

Town Board Meeting – September 22, 2022

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TOWN OF NORTH HEMPSTEAD
TOWN BOARD
PUBLIC HEARING
Town Hall
September 22, 2022 7:17 P.M.

COUNCIL MEMBERS PRESENT:

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

ALSO PRESENT:

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

SUPERVISOR DESENA: Good evening, everybody, I think we're ready to start. Welcome to the town board meeting, September 22nd. If I could ask everybody to please stand for the pledge.

(Pledge of Allegiance.)

SUPERVISOR DESENA: Thank you. We're starting a little bit late tonight because Councilwoman Dalimonte has been ill this week and she is attending tonight via Zoom, so we just had some technical issues to work for. We're glad to have Councilwoman Dalimonte with us and hope that she's feeling better soon. Madam Clerk, can you call the roll?

CLERK SRIVASTAVA: Good evening, everyone. Town of North Hempstead board meeting, Thursday, September 22nd, 2022. Councilman Troiano.

COUNCILMAN TROIANO: Present.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Here.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Here.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Here.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Here.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Here.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Here.

CLERK SRIVASTAVA: Thank you. We'll have 30 minutes for the public comments. Supervisor, should we start?

SUPERVISOR DESENA: Yes, you can call the first --

(AUDIENCE PARTICIPATION.)

SUPERVISOR DESENA: Can you hear me? Okay, can you call the first comment --

COUNCILMAN TROIANO: Sorry, can I just first --

SUPERVISOR DESENA: Oh, you want to do that first, okay. I'm sorry, we have an explanation for our dress attire tonight.

COUNCILMAN TROIANO: I wanted an opportunity to explain my pre-Halloween costume. This is not how I normally come to the town council meetings and those of you who are outside and were wondering, like, what is he doing, you might want to come in now. There was an epic football game last Friday night that took place in Westbury. It featured the undefeated Port Washington Vikings against the undefeated Westbury Dragons. Two titans of the Conference

One in Nassau County Varsity Football League. It was a great game, as you would expect, for two undefeated teams, and at the conclusion of the first quarter, the score was nothing-nothing. At the conclusion of the second quarter, the first half, the score was 8-nothing, Westbury. At the conclusion of the third quarter, the score was still 8-nothing, Westbury. In the last three minutes of the fourth quarter, the Port Washington Vikings got across the goal line and scored a touchdown to bring the score to 8-6. They then followed by running a 2-point conversion play and made that. At the score of 8 to 8, the game clock ran out, the regulation time, it was 8-8. What happens in high school football is that one team, in this case, Westbury, gets the opportunity to score, and the ball is put at the 20-yard line and they get an opportunity to score, and therefore, set a down. Westbury scored, making -- giving them a 6 point lead. They then attempted to convert the conversion in a 2-point play and didn't make it, but we were ahead 14-8. Port Washington then gets a chance, and Port Washington had the ball put in the 8-yard line -- 20-yard line, and they too went in for a score. They then lined up for the extra point kick, and Port Washington executed perfectly, scored, and won the game in overtime, 15-14. Now, that doesn't explain my pre-Halloween costume, though. What you need to know if you're not an avid Facebook follower, is that Councilwoman Dalimonte, who is hospitalized because of this game apparently, she and I had a friendly side wager, that if Port Washington won, I would wear their varsity football team uniform, and if Westbury won, she would wear it. So, me being a gentleman, and having lost, or having my team lost, I am wearing this as I agreed to with my fellow Councilwoman. So, please give me a round of applause.

(APPLAUSE.)

COUNCILMAN TROIANO: There are at least five people here from Westbury, who I didn't want them to think --

FEMALE VOICE: Go Vikings!

COUNCILMAN TROIANO: -- that I have changed teams, because I have not. The only solace I can take from this is that, and Mariann, you're not going to like this, the coach of Port Washington is a former teacher in Westbury and a former coach, so I'm happy to say that we lost to a graduate of the Westbury football training program, and no doubt, that's why Port Washington was so well equipped to execute that extra point. So thank you for giving me a few minutes to explain that, and I'm going to continue to wear this for the rest of the meeting, but I'll put my jacket on.

SUPERVISOR DESENA: I think that's part of the deal. Okay, Madam Clerk, can you call the first comment?

(Whereupon, the public comments were off the record.)

SUPERVISOR DESENA: We've had over a half an hour for public comment now. I think we need to move into our agenda.

CLERK SRIVASTAVA: We're done with our cards.

SUPERVISOR DESENA: Now, Councilman Troiano, you mentioned that there were a few street namings, and we can handle those quickly, so we'll do just a couple of those.

