 350 and 351.

MS. DIXON: Good evening, my name is Kathleen Deegan Dixon, I'm a partner at the law firm of Forchelli Deegan Terrana located at 333 Earle Ovington Boulevard in Uniondale, New York. I'm here this evening on behalf of Langeman Realty LLC and Anthony Core and Gina Core who are the contract vendees for the property at 173 and 175 Center Street in the unincorporated area of the Town of North Hempstead in Westbury. We are here this evening to request your consideration of a change of zone and a site plan review. We're two residential lots located in 173 and 175 Center Street. They are currently by the Third Track Constructors which was responsible for the construction of the Third Track Project on the Long Island Railroad by the MTA. We are seeking to rezone to Business B in order to develop a commercial parking lot to provide new access for the adjacent office building that the applicant Langeman Realty and Anthony Core as principal for new access to that office building at 173 School Street. 173 School Street if I can just give you your bearings here, here is the Long Island Railroad, this is School Street, here is Center Street. This is the office building we're talking about and these are the two buildings, the two parkings that we're seeking to have rezoned. As part of the Third Track Project, the street access to the office building at 173 School Street was completely eliminated. You'll know if you've driven down School Street how now the tracks go over the road and there's an underpass and it blocks the roadway level by about somewhere between 12 to 14 feet, which makes it absolutely impossible to enter the site. That was the only access to the site. Over the course of the last two years the MTA has permitted access around the back of the site where cars drive down Center street and up Grant Street and in this way to come in the back way to 173 School Street. It's been difficult access, at best the MTA is still doing some construction there but there's also residential houses on the east side of Grant Street. These are

also residentially zoned homes on the west side of Grant Street, but many of them are I believe commercially used. But the access has really been terribly inadequate. We had discussed with the MTA and with Third Track Constructors to have certain different alternatives in order to provide alternate access and none of them are really tenable. So the Third Track Constructors purchased these two homes, they already purchased them, they paid well above market value to make sure that the current property owners there were being treated fairly and had enough money to purchase something new and to relocate. And they offered it to my clients, the applicants, for alternative access to the office building. The parcels are surrounded by commercial properties to the north, south, and west. North being up here there's a laundromat, the south is the office building, to the west is a delicatessen and also the commercial properties on the other side of Union Avenue there. It's that corner really is very well suited for the Business B zoning which matches the Business B zoning of the office building. The office building was constructed in 1995 and was rezoned at that time from Resident C to Business B. The new access and parking will not only benefit the office building, but it will benefit that neighborhood in the area. It will reduce a lot of the traffic circulation that's currently in play because of the alternate access. It's also going to provide additional parking for the office building. Right now it is conforming at 40 parking space but it will increase the parking to 56 parking spaces.

COUNCILMEMBER WALSH: Did you say 40 to 56?

MS. DIXON: 40 to 56, it will give an additional 16 spaces. The other thing that's going to happen with this project is that the entrance to the building is going to be modified to some degree so that the first floor entrance of the building will be from the north side and then the second and third floor entrance will be on the south side where it exists now. This will also allow parking to be -- allow parking for the first floor offices to be easily accessible from this portion of the parking lot and the second and third for access to be easily accessed from the south end of the parking lot. Both the office building and the parking lot will be fully zoning compliant. The office building always has been and will continue to be and the new parking lot has been designed to provide the required 15 foot landscape buffer along the adjacent residential property line. All of the parking stalls are legally dimensioned at 10 by 20 with the exception of the ADA parking spaces which are the required 8 feet and 8 feet for the hashmarked area. Everything, all the parking is conforming. The drive arrows are conforming, and the lighting, site lighting and the storm water retention are all according to code. I do have Rebecca Goldstein [sic] from Hamman and Sheering, she's a traffic engineering, traffic engineer with Cameron Engineering and Steve Filo from Cameron Engineering also who is the site and civil. I can have them address, I pretty much hit all the high points but if you want anybody to go into detail, they're available to. I would like Rebecca to just come up and speak about the traffic flow because I think that's something that is of concern and I think you'd like to hear from here.

SUPERVISOR DESENA: Okay.

MS. GOLDBERG: Good evening everyone. I will redact most of my planned testimony but I will try to hit all the points. Rebecca Goldberg, civil engineer with Cameron Engineering, business address 177 Crossley Park Drive in Woodbury. Roughly 22 years of experience working as a traffic engineer on Long Island. I prepared a traffic and parking report that was previously submitted to the board and essentially it address the town planning comments and questions related to traffic circulation and mitigation. Very high level summary is there is a nominal reduction in site traffic because the application does involve the removal of two homes.



The existing building traffic in and of itself is not changing. But the traffic route is going to change as the attorney explained that the route from School Street and from west, today you have to go down the residential street on Center and Grant and the railroad right of way on the south side of the property. Once this application is approved that will no longer be necessary and the traffic can access the site directly on Center Street which means that nominal traffic use on residential streets will no longer be making that route. So there is no traffic mitigation that's required, there is no increase really in any local intersections near the property. The parking will exceed code, there is a variance required. The report does get into a request that I'd like to formalize for the record also tonight. The applicant is requesting for the town to eliminate the legal parking on Center Street just along its frontage for 85 feet from School Street to the east and that should address the planning comments regarding the vehicle circulation and simplify the training -- into and out of the property. Other than that, again it's a very slight reduction of traffic, less traffic on the residential side streets. The access configuration that's proposed is really the only viable option because of the MTA project that lowered the grade of School Street. It's not viable, we looked at several ways, but it's not viable to continue to have access to School Street from this property. And I think that addresses the summary I was going to give. Happy to answer any questions if you have them, thank you.

COUNCILMEMBER WALSH: Did you actually do a traffic study impact with people there or did you use statistics.

MS. GOLDBERG: The numbers are based on the institute of transportation engineers trip generation manual but they do reflect my prior visits to the site. My office has been involved on this property for the better part of three years.

COUNCILMEMBER WALSH: You counted by manually and you were on the site itself?

MS. GOLDBERG: I've been to the site, I've seen the traffic flow, I've communicated with the owner who is there every day and other people there every day.

COUNCILMEMBER WALSH: Thank you.

MS. GOLDBERG: You're welcome.

CLERK SRIVASTAVA: We have a card on Item Number 5. Sharon Satare, Item Number 5.

SUPERVISOR DESENA: What's the name.

CLERK SRIVASTAVA: Sharon Satare, S-A-T-A-R-E. All right.

MS. DIXON: I did just want to clarify one thing that Rebecca had mentioned with our -- so tonight we're not asking you to vote on elimination of any parking. I think that's going to require a separate public hearing and probably a report from your traffic safety codes. But the spaces that we're seeking to have eliminated, these cars that are parked here are parked illegally. Right now there's no parking from the corner on both sides. So we're looking to have a corner of that and then also no parking from one additional space here just to the west of the new driveway, and then one space here just for the driveway for the laundromat to allow the full line of sight and full traffic movement for cars entering and exiting. So they'll be able to make the left on Center Street and go out.

COUNCILMEMBER DALIMONTE: If there was cars parked there, the people leaving that parking lot will have a very hard time seeing and could cause many accidents.

MS. DIXON: That's something that we'd like the town board to look into. As I mentioned we have also Steve Filo from Cameron Engineering if you have any specific questions. We do have the written report of Rebecca from Cameron and I think, I don't know if the planning department

--

COMMISSIONER LEVINE: One specific traffic item that I raised earlier so will get on the record, one concern I expressed was for people accessing the site from the west along Union Avenue. The intersection geometry is such that the right movement is you make a full right turn, you're now southbound on School and then, a 90 degree left turn on Center, that's the correct movement. Just about everybody including myself would, for lack of a technical term, would slant across that intersection diagonally and I was worried about conflict with the line up for the light northbound on School Street. Can you address that interference, the potential for it happening, likelihood of it happening. And what potential remedies are.

MS. GOLDBERG: This application, the movement to Center Street are happening today already so the application itself isn't making any change. It doesn't generate enough traffic to affect this intersection in total. What we could do, again this is not necessary by the application, but if there is a desire to have a don't walk the box markings just try to formalize and encourage people to stay where they are supposed to be before they get the permission to move.

PLANNING COMMISSIONER: Right, exactly, the remedy would be a stop here on red sign and bar just south of Center Street. So, what we'll do is, you're going to give us a letter of request to eliminate parking. My suggestion is when that's assigned to a traffic engineer I'm going to add that question would be useful, would it bring repercussions if you were to install such a stop here sign.

MS. GOLDBERG: I can tell you right now there's not but we're happy to formalize that.

MS. DIXON: I don't have anything further.

COUNCILMEMBER TROIANO: Mike, do you have anything further?

COMMISSIONER LEVINE: Planning department normally does not support demolition of houses for further encroachment of commercial. When you look at the circumstances here the building lost its street frontage due to the railroad project, drastically, and it is a predominantly commercial area. It is not a character of neighborhood issue. So with the explanation regarding the traffic movements, we support both the rezoning and the result site plan application.

COUNCILMEMBER TROIANO: Thank you for that Mike. I'm glad you raised that because housing is something that is really in short supply in this community and I agree with you. I wouldn't normally support this application. But there is some history and all of us know that then Governor Cuomo initiated the Third Track Project and his primary motivation was traffic flow going from the north to the south of Long Island as well as economic benefits from that. I am at a personal note, my son's friend, 40 years ago, got hit by a train at that site when School Street crossed over the tracks. And more recently a few years ago, a car was hit by a train at such a high speed that it took nearly three days to clean up all the debris, that happened from it. The undergrounding of School Street was really very important and warrant, I think the demolition of the two houses. The unfortunate part for Mr. Core who has been very accommodative of the entire project is that his property is nearly landlocked now. And I've gone to visit him to hear more about this project and it's very difficult to get into that property. And so this is something

that we really, I believe we really need to do. If there are no more comments, I would like to close the public hearing and move for the adoptions of Resolutions 4 and 5.

COUNCILMEMBER ADHAMI: I just have one question. The two houses, who owns them?

MS. DIXON: Right now they're owned by Third Track Contractors.

COUNCILMEMBER ADHAMI: Are they occupied?

MS. DIXON: No, they're vacant. They were vacated prior to their purchase. So it was voluntary vacated.

COUNCILMEMBER ADHAMI: Just want to make sure we're not kicking people out of their homes.

COUNCILMEMBER DALIMONTE: I believe you stated that they gave them well over market value so they could go purchase another home in the area.

MS. DIXON: We were told it was two and a half times the fair market value plus all of their closing costs and all of the expenses of the sale.

COUNCILMEMBER WALSH: Fair market value changes.

MS. DIXON: That's true.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: I visited the site and voted aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

MS. DIXON: Thank you very much.

**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. 432 - 2022**

**A PUBLIC HEARING TO CONSIDER THE APPLICATION OF LANGEMAN REALTY MANAGEMENT, LLC/ANTHONY AND GINA CORE FOR A CHANGE OF ZONE FROM 'RESIDENCE-C' TO 'BUSINESS-B' FOR THE PREMISES LOCATED AT 173-175 CENTER STREET, WESTBURY AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 10, BLOCK 243, LOTS 350 & 351.**

**WHEREAS**, Langeman Realty Management, LLC/Anthony and Gina Core (the "Petitioner") has filed a petition (the "Petition") to rezone (the "Change of Zone") two adjoining lots comprising 10,788 s.f. (0.248 acres) located at 173 and 175 Center Street, Westbury, New York and designated on the Nassau County Land and Tax Map as Section 10, Block 243, Lots 350 and 351 (the "Premises"), from 'Residence-C' to 'Business-B', to enable the construction of a parking lot and street access for an existing office building located at 173 School Street; and

**WHEREAS**, pursuant to Resolution No. 389-2022, duly adopted on August 4, 2022, the Town Board (the "Board") of the Town of North Hempstead (the "Town") authorized, pursuant to Town Code § 70-238, the publication of notice of hearing and the holding of a public hearing to consider the proposed Change of Zone pursuant to the Petition; and

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

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

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

**WHEREAS**, pursuant to Resolution No. 10496-22, adopted August 11, 2022, the Nassau County Planning Commission recommended local determination; and

**WHEREAS**, after notice duly given, a public hearing on the Change of Zone was held on September 1, 2022, affording all interested persons an opportunity to be heard (the "Public Hearing"); and

**WHEREAS**, it is required that a "lead agency" be established to review this action pursuant to the rules and regulations for implementation of the New York State

Environmental Quality Review Act as set forth in Section 617.6 of Title 6, Part 617 of the Official Compilation of Code, Rules and Regulations of the State of New York (the "SEQRA Regulations"); and

**WHEREAS**, the Town Department of Planning and Environmental Protection (the "Planning Department") has recommended that this Board establish itself as lead agency and render a determination of significance pursuant to the SEQRA Regulations; and

**WHEREAS**, this Board has reviewed the recommendation of the Planning Department dated September 1, 2022, and the Negative Declaration indicating that the action constitutes an "unlisted action" pursuant to Section 617.2 (a) of the SEQRA Regulations which will not result in any significant adverse impacts on the environment based upon the analysis set forth in the FEAF Parts 1 and 2 (the "Determinations and Negative Declaration") for the reasons that the proposed Action will not: (1) create a material conflict with an adopted land use plan or zoning regulations; (2) result in a change in the use or intensity of use of land; (3) impair the character or quality of the existing community; (4) have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area; (5) result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway; (6) cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities; (7) impact existing public or private water supplies or wastewater treatment utilities; (8) impair the character or quality of important historic, archaeological, architectural or aesthetic resources; (9) result in an adverse change to natural resources; (10) result in an increase in the potential for erosion, flooding or drainage problems; or (11) create a hazard to environmental resources or human health; and

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

**WHEREAS**, the Planning Department has reviewed the Change of Zone and recommends that it be approved; and

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

**NOW, THEREFORE, BE IT,**

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

**RESOLVED** that the Board hereby adopts the Planning Department's Determinations

and Negative Declaration, finding that the Change of Zone is an “unlisted action” which will not result in any significant adverse impact on the environment, based upon the analysis set forth in the FEAF, and upon the testimony and reports adduced at the Public Hearing; and be it further

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

**RESOLVED** that the Change of Zone is hereby adopted; and be it further

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

#### **NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that the Town Board of the Town of North Hempstead at a public meeting of the Board held on September 1, 2022 at 7:00 P.M. on that day, at the Town Hall, 220 Plandome Road, Manhasset, New York, duly adopted a resolution to amend the zoning map of the Town of North Hempstead to reflect a change of zone, for the property located at 173 and 175 Center Street, Westbury, New York and designated on the Nassau County Land and Tax Map as Section 10, Block 243, Lots 350 and 351 (the “Premises”), from ‘Residence-C’ to ‘Business-B’, to enable the construction of a parking lot and street access for an existing office building located at 173 School Street.

**Dated:** Manhasset, New York

September 1, 2022

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

; and be it further

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

**Dated:** Manhasset, New York

September 1, 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 Building NC Assessors

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

Henry Krukowski, being duly sworn, deposes and says that on the 16<sup>th</sup> day of August, 2022, he posted the attached Notice of Hearing to consider the petition of Langeman Realty Management, LLC/Anthony and Gina Core to rezone two adjoining lots comprising 10,788 s.f. (0.248 acres) located at 173 and 175 Center Street, Westbury, New York from 'Residence-C' to 'Business-B", to enable the construction of a parking lot and street access for an existing office building located at 173 School Street, at the following locations:

Town Clerk Bulletin Board  
Westbury Post Office  
In front of 173 Center Street  
Center Street and Grant Street



---

Henry Krukowski

Sworn to me this

16<sup>th</sup> day of August, 2022



Notary Public

DONNA R. CURCI  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01CU6119852

Qualified In Nassau County  
My Commissson Expires December 06, 2024



# Affidavit of Publication

County of Nassau SS  
State of New York,

REC'D TOWN CLERK  
AUG 22 '22 PM 3:52

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

1 weeks, viz: August 17, 2022  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Linda Baccoli*

Sworn to me this 17 day of August-2022

*[Signature]*  
\_\_\_\_\_  
Notary Public

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

**LEGAL NOTICE  
NOTICE OF HEARING  
PLEASE TAKE NO-  
TICE** that a public hearing will be held by the Town Board of the Town of North Hempstead on September 1, 2021 at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the petition of Langeman Realty Management, LLC/Anthony and Gina Core to rezone two adjoining lots comprising 10,788 s.f. (0.248 acres) located at 173 and 175 Center Street, Westbury, New York from 'Residence-C' to 'Business-B', to enable the construction of a parking lot and street access for an existing office building located at 173 School Street.  
**PLEASE TAKE FURTHER NOTICE** that the property which is the subject of this petition is designated on the Nassau County Land and Tax Map as Section 10, Block 243, Lots 350 and 351.  
Dated: Manhasset, New York August 4, 2022  
**BY ORDER OF THE  
TOWN BOARD OF  
THE TOWN OF  
NORTH HEMPSTEAD  
RAGINI SRIVASTAVA  
TOWN CLERK**  
8-17-2022-1T-#234485-NIN/  
WBY

# 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. 0021743864

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

Tuesday September 06, 2022 Nassau

By: Ciara Woodin

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

**SWORN** to before me this  
6 Day of September, 2022.

Sarah Perez  
Notary Public

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

## **Ad Content**

Legal Notice # 21743864  
NOTICE OF ADOPTION  
PLEASE TAKE NOTICE that the Town Board of the Town of North Hempstead at a public meeting of the Board held on September 1, 2022 at 7:00 P.M. on that day, at the Town Hall, 220 Plandome Road, Manhasset, New York, duly adopted a resolution to amend the zoning map of the Town of North Hempstead to reflect a change of zone, for the property located at 173 and 175 Center Street, Westbury, New York and designated on the Nassau County Land and Tax Map as Section 16, Block 243, Lots 350 and 351 (the "Premises"), from "Residence-C" to "Business-B", to enable the construction of a parking lot and street access for an existing office building located at 173 School Street.  
Date: Manhasset, New York  
September 1, 2022  
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD  
RAGINI SRIVASTAVA TOWN CLERK

## **NEWSDAY PROOF**

**Ad Number: 0021743864**

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

COUNCILMEMBER DALIMONTE: We have to take a vote on Item 5 right?

CLERK SRIVASTAVA: We did a vote.

SUPERVISOR DESENA: I think we have to move to close the hearing, right? Move for its adoption.

ATTORNEY CHIARA: I think Councilman Troiano closed both hearings but I think we should do another vote because it was unclear whether or not it was for Item 5.

COUNCILMAN TROIANO: In my motion I asked we vote on 4 and 5 at the same time. We can do it again, I don't mind.

COUNCILMEMBER LURVEY: Rather be safe than sorry.

CLERK SRIVASTAVA: You want to call?

SUPERVISOR DESENA: I'd like to close the public hearing --

COUNCILMEMBER TROIANO: We closed the public hearing. I'd like to move and offer the resolution 5 and move for its adoption.

CLERK SRIVASTAVA: Five. Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 433 - 2022**

**A PUBLIC HEARING TO CONSIDER THE APPLICATION OF LANGEMAN REALTY MANAGEMENT, LLC/ANTHONY AND GINA CORE FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 173-175 CENTER STREET AND 173 SCHOOL STREET, WESTBURY AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 10, BLOCK 243, LOTS 48-50, 350 & 351.**

**WHEREAS**, Langeman Realty Management, LLC/Anthony and Gina Core (the "Applicant") has applied (the "Application" or "Action") to the Town to construct a new 56-stall parking lot for an existing 3-story, 10,295 square foot office building on a 31,342 square feet (0.72 acre) site located at 173-175 Center Street and 173 School Street, Westbury, New York and identified on the Nassau County Land and Tax Map as Section 10, Block 243, Lots 48 through 50, 350 and 351 (the "Premises"); and

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

**WHEREAS**, all necessary reports, recommendations, and comments on the Project have been filed with this Board by the Commissioner (the "Planning Commissioner") of the Department of Planning and Environmental Protection (the "Planning Department") of the Town of North Hempstead (the "Town") pursuant to Town Code § 70-219(A)(2); and

**WHEREAS**, the Town Clerk, pursuant to and in accordance with Town Code §§ 70-219(F)(1) and 70-240(A), has published notice of a public hearing scheduled for September 1, 2022 for the site plan review (the "Public Hearing"), as authorized and directed by the Town Board pursuant to Resolution No. 390-2022, adopted on August 4, 2022; and

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

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

**WHEREAS**, pursuant to General Municipal Law § 239-m, the Nassau County Planning Commission (the "Commission") was furnished with copies of the site plan and

the Full Environmental Assessment Form Part 1, (the "FEAF"); and

**WHEREAS**, pursuant to Resolution No. 10496-22, adopted August 11, 2022, the Nassau County Planning Commission recommended local determination; and

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

**WHEREAS**, the Action includes the rezoning of the Premises from 'Residence-C' to 'Business-B', to enable the construction of a parking lot and street access for an existing office building located at 173 School Street, which rezoning was duly authorized by this Board by Resolution dated September 1, 2022 (the "Change of Zone Resolution"); and

**WHEREAS**, in the Change of Zone Resolution the Board declared itself "lead agency" under the New York State Environmental Quality Review Act as set forth in Title 6, Part 617.6 (b) of the Official Compilation of Codes, Rules, and Regulations of the State of New York ("SEQRA Regulations"), and adopted the Planning Department's recommendation that the Action constitutes an "unlisted action" pursuant to Section 617.2 (a) of the SEQRA Regulations which will not result in any significant adverse impacts on the environment; and

**WHEREAS**, this Board has carefully considered the Application, testimony and other relevant evidence at the Public Hearing held on September 1, 2022, and afforded all interested persons the opportunity to be heard; and

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

**NOW, THEREFORE, BE IT**

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

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

**RESOLVED** that a copy of this approval shall be filed with the Commissioner of Building Safety, Inspection and Enforcement (the "Building Commissioner"), and the Building Commissioner is hereby authorized and directed to issue a building permit, upon compliance with the building permit application requirements as set forth in the Town Code, and any other conditions or requirements imposed by this Board or 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

September 1, 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.


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

Henry Krukowski, being duly sworn, deposes and says that on the 16<sup>th</sup> day of August, 2022, he posted the attached Notice of Hearing on the application for site plan review submitted by Langeman Realty Management, LLC/Anthony and Gina Core to construct a new 56-stall parking lot for an existing 3-story, 10,295 square foot office building on a 31,342 square feet (0.72 acre) site, at the following locations:

Town Clerk Bulletin Board  
Westbury Post Office  
In front of 173 School Street  
School Street and Railroad Avenue

  
Henry Krukowski

Sworn to me this  
16<sup>th</sup> day of August, 2022

  
Notary Public  
DONNA R. CURCI  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01CU6119852  
Qualified in Nassau County  
My Commission Expires December 06, 2024



# Affidavit of Publication

County of Nassau                      SS  
State of New York,

REC'D THE TOWN CLERK  
AUG 22 '22 PM3:52

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

1 weeks, viz:                      August 17, 2022  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**LEGAL NOTICE  
NOTICE OF HEARING  
PLEASE TAKE NOTICE** that public hearing will be held by the Town Board of the Town of North Hempstead on September 1, 2022 at 7:00 p.m. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, on the application for site plan review submitted by Langeman Realty Management, LLC/ Anthony and Gina Core to construct a new 56-stall parking lot for an existing 3-story, 10,295 square foot office building on a 31,342 square feet (0.72 acre) site.

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

**PLEASE TAKE FURTHER NOTICE** that the property which is the subject of this application is known as 173-175 Center Street and 173 School Street, Westbury, New York and identified on the Nassau County Land and Tax Map as Section 10, Block 243, Lots 48 through 50, 350 and 351.

Dated: Manhasset, New York  
August 4, 2022

**BY ORDER OF THE  
TOWN BOARD OF  
THE TOWN OF  
NORTH HEMPSTEAD  
RAGINI SRIVASTAVA  
TOWN CLERK**  
8-17-2022-1T-#234486-NIN/  
WBV

*Linda Baccoli*

Sworn to me this 17 day of  
August-2022

*[Signature]*

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

CLERK SRIVASTAVA: Thank you. Item Number 6, a public hearing to consider the application of 40 Voice Road Realty LLC for site plan review for the premises located 40 Voice Road, Carle Place, and designated on the Nassau County Land and Tax Map as Section 9, Block 663, Lot 8. Do we have cards for this.

SUPERVISOR DESENA: Okay.

MR. CHOAME: I'm probably that first card. Good evening Supervisor, members of the board. My name is John Choame, I'm from the law firm of Ruskin, Moscow, Foltacheck, having an address at 1425 RXR Plaza, Uniondale, New York 11556. I'm here tonight on behalf of the applicant 50 Voice Road Realty LLC which is the owner of the property located at 40 Voice Road in Carle Place. We're here tonight seeking site plan approval for the property in connection with its proposed future use as an auto body service center. I have with me tonight Roberto -- a representative of the applicant as well as Brian Newman who is the architect of record for the project and Rebecca Goldberg, who you just heard from, of Cameron Engineering whose our traffic and parking consultant. Each are available to answer any specific questions that any of you shall have. By way of brief background, I promise I'll keep this brief, the property is Zone Industrial B, it consists just over four acres. It's currently approximately 559,000 square foot single story building with associated parking. The property was formally used for light manufacturing and warehousing, but is currently unoccupied by any tenant. The site plane before you does not enlarge or modify the current footprint of the existing building which will remain. The applicant is proposing various site work to bring the site into compliance with the current parking regulations and other site improvements such as increasing the drainage and improving site lighting. We are not affecting existing curb cuts or the means of ingress and egress to the property. Voice Road as you may know is a dead end and we are the last property at the end of that street. In other words, we're just priming the property for future tenants. With regards to parking the town code requires 201 parking spaces for the use of an auto body service center and ancillary office space. The site plan before proposes 201 parking spaces, therefore making the property on site parking compliant which it previously was not. The applicant engaged Cameron Engineering to conduct and prepare traffic and parking study, a copy of which was included with our site plan submission. As I said, Rebecca Goldberg is here to address any specific questions as to traffic and parking. The applicant and our architect worked very closely with the town's planning department in reviewing the site plan and it's our belief that the site plan before you adequately addresses all the concerns the planning department had. Just to reiterate, the proposed site plan only concerns the exterior site improvements. We're not at this time affecting anything inside the building. Footprint is remaining, since this property has been unoccupied for several years now, we believe this is a good application as it brings the property to full compliance and really ripens it for a future tenant. At this time if the board would like us to walk through each step of the site plan we can have our architect do so, or answer any questions specifically that the board may have.

COUNCILMEMBER TROIANO: I'm going to have questions, the board may as well but I think I would like to hear your presentation.

MR. CHOAME: Brian you want to come up with your presentation.

MR. NEWMAN: Good evening, Brian Newman, Newman Design, project architect. So essentially Mr. Choame summed it up very succinctly. We are essentially just improving the site, the main work is essentially at the rear of the property. The building footprint is not changing,

the front yard is not changing, the curb cuts are not changing, the existing loading docks and drive-in doors at the front are also remaining. As it exists today the paved area is at the west side of the bottom of the property and runs along side of the building, terminates on the south side over here. There are a few other sporadic pieces of concrete and a little bit of paving in the back. The remainder of the rear yard is overgrown landscape, grass situation with a recharge basin in there, and there is an existing structure which is a cellphone tower and an ancillary building there. The structure, the cellphone tower, and the auxiliary building are remaining in tact as well. The recharge basin will be removed or infilled, basically storm water is now going to be kept on site with storm management system, five inches which is a five inch rainfall, which meets current code requirements. New site lighting throughout all with appropriate house shield to keep light from spreading off the property. Essentially 201 parking spaces are now mainly at the rear of the property. Fully paved rear yard. As Mr. Choame mentioned, we are at the end of the road, it's a dead end, essentially backing up to the Long Island Expressway, excuse me Long Island Railroad and industrial property on either side, both essentially parking lots there. That is the scope of work that we're proposing for this application, to bring the site as it sits today in compliance with the current zoning ordinance for an automotive body repair shop. If there's any questions

COUNCILMEMBER WALSH: Is there any current mitigation needed for the soil?

MR. NEWMAN: The existing soil is contaminated, and it's under D --

COUNCILMEMBER WALSH: I just know that area very well.

MR. NEWMAN: It is under DEC jurisdiction. The plan, there's an SFPS system currently in place right now, an existing fan system located at this back corner. That fan is going to be relocated to the roof to allow for this paving. That project and that plan I should say and this specific plan has been approved by DEC. All site material will remain, all material will remain on site as well.

COUNCILMEMBER LURVEY: Commissioner, is it the DEC or is the town that deals with the drainage issue? I'm just.

COMMISSIONER LEVINE: Storm drainage is the town. Soil remediation is DEC, but we communicate with each other closely.

COUNCILMEMBER LURVEY: In terms of the drainage and filling in the, the recharge basin

COMMISSIONER LEVINE: Need to replace that with a more conventional inlet and drywall system. Usually recharge basins are used for street drainage and not usually for commercial sites. They can be, but it's more common to do what they're proposing now.

COUNCILMEMBER LURVEY: Okay.

COUNCILMEMBER WALSH: Is some of the street drainage there leaching or is it all connected to a sewer?

COMMISSIONER LEVINE: As far as we know Voice Road is connected to the town's storm water system and then conveyed to a county recharge basin.

COUNCILMEMBER WALSH: Thank you.

SUPERVISOR DESENA: Commissioner, is there anything else that you had issue with on this?

COMMISSIONER LEVINE: Not on this one. The scope of the site plan review is mainly location of the building on the site which isn't changing and improvements to drainage, grading, paving, lighting, parking, striping, and all of those are in conformance with the town code and there is no issues, problems or objections to what they're proposing.

COUNCILMEMBER TROIANO: My understanding is that they're planning on having 30 days for doing auto repair, I mean auto body work.

MR. NEWMAN: I forget the exact number, I've seen some preliminary plans. I forget the exact number.

COUNCILMEMBER TROIANO: You have an approximate number?

MR. NEWMAN: One second.

MR. CHOAME: It is 30 but the interior build out would be submitted under a separate application by either the applicant or the proposed tenant.

COUNCILMEMBER TROIANO: Still we're talking about potentially as many as 30 days?

MR. CHOAME: Correct.

COUNCILMEMBER TROIANO: If you're successful, if your client is successful, could be filled with 30 Teslas. Which maybe loaner cars?

MR. CHOAME: No, we were advised that loaner cars would not be kept on site or for giving up the customers.

COUNCILMEMBER TROIANO: I believe the planning department asked whether or not if you thought about if you're going to be charging those cars, how much draw on the electric grid would that take?

MR. CHOAME: I don't know if I have answer to how much. Was that a comment? I don't recall.

COMMISSIONER LEVINE: We did actually get the response to that, your existing electrical service is adequate for that.

MR. CHOAME: Thank you.

COUNCILMEMBER TROIANO: I'm sorry Mike, you said the response was received?

COMMISSIONER LEVINE: That's what they responded to us. Now I'm just surprised I would know the answer --

COUNCILMEMBER TROIANO: What was the response?

MR. CHOAME: That there's adequate service.

COMMISSIONER LEVINE: That's what you had responded to our staff, so you stand by that?

MR. CHOAME: Yes, we do.

COUNCILMEMBER TROIANO: I've got a certain about having that many Teslas onsite at one time. I think it could actually be more than 30 if you're successful. Teslas, I learned from my fire department friends, if they catch on fire are nearly, very difficult to put the fire out. It could take days of fully submersing a Tesla, the lithium battery to be able to put the fire out, fully submersing it in water. So I've got a concern about the fire suppression system that you're going

to use to house as many as 30 Teslas. If there should be a fire somewhere on the property, that extends into the repair facility that all of those Teslas might go up in flames potentially or they would catch fire, and the fire department would have a difficult time putting out the fire if the suppression system is inadequate. I think this is an evolving technology that we're just not sure about. There was some consultation with the fire marshal today and they have not yet opined on the safety of this whole operation. I have also spoken to the Carle Place fire chief who would have responsibility for this area and they have not been able to evaluate your plan or whether it meets their ability to protect the property and neighbors that's in the property. It is as you mentioned, a dead end street which may make it difficult to get fire trucks down that street if one part of the road is blocked off. In addition there are I believe the railroad line goes behind the building which also makes it difficult to get access to fight a fire. I would just ask you to allow me to continue the hearing until you have an opportunity to meet with the Carle Place fire department and talk with the fire marshal about how you're going to ensure that that building will be safe for not just the occupants of the building, but also the occupants of the building next door.

MR. CHOAME: That's a fair statement. But I just want to express that we're only contemplating exterior work at this time.

COUNCILMEMBER TROIANO: I understand that. I don't know that you get enough turning radius for a fire truck to get in there. I don't know that there's enough standpipes there and I think it's worth finding out about that before we proceed.

MR. CHOAME: Respectfully I understand. The one point I want to add is we're again doing mostly exterior work to a parking lot and you mentioned turning radius, we're trying to add more asphalt to that exact portion. There's a lot of overgrowth in the rear. Permitting us to proceed with at least the exterior site work can A, bring the property into compliance and then secondarily opens up further conversation with the proposal.

COUNCILMEMBER TROIANO: I don't know if you should assume that you're going to get approval on this depending on what the fire department says. You may not want to invest more money in this project if you're not in fact going to get that approval. I really suggest that you support me in continuing the hearing until we resolve these questions.

MR. CHOAME: Thank you.

COUNCILMEMBER TROIANO: Anybody want to be heard? Mr. Gaffney?

MR. GAFFNEY: Pete Gaffney, Westbury Carle Place School District. Voice Road, 40 Voice Road, know it well. If I can just get my notes up, I'm sorry. What type of repair shop is it, is it an auto dealer, is it a general auto, truck repairs? I'm asking these kind of questions I don't what kind of business it is. I guess the business will have EV charging stations, how many - -

COUNCILMEMBER TROIANO: Mr. Gaffney, for the people that are perhaps streaming, I'm going to ask that the attorney please come and respond to your questions as you ask them -- --

COUNCILMEMBER WALSH: If you could speak a little clearer because I'm having trouble.

MR. GAFFNEY: That's fine. First of all, what type of repair shop is it going to be, is it an auto dealer or is it general?

MR. CHOAME: It's an auto body repair shop specifically for Teslas which is the proposed

tenant at the moment. We have a signed lease with them.

MR. GAFFNEY: How about truck repairs? They do truck repairs and there's going to be in the future nothing?

MR. CHOAME: Not at this --

MR. GAFFNEY: How many EV charging stations are they going to have?

MR. CHOAME: I don't have that answer because --

MR. GAFFNEY: It's something that needs to be --

MS. GUY: Sorry. Megan Guy on behalf of the applicant. There will be seven outdoor charging stations. They will not be restricted to only Tesla, they will be universal parking spaces. But there will be seven parking spaces will have chargers.

MR. GAFFNEY: That's with 30 days.

MS. GUY: Yes.

MR. GAFFNEY: That's going to be a backlog. Any plans for hydrogen charging points? Hydrogen vehicles are eventually coming, they're already working on them now. There is one hydrogen station in Hempstead. That's it, in Nassau right now. If that's going to happen that needs to be put upfront about it. 40 Voice Road Realty LLC their applicant filing, their address is 12 Waters Place PHI in the Bronx. There happens to be 60 plus LLC businesses at that location. Will they be relocating to 40 Voice Road as well? That I'd like to know.

MR. CHOAME: No, so 40 Voice Road Realty is the holding company that owns --

MR. GAFFNEY: Along with 60 other businesses that are in that building --

MR. CHOAME: The parent company, Semone Development Company, they want an LLC title for this property.

MR. GAFFNEY: I understand. But those companies in the Bronx are not going to be moving with them to this location.

MR. CHOAME: Correct.

COUNCILMEMBER WALSH: S-E-M-O-N-E?

MR. CHOAME: Yes.

MR. GAFFNEY: The previous business was there a real long time. Johnson and Hoffman LLC was a metal manufacturing facility, not just light manufacturing. It's very similar to another property we had in the area, Albrocco Property, which was a similar business that had an environmental contamination problem. Had mercury in that problem. I guarantee this property is on that also. So you said the DEC is looking at it? Albrocco was inspected and checked and remediated by the Health Department in Nassau county just so you know. That's something I would like to know. Has that been done?

MR. CHOAME: Sorry.

MR. GAFFNEY: That's fine. Has the environmental review of the property been done?

MR. CHOAME: We submitted an EIF form with our application.

COMMISSIONER LEVINE: You asked different questions. Has the remediation begun yet?

MR. CHOAME: Not begun yet.

UNKNOWN: So, this site remediated, we got a document that was issues December 2017. So it's subject to a site management plan. We did submit a predevelopment work site to the DEC which was approved via e-mail today which follows an actual letter. The remediation has been approved.

MR. GAFFNEY: I see no documentation on that, so that's great. Can I get a copy of that letter please. Can the applicant estimate the amount of number of employees?

UNKNOWN: I believe we're estimating about 80 employees.

MR. GAFFNEY: About 80 employees, that's wonderful, great for the town. Just one other thing that I don't have in my notes is that this, the hours of operation for the business, is it going to be 24 hours?

UNKNOWN: No.

MR. GAFFNEY: What's the hours?

UNKNOWN: I believe it's 8:30 to 6:00.

MR. GAFFNEY: The reason why I'm saying just so you know, right next to each other, the sideline and across the street you have the Amazon 24-hour facility, number one, and then down the block you have the sewer cleaning, that's a 24-hour operation also. That could be a problem. Will the applicant, will the cell tower that you mentioned, will rent be paid to the new property owner? Is that going to continue.

MR. CHOAME: Rent to the cell tower, yes.

MR. GAFFNEY: Okay, so that deal is just going to get grandfathered over to the new owners.

MR. CHOAME: We already own the property for clarification.

MR. GAFFNEY: So you're actually already getting your rent on it, that's good. Will the applicant be applying for the Nassau county IDA for any construction breaks or tax breaks?

MR. CHOAME: No.

MR. GAFFNEY: The location is at the end of a dead-end street on Voice Road. I know it real well. My son goes to the hockey, he's now approaching 1100 visits, I know this area real well. The location is on the dead end of Voice Road. In the past it's been a dump ground right at the end over there. The previous Johnson and Hoffman, they actually use to agree to clean up in front of that street over there. I don't know why people do that but they dump. Will the owner take care of that portion also?

MR. CHOAME: The entire property will be leased to the proposed tenant.

MR. GAFFNEY: I'm asking about that little corner on the street, right where that side, that entrance is where going towards the cell tower, and the electric voltage.

MR. CHOAME: On the dead end of 40 Voice Road.

MR. GAFFNEY: People dump stuff, I see chairs and a ton, actually if you go there now there's a ton of garbage.

MR. CHOAME: We can raise it to the proposed tenant.

MR. GAFFNEY: It would behoove them and big plus to help clean up. Even call up the town to say hey come and get the garbage. I guess right now that's about it, but the 30 days is interesting. I do know there are two other charging areas in the area. One is where the TJ Maxx Center is and there is actually a Tesla charging station over where Bob's Discount Furniture is in that mall there on the front and they both have high-powered boxes. I think you better recheck the electricity for that amount of stations and whatnot. I think you may have a problem.

MR. CHOAME: We'll look into it.

COUNCILMEMBER TROIANO: Thank you Mr. Gaffney. Anybody else? Anybody on the council have any questions?

COUNCILMEMBER WALSH: I'd just like to make a comment and I'd also like to support what Mr. Gaffney said because about five years ago, I also saw a boat over there and on the opposite side, I'm very familiar with Mineola, and on the opposite side is East 2nd Street, which was also a dumping grounds at the end of East 2nd Street, and they dump quite close. For me, anything that prevents East 2nd Street from being opened up in the future to Voice Road is a big plus because I don't want to see Mineola have any opening from Voice Road. So that may pertain to you because you're going to have a business there. The dumping that occurred in Mineola doesn't occur anymore because Steel Equities bought all the properties down at the end and now it's busy and it's viable and it's not just the religious radio station with the tower that was there. The property that is at the Mineola side is also the only open property that Mineola uses and they need to both pile snow up there from University Hospital and they also lease space to the third truck car door to store these design builds, big -- I can go on. So, you know I never want to see that open but I do think that you have problems over there. What the Councilman referred to about fire trucks may be not having a turn, that Voice Road is used for Amazon, last five miles or last 10 miles for delivery. But the tractor trailer trucks come down Voice Road and sometimes they double park all along there to unload and the vans are stuck there to go out the other side on Westbury Avenue. Even though it's Voice Road and it's empty at the end and it's dead at the end, and there's, you know, there's quite a few tractor trailers from Amazon. And if there were were a fire issue, I really think the fire department has to take a look at this because if there was a fire issue it could be huge.

MR. CHOAME: Understood.

COUNCILMEMBER WALSH: I have concerns about this as well.

MR. CHOAME: I want to clarify there's a lot of emphasis on the fact that it's Tesla. And yes that's who we have a contract lease with but this application, again, is just to bring also the property to compliance. It's also for marketability perspective also. This was intended to happen but even before we had a tenant lined up, the property, the current state of the property is pretty much untenable the way it currently is.

COUNCILMEMBER WALSH: Was that ever considered a brown field, by the way?

MR. CHOAME: Not that I'm aware of, no.

COUNCILMEMBER WALSH: I'm aware of what you're saying but there's a good probability that there would be Tesla's there. You know that's a very open concern.



MR. CHOAME: I understand. We just need to start construction on the site work. That's part of the urgency.

COUNCILMEMBER TROIANO: So, I'm not sure that you'll be able to resolve some of the issues that I have and that Councilman Walsh has. I really don't think you should move forward and invest in this property until you resolve some of those issues. I'm going to ask for the board to support me to continue the hearing to September 22, that's our next hearing date. I'm not sure if that's sufficient time for you to address some of the concerns that may be raised. So as to keep the ball up in the area let's shoot for the 22<sup>nd</sup> and hopefully, if you need to meet, most definitely I can help you do that with the Carle Place fire department, the chief in particular, I can share with you his number.

MR. CHOAME: I appreciate that.

COUNCILMEMBER TROIANO: I think you should meet with our building department. And if you meet the fire county marshal. So with that I'm going to move that we continue the hearing to September 22.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: I just have a question. Amazon is over there, I haven't been to the site. But the concern is fire trucks being able to turn around and Amazon trucks being double parked, correct.

COUNCILMEMBER WALSH: That was my point, that I see Amazon trucks waiting long to unload.

COUNCILMEMBER ADHAMI: Does the Amazon property have enough room for a fire truck to turn around at appropriate fire length?

MR. GAFFNEY: The trucks access from Voice Road, but they also have an exit on Westbury Avenue, which is wide open. That's the only way it is. They have vehicles throughout the property okay. Not only just the trucks, the trucks, in theory, the trucks are supposed to load, unload, and then leave. Load, unload, and leave and they're supposed to be done by 5 a.m. which doesn't necessarily happen. It would be difficult for them to direct to go down to Voice Road and then attempt to make a turn there. But that probably can be worked on. You have to discuss that with the fire chief. They're the pros, I'm just giving you what I know.

COUNCILMEMBER ADHAMI: My question concerning is Amazon also creating a hazardous

condition?

MR. CHOAME: Technically would be penalized for their double parked cars

COUNCILMEMBER ADHAMI: I vote Aye.

COUNCILMEMBER TROIANO: Let me just add, you asked with a concern about fire lanes and blockages from Amazon trucks. That's as Councilman Walsh said that's his concern and that is a very valid concern. But their property is hard to access, period, and I think a bigger concern, most of that they can probably resolve, a bigger concern if there should be some calamity that causes 30, as many as 30 Teslas to catch on fire, the fire department would have a very difficult time putting those fires out. So it's important that there be superior fire suppression systems.

COUNCILMEMBER ADHAMI: I understand.

COUNCILMEMBER TROIANO: I didn't want anybody to come away and thinking it's just this one concern.

COUNCILMEMBER ADHAMI: I'm well aware of the dangers of lithium batteries but also Amazon I'm sure has tons of lithium batteries in electronics there. Maybe, I don't know how much but equal to the amount of the 30 Teslas.

COUNCILMEMBER TROIANO: It might be David, but either you nor I was here when Amazon was approved, but we are here now.

COUNCILMEMBER WALSH: I just want to say if there is a fire as he described, it would be a multiple alarm fire with many, many fire trucks needed. That's why there's a big concern.

MR. CHOAME: You mind if I ask before you vote, is the major concern that it's Tesla as the tenant?

COUNCILMEMBER TROIANO: My concern, I don't want you to think for a second that I'm targeting for some reason Tesla or EV vehicles.

MR. CHOAME: Electric vehicles.

COUNCILMEMBER TROIANO: My concern is fire protection. Electric vehicles is a concern, the property itself could be a concern. Because it is one, it is a dead end and the road's on the other side and maybe those aren't even valid concerns, but I need to have the Carle Place fire department come out and check. That's all, I need some time for them to do that. That shouldn't take long at all, but I would ask you to meet with them and take any concerns they express very seriously. Because I think you're hearing that we are taking it very seriously. The bigger issues is the technology and I think you need to get some guidance, maybe you have a discussion with the town fire marshal.

MS. GOLDBERG: I understand your concern and it is a valid one. Again, this was a site plan application --

COUNCILMEMBER TROIANO: I understand.

MS. GOLDBERG: So, the fire suppression system --

COUNCILMEMBER TROIANO: I just want to say this --

MS. GOLDBERG: -- operations better, and they will be better able to talk to proponents --

COUNCILMEMBER TROIANO: With all due respect there's a motion on the floor. We started voting already.

COUNCILMEMBER DALIMONTE: I didn't hear my name.

CLERK SRIVASTAVA: Councilman Dalimonte.

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item Number 8, a public hearing to consider the execution of an amendment to an agreement with Albertson Hook & Ladder, Engine & Hose Company Number 1, to purchase vehicle fuel.

COUNCILMEMBER ZUCKERMAN: This amendment will allow the Albertson Fire department to purchase vehicle fuel for the Town of North Hempstead. I have two representatives from the fire department who have been so gracious, we appreciate your service to the community. We also appreciate that you stuck it out with us. If you could just state your name for the record so everyone can recognize you for being here and sticking it out.

MR. GIORDANO: I'm Dan Giordano, chairman of the board of trustees.

MR. TILLEY: I'm Tom Tilly, I'm one of the trustees.

COUNCILMEMBER ZUCKERMAN: Thank you very much for everything you do and for sticking it out tonight. Is there anyone who would like to be heard on this? Seeing no one, I'd like to close the public hearing, offer the resolution, and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: I feel badly, I feel like we should pepper you with questions to make your stay worthwhile. I vote Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: I'd like to thank you for your service and I vote Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye. Thank you.

**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. 435 - 2022**

**A PUBLIC HEARING TO CONSIDER THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH ALBERTSON HOOK & LADDER, ENGINE & HOSE CO. NO. 1 TO PURCHASE VEHICLE FUEL.**

**WHEREAS**, it is necessary that fire protection contracts between the Town of North Hempstead (the "Town") and the various fire companies within the Town be entered into for the continuation of fire protection services within the various unincorporated areas of the Town; and

**WHEREAS**, pursuant to Resolution No. 69-2022, duly adopted at its meeting held on February 17, 2022, the Town Board authorized the execution of a fire protection agreement with the Albertson Hook & Ladder, Engine & Hose Co. No. 1 (the "Company") for the furnishing of fire protection for the period from January 1, 2022 through December 31, 2022 (the "Agreement"); and

**WHEREAS**, the Company has requested that the Agreement be amended to permit the Company to utilize the Town's fueling facilities for its vehicles on the same terms and conditions as municipalities with which the Town contracts to provide this service (the "Amendment"); and

**WHEREAS**, pursuant to Resolution No. 394-2022, duly adopted at its meeting held on August 4, 2022, the Town Board scheduled a public hearing for September 1, 2022 to consider the approval of the Amendment; and

**WHEREAS**, this Board has conducted said public hearing and afforded all interested persons an opportunity to be heard; and

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that the execution of the Amendment 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 the Amendment on behalf of the Town, on those terms and conditions more particularly set forth therein, and which will be on file in 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 or his designee be and hereby is authorized and directed to supervise the execution of the Amendment, and to take such other action as may be necessary to effectuate the foregoing; and be it further

**RESOLVED** that Office of the Town Clerk shall publish the following notice:

**NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that after a public hearing held by the Town Board of the Town of North Hempstead on the 1st day of September, 2022 at 7:00 P.M. at Town Hall, 220 Plandome Road, Manhasset, New York, the Town Board adopted a resolution authorizing the execution of an amendment to the Town's agreement with Albertson Hook & Ladder, Engine & Hose Co. No. 1 (the "Company") for fire protection services within the Albertson Fire Protection District for calendar year 2022 to allow the Company to utilize the Town's vehicle fueling facilities for its vehicles under the same terms and conditions as the Town allows other municipalities to use such facilities.

**Dated:** Manhasset, New York

September 1, 2022

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

**Dated:** Manhasset, New York

September 1, 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 Highways



# Affidavit of Publication

County of Nassau                      SS  
State of New York,

REC'D INH TOWN CLERK  
AUG 22 '22 PM3:52

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

1 weeks, viz:                      August 17, 2022  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Linda Baccoli*

Sworn to me this 17 day of  
August-2022

*[Signature]*  
\_\_\_\_\_  
Notary Public

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

**LEGAL NOTICE  
NOTICE OF HEARING  
PLEASE TAKE NO-  
TICE** that a public hearing  
will be held by the Town  
Board of the Town of North  
Hempstead on the 1st day of  
September, 2022 at 7:00 P.M.  
at Town Hall, 220 Plandome  
Road, Manhasset, New York,  
to consider an amendment to  
the Town's agreement with  
Albertson Hook & Ladder,  
Engine & Hose Co. No. 1 (the  
"Department") to provide fire  
protection services within  
the Albertson Fire Protection  
District for calendar year  
2022 to allow the Department  
to utilize the Town's vehicle  
fueling facilities for its ve-  
hicles under the same terms  
and conditions as the Town  
allows other municipalities to  
use such facilities.  
Dated: Manhasset, New York  
August 4, 2022  
**BY ORDER OF THE  
TOWN BOARD OF  
THE TOWN OF NORTH  
HEMPSTEAD  
RAGINI SRIVASTAVA  
TOWN CLERK  
8-17-2022-1T-#234484-ROS**

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

Henry Krukowski, being duly sworn, deposes and says that on the 2nd day of September, 2022, he posted the attached Notice of Adoption of a resolution authorizing the execution of an amendment to the Town's agreement with Albertson Hook & Ladder, Engine & Hose Co. No. 1 (the "Company") for fire protection services within the Albertson Fire Protection District for calendar year 2022 to allow the Company to utilize the Town's vehicle fueling facilities for its vehicles under the same terms and conditions as the Town allows other municipalities to use such facilities, at the following locations:

Town Clerk Bulletin Board

---

Henry Krukowski

Sworn to me this

2<sup>nd</sup> day of September, 2022

---

Notary Public

DONNA R. CURCI  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01CU6119852  
Qualified in Nassau County  
My Commission Expires December 06, 2024



# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No. 0021743874

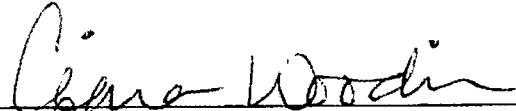
:SS.:

COUNTY OF ERIE)

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

Tuesday September 06, 2022 Nassau

By:

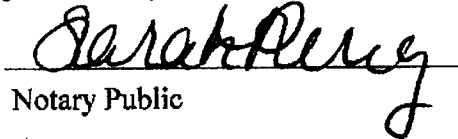


Print Name:

Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

**SWORN** to before me this  
6 Day of September, 2022.

  
Notary Public

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

**Ad Content**

Legal Notice # 21743874  
NOTICE OF ADOPTION  
PLEASE TAKE NOTICE that  
after a public hearing held by  
the Town Board of the Town  
of North Hempstead on the  
1st day of September, 2022  
at 7:00 P.M. at Town Hall,  
220 Plandome Road,  
Manhasset, New York, the  
Town Board adopted a resolution  
authorizing the execution  
of an amendment to the  
Town's agreement with  
Albertson Hook & Ladder, En-  
gine & Hose Co. No. 1 (the  
"Company") for fire protec-  
tion services within the  
Albertson Fire Protection Dis-  
trict for calendar year 2022  
to allow the Company to uti-  
lize the Town's vehicle fuel-  
ing facilities for its vehicles  
under the same terms and  
conditions as the Town al-  
lows other municipalities to  
use such facilities.  
Dated: Manhasset, New York  
September 1, 2022  
BY ORDER OF THE TOWN  
BOARD OF THE TOWN OF  
NORTH HEMPSTEAD RAGINI  
SRIVASTAVA TOWN CLERK

**NEWSDAY PROOF**

**Ad Number: 0021743874**

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

CLERK SRIVASTAVA: Item Number 9, a public hearing to consider the adoption of an ordinance affecting Brooklyn Avenue in Westbury, New York.