COUNCILMAN TROIANO: Thank you for that. There's actually -- Resolution No. 10 is to consider a public hearing for a resolution to rename a portion of Brooklyn Avenue in Westbury for Gloria McFarland, she is here.

SUPERVISOR DESENA: Councilman, should you move first to move this one?

COUNCILMAN TROIANO: Yes, I just want to explain to you why I'm making the movement for the councilpeople as well. There are four public hearings -- at least four public hearings before we get to No. 10, so rather than having the Ms. McFarland and her entourage have to wait until that happens, I wanted to make a motion to take the agenda out of order and to move Resolution No. 10 to the front ahead of all the other resolutions. I've made a motion -- Clerk, I'm sorry.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Thank you.

SUPERVISOR DESENA: I say aye, also.

CLERK SRIVASTAVA: Supervisor DeSena, yes. We'll start with Item No. 10. A public 10 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.

COUNCILMAN TROIANO: Would anybody like to be heard about this matter? You would.

MS. MCFARLAND: Thank you so much for your motion to take it out of order, and also give me an opportunity to speak. My mother and my father built their house in Westbury in 1954, and my mother and dad have lived in Westbury in the same residence for -- my mom passed in 2018, so that's 64 years, and my dad in 1991. During that time, my mother has served the Town of North Hempstead, the Town of Hempstead and the Town of Oyster Bay in various capacities. She first became a Cub Scout den mother, and then a Girl Scout leader for over ten years. She did that so that her oldest and youngest could make it through the Girl Scout ranks, and there's ten years between us, so she had to stay there for ten years until we all got through that. And then she also served as the treasurer, if anybody remembers, the New Cassel Drum and Bugle Corps and she served as the secretary, the treasurer, the vice president and the president for the American Legion, Post 1861, for numerous years, and there she not only served veterans, but she also implemented a program to support the children of disabled veterans. She retired from Westbury Head Start after serving for 25 years where she served over 2,000 families, and she collaborated with big businesses to dress children from the inside out for the families of children

-- the families that had children in need, and what that basically meant was, she lobbied to get coats, sweaters, t-shirts, shoes and socks for those children every year in Westbury and Roosevelt, Head Start programs. Also during that time, she has served as the United Methodist Women's president, she also provided Thanksgiving dinners at Park Avenue school for over 15 years, and when Park Avenue school no longer became available, she did that through the Westbury United Methodist Pantry, and gave out -- created baskets and gave out Thanksgiving baskets for a number of years. In addition to that, you'd think, like, okay, she just goes on and on and on, but she also she was a trusted agent for the domestic violence -- the secret domestic violence shelters on Long Island, to the point where I didn't even know where they were, but they would contact her when they had a need and she would gather the essentials that they needed to provide for that shelter. She also delivered Meals on Wheels for over 20 years. She volunteered at the Westbury Senior Center as a treasurer, and since -- during all of this time -- and also on the Board of Elections for over 35 years. During all of this time, she was also inducted into the Town of North Hempstead Women's Role of Honor; thank you for that, and she was also -- received the Lifetime Achievement Award from the Mary McLeod Bethune and Dorothy Height National Council of Negro Women. So she has served this community in so many different capacities, and although she was a humble person, we called her EF Hutton, she didn't speak, but when she did, everybody rose to attention to listen. And we know she would never ask to have a street named after her, but we also know, given her body of work, that she was would be honored that it would be recognized in this matter. Thank you for the opportunity that you're providing us here.

COUNCILMAN TROIANO: You did an outstanding job of going through your mom's accomplishments. I know you weren't quite prepared for that, so that was very well done. You will have a chance to actually -- I'm assuming that my colleagues will vote for this, we'll have a chance to celebrate her on that day when we unveil the new street sign. I just wanted to give you a chance to brag about your mom. She was an extraordinary force, she was a mother to all in the Westbury community, and I'm just happy to be privileged in this position now to -- and I'm going to say it this way, to close the public hearing move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye. You know, it sounds like your mother was -- hold on. To me, it sounds like your mother should also be canonized as a saint, and I vote yes.

CLERK SRIVASTAVA: Thank you. Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: You spoke beautifully about your mother, I'm sure she'd be very proud of you and this is the least we can do for someone who is so inspiring, so I vote aye.

MS. MCFARLAND: Thank you.

COUNCILMAN TROIANO: Thank you.

(APPLAUSE.)

COUNCILMAN TROIANO: So, Gloria, we don't now hold you hostage, you can stay for the rest of the meeting, you and your family, you're free to leave.