COUNCILMEMBER TROIANO: Anybody like to be heard? I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 436 - 2022**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING BROOKLYN AVENUE IN WESTBURY, NEW YORK.**

**WHEREAS**, the Town Board (the "Board") of the Town of North Hempstead has held a public hearing to consider enacting an ordinance (the "Ordinance"), pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space on the east side Brooklyn Avenue, Westbury, New York from a point 258 feet south of the south curblineline of Prospect Avenue, south, for a distance of 20 feet.; and

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

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that the ordinance establishing a reserved parking space on east side Brooklyn Avenue, Westbury, New York from a point 258 feet south of the south curblineline of Prospect Avenue, south, for a distance of 20 feet. pursuant to section 1660 of the Vehicle and Traffic Law of the State of New York is adopted by this Board, the Ordinance being more particularly described in the Notice of Adoption (the "Notice"); and be it further

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

**NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that the Town Board of the Town of North Hempstead at a regular public meeting of the Board held on the 1st day of September 2022 at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, duly adopted an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

**PLEASE TAKE FURTHER NOTICE** that the ordinance shall read as follows:

**ORDINANCE AFFECTING  
BROOKLYN AVENUE IN WESTBURY.**

1. Section 5 of the ordinance establishing handicapped spaces adopted July 21, 1987 and amended September 15, 1987, February 7, 1989, April 3, 1990, July 17, 1990, November 20, 1990, December 4, 1990, February 19, 1991, October 8, 1991, April 29, 1992, August 11, 1992, April 13, 1993, May 3, 1994, November 22, 1994, April 25, 1995, August 29, 1995, August 27, 1996, November 12, 1996, December 17, 1996, March 4, 1997, May 6, 1997, June 10, 1997, July 15, 1997, March 24, 1998, November 17, 1998, March 2, 1999, June 8, 1999, October 20, 1999, June 27, 2000, August 29, 2000, September 19, 2000, November 14, 2000, February 13, 2001, March 6, 2001, March 27, 2001, May 15, 2001, August 21, 2001, October 16, 2001, November 13, 2001, January 29, 2002, March 12, 2002, April 2, 2002, June 4, 2002, October 1, 2002, November 19, 2002, December 10, 2002, February 11, 2003, April 22, 2003, October 21, 2003, January 6, 2004, March 9, 2004, May 11, 2004, June 29, 2004, August 31, 2004, January 25, 2005, June 14, 2005, July 19, 2005, October 18, 2005, November 15, 2005, January 3, 2006, January 24, 2006, March 21, 2006, May 2, 2006, January 2, 2007, March 6, 2007, April 17, 2007, June 19, 2007, August 14, 2007, September 25, 2007, December 11, 2007, January 29, 2008, May 6, 2008, June 17, 2008, July 29, 2008, August 19, 2008, September 9, 2008, January 6, 2009, January 27, 2009, May 19, 2009, June 23, 2009, July 14, 2009, August 4, 2009, August 25, 2009, October 20, 2009, December 8, 2009, January 26, 2010, October 5, 2010 and December 14, 2010, January 25, 2011, March 8, 2011, June 14, 2011, July 12, 2011, September 27, 2011, December 13, 2011, May 8, 2012, June 19, 2012, July 10, 2012 August 21, 2012, November 20, 2012, December 11, 2012, January 8, 2013, February 19, 2013, March 12, 2013, April 23, 2013, May 14, 2013, June 4, 2013, September 10, 2013, December 10, 2013, February 25, 2014, April 1, 2014, June 10, 2014, December 9, 2014, March 31, 2015, May 12, 2015, July 14, 2015, August 25, 2015, October 20, 2015, November 17, 2015, November 17, 2015, December 15, 2015 and January 26, 2016, February 23, 2016, April 19, 2016, May 10, 2016, June 7, 2016, July 12, 2016, August 9, 2016, September 13, 2016, September 27, 2016, October 25, 2016 and December 13, 2016, January 31, 2017, February 28, 2017, April 4, 2017, April 25, 2017, and July 18, 2017, September 7, 2017, September 26, 2017, November 14, 2017, January 30, 2018, February 27, 2018, September 6, 2018, September 27, 2018, October 25, 2018, November 20, 2018, December 18, 2018, January 29, 2019, February 28, 2019, March 19, 2019, April 30, 2019, June 18, 2019, September 5, 2019, November 19, 2019, July 23, 2020, September 3, 2020, September 24, October 22, 2020, May 20, 2021 and August 5, 2021 October 21, 2021 and November 18, 2021 is further amended by adding thereto a new subdivision as follows:

“124” A reserved parking space on the east side Brooklyn Avenue, Westbury, New York from a point 258 feet south of the south curblineline of Prospect Avenue, south, for a distance of 20 feet

2. This Ordinance shall take effect ten (10) days after publication of the Notice of Adoption by the Town Clerk pursuant to Section 133 of the Town Law of the State of New York.

**Dated:** Manhasset, New York

September 1, 2022

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

**Dated:** Manhasset, New York

September 1, 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      Traffic Safety      Public Safety

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

**Henry Krukowski, being duly sworn, deposes and says that on the 16<sup>th</sup> day of August, 2022, he posted the attached Notice of Hearing to consider the enactment of an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law, at the following locations:**

**Town Clerk Bulletin Board**

**Westbury Post Office**

**Brooklyn Ave and Prospect Ave**

**Brooklyn Ave, 200 feet south of Prospect Ave**

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

**Sworn to me this**

**16<sup>th</sup> day of August, 2022**

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

**DONNA R. CURCI  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01CU6119852  
Qualified In Nassau County  
My Commission Expires December 06, 2024**

# Affidavit of Publication

County of Nassau  
State of New York,

SS

REC'D TNH TOWN CLERK  
AUG 22 '22 PM3:53

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

1 weeks, viz:

August 17, 2022

*Linda Baccoli*

Sworn to me this 17 day of  
August-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

**LEGAL NOTICE  
NOTICE OF HEARING  
PLEASE TAKE NO-  
TICE** that a public hearing

will be held by the Town Board of the Town of North Hempstead on September 1, 2021, at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the enactment of an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

**PLEASE TAKE FURTHER NOTICE** that the proposed ordinance would establish a reserved parking space on the east side Brooklyn Avenue, Westbury, New York from a point 258 feet south of the south curbline of Prospect Avenue, south, for a distance of 20 feet.

**PLEASE TAKE FURTHER NOTICE** that a copy of the proposed ordinance is posted on the Town's website and on file in the Office of the Town Clerk where it may be viewed during regular business hours, Monday through Friday.

Dated: Manhasset, New York  
August 4, 2022

**BY ORDER OF THE  
TOWN BOARD OF  
THE TOWN OF  
NORTH HEMPSTEAD  
RAGINI SRIVASTAVA  
TOWN CLERK  
8-17-2022-IT#234488-  
NIN/WBY**



# 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. 0021743877

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

Tuesday September 06, 2022 Nassau

By: Ciara Woodin

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

**SWORN** to before me this  
6 Day of September, 2022.

Sarah Perez  
Notary Public

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

## Ad Content

Legal Notice # 21743877

### NOTICE OF ADOPTION

PLEASE TAKE NOTICE that the Town Board of the Town of North Hempstead at a regular public meeting of the Board held on the 1st day of September 2022 at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, duly adopted an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

PLEASE TAKE FURTHER NOTICE that the ordinance shall read as follows:

#### ORDINANCE AFFECTING

##### BROOKLYN AVENUE IN WESTBURY.

1. Section 5 of the ordinance establishing handicapped spaces adopted July 21, 1987 and amended September 15, 1987, February 7, 1989, April 3, 1990, July 17, 1990, November 20, 1990, December 4, 1990, February 19, 1991, October 8, 1991, April 29, 1992, August 11, 1992, April 13, 1993, May 3, 1994, November 22, 1994, April 25, 1995, August 29, 1995, August 27, 1996, November 12, 1996, December 17, 1996, March 6, 1997, May 6, 1997, June 16, 1997, July 19, 1997, March 24, 1998, November 17, 1998, March 2, 1999, June 8, 1999, October 20, 1999, June 27, 2000, August 23, 2000, September 19, 2000, November 14, 2000, February 13, 2001, March 6, 2001, March 27, 2001, May 15, 2001, August 21, 2001, October 16, 2001, November 13, 2001, January 29, 2002, March 12, 2002, April 2, 2002, June 4, 2002, October 1, 2002, November 19, 2002, December 10, 2002, February 11, 2003, April 22, 2003, October 21, 2003, January 6, 2004, March 9, 2004, May 11, 2004, June 29, 2004, August 31, 2004, January 29, 2005, June 14, 2005, July 19, 2005, October 18, 2005, November 15, 2005, January 3, 2006, January 24, 2006, March 21, 2006, May 2, 2006, January 2, 2007, March 6, 2007, April 17, 2007, June 19, 2007, August 14, 2007, September 25, 2007, December 11, 2007, January 29, 2008, May 6, 2008, June 17, 2008, July 29, 2008, August 19, 2008, September 9, 2008, January 6, 2009, January 27, 2009, May 19, 2009, June 23, 2009, July 14, 2009, August 4, 2009, August 25, 2009, October 20, 2009, December 8, 2009, January 26, 2010, October 5, 2010 and December 14, 2010, January 25, 2011, March 8, 2011, June 14, 2011, July 12, 2011, September 27, 2011, December 13, 2011, May 8, 2012, June 19, 2012, July 10, 2012, August 21, 2012, November 20, 2012, December 11, 2012, January 8, 2013, February 19, 2013, March 12, 2013, April 23, 2013, May 14, 2013, June 4, 2013, September 10, 2013, December 10, 2013, February 25, 2014, April 1, 2014, June 10, 2014, December 9, 2014, March 31, 2015, May 12, 2015, July 14, 2015, August 25, 2015, October 20, 2015, November 17, 2015, November 17, 2015, December 15, 2015 and January 26, 2016, February 23, 2016, April 19, 2016, May 10, 2016, June 7, 2016, July 13, 2016, August 9, 2016, September 13, 2016, September 27, 2016, October 25, 2016 and December 13, 2016, January 31, 2017, February 28, 2017, April 4, 2017, April 25, 2017, and July 18, 2017, September 7, 2017, September 26, 2017, November 14, 2017, January 30, 2018, February 27, 2018, September 6, 2018, September 27, 2018, October 25, 2018, November 20, 2018, December 18, 2018, January 29, 2019, February 26, 2019, March 19, 2019, April 30, 2019, June 18, 2019, September 5, 2019, November 19, 2019, July 23, 2020, September 3, 2020, September 24, October 22, 2020, May 20, 2021 and August 9, 2021, October 21, 2021 and November 18, 2021 is further amended by adding thereto a new subdivision as follows:

"124" A reserved parking space on the east side Brooklyn Avenue, Westbury, New York from a point 258 feet south of the south curbline of Prospect Avenue, south, for a distance of 20 feet

2. This Ordinance shall take effect ten (10) days after publication of the Notice of Adoption by the Town Clerk pursuant to Section 133 of the Town Law of the State of New York.

Dated: Manhasset, New York

September 1, 2022

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

## NEWSDAY PROOF

Ad Number: 0021743877

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

CLERK SRIVASTAVA: Item Number 10, a public hearing to consider the adoption of an ordinance affecting Cedar Road in Westbury Road.

COUNCILMAN TROIANO: Would anyone like to be heard? Seeing no one, I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 437 - 2022**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING CEDAR ROAD IN WESTBURY, NEW YORK.**

**WHEREAS**, the Town Board (the "Board") of the Town of North Hempstead has held a public hearing to consider enacting an ordinance (the "Ordinance"), pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space on the west side of Cedar Road, Westbury, New York, from a point 470 feet south of a point opposite of the south curblineline of Amber Court, south, for a distance of 20 feet; and

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

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that the ordinance establishing a reserved parking space on the west side of Cedar Road, Westbury, New York, from a point 470 feet south of a point opposite of the south curblineline of Amber Court, south, for a distance of 20 feet pursuant to section 1660 of the Vehicle and Traffic Law of the State of New York is adopted by this Board, the Ordinance being more particularly described in the Notice of Adoption (the "Notice"); and be it further

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

**NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that the Town Board of the Town of North Hempstead at a regular public meeting of the Board held on the 1st day of September 2022 at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, duly adopted an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

**PLEASE TAKE FURTHER NOTICE** that the ordinance shall read as follows:

**ORDINANCE AFFECTING  
CEDAR ROAD IN WESTBURY.**

1. Section 5 of the ordinance establishing handicapped spaces adopted July 21, 1987 and amended September 15, 1987, February 7, 1989, April 3, 1990, July 17, 1990, November 20, 1990, December 4, 1990, February 19, 1991, October 8, 1991, April 29, 1992, August 11, 1992, April 13, 1993, May 3, 1994, November 22, 1994, April 25, 1995, August 29, 1995, August 27, 1996, November 12, 1996, December 17, 1996, March 4, 1997, May 6, 1997, June 10, 1997, July 15, 1997, March 24, 1998, November 17, 1998, March 2, 1999, June 8, 1999, October 20, 1999, June 27, 2000, August 29, 2000, September 19, 2000, November 14, 2000, February 13, 2001, March 6, 2001, March 27, 2001, May 15, 2001, August 21, 2001, October 16, 2001, November 13, 2001, January 29, 2002, March 12, 2002, April 2, 2002, June 4, 2002, October 1, 2002, November 19, 2002, December 10, 2002, February 11, 2003, April 22, 2003, October 21, 2003, January 6, 2004, March 9, 2004, May 11, 2004, June 29, 2004, August 31, 2004, January 25, 2005, June 14, 2005, July 19, 2005, October 18, 2005, November 15, 2005, January 3, 2006, January 24, 2006, March 21, 2006, May 2, 2006, January 2, 2007, March 6, 2007, April 17, 2007, June 19, 2007, August 14, 2007, September 25, 2007, December 11, 2007, January 29, 2008, May 6, 2008, June 17, 2008, July 29, 2008, August 19, 2008, September 9, 2008, January 6, 2009, January 27, 2009, May 19, 2009, June 23, 2009, July 14, 2009, August 4, 2009, August 25, 2009, October 20, 2009, December 8, 2009, January 26, 2010, October 5, 2010 and December 14, 2010, January 25, 2011, March 8, 2011, June 14, 2011, July 12, 2011, September 27, 2011, December 13, 2011, May 8, 2012, June 19, 2012, July 10, 2012 August 21, 2012, November 20, 2012, December 11, 2012, January 8, 2013, February 19, 2013, March 12, 2013, April 23, 2013, May 14, 2013, June 4, 2013, September 10, 2013, December 10, 2013, February 25, 2014, April 1, 2014, June 10, 2014, December 9, 2014, March 31, 2015, May 12, 2015, July 14, 2015, August 25, 2015, October 20, 2015, November 17, 2015, November 17, 2015, December 15, 2015 and January 26, 2016, February 23, 2016, April 19, 2016, May 10, 2016, June 7, 2016, July 12, 2016, August 9, 2016, September 13, 2016, September 27, 2016, October 25, 2016 and December 13, 2016, January 31, 2017, February 28, 2017, April 4, 2017, April 25, 2017, and July 18, 2017, September 7, 2017, September 26, 2017, November 14, 2017, January 30, 2018, February 27, 2018, September 6, 2018, September 27, 2018, October 25, 2018, November 20, 2018, December 18, 2018, January 29, 2019, February 28, 2019, March 19, 2019, April 30, 2019, June 18, 2019, September 5, 2019, November 19, 2019, July 23, 2020, September 3, 2020, September 24, October 22, 2020, May 20, 2021 and August 5, 2021 October 21, 2021 and November 18, 2021 is further amended by adding thereto a new subdivision as follows:

“125” A reserved parking space on the west side of Cedar Road, Westbury, New York, from a point 470 feet south of a point opposite of the south curbline of Amber Court, south, for a distance of 20 feet

2. This Ordinance shall take effect ten (10) days after publication of the Notice of Adoption by the Town Clerk pursuant to Section 133 of the Town Law of the State of New York.

**Dated:** Manhasset, New York

September 1, 2022

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

**Dated:** Manhasset, New York

September 1, 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.

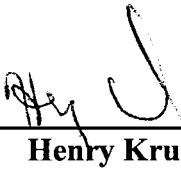
Nays: None.

cc: Town Attorney      Comptroller      Traffic Safety      Public Safety


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

Henry Krukowski, being duly sworn, deposes and says that on the 16<sup>th</sup> day of August, 2022, he posted the attached Notice of Hearing to consider the enactment of an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law, at the following locations:

- Town Clerk Bulletin Board
- Westbury Post Office
- Cedar Rd and Amber Ct
- Cdear Rd, 300 ft south of Amber Ct

  
Henry Krukowski

Sworn to me this  
16<sup>th</sup> day of August, 2022

  
Notary Public  
DONNA R. CURCI  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01CU6119852  
Qualified In Nassau County 2024  
My Commission Expires December 06, 2024

# Affidavit of Publication

County of Nassau SS

State of New York,

REC'D THE TOWN CLERK  
AUG 22 '22 PM 3:53

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

1 weeks, viz: August 17, 2022  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### LEGAL NOTICE NOTICE OF HEARING

**PLEASE TAKE NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead on September 1, 2021, at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the enactment of an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

**PLEASE TAKE FURTHER NOTICE** that the proposed ordinance would establish a reserved parking space on the west side of Cedar Road, Westbury, New York, from a point 470 feet south of a point opposite of the south curbline of Amber Court, south, for a distance of 20 feet.

**PLEASE TAKE FURTHER NOTICE** that a copy of the proposed ordinance is posted on the Town's website and on file in the Office of the Town Clerk where it may be viewed during regular business hours, Monday through Friday.

**Dated:** Manhasset, New York August 4, 2022

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

8-17-2022-1T-#234489-  
NIN/WBY

*Linda Baccoli*

Sworn to me this 17 day of  
August-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



# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No. 0021743879

:SS.:

COUNTY OF ERIE)

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

Tuesday September 06, 2022 Nassau

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

*Ciana Woodin*

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

*Ciana Woodin*

Authorized Designee of Newsday LLC, Publisher of Newsday

**SWORN** to before me this  
6 Day of September, 2022.

*Sarah Perez*  
\_\_\_\_\_  
Notary Public

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

## Ad Content

Legal Notice # Z1743879

### NOTICE OF ADOPTION

PLEASE TAKE NOTICE that the Town Board of the Town of North Hempstead at a regular public meeting of the Board held on the 1st day of September 2022 at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, duly adopted an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.  
PLEASE TAKE FURTHER NOTICE that the ordinance shall read as follows:

#### ORDINANCE AFFECTING CEDAR ROAD IN WESTBURY.

1. Section 5 of the ordinance establishing handicapped spaces adopted July 23, 1987 and amended September 15, 1987, February 7, 1989, April 3, 1990, July 17, 1990, November 20, 1990, December 4, 1990, February 19, 1991, October 8, 1991, April 29, 1992, August 11, 1992, April 13, 1993, May 3, 1994, November 22, 1994, April 25, 1995, August 29, 1995, August 22, 1996, November 12, 1996, December 12, 1996, March 4, 1997, May 6, 1997, June 10, 1997, July 15, 1997, March 24, 1998, November 17, 1998, March 4, 1999, June 8, 1999, October 20, 1999, June 27, 2000, August 29, 2000, September 19, 2000, November 14, 2000, February 13, 2001, March 6, 2001, March 27, 2001, May 15, 2001, August 21, 2001, October 10, 2001, November 13, 2001, January 29, 2002, March 12, 2002, April 2, 2002, June 4, 2002, October 1, 2002, November 19, 2002, December 10, 2002, February 11, 2003, April 22, 2003, October 21, 2003, January 6, 2004, March 9, 2004, May 11, 2004, June 29, 2004, August 23, 2004, January 25, 2005, June 14, 2005, July 19, 2005, October 18, 2005, November 15, 2005, January 3, 2006, January 24, 2006, March 21, 2006, May 2, 2006, January 2, 2007, March 8, 2007, April 17, 2007, June 19, 2007, August 14, 2007, September 25, 2007, December 11, 2007, January 29, 2008, May 6, 2008, June 17, 2008, July 29, 2008, August 19, 2008, September 9, 2008, January 6, 2009, January 27, 2009, May 19, 2009, June 23, 2009, July 14, 2009, August 4, 2009, August 25, 2009, October 20, 2009, December 8, 2009, January 26, 2010, October 5, 2010 and December 14, 2010, January 25, 2011, March 8, 2011, June 14, 2011, July 12, 2011, September 27, 2011, December 13, 2011, May 8, 2012, June 19, 2012, July 10, 2012, August 21, 2012, November 20, 2012, December 11, 2012, January 8, 2013, February 19, 2013, March 12, 2013, April 23, 2013, May 14, 2013, June 4, 2013, September 16, 2013, December 10, 2013, February 25, 2014, April 1, 2014, June 10, 2014, December 9, 2014, March 31, 2015, May 12, 2015, July 14, 2015, August 25, 2015, October 20, 2015, November 17, 2015, November 17, 2015, December 15, 2015 and January 28, 2016, February 25, 2016, April 19, 2016, May 10, 2016, June 7, 2016, July 17, 2016, August 9, 2016, September 11, 2016, September 27, 2016, October 25, 2016 and December 13, 2016, January 31, 2017, February 28, 2017, April 4, 2017, April 25, 2017, and July 18, 2017, September 7, 2017, September 26, 2017, November 14, 2017, January 30, 2018, February 27, 2018, September 6, 2018, September 27, 2018, October 25, 2018, November 20, 2018, December 18, 2018, January 29, 2019, February 28, 2019, March 19, 2019, April 30, 2019, June 18, 2019, September 5, 2019, November 19, 2019, July 23, 2020, September 3, 2020, September 24, October 22, 2020, May 20, 2021 and August 5, 2021, October 21, 2021 and November 18, 2021 is further amended by adding thereto a new subdivision as follows:

"125" A reserved parking space on the west side of Cedar Road, Westbury, New York, from a point 470 feet south of a point opposite of the south curbline of Amber Court, south, for a distance of 20 feet

2. This Ordinance shall take effect ten (10) days after publication of the Notice of Adoption by the Town Clerk pursuant to Section 133 of the Town Law of the State of New York.

Dated: Manhasset, New York

September 1, 2022

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

## NEWSDAY PROOF

Ad Number: 0021743879

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

CLERK SRIVASTAVA: Item Number 11, a public hearing to consider the adoption of an ordinance affecting North 7th Street in New Hyde Park, New York.

COUNCILMEMBER ADHAMI: Madam Clerk, are there any cards or would anybody like to be heard?

CLERK SRIVASTAVA: No, there isn't any cards.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 438 - 2022**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING NORTH 7TH STREET IN NEW HYDE PARK, NEW YORK.**

**WHEREAS**, the Town Board (the "Board") of the Town of North Hempstead has held a public hearing to consider enacting an ordinance (the "Ordinance"), pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space on the west side of North 7<sup>th</sup> Street, New Hyde Park, New York from a point 339 feet south of the south curblineline of White Avenue, south, for a distance of 20 feet; and

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

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that the ordinance establishing a reserved parking space on the west side of North 7<sup>th</sup> Street, New Hyde Park, New York from a point 339 feet south of the south curblineline of White Avenue, south, for a distance of 20 feet pursuant to section 1660 of the Vehicle and Traffic Law of the State of New York is adopted by this Board, the Ordinance being more particularly described in the Notice of Adoption (the "Notice"); and be it further

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

**NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that the Town Board of the Town of North Hempstead at a regular public meeting of the Board held on the 1st day of September 2022 at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, duly adopted an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

**PLEASE TAKE FURTHER NOTICE** that the ordinance shall read as follows:

**ORDINANCE AFFECTING  
NORTH 7<sup>TH</sup> STREET IN NEW HYDE PARK.**

1. Section 5 of the ordinance establishing handicapped spaces adopted July 21, 1987 and amended September 15, 1987, February 7, 1989, April 3, 1990, July 17, 1990, November 20, 1990, December 4, 1990, February 19, 1991, October 8, 1991, April 29, 1992, August 11, 1992, April 13, 1993, May 3, 1994, November 22, 1994, April 25, 1995, August 29, 1995, August 27, 1996, November 12, 1996, December 17, 1996, March 4, 1997, May 6, 1997, June 10, 1997, July 15, 1997, March 24, 1998, November 17, 1998, March 2, 1999, June 8, 1999, October 20, 1999, June 27, 2000, August 29, 2000, September 19, 2000, November 14, 2000, February 13, 2001, March 6, 2001, March 27, 2001, May 15, 2001, August 21, 2001, October 16, 2001, November 13, 2001, January 29, 2002, March 12, 2002, April 2, 2002, June 4, 2002, October 1, 2002, November 19, 2002, December 10, 2002, February 11, 2003, April 22, 2003, October 21, 2003, January 6, 2004, March 9, 2004, May 11, 2004, June 29, 2004, August 31, 2004, January 25, 2005, June 14, 2005, July 19, 2005, October 18, 2005, November 15, 2005, January 3, 2006, January 24, 2006, March 21, 2006, May 2, 2006, January 2, 2007, March 6, 2007, April 17, 2007, June 19, 2007, August 14, 2007, September 25, 2007, December 11, 2007, January 29, 2008, May 6, 2008, June 17, 2008, July 29, 2008, August 19, 2008, September 9, 2008, January 6, 2009, January 27, 2009, May 19, 2009, June 23, 2009, July 14, 2009, August 4, 2009, August 25, 2009, October 20, 2009, December 8, 2009, January 26, 2010, October 5, 2010 and December 14, 2010, January 25, 2011, March 8, 2011, June 14, 2011, July 12, 2011, September 27, 2011, December 13, 2011, May 8, 2012, June 19, 2012, July 10, 2012 August 21, 2012, November 20, 2012, December 11, 2012, January 8, 2013, February 19, 2013, March 12, 2013, April 23, 2013, May 14, 2013, June 4, 2013, September 10, 2013, December 10, 2013, February 25, 2014, April 1, 2014, June 10, 2014, December 9, 2014, March 31, 2015, May 12, 2015, July 14, 2015, August 25, 2015, October 20, 2015, November 17, 2015, November 17, 2015, December 15, 2015 and January 26, 2016, February 23, 2016, April 19, 2016, May 10, 2016, June 7, 2016, July 12, 2016, August 9, 2016, September 13, 2016, September 27, 2016, October 25, 2016 and December 13, 2016, January 31, 2017, February 28, 2017, April 4, 2017, April 25, 2017, and July 18, 2017, September 7, 2017, September 26, 2017, November 14, 2017, January 30, 2018, February 27, 2018, September 6, 2018, September 27, 2018, October 25, 2018, November 20, 2018, December 18, 2018, January 29, 2019, February 28, 2019, March 19, 2019, April 30, 2019, June 18, 2019, September 5, 2019, November 19, 2019, July 23, 2020, September 3, 2020, September 24, October 22, 2020, May 20, 2021 and August 5, 2021 October 21, 2021 and November 18, 2021 is further amended by adding thereto a new subdivision as follows:

“126” A reserved parking space on the west side of North 7<sup>th</sup> Street, New Hyde Park, New York from a point 339 feet south of the south curblineline of White Avenue, south, for a distance of 20 feet

2. This Ordinance shall take effect ten (10) days after publication of the Notice of

Adoption by the Town Clerk pursuant to Section 133 of the Town Law of the State of New York.

**Dated:** Manhasset, New York

September 1, 2022

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

**Dated:** Manhasset, New York

September 1, 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      Traffic Safety      Public Safety

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

Henry Krukowski, being duly sworn, deposes and says that on the 16<sup>th</sup> day of August, 2022, he posted the attached Notice of Hearing to consider the enactment of an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law, at the following locations:

Town Clerk Bulletin Board

New Hyde Park Post Office

N. 7<sup>th</sup> St and White Ave

N. 7<sup>th</sup> St, 100 ft south of White Ave

N. 7<sup>th</sup> St, 300 ft south of White Ave

  
Henry Krukowski

Sworn to me this

16<sup>th</sup> day of August, 2022

  
Notary Public

DONNA R. CURCI  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01CU6119852  
Qualified in Nassau County  
My Commission Expires December 06, 2024

# Affidavit of Publication

County of Nassau                      SS  
State of New York,

REC'D TOWN CLERK  
AUG 22 '22 PM 3:53

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

1 weeks, viz:                      August 17, 2022  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**LEGAL NOTICE  
NOTICE OF HEARING  
PLEASE TAKE NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead on September 1, 2021, at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the enactment of an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

**PLEASE TAKE FURTHER NOTICE** that the proposed ordinance would establish a reserved parking space on the west side of North 7th Street, New Hyde Park, New York from a point 339 feet south of the south curblin of White Avenue, south, for a distance of 20 feet.

**PLEASE TAKE FURTHER NOTICE** that a copy of the proposed ordinance is posted on the Town's website and on file in the Office of the Town Clerk where it may be viewed during regular business hours, Monday through Friday.

**Dated:** Manhasset, New York  
August 4, 2022

**BY ORDER OF THE  
TOWN BOARD OF  
THE TOWN OF  
NORTH HEMPSTEAD  
RAGINI SRIVASTAVA  
TOWN CLERK  
8-17-2022-1T-#234490-  
NIN/NHP**

*Linda Baccoli*

Sworn to me this 17 day of  
August-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



# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No. 0021743885

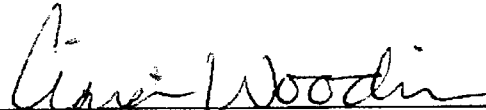
:SS.:

COUNTY OF ERIE)

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

Tuesday September 06, 2022 Nassau

By:



Print Name:

Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

**SWORN** to before me this  
6 Day of September, 2022.

  
Notary Public

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

## Ad Content

Legal Notice # 21743885

### NOTICE OF ADOPTION

PLEASE TAKE NOTICE that the Town Board of the Town of North Hempstead at a regular public meeting of the Board held on the 1st day of September 2022 at 7:00 P.M. in the Town Board Room at Town Hall 221 Plandome Road, Manhasset, New York, duly adopted an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1680 of the Vehicle and Traffic Law.

PLEASE TAKE FURTHER NOTICE that the ordinance shall read as follows:

### ORDINANCE AFFECTING

#### NORTH 7TH STREET IN NEW HYDE PARK.

1. Section 5 of the ordinance establishing handicapped spaces adopted July 21, 1987 and amended September 19, 1987, February 7, 1989, April 3, 1990, July 17, 1990, November 20, 1990, December 4, 1990, February 19, 1991, October 8, 1991, April 29, 1992, August 11, 1992, April 13, 1993, May 3, 1994, November 22, 1994, April 29, 1995, August 29, 1995, August 27, 1996, November 12, 1996, December 17, 1996, March 4, 1997, May 6, 1997, June 10, 1997, July 15, 1997, March 24, 1998, November 17, 1998, March 2, 1999, June 8, 1999, October 20, 1999, June 27, 2000, August 29, 2000, September 19, 2000, November 14, 2000, February 13, 2001, March 6, 2001, March 27, 2001, May 15, 2001, August 21, 2001, October 14, 2001, November 13, 2001, January 29, 2002, March 12, 2002, April 2, 2002, June 4, 2002, October 1, 2002, November 19, 2002, December 10, 2002, February 11, 2003, April 22, 2003, October 21, 2003, January 4, 2004, March 9, 2004, May 11, 2004, June 29, 2004, August 31, 2004, January 25, 2005, June 14, 2005, July 19, 2005, October 18, 2005, November 15, 2005, January 3, 2006, January 24, 2006, March 21, 2006, May 2, 2006, January 2, 2007, March 6, 2007, April 17, 2007, June 19, 2007, August 14, 2007, September 25, 2007, December 11, 2007, January 29, 2008, May 6, 2008, June 17, 2008, July 29, 2008, August 19, 2008, September 9, 2008, January 6, 2009, January 27, 2009, May 19, 2009, June 23, 2009, July 14, 2009, August 4, 2009, August 25, 2009, October 20, 2009, December 8, 2009, January 26, 2010, October 5, 2010 and December 14, 2010, January 25, 2011, March 8, 2011, June 14, 2011, July 12, 2011, September 27, 2011, December 13, 2011, May 8, 2012, June 19, 2012, July 10, 2012, August 21, 2012, November 20,

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"126" A reserved parking space on the west side of North 7th Street, New Hyde Park, New York from a point 339 feet south of the south curbline of White Avenue, south, for a distance of 20 feet.

2. This Ordinance shall take effect ten (10) days after publication of the Notice of Adoption by the Town Clerk pursuant to Section 133 of the Town Law of the State of New York.

Dated: Manhasset, New York

September 1, 2022

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

## NEWSDAY PROOF

Ad Number: 0021743885

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

CLERK SRIVASTAVA: Item Number 12, a resolution setting a date for a specific meeting of the town board of the Town of North Hempstead on September 28, 2022.

COUNCILMEMBER DALIMONTE: Since we're expecting a high turnout for this item, I'm requesting a dedicated meeting to this item. I offer the resolution for setting a special date of the town board and move for its adoption.

AUDIENCE MEMBER: You didn't ask if anybody had anything to say about this.

COUNCILMEMBER DALIMONTE: This is only setting the date, this is not the public hearing.

AUDIENCE MEMBER: Safe to assume you're accepting the DEIS as part of this.

COUNCILMEMBER DALIMONTE: That is the next one.

AUDIENCE MEMBER: This is not assumed the acceptance of the DEIS.

COUNCILMEMBER DALIMONTE: You have to come to the mic if you like to speak.

AUDIENCE MEMBER: I'm generally pretty loud.

SUPERVISOR DESENA: This is being recorded.

COUNCILMEMBER DALIMONTE: Just state your name for the record.

MR. SCHAFFER: For the record, Andy Schaffer. Neighborhood associations around me have been very concerned about this project. I understand this is just the acceptance of the September 28 hearing date, so I understand correctly, we are not accepting the DEIS at this point.

COUNCILMEMBER DALIMONTE: That is the next resolution that we have to accept it as -- I have a statement on that.

MR. SCHAFFER: You mean Number 13.

COUNCILMEMBER DALIMONTE: Yes.

MR. SCHAFFER: I somehow missed that, I saw Number 12.

COUNCILMEMBER DALIMONTE: Number 12 is I'm asking the board for a special date of the town board --

MR. SCHAFFER: If you actually, if you haven't accepted the DEIS could you still have the hearing.

COUNCILMEMBER DALIMONTE: We are accepting the DEIS on the next.

MR. SCHAFFER: Did you receive --if you all voted yes --

COUNCILMEMBER WALSH: That is beyond the scope of this question, you have to wait for the next one.

SUPERVISOR DESENA: Let's just move on this

COUNCILMEMBER DALIMONTE: We'll move on this and then you can speak on the DEIS.

MR. SCHAFFER: Sure. Do you have a date?

COUNCILMEMBER DALIMONTE: I'm trying to get there. I'm trying to. That's going to be on Number 13 as well. I offer the resolution and move for its adoption.

COUNCILMEMBER ZUCKERMAN: Setting a date.

COUNCILMEMBER DALIMONTE: It's in the next one.

SUPERVISOR DESENA: The date is in Number 12.

COUNCILMEMBER DALIMONTE: September 28, 2022 is not a set date. On 13 we have to set the date. I went over this with Commissioner Levine and the town attorney's office.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: I'm an Aye but I was just, I did include in an e-mail that I was wondering if this could be done in the afternoon or if there's a subsequent hearing it could be done in the afternoon because there are sometimes older people that want to comment and they can't, they don't get out at night. They don't like to drive, it's too dark. So if this is going to be at night, if there's a subsequent hearing, I would ask that it be done in afternoon.

COUNCILMEMBER DALIMONTE: I will answer that. It is done at night, there is a large, there is going to be a very, very large turnout for this meeting. It is, if we move this meeting to during the day the residents would say that we are hiding something. They will blame it on the applicant, they will blame it on the town, correct? Shake your head.

AUDIENCE MEMBER: Somebody might.

COUNCILMEMBER DALIMONTE: Many people will. That's why I'm not going to have this meeting be the first meeting in years of history at the town for being during the day.

COUNCILMEMBER LURVEY: Is this a meeting that's like a town board meeting where people can submit comments for the record and e-mail them beforehand?

COUNCILMEMBER DALIMONTE: Yes, there's already been plenty of comments.

COUNCILMEMBER LURVEY: To a special e-mail address and then have them become part of the record and then it goes to the clerk's office?

COUNCILMEMBER DALIMONTE: It goes to comments at North Hempstead NY dot gov.

COUNCILMEMBER WALSH: I'm good with all that. I just know that a lot of senior people tell me they don't like to drive at night, and I think there's a lot of senior people that want to comment and maybe what I said was if there was a second hearing on this because quite often things carry over.

SUPERVISOR DESENA: We'll be here to midnight.

COUNCILMEMBER WALSH: It's not my intention to hide anything, I just think that --

COUNCILMEMBER DALIMONTE: I know. They can send an e-mail to the comments and the town clerk's office will distribute that to everyone. And they've already been starting to receive and all of that will be entered into the record at the public hearing of September 28.

SUPERVISOR DESENA: Is there someone who wishes to be heard in the audience?

COUNCILMEMBER DALIMONTE: We're in the middle of a vote. Aren't we in the middle of a vote?

SUPERVISOR DESENA: Did you call it?

COUNCILMEMBER DALIMONTE: Walsh voted.

COUNCILMEMBER WALSH: I did vote.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 439 - 2022**

**A RESOLUTION SETTING A DATE FOR A SPECIAL MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD ON SEPTEMBER 28, 2022.**

**WHEREAS**, the Town Board desires to set a Special Meeting of the Town Board (the "Board") of the Town of North Hempstead to hold a public hearing to consider the Draft Environmental Impact Statement for "West Shore Residences" in conjunction with a Petition for a Change of Zone from 'Residence-AAA' to 'Multiple Residence' filed by SLC Development LLC for the premises located at 145 West Shore Road, Port Washington and designated on the Nassau County Land and Tax Map as Section 6, Block 53, Lot 1005.A and to consider any other business that may come before the Board.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a Special Meeting of the Town Board of the Town of North Hempstead shall be held in the Town Board Room located at Town Hall, 220 Plandome Road, Manhasset, New York on September 28, 2022 at 7:00 p.m. to hold a public hearing to consider the Draft Environmental Impact Statement for "West Shore Residences" in conjunction with a Petition for a Change of Zone from 'Residence-AAA' to 'Multiple Residence' filed by SLC Development LLC for the premises located at 145 West Shore Road, Port Washington and designated on the Nassau County Land and Tax Map as Section 6, Block 53, Lot 1005.A and to consider any other business that may come before the Board; and be it further

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

**NOTICE OF SPECIAL MEETING**

**PLEASE TAKE NOTICE** that a Special Meeting of the Town Board of the Town of North Hempstead will be held on September 28, 2022 at 7:00 p.m. in the Town Board Room located at Town Hall, 220 Plandome Road, Manhasset, New York, to hold a public hearing to consider the Draft Environmental Impact Statement for "West Shore Residences" in conjunction with a Petition for a Change of Zone from 'Residence-AAA' to 'Multiple Residence' filed by SLC Development LLC for the premises located at 145 West Shore Road, Port Washington and designated on the Nassau County Land and Tax Map as Section 6, Block 53, Lot 1005.A and to consider any other business that

may come before the Board.

**Dated:** Manhasset, New York

September 1, 2022

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

**Dated:** Manhasset, New York

September 1, 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





# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No. 0021744873

:SS.:

COUNTY OF ERIE)

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

Monday September 12, 2022 Nassau

By: Ciara Woodin

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

**SWORN** to before me this

12 Day of September, 2022.

Sarah Perez  
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 # 21744873  
NOTICE OF SPECIAL  
MEETING**

**PLEASE TAKE NOTICE** that a Special Meeting of the Town Board of the Town of North Hempstead will be held on September 28, 2022 at 7:00 p.m. in the Town Board Room located at Town Hall, 220 Plandome Road, Manhasset, New York, to hold a public hearing to consider the Draft Environmental Impact Statement for "West Shore Residences" in conjunction with a Petition for a Change of Zone from 'Residence-AAA' to 'Multiple Residence' filed by SLC Development LLC for the premises located at 145 West Shore Road, Port Washington and designated on the Nassau County Land and Tax Map as Section 6, Block 53, Lot 1005.A and to consider any other business that may come before the Board.  
Dated: Manhasset, New York  
September 1, 2022  
BY ORDER OF THE TOWN  
BOARD OF THE TOWN OF  
NORTH HEMPSTEAD RAGINI  
SRIVASTAVA TOWN CLERK

## **NEWSDAY PROOF**

**Ad Number: 0021744873**

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

CLERK SRIVASTAVA: Item Number 13, a resolution accepting as complete the draft environmental impact statement and setting a date for a public hearing for the premises known as West Shore Residences and designated on the Nassau County land and tax map Section 6, Block 53, Lot 1000.5A

COUNCILMEMBER DALIMONTE: Accepting the DEIS as complete is a mandatory step in the SECOR process and signals the beginning of the public comment period. Tonight's action is a resolution and not a hearing. Accepting the document as complete is a procedural step that is necessary to open the public comment period. I have been asked by several residents to keep the public comment period open as long as possible. And after many discussions with the Commissioner of Planning the public comment period must extend for at least 30 days from the date of circulation which was on August 2nd. I recommend that we extend the deadline for public comments to August 31 [sic] which I originally, if you signed up for my newsletter I said October 17. Did I say August, I'm sorry. October 31, Halloween which will be 90 days. So if you would like to speak on Item 13, do we have any cards? Could you please call the cards,

CLERK SRIVASTAVA: No we don't have any card.

MR. SCHAFFER: My card is 12, I didn't realize 13 --

COUNCILMEMBER DALIMONTE: Would you like to speak please?

MR. SCHAFFER: Sure. Andy Schaffer from Port Washington. There is a lot of things we can say about this project -- a lot of us are upset about this. And if you drive through Port Washington you'll see some lawn signs all over the place, petitions, five thousand people plus, letters over 200 certainly. We are concerned about this. Accepting the DEIS, we are looking at that and anything we can do to stop this because this project make no sense to us. A number of things have come up as we've been fighting this and looking at this, and one of them is that this absolutely seems to be alienation of park lands. So a lawyer I understand sent you guys a letter, I think it's a matter of record. The guy's name is Reed Super, Super Law is actually the name. And he's got an 11 page document that outlines with a lot of precedence how this is alienation of park land. I understand there was resolution 454-2008 which supposedly cut a deal, I understand the reason behind that, that you would open up the area for parking, but that according to this, that's illegal. You can't do that, it's park land, it can't be used for that purpose. If that legal matter turns out to be correct, I don't see how you can accept the DEIS at this point in time. I would think you want to resolve that first. That's really my reasoning for not going forward with that.

COMMISSIONER LEVINE: We did review the letter and I have no dispute with the arguments as to whether the use of Lot 1035 may trigger an alienation resolution. So where there's a disagreement is on the sequence of events, the process. Because what the letter seems to be arguing is that at this time, the state legislature should be approached regarding alienation before there's been an analysis of the impact of the project. It's out of sequence. So while I don't dispute this may require alienation, when that happens would be at a later appoint. What we're trying to do is basically get to the public comment period so that all these things can be discussed. The letter may have relevance.

MR. SCHAFFER: The letter also mentions the fact that the 2008 resolution itself was done outside of the SECOR process. That's a matter of record, that's already in the past. So now we're 14 years later, should that be addressed now which would also be something -- it depends on that. The whole building depends on that. So it seems to me again

COMMISSIONER LEVINE: The point is we want to get to the public comment period so the people can voice that. The only disagreement seems to be if we don't take this administrative step when would you want to start the public comments? When should that start?

MR. SCHAFFER: Never.

COMMISSIONER LEVINE: That's where we disagree.

MR. SCHAFFER: I don't --

COMMISSIONER LEVINE: It's part of the application, since the town is required to give due consideration. Now obviously that doesn't mean it's entitled to approval or a particular outcome. In order to get to the process we have to get through this administrative step.

MR. SCHAFFER: I don't fully understand how the order of that goes forward. I'm not a lawyer, I'm not going to argue about that. But in the 11 page letter from another lawyer who just says throw out 454-2008 now, and I just wonder, are we creating legal problems for the town, that's not something I lay awake worrying about but in this case I got to point that out, do you end up spending money defending something --

ATTORNEY CHIARA: I'm going to have to cut this off. This could be resolved in subsequent litigation. I will just say it's the town's position that they're require under the law for the board to consider public comment and I think I'm going to leave it at that.

MR. SCHAFFER: I get it. Your hands are tied in certain ways. So okay, that's all I have to say.

COUNCILMEMBER DALIMONTE: Thank you for your comment. Mr. Gaffney.

MR. GAFFNEY: If you look at my card it's there. And also 29 is going to be there. Again, Peter Gaffney Westbury, Carle Place School District. I know you're just setting a date. It's now going to be October 31, is that the actual date?

COUNCILMEMBER DALIMONTE: No, the public hearing will be - -

COMMISSIONER LEVINE: September 28. Public comment period will extend another month.

MR. GAFFNEY: The interesting thing is we did all these comments initially on the environmental change. They didn't address anything. Half of my stuff never got addressed. So now we are making it final. These people certainly have their work cut out, I'm just letting you know that. The other thing is this is not just a North Hempstead, Port Washington problem. This needs to be touted out to everybody, so let's get everybody involved in the town. But also it you have other people throughout the county and also Long Island because there's some subjective building rights. Just let it make known because people go, I didn't hear anything about it, that's all I'm going to say, thank you.

COUNCILMEMBER DALIMONTE: Mr. McDonough.

MR. MCDONOUGH: Tom McDonough. I very rarely and you'll probably never see me ever do this again, I'm going to put on the other hat I wear during the day. You're saying a lot of people are going to be here, you need to change the venue. This place isn't going to be big enough for it. And I hope that the building commissioner will agree with me.

COUNCILMEMBER DALIMONTE: I can't --

COUNCILMEMBER WALSH: What did you say?

MR. MCDONOUGH: I hope that the building commissioner agrees with me. It's too small.

MR. ALOE: My name is Paul Aloe, I am the president of the Beacon Hill Bungalow Corporation. We are the residential communities that's a couple hundred yards from this project. We are the most directly impacted and affected for good, better, bad or worse. So my comments tonight and my community is going to take a vote on its position, but my comments tonight go simply to whether or not the draft environmental impact statement is complete. My view is that it's a very important document because it allows my community, the 41 shareholders who live in my community to assess this project for the good and the bad. Unfortunately, the draft environmental impact statement did not comply with the scope and system and does not take a hard look required under SECOR. I started out by saying my community is a zoned planned waterfront residential community. That was a zone that was created in 2004, I think Councilman you might have been on the board back then, especially for our community. And it was right now we're the only one but I think the envision was that this would be a plan for the development of the waterfront for residents. One of the things we had asked for in the scoping, was put in the scoping was to compare rezoning as to planned waterfront community. The only thing we got in this is it would result in 41 units as opposed to 176 units. I'm not sure the 41 is adequate. And the problem, the first and most major problem here is this is a 7-story, 176 unit, they want two acres of land. They say they have seven and a half acres but the zoning code talks about a lot which is land and land is solid land, not partially on the water. So what we have is 176-unit apartment building on two acres of land. As far as I can tell, it's unprecedented in the Town of North Hempstead. I don't believe we have seven story apartment buildings, and I don't believe we have anything close to that density. Our communities are three lots between my community and the park. Two of them are a barge and gravel and the third of them is a garden supply which is in a state of disrepair. Obviously the planning of this community, in my view, we need to look at this not just for a particular unit right, because if we say this is residence M and it's going to get this kind of variance then legally, the two other units have every right to come in and say you can't treat me differently. So in my view, we're not talking about 176 units, we're talking about, you could triple it, we're talking about 540 units. The study that was given did not adequately address the planning, what happens if we change the planning. The unit, the report says there's no other parcels along West Shore Road in the vicinity, they're a zoned multi-family development. This will not have a, I'm quoting, this will not have a growth inducing impact on the area with regard to additional development. That's right from the report. Obviously that's not accurate. There is, by the way, there is a multi-family farm on the end, there is in Hempstead Harbor, but this is a major change on West Shore Road. This is not, this clearly has some, a major additional thing. This is something more current than what we're looking at in Glen Cove. We have seven story buildings and they're masking in a super fun site. This report does not take into account and balance those concerns. This report also -- excuse me a second -- in addition there's a couple other things we had asked for. We had asked for the traffic impacts on my community. My community has two exits to West --

COUNCILMEMBER DALIMONTE: We're just setting a date.

MR. ALOE: I understand, I have no problem with the date. I have a problem with accepting this document --

COUNCILMEMBER DALIMONTE: We have to.

MR. ALOE: -- as complete. No, you don't, it's not complete.

COUNCILMEMBER DALIMONTE: Commissioner Levine, can you speak on that.

COMMISSIONER LEVINE: It's really the distinction between what's measured in particular regulations by complete versus the adequacy of the document. We evaluate the substance, we do a critique of their analysis, evaluation and conclusion. That's the step we're trying to get to. Everything you said is pertinent, but for the next stage.

MR. ALOE: The problem is, we discussed this, the problem is, it was in the scoping, the problem is I'm not here to talk about the merits. I'm talking about whether this document is sufficient for people to make an informed judgment. That's the question. When you accept it as complete, you're saying it's complete.

COUNCILMEMBER DALIMONTE: But it's not final. It's complete. We're not accepting it as final.

MR. ALOE: With all due respect, it needs to go back and do another impact. One of the things that was raised in the scoping system is the number of people and those people coming onto my community, we're an open community, we have people trespassing now. That was in the scoping, that was ignored. On groundwater impact, excuse me, water impact, we have the same water supply. They talk about the water supply, they say we'll give you that later. That is incomplete. We can't access that. If we do this and we have not enough water, that affects my community. I already talked about the impacts on traffic, there's no study to my community. The report, in one place it says it would put two cars, a car every, a car every other minute but when you read it they're talking about 47, so it's quite frankly a lot of things. Again I have a community where people have to get out in two entrances of an unsignalized intersection into West Shore Road. There was supposed to be a study on my community. There wasn't. They talk about -- let me finish.

COUNCILMEMBER DALIMONTE: Wait. I'm going to say it again. We're setting a date. I would like your comments to be in the record. I would like you to speak at the September 28th meeting. We have been here since 7:00. I know you have been too. It is quarter to 12:00. This is not a public hearing.

MR. ALOE: But this document is not complete.

COUNCILMEMBER DALIMONTE: But it's not final. Mr. Aloe, it is not final. So if you read, you if read --

MR. ALOE: You're accepting it as complete.

COUNCILMEMBER DALIMONTE: Yes, I have to.

ATTORNEY CHIARA: I'd just like to say, first of all, there's pending litigation with his organization --

MR. ALOE: Not my organization.

ATTORNEY CHIARA: Beacon Hill.

MR. ALOE: You don't even know who is suing you. That's Beacon Hill Residents.

COUNCILMEMBER DALIMONTE: You don't have to be rude Paul.

COUNCILMEMBER ZUCKERMAN: We all need to be respectful.

MR. ALOE: I'd like to finish my comment.

ATTORNEY CHIARA: I just want to say something. The town based on not being arbitrary and capricious at this moment has to accept this. Or, the town board could be subject to other litigation. The planning commissioner has accepted it as complete. Based on not adequate but as complete. That is what I think the Councilmember is saying.

MR. ALOE: Here's my problem. You want to accept the document as drafted, environmental impact statement. I accept it but it's not, it is incomplete. What I'm saying is --

ATTORNEY CHIARA: The town has not taken a position on that.

MR. ALOE: When you say it's complete, you do.

COUNCILMEMBER DALIMONTE: You're not, Mr. Aloe --

MR. ALOE: Wait a second, just let me finish.

COUNCILMEMBER WALSH: You keep saying wait a second, you're not listening to people up hear. You don't want to hear, you want to project your thoughts, I understand that. There's a hearing date. So let's get on with it. We've listened to your position, you're repeating your position but we need to get on with this and we need to set a date so you could speak at that -- you're not even letting me speak. See, as I'm trying to speak you just won't even let me speak. We have to get on with this. We're going to have a hearing on the 29th, you can come down and give your thoughts.

MR. ALOE: My point respectfully is that the document is incomplete. The document does not even comply with what was in the scoping. The document does not take a hard look required under SECOR. So I believe that a vote to accept it as complete is an error both legally and for the benefit of the people who have to make that assessment which is the people of my community in terms of giving them the information so that on the hearing we can have an intelligent discussion.

COUNCILMEMBER WALSH: With all due respect, I've heard you say that for third time, so I do understand it.

COUNCILMEMBER DALIMONTE: I do want to explain to the town board that what will happen is on Wednesday September 28, we will have a public hearing on the draft environmental impact study. What will happen is the public comment period, correct me if I'm wrong Commissioner Levine, will end on Monday October 31st because I just extended it, no I don't know if it's a Monday, I just extended it from Monday October 17 to October 31st. After that the planning department on behalf of the lead agency which is us will then direct the application to address all public comments in the final EIS. If anyone would like to send a comment via e-mail to be included in the record they may do so at planning at North Hempstead NY dot gov until the public comment period is closed. Then the next part happens is a timeframe largely dependent, determined by the applicant but typical timeframe is within 3 to 4 months. The town board then accepts a final environmental impact study as complete and sets a date for a public hearing on the application to rezone. So we're accepting it as complete but it is not final.

COUNCILMEMBER LURVEY: It seems to me that accepting it as complete --

COUNCILMEMBER DALIMONTE: You have to.

COUNCILMEMBER LURBEY: You have to in order to get the public to be able to comment on it and these comments will then be relevant.

COMMISSIONER LEVINE: The SECOR regulations actually do not allow public comments prior to acceptance. So we have to, there's a threshold question. In order to open the comment period up, we have to accept the document. It merely means they address to sum extent all the items on the scope. The adequacy, how well they did that, how thoroughly, that's what we do next. So, again at the end of the comment period we compile all the pertinent comments that we receive, including exactly what you're saying, if there's a place where you feel there was a deficiency in their analysis, something they should have covered but didn't, added to that is the town's own analysis, we're evaluating the document at the same time, and then going to present it with instructions for the final.

MR. ALOE: When you're accepting it as complete, now, that's the word in your resolution, you're really saying you're just accepting it for purposes of hearing and determining it's completeness --

COMMISSIONER LEVINE: That is consistent with SECOR regulations.

MR. ALOE: Again, my comment goes to there was a DEIS which did not take into account not only things that I think are important but things were in the scoping document and that's important. And when the town passes a – the reason I'm here actually is because there was a resolution not just setting a hearing, not just accepting it but accepting it as complete. So if you're saying it's not complete because in my view --

COUNCILMEMBER DALIMONTE: It's not the final.

MR. ALOE: It's not complete.

COUNCILMEMBER WALSH: Thank you for your comments. Next.

SUPERVISOR DESENA: You have to go to the mic.

UNKNOWN: Do we have a bar mitzvah box? This is really quick question for Mr. Levine. I heard you say that this will now open the formal comment period for the hearing, that these comments that will be made on the 28th will be in the record for the official comments. I was under the impression and I think I have an e-mail to that affect that comments that were sent to the planning department prior to this opening of the hearing, of the formal comment period would be read into the official record?

COUNCILMEMBER DALIMONTE: At September 28th. September 28th all the comments that we have received that the clerk has received in comments will go to the town board and will be entered into the record.

UNKNOWN: I sent a comment, I sent a letter.

COMMISSIONER LEVINE: There's two way of providing commentary to the board. One is oral at the hearing on the 28th, and the other is written, anytime from August 2nd which is when the document was first circulated until October 31st which is when we close.

UNKNOWN: What about comments that were sent into the planning department and to the town board, copied to the town board members.

COMMISSIONER LEVINE: What we do is we share with each other. So frequently --



UNKNOWN: I'm not asking about sharing. What I'm asking about is will they part of the official record. I believe I have an e-mail to that effect.

COMMISSIONER LEVINE: If it goes to our department, we do compile from, we are not going to --

UNKNOWN: So the answer to the question is yes, comments that have been received prior to the opening --

COMMISSIONER LEVINE: August 2nd would be the beginning date.

UNKNOWN: What about the comments that I sent in say June.

COMMISSIONER LEVINE: If they were sent in June, they were pre-date, so we would want to send those again so that they're included.

UNKNOWN: So I have to send my comments again?

COMMISSIONER LEVINE: If it's on the environmental impact statement, yes. The opening date would be August 2nd. If you sent them prior just send the same thing again.

UNKNOWN: So the comments that you have, some I believe 200 letters approximately --

COUNCILMEMBER DALIMONTE: What you can, just to be accurate, you should send them to comments at NorthHempsteadNY.gov because the clerk's department before every board meeting sends us everything that they have received. So anything that they have received regarding the environmental impact study, they will send that the day of September 28. There's probably a lot, so I'm hoping that we will get them at least a week before.

UNKNOWN: So anything that we sent before August 2nd, we resend.

COUNCILMEMBER DALIMONTE: To comments.

UNKNOWN: Not planning at North Hempstead?

COMMISSIONER LEVINE: If we receive it at planning, we're going to collect from several e-mails. So in this case --

UNKNOWN: Thank you for the clarification.

COUNCILMEMBER DALIMONTE: I offer the resolution and set the hearing date for Wednesday September 28, 2022.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 440 - 2022**

**A RESOLUTION ACCEPTING AS COMPLETE THE DRAFT ENVIRONMENTAL IMPACT STATEMENT AND SETTING A DATE FOR A PUBLIC HEARING FOR THE PREMISES KNOWN AS WEST SHORE RESIDENCES AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 6, BLOCK 53, LOT 1005.A.**

**WHEREAS**, SLC Development LLC (the "Project Sponsor") has proposed to develop a 2.04 acre parcel located at 145 West Shore Road in Port Washington, New York known and designated on the Nassau County Land and Tax Map as Section 6, Block 53, Lot 1005.A (the "Premises") to construct a 7-floor, 176-unit multiple residence (the "Project"); and

**WHEREAS**, in accordance with the State Environmental Quality Review Act (the "Act") and its implementing regulations (the "Regulations"), the Project Sponsor has prepared a Draft Environmental Impact Statement (the "DEIS") for the Project;

**WHEREAS**, the Commissioner of the Town Department of Planning and Environmental Protection (the "Commissioner") has reviewed the DEIS and has recommended to this Board that this Board, as lead agency, determine that the DEIS is complete and adequate for public review in accordance with § 617.9 of the Regulations; and

**WHEREAS**, this Board desires to make the determinations recommended by the Commissioner; and

**WHEREAS**, as there has been shown a great degree of community interest in the Project and the taking of public comment will greatly aid this Board's decision-making process, this Board will hold a public hearing to collect public comment on the DEIS on September 28, 2022 at 7:00PM in the Town Board Room located at 220 Plandome Road, Manhasset, New York.

**NOW, THEREFORE, BE IT**

**RESOLVED** that this Board finds the DEIS to be complete and adequate for public review in accordance with § 617.9 of the Regulations; and be it further

**RESOLVED** that the Commissioner is hereby authorized and directed to prepare, file and publish such notice or notices of completion of the DEIS and file copies of the DEIS in accordance with the requirements of §§ 617.9 and 617.12 of the Regulations; and be

it further

**RESOLVED** that a public hearing be held by this Board on September 28, 2022, in the Town Board Room, 220 Plandome Road, Manhasset, New York, at 7:00 p.m. to collect public comment on the DEIS, at which public hearing all interested persons will be afforded an opportunity to be heard; and be it further

**RESOLVED** that the Town Clerk be and hereby is authorized and directed to publish and post a Notice of Hearing, as required by law, no less than fourteen (14) days prior to the date of the hearing, which notice shall be in substantially the following form:

### **NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead on September 28, 2022, at 7:00 p.m. in Town Hall, 220 Plandome Road, Manhasset, New York, to collect public comment on a Draft Environmental Impact Statement prepared by SLC Development, LLC regarding the development of a 7-floor, 176-unit multiple residence on a property located at 145 West Road in Port Washington, New York and designated on the Nassau County Land and Tax Map as Section 6, Block 53, Lot 1005.A.

**PLEASE TAKE FURTHER NOTICE** that copies of the Draft Environmental Impact Statement may be viewed by the public at the Office of the Town Clerk, 200 Plandome Road, Manhasset, New York, between the hours of 9:00 A.M. and 4:30 P.M. and are also available on the Town's website at [www.northhempsteadny.gov](http://www.northhempsteadny.gov) under the tab for the Department of Planning and Environmental Protection.

**Dated:** Manhasset, New York

September 1, 2022

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

; and be it further

**RESOLVED** that the Commissioner is hereby authorized and directed to file the above public notice in any notice or notices of completion as required by § 617.12 of the Regulations.

**Dated:** Manhasset, New York

September 1, 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

CLERK SRIVASTAVA: Item Number 14, a resolution setting a date for a public hearing to consider the application of 1025 II LLC for site plan review for the premises located at 58 State Street, Westbury and designated on the Nassau County land and tax map as Section 2, Block 80, Lot 241. Section 11, Block 80, Lot 241.

COUNCILMEMBER TROIANO: I offer the resolution setting a date of September 22nd.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 441 - 2022**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF 1025 II LLC FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 58 STATE STREET, WESTBURY AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 11, BLOCK 80, LOT 241.**

**WHEREAS**, 1025 II LLC (the "Applicant"), has applied (the "Application") to the Town to construct a new 20-space parking lot on a 9,000 s.f. (0.20-acre) parcel located at 58 State Street, Westbury, New York and identified on the Nassau County Land and Tax Map as Section 11, Block 80, Lot 241 to be used as accessory parking for the building located at 1025 Old Country Road (the "Premises"); and

**WHEREAS**, it has been determined that the Application requires site plan review pursuant to Town Code § 70-219 ("Site Plan Review"); and

**WHEREAS**, this Board wishes to set a date for a public hearing for the Site Plan Review.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing be held by this Board on September 22, 2022 at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York to consider the Application for Site Plan Review; and be it further

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

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

**RESOLVED** that the Town Clerk be and hereby is authorized and directed to publish a notice of hearing as required by § 70-219(F)(1) of the Town Code, which notice shall be in substantially the following form:

**NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead on September 22, 2022 at 7:00 p.m. in the Town Board

Room at Town Hall, 220 Plandome Road, Manhasset, New York, on the application for site plan review submitted by 1025 II LLC to construct a new 20-space parking lot on a 9,000 s.f. (0.20-acre) parcel located at 58 State Street, Westbury to be used as accessory parking for the building located at 1025 Old Country Road.

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

**PLEASE TAKE FURTHER NOTICE** that the property which is the subject of this application is known as 58 State Street, Westbury, New York and identified on the Nassau County Land and Tax Map as Section 11, Block 80, Lot 241.

**Dated:** Manhasset, New York

September 1, 2022

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

**Dated:** Manhasset, New York

September 1, 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    Building



CLERK SRIVASTAVA: Item Number 15, a resolution setting a date for public hearing to consider the application of Port Tennis Owner LLC for a change of zone from Residence C to Business A for the premises located at 100 Harbor Road, Port Washington, and designated under Nassau county land and tax map as Section 5, Block A, Lot 333.

COUNCILMEMBER DALIMONTE: I offer the resolution set the hearing date for September 22, 2022.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 442 - 2022**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF HR PORT TENNIS OWNER LLC FOR A CHANGE OF ZONE FROM 'RESIDENCE C' TO 'BUSINESS A' FOR THE PREMISES LOCATED AT 100 HARBOR ROAD, PORT WASHINGTON AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 5 , BLOCK A, LOT 333.**

**WHEREAS**, HR Port Tennis Owner LLC (the "Petitioner") has filed a petition (the "Petition") to rezone (the "Change of Zone") the premises located at 100 Harbor Road, Port Washington, New York and designated on the Nassau County Land and Tax Map as Section 5, Block A, Lot 333 (the "Premises"), from 'Residence-C' to 'Business-A', to enable the conversion of an existing tennis academy from a not-for-profit operation to a commercial venture; and

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing will be held by the Town Board of the Town of North Hempstead on September 22, 2022 at Town Hall, 220 Plandome Road, Manhasset, New York, at 7:00 p.m. to consider the Petition for the Change of Zone for the Premises, at which public hearing all interested persons will be afforded an opportunity to be heard; and be it further

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

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

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

**NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead on September 22, 2022 at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the petition of HR Port Tennis Owner LLC to rezone the premises located at 100 Harbor Road, Port Washington, New York from 'Residence-C' to 'Business-A", to enable the conversion of an existing tennis academy from a not-for-profit operation to a commercial venture.

**PLEASE TAKE FURTHER NOTICE** that the property which is the subject of this petition is designated on the Nassau County Land and Tax Map as Section 5, Block A, Lot 333.

**Dated:** Manhasset, New York

September 1, 2022

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

**Dated:** Manhasset, New York

September 1, 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 Building

CLERK SRIVASTAVA: Item 16, a resolution setting a date for a public hearing to consider the application of Carolyn Bichoupan for an appeal from a disapproval by the commissioner of building safety inspection and enforcement of a structure dock, application for pursuant to Chapter 42 of the town code for the property located at 4 Waters Edge, Port Washington, New York 11050, and identified on the Nassau county Land and tax map as Section 5, Block C, Lot 444.

COUNCILMEMBER DALIMONTE: I offer the resolution and set the hearing date for September 22, 2022.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 443 - 2022**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF CAROLYN BICHOUHAN FOR AN APPEAL FROM A DISAPPROVAL BY THE COMMISSIONER OF BUILDING SAFETY, INSPECTION AND ENFORCEMENT OF A STRUCTURE (DOCK) APPLICATION PURSUANT TO CHAPTER 42 OF THE TOWN CODE FOR THE PROPERTY LOCATED AT 4 WATERS EDGE, PORT WASHINGTON, NEW YORK 11050 AND IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 5, BLOCK C, LOT 444.**

**WHEREAS**, Carolyn Bichouhan (the "Applicant") residing at 4 Waters Edge, Port Washington, New York 11050, identified on the Nassau County Land and Tax Map as Section 5, Block C, Lot 444 (the "Premises"), has applied to the Town Clerk (the "Town Clerk") of the Town of North Hempstead (the "Town") for a permit under Chapter 42 of the Code of the Town of North Hempstead (the "Town Code") for the construction of a 170 foot by 5 foot wide pier with a 40 foot by 3 foot wide gangway and two (2) 20 foot by 8 foot wide floats, extending a total of 240 feet into the waterway seaward of the Mean High Water Line (the "Application"); and

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

**WHEREAS**, by determination dated July 14, 2022, the Deputy Building Commissioner disapproved the Application, based upon its inconsistency with (i) Town Code §42-9A(2), which restricts structures (inclusive of the steps, catwalk, ramp and float) from projecting into the waterway the lesser of the distance required to reach navigable water depth, or a length exceeding 150 feet (the "Determination"); and

**WHEREAS**, the Town Clerk notified the Applicant of the Determination by letter dated August 16, 2022; and

**WHEREAS**, the Applicant timely filed a notice of appeal seeking review of the Determination by the Board under Town Code §42-12 (the "Appeal"); and

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing (the "Hearing") be held by this Board on September 22, 2022 at 7:00 P.M. (the "Hearing Date") in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, for the purpose of considering the Appeal, and to hear all interested persons concerning the same; and be it further

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

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

### **NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead on September 22, 2022 at 7:00 P.M. at Town Hall, 220 Plandome Road, Manhasset, New York, to consider an appeal by the owner of 4 Waters Edge, Port Washington, New York 11050, identified on the Nassau County Land and Tax Map as Section 5, Block C, Lot 444, from a decision of the Commissioner of Building Safety, Inspection and Enforcement that disapproved an application for a structure permit under Chapter 42 of the Town Code of the Town of North Hempstead for the construction of a 170 foot by 5 foot wide pier with a 40 foot by 3 foot wide gangway and two (2) 20 foot by 8 foot wide floats extending a total of 240 feet into the waterway seaward of the Mean High Water Line.

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

**Dated:** Manhasset, New York

September 1, 2022

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

**Dated:** Manhasset, New York  
September 1, 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    Town Clerk    Buildings

CLERK SRIVASTAVA: Item Number 17, a resolution setting a date for a public hearing to consider the petition to designate a secondary honorary street name for a portion of Brooklyn Avenue in New Cassel, pursuant to Section 10-5 of the town code.

COUNCILMEMBER ZUCKERMAN: I offer a resolution setting a date of September 22, 2022.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 444 - 2022**

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

**WHEREAS**, Article II, Section 10 of the Code of the Town of North Hempstead (the "Town Code") establishes criteria for designating a secondary honorary name for an existing street or portion of existing street; and

**WHEREAS**, Gloria McFarland (the "Petitioner") has applied for a secondary honorary street name for a portion of Brooklyn Avenue in New Cassel, from the corner of Broadway to Brooklyn Avenue dead end (nearest intersection Park Avenue) to be known as "Gloria McFarland Way" (the "Petition"); and

**WHEREAS**, it has been determined that the Petition requires a public hearing pursuant to Town Code §10-5; and

**WHEREAS**, this Board wishes to set a date for a public hearing to consider the Petition, affording all interested parties the opportunity to be heard.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing shall be held by the Town Board of the Town of North Hempstead on September 22, 2022 at Town Hall, 220 Plandome Road, Manhasset, New York, at 7:00 P.M. for the purpose of considering the Petition for a secondary honorary street name for a portion of Brooklyn Avenue in New Cassel, from the corner of Broadway to Brooklyn Avenue dead end/Park Avenue to be known as "Gloria McFarland Way", at which public hearing all interested persons will be afforded an opportunity to be heard; and be it further

**RESOLVED** that the Town Board hereby authorizes and directs the Town Clerk to forward a copy of the Petition to the local fire department, police department, and post office; and be it further

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

**NOTICE OF HEARING**



**PLEASE TAKE NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead on the 22nd day of September, 2022, at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the Petition for a secondary honorary street name for a portion of Brooklyn Avenue in New Cassel, from the corner of Broadway to Brooklyn Avenue dead end (nearest intersection Park Avenue) to be known as "Gloria McFarland Way".

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

**Dated:** Manhasset, New York

September 1, 2022

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

**Dated:** Manhasset, New York

September 1, 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 Building

CLERK SRIVASTAVA: Item Number 18, a resolution setting a date for a public hearing to consider the approval of the sale of property of the Manhasset Park district.

SUPERVISOR DESENA: I offer the resolution setting a date for September 22.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 445 - 2022**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPROVAL OF THE SALE OF PROPERTY OF THE MANHASSET PARK DISTRICT.**

**WHEREAS**, the Manhasset Park District (the "District") has previously acquired a parcel of real property known as 61 Locust Street, Manhasset, Town of North Hempstead, County of Nassau, State of New York, and designated as Section 3, Block 48, Lot 7 on the Land and Tax Map of Nassau County (the "Premises") and improved such Premises to become a parking lot; and

**WHEREAS**, the District now proposes to sell the property to a private entity (the "Proposal"); and

**WHEREAS**, it has been determined that, under Sections 198(12)(a) and 215(8) of the New York Town Law, a public hearing must be held before the Town Board before the District may proceed with the sale of the Premises; and

**WHEREAS**, this Board wishes to set a date for a public hearing to consider the Proposal, affording all interested parties to be heard.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing shall be held on September 22, 2022 at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York to consider the Proposal; and be it further

**RESOLVED** that the Town Clerk be and is hereby authorized and directed to publish a notice of hearing as required by Section 198(12)(a) of the New York Town Law at least once in the official newspaper of the Town, not less than ten (10) and not more than twenty (20) days prior to the date of the hearing, which notice shall be in substantially the following form:

**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that pursuant to Sections 198(12)(a) and 215(8) of the New York Town Law, a Public Hearing will be held by the Town Board of the Town of North Hempstead on the 22nd Day of September, 2022 at 7:00 P.M., in the Town Board Meeting Room, at Town Hall, 220 Plandome Road, Manhasset, New York, to hear all interested parties, with respect to the sale by the Manhasset Park District (the "District") of real property situated at 61 Locust Street, Manhasset, New York, and is designated

as Section 3, Block 48, Lot 7 on the Land and Tax Map of Nassau County (the "Premises").

**NOTICE IS FURTHER GIVEN** that the District proposes to sell the Premises to 55 Bayview Realty, Inc. (the "Purchaser") for a purchase price of \$685,000.00. The Purchaser plans to use the Premises as storage space for a nearby automotive repair shop also owned by the Purchaser. The sale of the Premises would be conditioned upon the receipt of a Special Permit pursuant to the Town Code and all other required Town approvals.

**Dated:** Manhasset, New York

September 1, 2022

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

**Dated:** Manhasset, New York

September 1, 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 Number 19, a resolution setting a date for a public hearing to consider the adoption of ordinances affecting Dallas Avenue in New Hyde Park, New York.

COUNCILMEMBER ADHAMI: Are there any public comments? I offer the resolution to set the hearing date for September 22, 2022.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 446 - 2022**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF ORDINANCES AFFECTING DALLAS AVENUE IN NEW HYDE PARK, NEW YORK.**

**WHEREAS**, a recommendation has been made for the adoption of ordinances affecting Dallas Avenue, New Hyde 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 22nd day of September 2022, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinances:

**PROPOSAL:**

**ADOPT:**

1. DALLAS AVENUE – NORTH SIDE – NO STOPPING HERE TO CORNER  
From the east curblineline of New Hyde Park Road, east, for a distance of 30 feet.
2. DALLAS AVENUE – SOUTH SIDE – NO STOPPING HERE TO CORNER  
From the east curblineline of New Hyde Park Road, east, for a distance of 30 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

September 1, 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: Item Number 20, a resolution setting a date for a public hearing to consider the adoption of ordinances affecting Prospect Street in Williston Park, New York.

COUNCILMEMBER ZUCKERMAN: I offer the resolution setting a hearing date of September 22, 2022.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 447 - 2022**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF ORDINANCES AFFECTING PROSPECT STREET IN WILLISTON PARK, NEW YORK.**

**WHEREAS**, a recommendation has been made for the adoption of ordinances affecting Prospect Street, Williston 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 22nd day of September 2022, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinances:

**PROPOSAL:**

**ADOPT:**

1. PROSPECT STREET – MAYFLOWER AVENUE – FULL STOP  
All Traffic westbound on Prospect Avenue shall come to a Full Stop at its intersection with Mayflower Avenue.
2. PROSPECT STREET – MAYFLOWER AVENUE – FULL STOP  
All Traffic eastbound on Prospect Avenue shall come to a Full Stop at its intersection with Mayflower Avenue.

**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  
September 1, 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: Item Number 21, a resolution setting a date for a public hearing to consider the adoption of an ordinance affecting Bolton Road in Garden City Park, New York.

COUNCILMEMBER WALSH: I offer the resolution and set the date for a public hearing on September 22, 2022.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR 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. 448 - 2022**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING BOLTON ROAD IN GARDEN CITY PARK, NEW YORK.**

**WHEREAS**, a recommendation has been made for the adoption of an ordinance affecting Bolton Road, 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 22nd day of September 2022, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**PROPOSAL:**

**ADOPT:**

**1. BOLTON ROAD – BRETTON ROAD – FULL STOP**

All Traffic westbound on Bolton Road shall come to a Full Stop at its intersection with Bretton Road.

**RESOLVED** that such ordinance when adopted will rescind all ordinances or regulations heretofore adopted in conflict therewith, and be it further

**RESOLVED** that the Town Clerk be and hereby is directed to affect the required publishing and posting of the hearing.

**Dated:** Manhasset, New York

September 1, 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: Item Number 22, a resolution authorizing the town board to accept a gift to the town pursuant to town law Section 64.

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

CLERK SRIVASTAVA: Councilman Troiano?

SUPERVISOR DESENA: Do we have a card on this? This is to accept the gift of the bell from the McDonough family.

MR. MCDONOUGH: On behalf of me and my family, I thank you for accepting and I hope it's used at as many events as it can be.

COUNCILMEMBER LURVEY: Can you tell us something about?

MR. MCDONOUGH: It's just, it's dedicated to those who passed at 9/11 and those who have passed since 9/11 from 9/11 illnesses in the memory of my brother who died from 9/11 illness. He was the chief in the fire company and it was donated by me, my family the McDonoughs, and my brother's family the Platts, so it's not a big bell. But it's --

COUNCILPERSON DALIMONTE: It's a beautiful bell.

MR. MCDONOUGH: I've been borrowing a bell from the firehouse for 20 years and I'm not going to be around forever and I wanted it to be able to be used for all the events, not just the 9/11 event. Last year we had the Vietnam War here, we borrowed the bell from the firehouse, so this way it can be used for every event that they need a bell at.

COUNCILMEMBER WALSH: Thank you.

SUPERVISOR DESENA: Would you like to ring it?

MR. MCDONOUGH: I rang it before. Dennis can ring it, he's got to buy everybody a drink. There's a lot of people here.

COUNCILMEMBER WALSH: If I could get out of here earlier I would have.

SUPERVISOR DESENA: I move to adopt it, did we get through that? Next.

CLERK SRIVASTAVA: We have a motion, no we don't have. Councilman Troiano?

COUNCILMEMBER TROIANO: Thank you Tom, and I vote Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 449 - 2022**

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

**WHEREAS**, the McDonough and Plakstis families have generously offered, as a gift, a ceremonial bell; and

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that this Board hereby gratefully accepts the Gift.

**Dated:** Manhasset, New York

September 1, 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 Number 23, a resolution authorizing a supplemental budget appropriation pursuant to town law Section 112.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 450 - 2022**

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

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

**WHEREAS**, the Office of the Comptroller has requested that the Board authorize a supplemental appropriation in year 2022 (the “Supplemental Appropriation”) as follows:

1. \$2,170.00 to be recorded to revenue line A.2705 with the offsetting expense to be recorded to expense code A.06.3510.4110, for supplies and materials for the Animal Shelter; and

**WHEREAS**, the Board wishes to authorize the Supplemental Appropriation.

**NOW, THEREFORE, BE IT**

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

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

**Dated:** Manhasset, New York

September 1, 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

CLERK SRIVASTAVA: Item Number 24, a resolution authorizing the award of a bid for removal and recycling of scrap metal, TNH 291-2022.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 451 - 2022**

**A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR REMOVAL AND RECYCLING OF SCRAP METAL (TNH291-2022).**

**WHEREAS**, the Director of Purchasing (the "Director") has solicited bids for the removal and recycling of scrap metal; 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

September 1, 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

## TNH291-2022 Removal and Recycling of Scrap Metal

Terms: valid for one year from the date of award with the option to renew for two additional

	Deer Park Recycling 54 Kinkel St Westbury, NY 11590 516-280-9353 Mike Meinardus MIKEDPRSCRAP@AOL.COM	Gershow Recycling 71 Peconic Ave. Medford, NY 11763 (631)289-6188 David Seiler DAVES@GERSHOW.COM
Metal is weighed by the bidder in: US Tons/Metric Tons/Other	Metric Tons	Other (Gross Tons)
Percentage of Value of Scrap Metal to be paid to Town (Alternative No. 1)	33%	50%
Percentage of Value of Scrap Metal to be paid to Town (Alternative No. 2)	39%	60%
<b>*** Please indicate bidder's confirmatin of the following:</b>		
Bidder's Scale is Calibrated at least once per calendar quarter	N/A	<input checked="" type="checkbox"/>
Scale calibration reports as required by the Bid Document are attached to this response	N/A	Furnished upon Bid Award
Bidder's facility is registered by NYSDEC, or bidder's facility is exempt from NYSDEC registration requirements	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
NYSDEC registration attached, or explanation of exemption is attached	<input checked="" type="checkbox"/>	Furnished upon Bid Award
Bidder's facility is permitted be all other relevant state and local laws, rules and regulations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>



CLERK SRIVASTAVA: Item Number 25, a resolution authorizing the execution of an agreement with Island Fence for railing work at Michael Tully Park at New Hyde Park.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 452 - 2022**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ISLAND FENCE FOR RAILING WORK AT MICHAEL J. TULLY PARK, NEW HYDE PARK, NEW YORK.**

**WHEREAS**, the Town of North Hempstead (the "Town") requires the services of a contractor to repair the railings at Michael J. Tully Park in New Hyde Park (the "Services"); and

**WHEREAS**, the Director of Purchasing (the "Director") solicited two (2) quotes for the Services, in accordance with the Town's Procurement Policy; and

**WHEREAS**, Island Fence, 964 Front Street, Uniondale, New York 11553 ("the Contractor") submitted the lowest quote, proposing to perform the Services in consideration of an amount not to exceed One Thousand Four Hundred Seventy-Five and 00/100 Dollars (\$1,475.00) (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 a duly executed Agreement and certified claims therefor.

**Dated:** Manhasset, New York

September 1, 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 Purchasing

CLERK SRIVASTAVA: Item Number 26, a resolution authorization the execution of an agreement with Global Fueling Systems Inc, for fuel monitoring services at various town facilities.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 453 - 2022**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH GLOBAL FUELING SYSTEMS INC. FOR FUEL MONITORING SERVICES AT VARIOUS TOWN FACILITIES.**

**WHEREAS**, the Town requires remote monitoring and management of its fuel tanks (the "Services"); and

**WHEREAS**, the Director of Purchasing (the "Director") has recommended that the Town Board authorize the execution of a professional services agreement with Global Fueling Systems Inc., 42 Field Street, West Babylon, NY 11704 to provide the Services in consideration of an amount not to exceed Thirteen Thousand Eight Hundred and 00/100 Dollars (\$13,800.00), payable at the monthly rate of Two Hundred Thirty and 00/100 Dollars (\$230.00) for each of the five (5) facilities, not to exceed One Thousand One Hundred Fifty and 00/100 Dollars (\$1,150.00) a month, for a term of one year with the option to renew for an additional one year term at no more than a five percent increase in cost (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 a duly executed Agreement and certified claims therefor.

**Dated:** Manhasset, New York  
September 1, 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 Purchasing



CLERK SRIVASTAVA: Item Number 27, a resolution authorizing the execution of an agreement with Met Sales and Installation Corp for installation of restroom stalls at the Roslyn Community Center in Roslyn Heights.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 454 - 2022**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MET SALES & INTSTALLATIONS CORP. FOR INSTALLATION OF RESTROOM STALLS AT THE ROSLYN COMMUNITY CENTER, ROSLYN HEIGHTS.**

**WHEREAS**, the Town of North Hempstead (the "Town") requires the services of a contractor to install restroom stalls at the Roslyn Community Center in Roslyn Heights (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**, Met Sales & Installations Corp., 66 Rome Street, Farmingdale, New York 11735 ("the Contractor") submitted the lowest quote, proposing to perform the Services in consideration of an amount not to exceed Fourteen Thousand Eight Hundred and 00/100 Dollars (\$14,800.00) (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 a duly executed Agreement and certified claims therefor.

**Dated:** Manhasset, New York

September 1, 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 Number 28, a resolution authorizing the execution of an agreement with the Landtek Group Inc for turf maintenance at Merillon Ball Fields 1 and 2 in New Hyde Park, New York.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 455 - 2022**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE LANDTEK GROUP, INC. FOR TURF MAINTENANCE AT MERILLON BALL FIELDS #1 AND #2 IN NEW HYDE PARK, NEW YORK.**

**WHEREAS**, the Town of North Hempstead (the "Town") requires the services of a contractor to maintain the turf field at Merillon Ball Fields #1 and #2 in New Hyde Park, New York (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 Thirty Two Thousand Eight Hundred Forty-Two and 60/100 Dollars (\$32,842.60) for the maintenance of Field #1, and an amount not to exceed Thirty Thousand Eight Hundred Eight-Five and 00/100 Dollars (\$30,885.00) for the maintenance of Field #2 (the "Agreement"), the terms of which Agreement shall be in accordance with the provisions of the agreement between the Town of Brookhaven and the Contractor, contract #20220018 entitled "On-Call Natural Ballfield Services"; 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

September 1, 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 Purchasing

CLERK SRIVASTAVA: Item Number 29, a resolution authorizing the execution of an agreement with Bus Patrol America LLC for the school bus stop arm camera program, TNH289-2022.

SUPERVISOR DESENA: Is there a card on this?

CLERK SRIVASTAVA: We have a card. No, this is someone else.

MR. GAFFNEY: That's fine.

SUPERVISOR DESENA: Who is it?

MR. GAFFNEY: I just got my bedtime reminder, just so you know.

CLERK SRIVASTAVA: Wendy Bonsing.

SUPERVISOR DESENA: I don't think that person is still here.

CLERK DALIMONTE: There's no one out in hallway, correct.

MR. GAFFNEY: Pete Gaffney, Westbury, Carle Place, School district. Not going to get into the whole thing. This whole thing was a law back in 2019. So first of all this is something that's really necessary to protect our kids period, bar none. It's just we want it to go right, that's all we want to do. The law is, first conviction is going to be fine of \$200 to \$400 and/or up to 30 days in jail, second conviction within three years fine of \$600, \$750 and/or up to 80 days in jail, third conviction or more, three years fine up to \$750 to \$1000, and/or up to 180 days in jail, plus five points on the driver's license for each conviction. Is that the guidelines, that's what the New York State guidelines are, is that what it's going to be? Do we know yet?

COUNCILMEMBER ADHAMI: I don't believe so. These are camera tickets.

MR. GAFFNEY: That's what the camera law says, that's New York State, I copied this from New York State. So that's what it is. So we don't know about that, but that's something that needs to be discussed.

ATTORNEY CHIARA: We can't deviate from the law, the fines.

MR. GAFFNEY: These are fines, can't deviate. So that's what it is. Bus Patrol America LLC is a base in Virginia, and they got a business partner in Seattle named Sonar. I think earlier having a discussion with Councilman Troiano, Sonar is not part of this quote, am I

COUNCILMEMBER TROIANO: I'm going to defer to the town attorney, but my understanding is we're making an agreements with Bus Patrol. Whether they have an arrangement outside of that is their business.

ATTORNEY CHIARA: The agreement is with Bus Patrol.

MR. GAFFNEY: That's fine. So, now what they're going to do is give you the necessary support camera installation, violation capture and video and photo event, evaluate event, review violation, and then they're going to mail a notice, that's the actual steps that are going to be done? I think you said --

COUNCILMEMBER TROIANO: I think you may have missed a step which is they do an initial review and they determine whether or not they think there's a violation. The ones that they think have a violation is referred to a town employee who reviews the video.

MR. GAFFNEY: That's the one thing I'm missing, the town employee. I did have that.

COUNCILMEMBER TROIANO: Just to complete the whole process I think there is some misunderstanding in the public about how this works. Let's say the town employee agrees with Bus Patrol and there is a violation, then the notice gets mailed and even then the alleged offender has the opportunity to go to the county traffic court and hear, talk to the judges as well.

COUNCILMEMBER WALSH: This is reviewable in several different ways.

MR. GAFFNEY: I'm saying Suffolk has the same kind of deal --

COUNCILMEMBER WALSH: I was surprised that legislator came here from Suffolk County arguing their position that anybody's going to get a ticket.

MR. GAFFNEY: So they're going to be able to protest it. I think that satisfies. What I did see on the website, they actually showed a diagram of a school bus and how this thing works. Where actually it picks up a car approximately about ten feet in front of the bus. So is that where we're going to see, because I see a few times, I was mentioning it to you, I've even see it where like the person, the bus hasn't put their arm out to stop and as they're driving, right up where the bus is, all of a sudden the light comes on. That would definitely be a violation, that's what I'm saying. That's something that can be questioned. The way they designed it is where 10 feet in front of the school bus, the arm comes out, that's when they actually record the car that's creating the violation. Is that what the town person is going to see because the bus company it's in their better -- who reviews it to cut it short and make it into their benefit. Just throwing that out, if that's the way it's going to be done.

COUNCILMEMBER TROIANO: The cameras are never actually off. So the ability to access the video is there before and after the stop sign --

MR. GAFFNEY: That idea, that 10 feet before what they show, that's important I think to determine. If they just show you an edited portion of the guy passing an arm that says stop on it, to me that's not necessarily a violation. How long will Bus Patrol keep the evidence? And if they're not keeping the evidence who is, because this is now going to affect the person's license and also penalties for future penalties.

COUNCILMEMBER TROIANO: It doesn't affect their license.

MR. GAFFNEY: Five points.

COUNCILMEMBER TROIANO: My apologies.

MR. GAFFNEY: But also the fine. If they get caught again, because usually maybe one time is usually enough once you got to pay out of your pocket. But there's some nuts out there that think they can beat the system. So they'll do it once, twice, three times. You need to keep this. Are they going to be able to keep it or are we being forced to keep it, the actual video. You're looking at a lot of video.

COUNCILMEMBER TROIANO: Just so you get an answer, do you know how long they keep the video for.

UNKNOWN: They would be required to keep it for as long as it's legally required. I don't know the exact date or length of time.

MR. GAFFNEY: Going to have to be at least five years, I think.



UNKNOWN: It would be for whatever the legal

COUNCILMEMBER TROIANO: Six years. The responsibility for that is on the vendor?

UNKNOWN: On Bus Patrol.

MR. GAFFNEY: Good. Now money derived from the fine will be split between Bus Patrol and North Hempstead Town school bus and the bus company for the participants of the schools and the bus companies. That could be a percentage or something --

COUNCILMEMBER TROIANO: We discussed and for everybody's benefit for the town counsel and the also the general public, I am also a member of the school board and I'm not going to sit in on any discussion about sharing with our school district. I believe you said just now some of the revenue go to the bus operator and that is not the case.

MR. GAFFNEY: It's going to be incentivized to have them do it, unless the school turns around and dictates you have to do it. The incentive is getting them to sign up for it, that's the whole reason. That's the logic. Maybe the school, you have to discuss with the school that they have to -- for the school bus program, just so you know.

COUNCILMEMBER TROIANO: We can't force this on any school district. The school district has to sign up for it and they have to work with their bus provider to work that out. But I'm not aware of any of the bus companies objecting to this. There's no reason for them to because they don't pay any of the costs.

MR. GAFFNEY: You're drilling a camera hole on top of their bus, you're also putting a camera on the side of the bus. They may not be able to use that particular bus in another area because it's got a camera on it. So if you have Port Washington school district wants it, Westbury school district wants it, and if they're the same vendor the bus company, he can't use that --

COUNCILMEMBER TROIANO: It changes. He can't issue a violation.

MR. GAFFNEY: Okay. You said the cameras are always on.

COUNCILMEMBER TROIANO: You can't issues a violation.

MR. GAFFNEY: Any feedback from Suffolk County since they've had the program for over a year. You saw how much money was generated on that. Was there any feedback from --

COUNCILMEMBER TROIANO: All the feedback I've heard is positive except for that county legislator that came and he had his own reason, but also he voted for it.

MR. GAFFNEY: Was there any other companies, any other municipalities that you asked, there's only about two or three. Suffolk county was the first one to get the school camera program in all of New York State, a couple Upstate, and then Dutchess County I think got one. Did we get any feedback from any of them that it worked.

ATTORNEY CHIARA: It's part of the process. The purchasing department has to reference check and ask.

MR. GAFFNEY: So they did check with Suffolk County or with Dutchess county.

ATTORNEY CHIARA: I know they checked with multiple jurisdictions.

MR. GAFFNEY: Okay, thank you.

COUNCILMEMBER ADHAMI: Town Attorney, can you shed some light on, I don't believe cameras tickets can give, assess points on a license.

ATTORNEY CHIARA: The problem is --

COUNCILMEMBER ADHAMI: You can't prove who the driver is.

ATTORNEY CHIARA: The law does allow it, the five points in the increase, but in a practical matter like the red-light camera, you can't, you're unable to identify the driver.

COUNCILMEMBER ADHAMI: And is that part of the contract?

ATTORNEY CHIARA: I think it's basically the assumption that you're not going to be able, you're not going to get, cameras not designed to identify the driver. Maybe sometimes you can, I don't know if you've ever seen a red-light camera.

COUNCILMEMBER ADHAMI: I've seen some red-light cameras. I know California has the capability to do it.

ATTORNEY CHIARA: As far as I know, that's not what Suffolk County is doing and the other jurisdictions.

MR. O'DONNELL: Michael O'Donnell, 50 Street New Hyde Park, New York. I'm reading something that the president of our civic association Bill Coltrane from the late civic association asked me to draw up. I believe they sent it to you Councilman Troiano. -- --

SUPERVISOR DESENA: It is 12:15 --

MR. O'DONNELL: Before I go into what was done, listening to this conversation back and forth with the board and Mr. Gaffney, the first, the councilman was saying this camera, the red light does not designate who the driver is. This school bus camera is going to designate who the driver is?

COUNCILMEMBER ADHAMI: The answer was no.

MR. O'DONNELL: So then, the answer is, with all these, I thought draconian points and fines, this is not going to affect because you can't put fines on a vehicle unless I'm missing something.

COUNCILMEMBER ADHAMI: You can, you put it on the registered owner of the vehicle.

MR. O'DONNELL: The registered owner of the vehicle is going to get points on his license.

COUNCILMEMBER ADHAMI: Not points, fine.

COUNCILMEMBER ZUCKERMAN: Like a red-light camera.

MR. O'DONNELL: So it could be a red-light camera. So what I just heard before, some of that, there are no points because you do not see a body, you're not identifying the body, am I correct.

COUNCILMEMBER ADHAMI: That's my understanding and that was my concern, because how can you assess points to one person when you can't identify that they were the person driving. When you make the red-light cameras and speed camera, they will go to the registered owner.

MR. GAFFNEY: When you identify the driver like if a cop pulled them over while it's happening, that driver then is subject to five points.

COUNCILMEMBER ADHAMI: Absolutely.

MR. GAFFNEY: That's what the asterisk is. It's the operator of the vehicle. If they can't determine who it is, of course that's not going to happen.

MR. O'DONNELL: Continuing the discussion previously to my coming up here, is that Councilman you said that the cameras must stay on all the time.

COUNCILMEMBER TROIANO: I didn't say they must. I said as a practical matter they stay on.

MR. O'DONNELL: I can't see why. The New York City bus they have cameras on them, you can shut them off. When he stops that bus, he's not driving. He shuts the cameras off. A police officer who has all their cameras now, they shut them off when he's sitting in the car talking to the partner. All the key words do not come through, you shut it off. Let me continue this. Cameras off by stops at school. None of the students are getting to board the bus, there's no -- point 2, off when not actively engaged in picking up students, that bus is sitting there. Three off, when not transporting the students. The bus is driving around, you've seen the school bus, why should those cameras be on.

COUNCILMEMBER TROIANO: Let me just cut this discussion short because the Supervisor has already noted it was 12:15, it's now 12:18. And so the cameras stay on, okay. But what you're getting at, I think what's important to you, is will violations be issues and the answer is no. So when --

MR. O'DONNELL: Council sorry to interrupt, that is an assumption on your part. Never assume anything. Do not try to - -

COUNCILMEMBER TROIANO: Mr. O'Donnell, you've probably never gotten a red light camera ticket in your life.

MR. O'DONNELL: I most certainly have.

COUNCILMEMBER TROIANO: So you know you get the letter from the county, the dreaded letter from the county and it shows you on there where you can go, where you can go to see the video. And so if you were to get a ticket somewhere for a bus camera you would see that the bus was moving as an example, so how could they be letting students either on or off the bus. So if somehow Bus Patrol said Mr. O'Donnell violated the law and then the town employee that reviews it says he violated the law, you could then just go see the administrative judge at North Hempstead and make your case.

MR. O'DONNELL: You've been to hanging room courts before. You know what it's like when you go before an administrative judge. No one never walked out --

SUPERVISOR DESENA: I've walked out.

MR. O'DONNELL: You walked out, who did you know.

SUPERVISOR DESENA: Got in there, showed them a picture of the parking sign and they dismissed it.

MR. O'DONNELL: But if, I find, the arbitrator of the ticket is going to be this employee of the company. That's not co pasedik.

COUNCILMEMBER TROIANO: That's not correct. That's the initial review. It has to be

finalized by a town employee.

MR. O'DONNELL: So there's an interest involved in this. The town employee gets an interest in it because the town is going to receive some money.

SUPERVISOR DESENA: No, it's not that much.

COUNCILMEMBER TROIANO: Mr. O'Donnell, that's like saying the county shouldn't adjudicate because it's going to get the revenue for us meeting.

MR. O'DONNELL: The county's going to make money, I don't believe the county should get money anyway because they're going to charge a service fee. That should be --

COUNCILMEMBER TROIANO: I'm not saying that. A county police officer issues a speeding ticket for example. And the county's going to get revenue if the ticket holds up and if the offender is found guilty. So you're saying that the county shouldn't be involved in that because they get revenue.

MR. O'DONNELL: No, I'm not saying that. They shouldn't get their percentage, you usually get a bigger percentage other than a service fee. They get a service charge, why should they get the plus.

COUNCILMEMBER TROIANO: I'm not sure what the plus is.

COUNCILMEMBER WALSH: I think we should stop the debate and you can go home with your statement because now you're --

MR. O'DONNELL: Mr. Coltrane sent it to you, of 14 items. So just read the whole thing. We're refuting it and the town board has also -- also regarding the camera fines will go to the vehicle and not to supposedly individual. It's a very moot course. I understand the necessity for having the cameras but I think some of these are draconian.

SUPERVISOR DESENA: We need to move on. If we find trouble with it we will hear about it --

MR. O'CONNELL: You're going to hear about.

COUNCILMEMBER DALIMONTE: Hopefully it will save lives.

SUPERVISOR DESENA: I saw a car go through a stop sign today on Plandome Road, first day of school in Manhasset and I saw a car go right through a stop sign and pass a bus. So.

MR. O'DONNELL: People don't believe in stop signs.

COUNCILMEMBER DALIMONTE: Let's go to Item

SUPERVISOR DESENA: I have to move for, I don't think we moved. I offer the resolution and move for its adoption. I just did. I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Just before we vote and I know we don't want to prolong this but because Mr. O'Donnell had questions from I guess the civic association. One of the questions that we did not address was whether or not violations would be issued for offenses not related to passing any stopped bus that's letting students on or off the bus. So as an example was, can we issue a ticket to someone who makes a right-hand turn on a red light when it's prohibited and the answer to that is no. It's really just for vehicles that pass any school bus that has a stop sign. So I

want to clarify that so you can go back to whoever asked that question. I vote Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 456 - 2022**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BUSPATROL AMERICA LLC FOR THE SCHOOL BUS STOP ARM CAMERA PROGRAM (TNH289-2022).**

**WHEREAS**, the Town of North Hempstead requires services relating to the School Bus Stop Arm Camera Program (TNH289-2022) (the "Services") as authorized pursuant to New York State Vehicle and Traffic Law Section 1174-A (the "VTL"); 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 proposal submitted in response to the RFP, a Town review committee has recommended the retention of BusPatrol America LLC, 8450 Cinder Bed Road, Suite 400, Lorton, Virginia 22079-1480 (the "Contractor") to provide the Services for a term of five (5) years with the option to renew for one additional five (5) year term, subject to the December 1, 2024 repeal of the authorizing section of the VTL, in consideration of Forty-Five (45%) percent of specified revenues (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; and be it further

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

**Dated:** Manhasset, New York

September 1, 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 Number 30, a resolution authorizing the execution of an agreement US Tech Incorporated for annual power supply maintenance services for the town's data center.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 457 - 2022**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH U.S. TECH INCORPORATED FOR ANNUAL POWER SUPPLY MAINTENANCE SERVICES FOR THE TOWN'S DATA CENTER.**

**WHEREAS**, the Department of Information Technology and Telecommunications (the "Department") requires the services of a firm to perform annual power supply maintenance services for the Town's data center (the "Services"); and

**WHEREAS**, the Commissioner of the Department (the "Commissioner") has recommended that the Town enter into an agreement with U.S. Tech Incorporated, P.O. Box 152, Franklin Lakes, New Jersey 07417, to provide the Services through Eaton Corporation PLC for a term of one (1) year in consideration of an amount not to exceed Five Thousand Nine Hundred Eighty-Five and 00/100 Dollars (\$5,985.00) for the maintenance and warranty (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 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

September 1, 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 Number 31, a resolution authorizing the execution of an agreement with Empire Safety Council for the use of town hall for defensive driving safety course.

COUNCILMEMBER WALSH: This was something that was done by Councilman Ferrera for ten years or more. I think it's good for the employees. In the past there was no need to have the board vote on this but as of now they do. And so I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR 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. 458 - 2022**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH EMPIRE SAFETY COUNCIL FOR THE USE OF TOWN HALL FOR A DEFENSIVE DRIVING SAFETY COURSE.**

**WHEREAS**, the Town of North Hempstead (the "Town") owns certain property known as the Town Board Room, Town Hall, 220 Plandome Road in Manhasset, New York (the "Premises"); and

**WHEREAS**, Empire Safety Council (the "Licensee") has requested a license to use the Premises to provide a defensive driver safety course to Town employees and members of the public (the "Licensed Use") on October 11, 2022 between 9:00am and 3:00pm (the "Agreement"); and

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

**NOW, THEREFORE, BE IT**

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

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

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

**Dated:** Manhasset, New York

September 1, 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 Number 32, a resolution authorizing the execution of an agreement Hillary Grossman for professional accounting services.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Before I vote, I just want to say that Hillary always did a terrific job when she worked here. Now that it's budget season I'm told that we could really use her help. At the town board meeting a couple months ago, the town board voted to appoint the supervisor of finance director as acting comptroller. I voted against it because of the lack of relevant experience. Now that we're hiring a consultant and going to be paying additional money, we should reconsider the need for him to remain in the position. In any event, we are in the process of conducting final interviews for permanent comptroller and I really hope to have a new full-time comptroller selected as soon as possible. With all that said the need for Hillary is a great one and I vote yes.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: You brought up a very good point. I voted a few months ago to appoint the supervisor of finance director as the acting comptroller. I did this because I was led to believe by everyone that he was qualified for the position even though he didn't have enough experience. So I'm kind of disappointed that now I'm being asked to spend additional money for someone else to do his job. Hillary was great for the town, it was very sad to leave her, when she left. So like I believe and trust in Hillary, and so I feel like I have to go with Aye on this but yet I'm just wondering why, it's up to \$19,500, that's a lot of money. I'm just asking why am I being asked to do that.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: I'm going to, I'm a little taken aback by the comments about the extra work that Paul Wood has been doing for the town and at no extra money, did not get a salary increase --

COUNCILMEMBER DALIMONTE: No, Hillary Grossman, now we have to spend extra money.

SUPERVISOR DESENA: I understand that. That's because we didn't have a comptroller for eight months. We had an agreement with Tanya but it wasn't working out. Now we have this

with Hillary, let's just go forward without criticizing other people's work.

COUNCILMEMBER DALIMONTE: I just, so I'm being asked to spend another taxpayer's money of \$19,500. So is it because he needs help, because Paul needs help down there? Obviously he must need help down there.

SUPERVISOR DESENA: I believe we were using Tanya for a few months. That's because she stopped working for us. That's why we're now switching to Hillary. That's what I've been lead to believe. So it's not additional money, it's the help that we though we were getting from Tanya, which now we're switching to Hillary.

COUNCILMEMBER DALIMONTE: Then I vote Aye.

COUNCILMEMBER WALSH: Do you know anything that Paul did wrong?

COUNCILMEMBER DALIMONTE: When we voted on Paul, I voted with you to vote for Paul. Because he was going down there so now I'm wondering why are we having Hillary, we do we need a consultant and the Supervisor just said because we had a consultant with Tanya, she wasn't obviously wasn't --

SUPERVISOR DESENA: It wasn't the amount of work that we needed.

COUNCILMEMBER DALIMONTE: So now we're switching to Hillary. So I vote 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. 459 - 2022**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HILLARY GROSSMAN FOR PROFESSIONAL ACCOUNTING SERVICES.**

**WHEREAS**, the Town of North Hempstead (the "Town") requires professional accounting services in connection with various matters (the "Services"); and

**WHEREAS**, the Supervisor of the Town has recommended to this Board that Hillary Grossman be retained to provide the Services, for a term commencing September 1, 2022 and terminating December 31, 2022, in consideration of an amount not to exceed Nineteen Thousand Five Hundred and 00/100 Dollars (\$19,500.00), payable at a rate of One Hundred Twenty-Five and 00/100 Dollars (\$125.00) per hour (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 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; and be it further

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

**Dated:** Manhasset, New York

September 1, 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 Number 33 --

SUPERVISOR DESENA: I pulled that, So 34.

CLERK SRIVASTAVA: Item 34, a resolution authorizing use of an agreement between the New York State Office of General Services and various vendors for traffic paint and glass spheres for reflectorized pavement marking.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 460 - 2022**

**A RESOLUTION AUTHORIZING USE OF AN AGREEMENT BETWEEN THE NEW YORK STATE OFFICE OF GENERAL SERVICES AND VARIOUS VENDORS FOR TRAFFIC PAINT AND GLASS SPHERES FOR REFLECTORIZED PAVEMENT MARKING.**

**WHEREAS**, the Town of North Hempstead (the "Town") requires traffic paint and glass spheres for reflectorized pavement markings (the "Purchases"); and

**WHEREAS**, the New York State Office of General Services awarded contract #23252 entitled "Group 38604 - Traffic Paint (Waterborne-Lead Free) & Glass Spheres for Reflectorized Pavement Marking (Various Types) (Statewide)" to various vendors (the "Agreement"); 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 Purchases for the duration of the Agreement, inclusive of any extensions; and

**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 Purchases upon receipt of the Agreement and certified claims therefore.

**Dated:** Manhasset, New York

September 1, 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 Number 35, a resolution authorizing use of an agreement between the County of Suffolk and Safeguard Safety Shoe Company for safety shoes.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 461 - 2022**

**A RESOLUTION AUTHORIZING USE OF AN AGREEMENT BETWEEN THE COUNTY OF SUFFOLK AND SAF-GARD SAFETY SHOE CO. FOR SAFETY SHOES.**

**WHEREAS**, the Town of North Hempstead (the "Town") requires safety shoes for its employees (the "Purchases"); and

**WHEREAS**, the County of Suffolk awarded contract #SS080322 entitled "Safety Shoes" to Saf-Gard Safety Shoe Co., 2701 Patterson Street, Greensboro, NC 27407 (the "Contractor"); and

**WHEREAS**, under New York General Municipal Law §103(16), the Town is authorized to contract for purchases 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 (the "Agreement"); and

**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 Purchases upon receipt of the Agreement and certified claims therefore.

**Dated:** Manhasset, New York

September 1, 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 Number 36, a resolution authorizing the execution of an amendment to an agreement with New Hyde Park Garden City Park Union Free School District for salt and sand storage.

SUPERVISOR DESENA: I offer the resolution --

COUNCILMEMBER WALSH: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

**Supervisor 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. 462 - 2022**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH THE NEW HYDE PARK-GARDEN CITY PARK UNION FREE SCHOOL DISTRICT FOR SALT AND SAND STORAGE.**

**WHEREAS**, pursuant to Article 8, Sections 1 and 2-a of the New York State Constitution, as effectuated by General Municipal Law §119-o, municipal corporations and districts of the State are empowered to enter into agreements for the performance 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 an intermunicipal agreement, as amended, with the New Hyde Park-Garden City Park Union Free School District (the "District") for the storage of road salt whereby the Town would store, distribute and monitor salt and sand purchased by the District in a designated Town owned and operated storage facility (the "Services") and the District would pay a fee for the Services (the "Original Agreement"); and

**WHEREAS**, it has been recommended that the Board authorize the Town to amend the Original Agreement to extend the term of the Original Agreement to October 31, 2027 (the "Amendment"); and

**WHEREAS**, this Board finds it in the best interests of the Town to authorize the Amendment; and

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Amendment 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 Amendment on behalf of the Town and to take such further action as may be necessary to effectuate the provisions of this resolution; and be it further

**RESOLVED** that the Town Attorney be and hereby is authorized and directed to supervise the negotiation and execution of the Amendment, and to take such further action as may be necessary to effectuate the provisions of this resolution.

**Dated:** Manhasset, New York

September 1, 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



CLERK SRIVASTAVA: Item Number 37, a resolution authorizing the execution of an amendment to an agreement with the Law Offices of Mark A Cuthbertson for legal services.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 463 - 2022**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH THE LAW OFFICES OF MARK A. CUTHBERTSON FOR LEGAL SERVICES.**

**WHEREAS**, the Town of North Hempstead previously entered into an agreement with the Law Offices of Mark A. Cuthbertson to provide legal services with regard to real estate matters in consideration of an amount not to exceed Fifteen Thousand and 00/100 Dollars (\$15,000.00) (the "Original Agreement"); and

**WHEREAS**, the Office of the Town Attorney has recommended that the Town amend the Original Agreement to provide additional legal services thereby increasing the contract amount under the Original Agreement by Six Thousand and 00/100 Dollars (\$6,000.00) (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 is hereby authorized; and be it further

**RESOLVED** that the Supervisor or her designee, be and hereby is authorized and directed to execute the Amendment on behalf of the Town, which Amendment 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 Amendment, 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 Amendment and certified claims therefore.

**Dated:** Manhasset, New York

September 1, 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 38, a resolution authorizing the purchase of software maintenance and technical support services for the Department of Information Technology and Telecommunications from Environmental Systems Research Institute DBA ESRI.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 464 - 2022**

**A RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE MAINTENANCE AND TECHNICAL SUPPORT SERVICES FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS FROM ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE INC. D/B/A ESRI.**

**WHEREAS**, the Department of Information Technology and Telecommunications (the "Department") requires annual software maintenance and technical support for the Town's ArcGIS system (the "Support"); and

**WHEREAS**, the Commissioner of the Department has recommended that the Town purchase the Support from Environmental Systems Research Institute Inc. d/b/a ESRI, 380 New York Street, Redlands, California 92373 for a term of one (1) year in consideration of an amount not to exceed Ten Thousand Four Hundred and 00/100 Dollars (\$10,400.00) (the "Purchase"); and

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

**NOW, THEREFORE, BE IT**

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

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

**Dated:** Manhasset, New York

September 1, 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

CLERK SRIVASTAVA: Item Number 39, a resolution appointing Kimberly Keiserman to the North Hempstead Housing Authority.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 465 - 2022**

**A RESOLUTION APPOINTING KIMBERLY KEISERMAN TO THE NORTH HEMPSTEAD HOUSING AUTHORITY.**

**WHEREAS**, the Town Board is authorized, pursuant to §30 of the Public Housing Law, to appoint members to the North Hempstead Housing Authority (the "Authority"); and

**WHEREAS**, there exists a vacancy on the Board of the Authority due to the passing of Bette Segal; and

**WHEREAS**, Councilwoman Mariann Dalimonte has recommended the appointment of Kimberly Keiserman to the Authority for the remainder of Ms. Segal's term which will expire on May 5, 2023; and

**WHEREAS**, the Town Board finds Kimberly Keiserman to be an individual well qualified to continue to serve as a member of the Authority, and believes that said appointment will further the purposes of the Authority and the welfare of the residents of the Town of North Hempstead.

**NOW, THEREFORE, BE IT**

**RESOLVED** that Kimberly Keiserman residing in Port Washington, New York, be and hereby is appointed to serve as a member of the Authority, for a term commencing September 2, 2022 and expiring May 5, 2023; and it is further

**RESOLVED**, that the Town Clerk is directed to file a certified copy of this resolution with the Commissioner of Housing and Community Renewal of the State of New York.

**Dated:** Manhasset, New York

September 1, 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 Comm., NYS Housing Exec Dir,  
North Hempstead Housing Authority



CLERK SRIVASTAVA: Item Number 40 --

SUPERVISOR DESENA: I called 40, 41, 42 I called.

CLERK SRIVASTAVA: Item Number 43, a resolution designated Class B Operators for the town's underground storage tanks and setting an annual stipend.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 466 - 2022**

**A RESOLUTION DESIGNATED CLASS B OPERATORS FOR THE TOWN'S UNDERGROUND STORAGE TANKS AND SETTING AN ANNUAL STIPEND.**

**WHEREAS**, under New York State's Petroleum Bulk Storage (PBS) regulations, 6 NYCRR Part 613 (PDF), the Town of North Hempstead (the "Town") is required to designate Class B operators for the maintenance of its underground storage tanks; and

**WHEREAS**, to qualify for designation as a Class B operator, employees must be trained and pass a Department of Environmental Conservation ("DEC") administered exam that demonstrates their competence to operate these tank systems; and

**WHEREAS**, the following employees have passed the DEC administered exam to be designated as Class B Operators for the Town: Bryan Borra, Anthony Maneri and Corey Falls.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board hereby designates Bryan Borra, Anthony Maneri and Corey Falls as Class B Operators and further authorizes the payment to each of an annual stipend of \$2,500.00 in consideration of such designation.

**Dated:** Manhasset, New York

September 1, 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 Number 44, a resolution adopting an education and engagement plan in connection with town's effort to obtain New York State certification as a climate smart community.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 467 - 2022**

**A RESOLUTION ADOPTING AN EDUCATION AND ENGAGEMENT PLAN IN CONNECTION WITH TOWN'S EFFORT TO OBTAIN NEW YORK STATE CERTIFICATION AS A CLIMATE SMART COMMUNITY.**

**WHEREAS**, the Town of North Hempstead (the "Town") has been taking certain actions in order to be certified as a Climate Smart Community by New York State; and

**WHEREAS**, one of the certification criteria is the adoption of an Education and Engagement Plan, which provides details for public engagement on the topics of climate change mitigation and adaptation, including a community survey to assess perceptions on climate change, building a comprehensive list of stakeholders, creation of a climate action website, a social media plan, and public workshops; and

**WHEREAS**, the Town has drafted such a plan, which plan is attached hereto as Exhibit A (the "Plan"); and

**WHEREAS**, the Town Board has reviewed the Plan and desires to adopt the Plan.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board adopts the Plan; and be it further

**RESOLVED** that the Commissioner of the Department of Planning and Environmental Conservation be and hereby is authorized to take such action as may be necessary to effectuate the provisions of this resolution.

**Dated:** Manhasset, New York

September 1, 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 Planning

# The Town of North Hempstead Climate Smart Communities Education and Engagement Plan

August 23, 2022



## The Town of North Hempstead Climate Smart Communities Leadership Team



Town  
Supervisor  
Jennifer  
DeSena



Council Member,  
District 1  
Robert J.  
Troiano



Council Member,  
District 2  
Peter  
Zuckerman



Council Member,  
District 3  
Dennis J.  
Walsh



Council Member,  
District 4  
Veronica  
Lurvey



Council Member,  
District 5  
David A.  
Adhami



Council Member,  
District 6  
Mariann  
Dalimonte



Town Clerk  
Ragini  
Srivastava



Receiver of  
Taxes  
Charles  
Berman

### TASK FORCE MEMBERS:

#### Elected Officials:

Jennifer DeSena, Supervisor  
Mariann Dalimonte, Council Member  
Veronica Lurvey, Council Member

#### Town Staff and Consultants:

Meagan Fastuca - Environmental Specialist; Planning and Environmental Protection  
Michael Levine - Commissioner of Planning and Environmental Protection  
Wes Sternberg - Planner; Planning and Environmental Protection  
Victor Thomas - Department of Public Works  
Eileen Kraneberg - Executive Assistant to the Parks Commissioner  
Joseph Canzoneri Jr. - Plans Examiner, Building Department  
Mitch Pitnick - Town Board Department  
Department of Solid Waste Management Staff  
Mindy Germain - Consultant for CSC, Eco Leap, LLC  
Sarah Oral-PE - LEED AP BD +C, Civil Engineering Director Cameron Engineering

#### CSC Task Force Members:

Harriet Becker  
Jean Celender  
Stephen Cipot  
Patrick Farrell  
Jael Ferguson  
Carol Frank  
Paula Groothuis  
Patricia Katz  
Rosemary Mascali

## PURPOSE

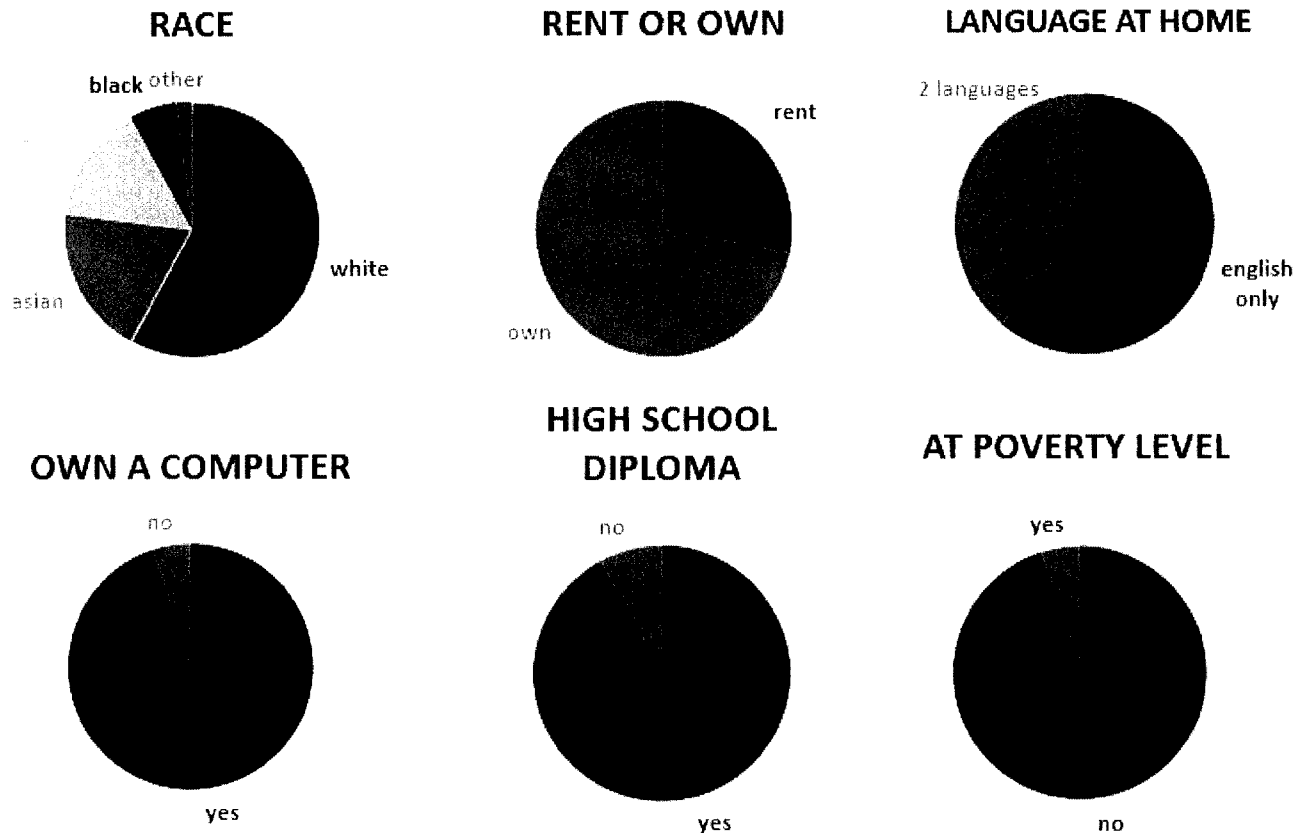
The primary objective of the Town's Climate Action Planning (CAP) is to create an engaging, inclusive, community-wide process that identifies and prioritizes goals, strategies, and initiatives that will conserve energy and reduce GHG emissions both from Town operations and throughout the community.

The purpose of the Education and Engagement Plan, within the broader CAP, is to build a common understanding among the public about climate change science, share how we are seeing impacts locally, build widespread ownership of solutions and create a common vision of our future.

## TARGET AUDIENCE

The Town of North Hempstead is governed by a seven-member Town Board, which includes a Supervisor and six councilmembers. The Town has a population of over 237,000 constituents. This public engagement plan is intended to reach the residents and businesses within the Town. As shown in the 2020 census, the population of North Hempstead is diverse and educated with more than one third of households speaking two or more languages and almost all owning a computer. The plan engages a broad group of community stakeholders to ensure outreach penetrates across age, socioeconomic, ethnicity, race, and “at risk” communities.

### NORTH HEMPSTEAD 2020 CENSUS DATA AT A GLANCE:



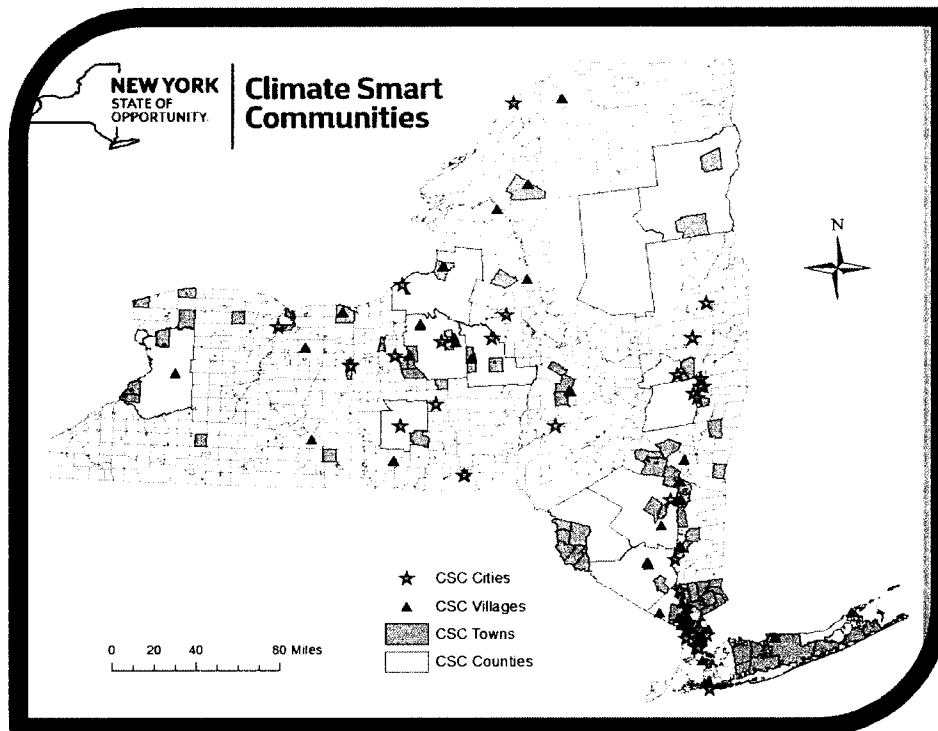


## Background and Objectives of Climate Smart Communities

**Climate Smart Communities (CSC)** is a New York State program that supports local governments in leading their communities to reduce greenhouse gas emissions, adapt to the effects of climate change, and thrive in a green economy. The goal of CSC is to provide municipalities with ways to locally reduce greenhouse gas (GHG) emissions and advance energy saving measures as well as other sustainability initiatives through the development of a Climate Action Plan. This will ultimately help the Town of North Hempstead reduce its impact, adapt, and thrive with the changing climate.

In the spirit of North Hempstead's steadfast commitment to protect the environment, create resilient communities, and ensure equitable and fair climate solutions for its residents, the Town Board took the CSC pledge and adopted a resolution to appoint a CSC task force, consisting of nine local environmentally minded residents.

This public education and engagement plan is designed to ensure that the community is engaged in the task force's climate action work to realize a sustainable and resilient future for The Town of North Hempstead.



# CLIMATE CHANGE EDUCATION AND ENGAGEMENT

Public education, outreach, and engagement are critical to preparing communities for the effects of climate change and to enlist the public in taking steps to reduce greenhouse gas emissions. Without widespread public awareness of what is at stake, it is impossible to make meaningful change on this issue.

As part of our climate education and engagement plan, the Town of North Hempstead will develop and implement a program focused on climate change mitigation and adaptation. Our strategy will include:

- a benchmark survey of the Town to evaluate issues, perceptions, and beliefs around climate change among residents
- an educational and interactive forum aimed at facilitating a dialogue about climate change
- virtual and live workshops focused on sustainable transportation and drinking water resiliency
- compilation of a comprehensive list of stakeholders
- a climate action website
- a climate action social media plan

This document serves as a detailed plan for this strategy.



# CLIMATE WEBSITE AND SOCIAL MEDIA

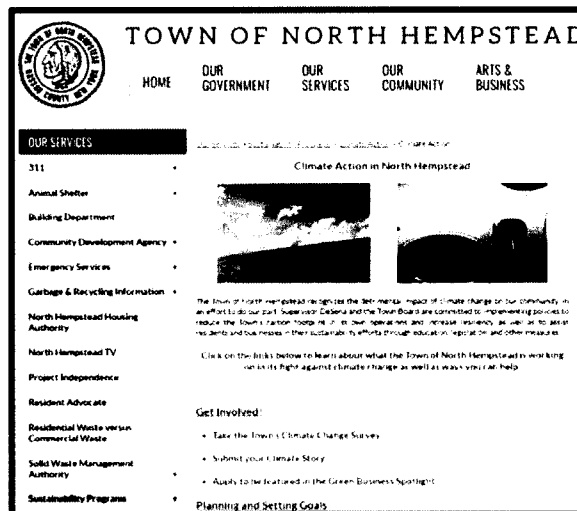
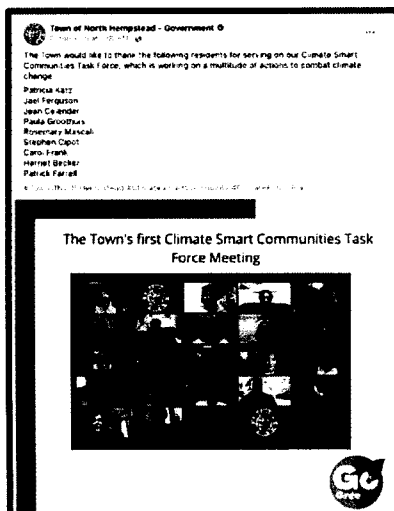
The Town of North Hempstead's Facebook page and website are important tools for public education and outreach regarding sustainability actions. The Town will use these pages to educate residents on sustainability initiatives tied to the Climate Action Plan under a new Go GreenNH umbrella.



Mission: To engage and inspire residents, businesses, and municipalities, throughout the Town of North Hempstead, to participate in actions that will foster ecological balance, reduce greenhouse gas emissions, and help North Hempstead adapt to a changing climate, ensuring a healthy, resilient community now and in the future.

Go GreenNH social media and website content will include:

- Information about the basics of climate change
- A copy of our Climate Action Plan
- Dissemination of our climate survey
- The Town's Hazard Mitigation Plan
- Promotion of public workshops and events to help residents mitigate and adapt to a changing climate
- Public tools, resources, and incentives to help residents mitigate and adapt to a changing climate
- A variety of opportunities to get involved
- Opportunities to ask questions
- A celebration of good work happening across the Town



Images from the Town's Facebook page and climate action website

## IDENTIFYING VULNERABILITIES, CHALLENGES & PRIORITIES

The first step to scaling up our Climate Smart Community initiative is for the members of the community to participate in identifying and discussing climate threats, challenges, and priorities. This will assist in developing an outreach plan that targets the community's concerns and will be most effective at tackling locally specific climate issues. We aim to learn:

- How individuals FEEL about climate change
- What people believe is the greatest obstacle to solving climate change
- How aware they are about the Town's current efforts to combat climate change
- How frequently do they already engage in sustainable practices
- How worried they are about climate change
- Have they ever felt unsafe from climate-related natural disasters
- Which Town programs they are most interested in

To get as much feedback from as many diverse voices as possible in the community, it will be important to advertise this survey across many platforms (press releases, social media, emailing or mailing a letter to constituents, in-person community events). We will ensure that any materials are accessible for a wide array of reading levels and include the range of languages relevant to our community.

We plan to work with our stakeholders to maximize our reach and make this survey as statistically significant as possible. When the public feels their voices are heard, they will trust the process, support it, and feel empowered to be involved in future local climate action.

An important part of this process will be following up with community members with survey results. Not only will this inform and further engage, but it will also serve as a benchmark to measure progress in the future.



## EDUCATE COMMUNITY & FACILITATE DIALOGUE



### CLIMATE STORIES PROJECT

An Educational and Artistic Forum for Sharing Personal Stories about Climate Change

It is important to develop outreach activities that describe the causes and effects of climate change in the community and how residents can work together to build a better future, in partnership with the Town. To that end, the “Climate Stories Workshop” took place on January 26, 2022, on Zoom. This was an educational and artistic forum for explaining climate change and sharing personal stories to build an inclusive and effective movement to confront the climate crisis. Stories will be collected and shared with the entire community as part of this education plan.

The Climate Stories Workshop first taught individuals the basics on climate change and its impacts. This allows conversations about personal impacts, ranging from destruction due to natural disasters to observed changes in seasonal weather patterns. The program was developed by Dr. Jason Davis, a musician and environmental educator. Participants came away with a deeper engagement with climate change as a vital human issue and can better understand their own relationship to the changing climate in North Hempstead.



Members of the Global Climate Stories Network

## EDUCATION & ENGAGEMENT EVENTS

The **Transportation Innovation Series** provided education to help our Town reduce greenhouse gases from vehicles, which represent 31% of overall emissions on Long Island. This event took place over multiple dates and informed residents of the impact of transportation on the environment and best practices for sustainable transportation. We partnered with the US Green Building Council of Long Island, Transit Solutions, Drive Electric Long Island, Let's Move Long Island, and local EV dealerships to roll out this series of public engagement events. Workshops included:

- **Don't Drive (yourself crazy)- Wednesday, February 16, 2022 @ 7PM (virtual)**
  - Detailed extensive green mobility options in the Town, including local train, bus, shuttles, paratransit, and more through a fun game of virtual Bingo. Winners received a \$50 gift card to a local restaurant of choice.  
Facilitated by: Transit Solutions
- **Walk or Bike North Hempstead!- Wednesday, March 23, 2022 @ 7PM (virtual)**
  - Walking and biking can provide many health, environmental, social, and economic benefits. Attendees discovered North Hempstead's shop and stroll scenes, walking and hiking trails, and biking opportunities.  
Facilitated by: Let's Move LI
- **Electric Vehicles 101- Tuesday April 12, 2022 @ 2PM, Clinton G. Martin Park, New Hyde Park**
  - Attendees learned the basics about electric vehicles. Then they got to see many vehicles in person and heard from dealerships and EV owners during an EV Show and Tell.  
Facilitated by: Drive Electric LI



## EDUCATION & ENGAGEMENT EVENTS

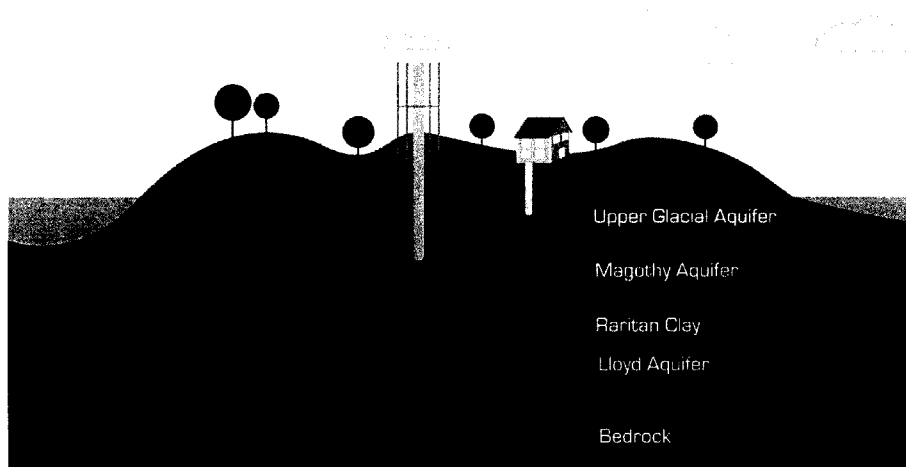
The **Water Protection and Conservation Event “Under Our Feet: The Resiliency of Our Drinking Water”** called for a shift in the “water culture” of our community. Water resource management and protection are of the utmost importance in our region since residents rely upon groundwater as their sole source of drinking water. Threats to this supply include contaminants, saltwater intrusion via sea level rise, increased demand, and wastewater management. This event aimed to raise the awareness of these realities so that we can mitigate threats and adapt to our new normal. For this program, we engaged the following panelists:

- Mr. Sam Adler, 13 Years Old, ToNH Middle School Student dedicated to water conservation in his community
- Dr. Sarah J. Meyland, Associate Professor of Environmental Technology and Sustainability at NYIT and Founder of Water for Long Island
- Mindy Germain, Commissioner of Port Washington Water District providing a local water district perspective
- Meagan Fastuca, ToNH Environmental Specialist focused on sustainability initiatives

We educated community members that water is an irreplaceable resource and focused on tools and actions residents can take to conserve, leading into peak season.

Key takeaways:

- We live over our drinking water, our decisions trickle down.
- With a changing climate and sea level rise, conservation is a must to avoid saltwater contamination.
- How residents can change their behavior to conserve water.
- My decisions matter.
- By conserving water, I am also reducing waste and conserving energy.



Depiction of Long Island's aquifer

## STAKEHOLDER OUTREACH

The strategies, principles, and goals highlighted in this plan have been and will continue to be used to inform, empower, and motivate our diverse community. From residents, local merchants, elected officials, emergency responders, and more, this plan will educate about future impacts of climate change, adaptations, risk management, and reducing the Town of North Hempstead's contribution to the global carbon budget. The following are stakeholder groups that the Town has engaged to broaden outreach:

- Villages
- Non-Profits
- Libraries
- Civic Associations
- School Districts
- Colleges and Universities
- Outreach Centers and Food Banks
- Business Improvement Districts
- Chambers of Commerce
- Utilities
- Other

A black rectangular graphic with the text "STAKEHOLDER ENGAGEMENT" in white, bold, sans-serif font. The text is centered. To the right of the text, there are two white handprints, one above and one below, with fingers spread, appearing to reach towards the text.

**STAKEHOLDER  
ENGAGEMENT**



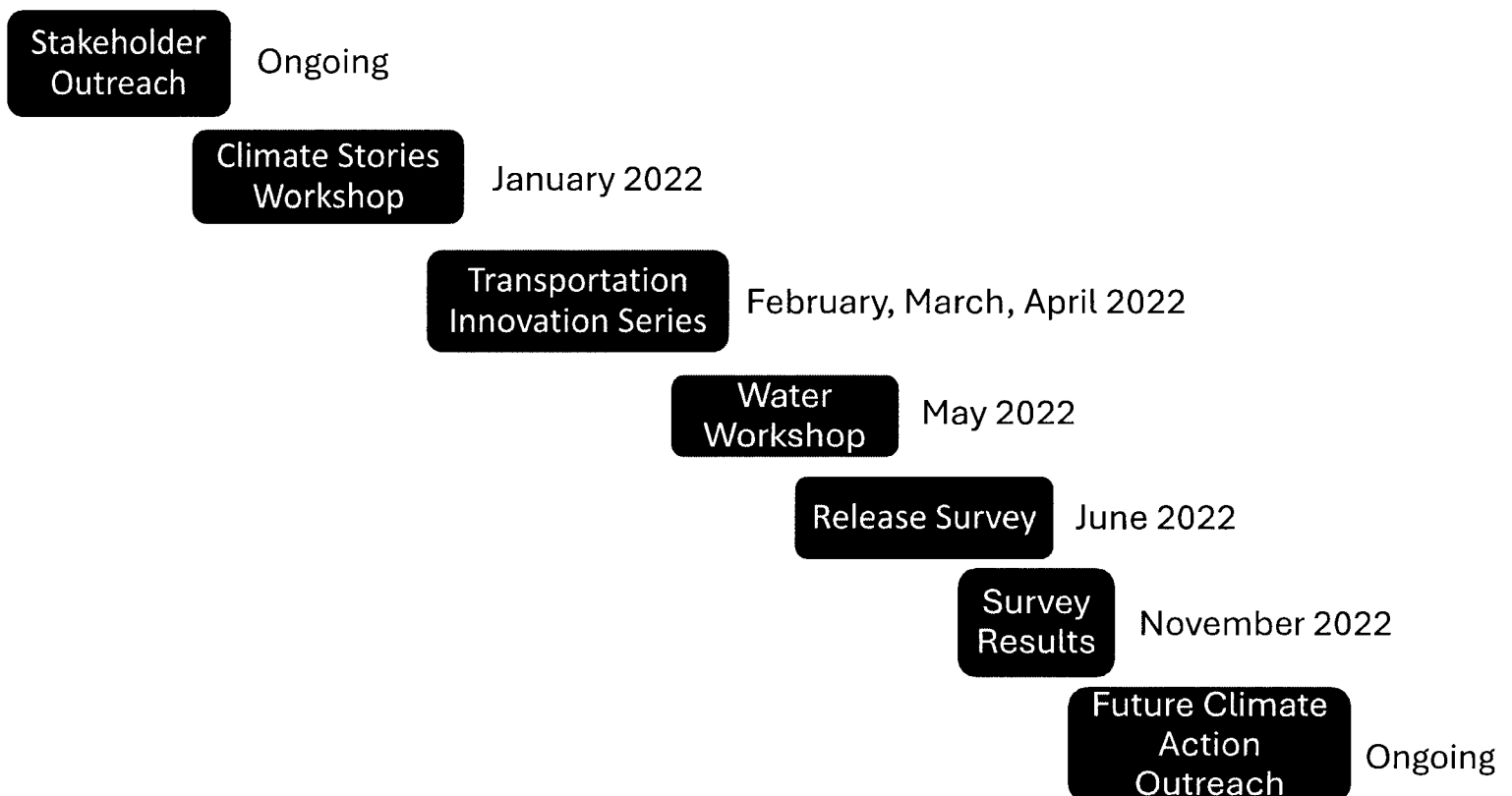
## IMPLEMENTATION

The formation of the Town of North Hempstead's Climate Smart Communities Task Force is an important step to prepare residents for the effects of climate change and to enlist the public in taking steps to reduce greenhouse gas emissions to create a healthier, more resilient future.

This Plan provides a practical guide which the CSC Task Force will follow during 2022 and beyond. The CSC Task Force plans to take a flexible approach, periodically reviewing accomplishments and updating the plan as needed. The knowledge built from outreach efforts will help guide how the Town communicates to specific groups about climate change, as well as how to integrate climate issues into existing programs and initiatives.

A key component in implementing our plan is partnering and collaborating with neighboring and regional organizations and governments to help us engage a wider range of influencers and stakeholders. Through leveraging and sharing information, our plan connects the Town with our local community more effectively.

## EDUCATION AND OUTREACH TIMELINE



CLERK SRIVASTAVA: Item Number 45, a resolution authorizing the transfer of funds from Capital Funds to the General Funds Capital Projects Reserve Fund.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 468 - 2022**

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

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

**WHEREAS**, the Board authorized the transfer of monies from the Fund to a capital account for the purpose of funding concrete work at the Public Safety Building at 470 Old Westbury Road, Roslyn Heights; and

**WHEREAS**, the project has been completed and the Board desires to transfer the remaining monies, in the amount of \$3,010.75, back to the Fund; and

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

**NOW, THEREFORE, BE IT**

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

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

**Dated:** Manhasset, New York

September 1, 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 Number 46, a resolution approving standard workdays and reporting requirement for elected officials for the New York State And Local Employee Retirement.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Let me ask Counsel, should I vote on this because I'm not part of the New York State system. I can vote? Counsel?

ATTORNEY CHIARA: This is for last year's, this is for the last year of -- you could vote.

COUNCILMEMBER WALSH: I can vote, Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 469 - 2022**

**A RESOLUTION APPROVING STANDARD WORK DAYS AND REPORTING REQUIREMENTS FOR ELECTED OFFICIALS FOR THE NEW YORK STATE AND LOCAL EMPLOYEE RETIREMENT SYSTEM.**

**BE IT RESOLVED** that the Town of North Hempstead hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

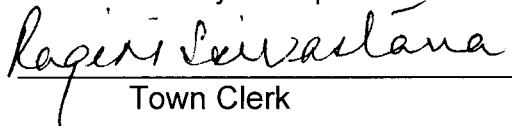
1. Supervisor Jennifer S. DeSena worked a standard work day of 6 hours for a term which begins 1/1/2022 and ends 12/31/2023 and does not participate in the employer's time keeping system. Reports 40.88 hours.

2. Councilperson Robert J. Troiano worked a standard work day of 6 hours for a term which begins 1/1/2022 and ends 12/31/2025 and does not participate in the employer's time keeping system. Reports 2.36 hours.

3. Councilperson David A. Adhami worked a standard work day of 6 hours for a term which begins 1/1/2022 and ends 12/31/2025 and does not participate in the employer's time keeping system reports 3.805 hours.

4. Town Clerk Ragini Srivastava worked a standard work day of 6 hours for a term which begins 1/1/2022 and ends 12/31/2025 and does not participate in the employer's time keeping system. Reports 21.57 hours.

On this 1st day of September 2022,

  
Town Clerk

Date enacted: September 1, 2022

I, Ragini Srivastava, clerk of the governing board of the Town of North Hempstead, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 1st day of September 2022 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original. I further certify that the full board, consists of 7 members, and that 1 of such members were present at such meeting and that 1 of such members voted in favor of the above resolution. IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of North

Hempstead. This document consists of 2 page(s).

**Dated:** Manhasset, New York

September 1, 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 Number 47, a resolution amending resolution number 742-2021 adopted December 16, 2021, authorizing the execution of agreements with various instructors for fitness classes at various locations within the town in connection with Project Independence.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 470 - 2022**

**A RESOLUTION AMENDING RESOLUTION NO. 742-2021, ADOPTED DECEMBER 16, 2021, AUTHORIZING THE EXECUTION OF AGREEMENTS WITH VARIOUS INSTRUCTORS FOR FITNESS CLASSES AT VARIOUS LOCATIONS WITHIN THE TOWN IN CONNECTION WITH PROJECT INDEPENDENCE.**

**WHEREAS**, pursuant to Resolution No. 742-2021, duly adopted on December 16, 2021, the Town Board authorized the execution of agreements with various instructors for fitness classes at various locations within the Town in connection with Project Independence (the "Resolution"); and

**WHEREAS**, the Commissioner of the Department of Services for the Aging has requested that the Resolution be amended to include Nicole Helmus, 26 Glen Cove Road, Glen Cove, NY 11549, to provide fitness and/or Yoga instruction at a rate of Sixty and 00/100 Dollars (\$60.00) per hour for a total amount not to exceed One Thousand Five Hundred and 00/100 Dollars (\$1,500.00) for the 2022 calendar year (the "Amendment"); and

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Resolution be and hereby is amended to reflect the Amendment.

**Dated:** Manhasset, New York

September 1, 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 DOSA



CLERK SRIVASTAVA: Item Number 48, a resolution amending resolution number 163-2022 adopted March 31, 2022, authorizing the execution of an agreement with Zoda LLC DBA Mad Science of Long Island for a summer science program at Michael J. Tully Park, New Hyde Park, New York.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 471 - 2022**

**A RESOLUTION AMENDING RESOLUTION NO. 163-2022, ADOPTED MARCH 31, 2022, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ZODA LLC/D/B/A MAD SCIENCE OF LONG ISLAND FOR A SUMMER SCIENCE PROGRAM AT MICHAEL J. TULLY PARK, NEW HYDE PARK, NEW YORK.**

**WHEREAS**, pursuant to Resolution No. 163-2022, duly adopted on March 31, 2022, the Town Board authorized the execution of an agreement with Zoda LLC d/b/a Mad Science of Long Island, 216 East Meadow Avenue, East Meadow, New York 11554, to provide a summer science program at Michael J. Tully Park in New Hyde Park commencing on June 27, 2022 and terminating on August 26, 2022, in consideration of payment to the Town of ten percent (10%) of the gross revenue generated by the Contractor, with a guaranteed minimum payment to the Town of Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00) (the "Resolution"); and

**WHEREAS**, the Commissioner of the Department of Parks and Recreation (the "Commissioner") has requested that the Resolution be amended to provide that in the event that no participants register for the program the agreement will be terminated and no minimum payment will be due to the Town (the "Amendment"); and

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Resolution be and hereby is amended to reflect the Amendment.

**Dated:** Manhasset, New York

September 1, 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 Number 49, a resolution amending resolution number 415-2022, adopted August 4, 2022 authorizing the execution of an amendment to an agreement with D&B Engineers and Architects PC for a project plan and assessment report on behalf of the Manhasset Bay Protection Committee.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 472 - 2022**

**A RESOLUTION AMENDING RESOLUTION NO. 415-2022, ADOPTED AUGUST 4, 2022, AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH D&B ENGINEERS AND ARCHITECTS, P.C. FOR A PROJECT PLAN AND ASSESSMENT REPORT ON BEHALF OF THE MANHASSET BAY PROTECTION COMMITTEE.**

**WHEREAS**, pursuant to Resolution No. 415-2022, duly adopted on August 4, 2022, the Town Board authorized the execution of an amendment to an agreement, on behalf of the Manhasset Bay Protection Committee (MBPC), with D&B Engineers and Architects, P.C., 330 Crossways Park Drive, Woodbury, New York 11797 (the "Contractor") related to the preparation of a quality assurance project plan and data usability assessment report for MBPC's water quality monitoring program to provide additional water quality data for 2022 as required by the New York State Department of Environmental Conservation thereby increasing the contract amount by Four Thousand and 00/100 Dollars (\$4,000.00), to be funded by the MBPC (the "Resolution"); and

**WHEREAS**, the Commissioner of the Department of Planning and Environmental Protection (the "Commissioner") has requested that the Resolution be amended to provide that the contract amount be increased by Four Thousand Four Hundred Fifty and 00/100 Dollars (\$4,450.00) (the "Amendment"); and

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Resolution be and hereby is amended to reflect the Amendment.

**Dated:** Manhasset, New York

September 1, 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 Number 50, a resolution amending resolution 622-2018 adopted September 18, 2018 authorizing the payment of claims against the Town of North Hempstead and authorizing the comptroller or deputy comptroller to pay the cost thereof.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 473 - 2022**

**A RESOLUTION AMENDING RESOLUTION 622-2018, ADOPTED DECEMBER 18, 2018, AUTHORIZING THE PAYMENT OF CLAIMS AGAINST THE TOWN OF NORTH HEMPSTEAD AND AUTHORIZING THE COMPTROLLER OR DEPUTY COMPTROLLER TO PAY THE COSTS THEREOF.**

**WHEREAS**, pursuant to Resolution No. 622-2018, duly adopted on December 18, 2018, the Town Board authorized the settlement and payment of a claim concerning claimant Harold Warshay (Town Attorney File No. T-5925-l) in the amount of \$15,000.00 (the "Resolution"); and

**WHEREAS**, the Town Attorney has requested that the Resolution be amended to reflect an increase in the settlement payment from \$15,000.00 to \$30,000.00 (the "Amendment"); and

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Resolution be and hereby is amended to reflect the Amendment.

**Dated:** Manhasset, New York

September 1, 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 Number 51, a resolution authorizing the employment, appointment, transfer, adjustment, correction, change in grade, or salary and/or termination employees and/or officials in various departments of the town.

COUNCILMEMBER LURVEY: I would like to make

CLERK SRIVASTAVA: We have a card on this.

COUNCILMEMBER DALIMONTE: You might want to say that before, maybe that's what he's speaking on, I don't know.

COUNCILMEMBER LURVEY: I'd like to make a motion to table Item Number 51-67, 51-68, and 51-69.

MR. MCDONOUGH: I wasn't going to say anything about them anyway.

CLERK SRIVASTAVA: Councilman Troiano?

SUPERVISOR DESENA: We still have a card. Oh, I'm sorry.

COUNCILMEMBER TROIANO: We don't know what he wants to speak about.

SUPERVISOR DESENA: First, we'll do the amendment. And then we'll let him speak.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

MR. MCDONOUGH: Tom McDonough, President of Unit 7555 representing the union members of North Hempstead. There's a lot of reasons going on in here with their vote, they're exempt members, exempt employees, union employees which I appreciate. I'm still a little dismayed with the amount of part-timers that we continue to hire. I think there's 10 all together on recreation aids, I think we're hiring 4 and we're changing the salaries of 6. I'd like to see those become full-timers, but I do have a responsibility to my union members to say something. I know it's not really going to make any difference, but the one thing that can make a difference, if

you moved this a little further up in the agenda, I won't be here all night. And I won't speak on a bunch of other stuff.

COUNCILMEMBER DALIMONTE: We like you being here, Mr. McDonough.

MR. MCDONOUGH: There's a method to the madness. Again I see that there are a few full-time employees being hire for the parks department, which is a good thing but again we're grossly understaffed and we just need more. And the more full-time employees we have, the better off we are. Or I might have to unionize the part-timers. Have a good night.

COUNCILMEMBER DALIMONTE: Good night, thank you for the bell. Good morning.

CLERK SRIVASTAVA: Item Number 52.

COUNCILMEMBER DALIMONTE: 51, we didn't vote.

SUPERVISOR DESENA: I offer the resolution and move for its adoption. I have to say all of them. I offer the resolution for 51-1 through 51-66, 51-1 and 51-66 and move for their adoptions.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Before I cast my vote, I want to note that while I support establishing parity and pay for employees, I think it's unusual that these significant raises are being done at the end of the year instead of including these adjustments in next year's budget. So I was a bit surprised to see these committed tonight without consulting me, the chief budget officer of the town, prior to accepting the financial implications going forward. Just because we have some extra money in the department's budget at the end of the year doesn't me that raises are the best way to spend it, instead of using it to invest something like our road or parks. With that I of course support our workforce and vote 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. 474 - 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: 474 - 1**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of Jonathan Deutsch to the title of Auto Servicer in the amount of \$25.33 hourly / \$52,689 annually in the Highways Department effective 09/17/22.

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

Nays: None.

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**RESOLUTION NO: 474 - 2**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of Michael Roerdan to the title of Laborer 1 in the amount of \$22.82 hourly / \$47,471 annually in the Highways Department effective 09/17/22.

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

Nays: None.

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**RESOLUTION NO: 474 - 3**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of Michael Sokol to the title of Laborer 1 in the amount of \$22.82 hourly / \$47,471 annually in the Highways Department effective 09/17/22.

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

Nays: None.

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**RESOLUTION NO: 474 - 4**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of Daniel Galante to the title of Recreation Leader I in the amount of \$25.33 hourly / \$52,689 annually in the Department of Parks & Recreation - Yes We Can Community Center effective 09/17/22.

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

Nays: None.

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**RESOLUTION NO: 474 - 5**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of Michael Dapruzzo to the title of Laborer 1 in the amount of \$22.82 hourly / \$47,471 annually in the Sidewalk District (DPW) effective 09/05/22.

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

Nays: None.

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**RESOLUTION NO: 474 - 6**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to full-time hire of Robert Lenny to the title of Rec Aide in the amount of \$22.82 hourly / \$47,471 annually in the Department of Parks & Recreation - Yes We Can Community Center effective 09/17/22.

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

Nays: None.

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**RESOLUTION NO: 474 - 7**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the rescinding of resignation of Elisabetta Veltri in the title of Rec Aide in

the amount of \$23.27 hourly / \$48,411 annually in the Department of Parks & Recreation - Tully Park effective 08/04/22.

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

Nays: None.

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RESOLUTION NO: 474 - 8

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Liam Flanagan to the title of Lifeguard I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Tully Park effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 9

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Maya McNari to the title of Rec Aide (After School Counselor) in the amount of \$17.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 10

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Shaija Mills to the title of Rec Aide (Zumba Instructor) in the amount of \$25.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 11

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Schoshana Godfrey to the title of Rec Aide (Health Instructor) in the amount of \$20.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 12

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Tricia Stephenson to the title of Rec Aide (Early Childhood Teacher) in the amount of \$20.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 13

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Perry Dukes to the title of Laborer 1 in the amount of \$16.00 hourly in the Department of Parks & Recreation - Martin "Bunky" Reid effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 14

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Christopher Doyle in the title of Auto Mechanic in the amount of \$31.33 hourly / \$65,168 annually in the Highways Department effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 15

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for James Jennison in the title of Auto Mechanic in the amount of \$31.97 hourly / \$66,497 annually in the Highways Department effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 16

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Michael Catapano in the title of Highway Construction Supervisor in the amount of \$36.34 hourly / \$75,577 annually in the Highways Department effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 17

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Phillip Gallo in the title of Highway Construction Supervisor in the amount of \$46.62 hourly / \$96,979 annually in the Highways Department effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 18

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Bruno Iannelli in the title of Highway Construction Supervisor in the amount of \$44.53 hourly / \$92,630 annually in the Highways Department effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 19

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Lester Wahrenburg in the title of Equipment Operator 1 in the amount of \$27.16 hourly / \$56,485 annually in the Highways Department

effective09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 20

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Corey Falls in the title of Highway Construction Supervisor in the amount of \$37.48 hourly / \$77,968 annually in the Sidewalk District (DPW) effective09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 21

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, step and salary change for Antonio Cavezza to the title of Highway Construction Supervisor in the amount of \$32.89 hourly / \$68,411 annually in the Highways Department effective08/06/22.

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

Nays: None.

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RESOLUTION NO: 474 - 22

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, step and salary change for Jonathan Roeder to the title of Auto Mechanic in the amount of \$28.45 hourly / \$59,166 annually in the Highways Department effective09/17/22.

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

Nays: None.

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RESOLUTION NO: 474 - 23

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, step and salary change for Travis Sandy to the title of Equipment Operator Trainee in the amount of \$29.39 hourly / \$61,135 annually in the Highways Department effective09/17/22.

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

Nays: None.

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RESOLUTION NO: 474 - 24

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, step and salary change for Luigi Iannucci to the title of Equipment Operator Trainee in the amount of \$25.26 hourly / \$52,551 annually in the Highways Department effective09/17/22.

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

Nays: None.

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RESOLUTION NO: 474 - 25

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, step and salary change for James Borzoni to the title of Equipment Operator 2 in the amount of \$26.94 hourly / \$56,030 annually in the Highways Department effective Retro to 8/6/2022.

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

Nays: None.

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RESOLUTION NO: 474 - 26

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, step and salary change for Kathleen Blair to the title of Recreation Leader I in the amount of \$28.20 hourly / \$58,658 annually in the Department of Parks

& Recreation - Administration effective 09/03/22. Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

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RESOLUTION NO: 474 - 27

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, step and salary change for Charlie Roberson to the title of Maintenance Carpenter in the amount of \$30.23 hourly / \$62,870 annually in the Department of Parks & Recreation - Yes We Can Community Center effective 09/17/22.

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

Nays: None.

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RESOLUTION NO: 474 - 28

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, step and salary change for Ivan Ramirez to the title of Financial Systems Administrator in the amount of \$3,274.20 bi-weekly / \$85,129 annually in the Office of the Receiver of Taxes effective 08/06/22.

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

Nays: None.

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RESOLUTION NO: 474 - 29

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hourly rate change for Naura LaPlante in the title of Rec Aide (After School Counselor) to the amount of \$18.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 30

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hourly rate change for Jamal Little in the title of Rec Aide (After School Counselor) to the amount of \$18.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 31

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hourly rate change for Nelson Guevara in the title of Rec Aide (After School Counselor) to the amount of \$18.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 32

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hourly rate change for Rolgens Dextra in the title of Rec Aide (After School Counselor) to the amount of \$18.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 33

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hourly rate change for Humza Butt in the title of Rec Aide to the amount of \$16.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 09/03/22.

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

Nays: None.

---

RESOLUTION NO: 474 - 34

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hourly rate change for Edward Callender in the title of Laborer I to the amount of \$16.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 35

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status and hourly rate change for Brian Cochran in the title of Rec Aide (After School Counselor) to the amount of \$18.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 36

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status and hourly rate change for Leila Brabham in the title of Rec Aide (After School Counselor) to the amount of \$16.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 09/03/22.

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

Nays: None.

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**RESOLUTION NO: 474 - 37**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status, hourly rate and location change for Leann Ferron in the title of Rec Aide to the amount of \$16.00 hourly to the Department of Parks & Recreation - Yes We Can Community Center effective 09/03/22.

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

Nays: None.

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**RESOLUTION NO: 474 - 38**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status, hourly rate and location change for Cody Campbell in the title of Public Safety Officer I to the amount of \$18.00 hourly to the Department of Parks & Recreation - Parks Public Safety effective 09/03/22.

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

Nays: None.

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**RESOLUTION NO: 474 - 39**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the effective date change for the title and salary change for George Morfessis to the title of Commissioner of DoITT to the amount of \$5,336.04 bi-weekly / \$138,737 annually in the Department of IT effective Retro to 6/18/2022.

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

Nays: None.

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**RESOLUTION NO: 474 - 40**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the effective date change for the title and salary change for Marshah-Reaff Barrett to the title of Commissioner of SWM to the amount of \$5,192.30 bi-weekly / \$135,000 annually in the Department of Solid Waste Management effective 06/27/22.

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

Nays: None.

---

**RESOLUTION NO: 474 - 41**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the Department change for Ryan Smith in the title of Clerk 2 in the amount of \$1,995.40 bi-weekly / \$51,881 annually to the Department of IT effective 09/03/22.

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

Nays: None.

---

**RESOLUTION NO: 474 - 42**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the Department, title and salary change for Andrew Posch to the title of Laborer 1 to the amount of \$23.95 hourly / \$49,823 annually to the Highways Department effective 09/03/22.

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



Nays: None.

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RESOLUTION NO: 474 - 43

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time employee location change for Jennifer Eberhardt in the title of Rec Aide in the amount of \$2,622.30 bi-weekly / \$68,180 annually to the Department of Parks & Recreation - Administration effective 08/20/22.

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

Nays: None.

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RESOLUTION NO: 474 - 44

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time employee location change for Tiffara Steward in the title of Rec Aide in the amount of \$22.82 hourly / \$47,471 annually to the Department of Parks & Recreation - Yes We Can Community Center effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 45

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time employee location change for Brittany Hagan in the title of Rec Aide in the amount of \$19.00 hourly to the Department of Parks & Recreation - Michael J. Tully Park effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 46

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time employee location change for Nishon Parson in the title of Laborer I in the amount of \$16.75 hourly to the Department of Parks & Recreation - Whitney Pond Park effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 47

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal employee location change for Sean Mclellan in the title of Lifeguard I in the amount of \$18.00 hourly to the Department of Parks & Recreation - Manorhaven Beach Park effective 08/09/22.

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

Nays: None.

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RESOLUTION NO: 474 - 48

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal employee location change for Antonio Lazo in the title of Lifeguard II in the amount of \$21.00 hourly to the Department of Parks & Recreation - Manorhaven Beach Park effective 8/20/22.

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

Nays: None.

---

**RESOLUTION NO: 474 - 49**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal employee location change of Nathan Gaysynsky in the title of Lifeguard I in the amount of \$18.00 hourly to the Department of Parks & Recreation - Manorhaven Beach Park effective 08/20/22.

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

Nays: None.

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**RESOLUTION NO: 474 - 50**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status, title, hourly rate and department change for John Flemm to the title of Administrative Intern - Temporary to the amount of \$16.00 hourly to the Comptroller's Office effective 08/20/22. Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

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**RESOLUTION NO: 474 - 51**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status and department change for Sana Farooqi in the title of Recreation Aide in the amount of \$15.00 hourly to the Department of Public Safety - Code Enforcement effective 09/02/22.

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

Nays: None.

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**RESOLUTION NO: 474 - 52**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Nuris Melendez in the title of Attendant / 311 Call Rep in the amount of \$16.00 hourly in the 311 Call Center effective 08/03/22.

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

Nays: None.

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**RESOLUTION NO: 474 - 53**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Derek Takamiya in the title of Laborer I in the amount of \$15.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 06/19/22.

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

Nays: None.

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**RESOLUTION NO: 474 - 54**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Jahrel Anderson in

the title of Laborer I in the amount of \$15.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 05/25/22.

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

Nays: None.

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RESOLUTION NO: 474 - 55

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the retirement of full-time employee Gerald Vacchiano in the title of Public Safety Officer 1 in the amount of \$35.58 hourly / \$74,006 annually in the Department of Parks & Recreation - Parks Public Safety effective 08/04/22.

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

Nays: None.

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RESOLUTION NO: 474 - 56

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the retirement of full-time employee Karen Zimmerman in the title of Clerk Typist 3 in the amount of \$3,308.20 bi-weekly / \$86,013 annually in the Department of Public Safety - Code Enforcement effective 08/20/22.

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

Nays: None.

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RESOLUTION NO: 474 - 57

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of full-time employee Lauren Summa in the title of Secretary to the Supervisor in the amount of \$3,372.96 bi-weekly / \$87,697 annually in the Buildings Department effective 08/26/22.

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

Nays: None.

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RESOLUTION NO: 474 - 58

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary change for full-time employee Lorienton Palmer in the title of Senior Deputy Town Attorney to the amount of \$5,092.53 bi-weekly / \$132,406 annually in the Town Attorney effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: 474 - 59

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary change for full-time employee Yael Spitzer in the title of Deputy Town Attorney to the amount of \$2,843.88 bi-weekly / \$73,941.00 (80%) annually in the Town Attorney effective 09/03/22.

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

Nays: None.

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**RESOLUTION NO: 474 - 60**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary change for full-time employee Deborah Algios in the title of Deputy Town Attorney to the amount of \$3,505.00 bi-weekly / \$91,130.00 annually in the Town Attorney effective 09/03/22.

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

Nays: None.

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**RESOLUTION NO: 474 - 61**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary change for full-time employee Adriana Demircyian in the title of Deputy Town Attorney to the amount of \$3,508.92 bi-weekly / \$91,232.00 annually in the Town Attorney effective 09/03/22.

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

Nays: None.

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**RESOLUTION NO: 474 - 62**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary change for full-time employee Selena Berbig in the title of Assistant Town Attorney to the amount of \$2,847.23 bi-weekly / \$74,028.00 annually in the Town Attorney effective 09/03/22.

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

Nays: None.

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**RESOLUTION NO: 474 - 63**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary change for full-time employee Samantha Flores in the title of Assistant Town Attorney to the amount of \$2,800.38 bi-weekly / \$72,810.00 annually in the Town Attorney effective 09/03/22.

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

Nays: None.

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**RESOLUTION NO: 474 - 64**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary change for full-time employee Gaitrie Persaud in the title of Secretary to Councilman to the amount of \$2,500.00 bi-weekly / \$65,000.00 annually in the Town Attorney effective 09/03/22.

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

Nays: None.

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**RESOLUTION NO: 474 - 65**

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary change for full-time employee Jennifer Quinn in the title of Secretary to Town Attorney to the amount of \$2,355.96 bi-weekly / \$61,255.00 annually in the Town Attorney effective 09/03/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano,

Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

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RESOLUTION NO: 474 - 66

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary change for full-time employee Tracie Villani in the title of Secretary to Commissioner of Public Safety to the amount of \$2,173.07 bi-weekly / \$56,500.00 annually in the Town Attorney effective 09/03/22.

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

Nays: None.

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RESOLUTION NO: -67

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary change for full-time employee Erin Molyneux in the title of Administrative Asst. to Town Board to the amount of \$2,491.64 bi-weekly / \$64,782 annually in the Town Board Department effective 08/06/22.

**Tabled. Tabling Motion by Councilperson Lurvey.**

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

Nays: None.

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RESOLUTION NO: -68

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary change for full-time employee Khadija Farrell in the title of Administrative Asst. to Town Board to the amount of \$2,571.92 bi-weekly / \$66,870 annually in the Town Board Department effective 08/06/22.

**Tabled. Tabling Motion by Councilperson Lurvey.**

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

Nays: None.

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RESOLUTION NO: -69

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary change for full-time employee Romina Tehrani in the title of Administrative Asst. to Town Board to the amount of \$2,531.23 bi-weekly / \$65,812 annually in the Town Board Department effective 08/06/22.

**Tabled. Tabling Motion by Councilperson Lurvey.**

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

Nays: None.

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CLERK SRIVASTAVA: Thank you. Item Number 52, a resolution approving the action of the Alert Engine, Hook, Ladder and Hose Company No 1 in removing from membership Hanfu Lu, and adding to membership Jose Segovia, Seth Newman, Joseph Setarel, and Anthony Flores.

COUNCILMEMBER LURVEY: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye. I move to adjourn.

**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. 476 - 2022**

**A RESOLUTION APPROVING THE ACTION OF THE ALERT ENGINE, HOOK, LADDER AND HOSE CO. NO. 1 INC., GREAT NECK, NEW YORK, IN REMOVING FROM MEMBERSHIP HANFU LU AND ADDING TO MEMBERSHIP JOSE SEGOVIA, SETH NEWMANN, JOSEPH SETAREL, AND ANTHONY FLORES.**

**WHEREAS**, the Alert Engine, Hook, Ladder and Hose Co. No. 1, Inc., Great Neck, New York, has advised of removing Hanfu Lu from membership and adding Jose Segovia, Seth Newmann, Joseph Setarel, and Anthony Flores to membership.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the action of Alert Engine, Hook, Ladder and Hose Co. No. 1, Inc., 555 Middle Neck Rd., Great Neck, NY 11023, had advised of removing Hanfu Lu from membership and adding Jose Segovia of 39B North Rd, Great Neck, NY, Seth Newmann of 44 Somerset Dr N, Great Neck, NY, Joseph Setarel of 22 Hawthorne Lane, Great Neck, NY and Anthony Flores of 639 Middle Neck Rd, Great Neck, NY 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

September 1, 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:** Alert Engine, Town Attorney, Comptroller

SUPERVISOR DESENA: I move to adjourn.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Yes.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: I want to wish Romina a happy birthday because it's now September 2. Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you. Good morning or good night what should we say.

(Whereupon, the proceedings concluded at 12:43 AM)



Town Clerk