SUPERVISOR DESENA: Take the chance. Get out. You're welcome to stay, of course.

CLERK SRIVASTAVA: Thank you.

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. 476 - 2022

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 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, 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, 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 September 22, 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 22, 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 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".

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 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".

Dated: Manhasset, New York

September 22, 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 8th day of September, 2022, he posted the attached Notice of Hearing 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’, at the following locations:

- Town Clerk Bulletin Board**
- Westbury Post Office**
- Brooklyn Ave and Park Ave**
- Brooklyn Ave, 100 feet north of Park Ave**
- Brooklyn Ave, 100 feet south of Park Ave**



Henry Krukowski

Sworn to me this
8th 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

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Monday September 12, 2022 Nassau

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Print Name: Ciara Woodin

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12 Day of September, 2022.

Sarah Perez
Notary Public

Sarah Perez
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Legal Notice # 21744901

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**

NEWSDAY PROOF

Ad Number: 0021744901

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

CLERK SRIVASTAVA: Item No. 1, a public hearing to consider the adoption of a local law amending Chapter 2 of the town code, entitled administration and enforcement.

COUNCILWOMAN DALIMONTE: Town Clerk, do we have anyone here that wishes to speak on this? But before we do, I do want to let everyone know that I will be asking this to be continued to October 27th, 2022, town board meeting. It is a public hearing, so if there is anyone that wishes to speak, you should let them speak.

CLERK SRIVASTAVA: The first card we have on this item is Pat Higgins.

MS. HIGGINS: Good evening, everybody. I spoke at length last time, and I first want to say how much I appreciate that you all postponed it from the last meeting to this one, and I'm not upset about the new postponement. I did send a letter to all of you, and basically, I don't want to take up a lot of time, I want to read a couple of excerpts, just to reinforce -- I just want to make sure everybody here really, really gets it, that a short-term rental in an unoccupied home or apartment is not a good thing, and that's when we have problems, such as trash and loud parties, traffic and all that stuff that people are rightfully upset about, and I totally agree that that should be banned, but I want to make sure you all understand that it's like apple and oranges, it's a whole different ball game. When someone owns their own house, I think, you know, they should be able to have a certain amount of autonomy. That happens to be my only real asset at this time in my life, and as I stated before, I could not afford to live here if I wasn't able to rent out rooms. Now, from what I understand, it's now on the table here, a 30-day minimum stay; I don't mind having to have a permit or anything like that, but to place a 30-day minimum stay, I think hurts a lot of people, and I'm not just talking about the hosts like myself, but it makes me sad, you know. For those people who come for high school reunions, weddings, graduations, funerals, to visit elderly parents, to visit ailing relatives at Saint Francis and North Shore Hospital, friends they haven't seen in years. Someone came all the way from Thailand, hadn't seen his family in six years, you know. And the thing is, it costs a lot for these people to travel, and a lot of them are older, a lot are retired, they don't have a lot of disposable income to spend on expensive hotels. I also know, the flip side of that is, I know there are a number of people who live in the Town of North Hempstead who would love to have their family or friends come visit, but don't have the room to host them, and they're often the people who do reach out to me, the people who the others are coming to visit. So I don't think I had brought that up before. So anyway, my point is, I don't understand why any kind of minimum needs to be placed on the length of stay when all the problems that are listed as your reason for this proposal in the first place, don't apply to the type of short-term rentals, myself and others like me, provide. It's a service, and I think it's an important one and I'll stop because the beeper is going off. Thank you.

COUNCILWOMAN DALIMONTE: Thank you.

CLERK SRIVASTAVA: The next card is

COUNCILWOMAN DALIMONTE: Thank you, Ms. Higgins, very much for your comments. Just so you know, there are different types of short-term rentals. So we did change the legislation since the last hearing, that short-term rentals would be allowed for owner-occupied, two-family or multi-family dwellings, in with one unit is being used by the owner as their principle residence. Renting out rooms is a boarding house and is already illegal in the Town of North Hempstead, so I just want to make sure that is clear. Do we have any other -- did you hear what I said?

MS. HIGGINS: Yes, can I just ask --I don't know how much of it is semantics. I know there's something about you don't lock doors, you share the kitchen, you share the bathroom and all that stuff. When that is the situation, is that still considered a boarding house?

COUNCILWOMAN DALIMONTE: You know, the town attorney would have to -- I don't know if he can answer to that.

MR. CHIARA: We just can't give you legal advice.

MS. HIGGINS: I'm not asking for advice.

MR. CHIARA: You're asking us what's legal.

MS. HIGGINS: No -- well, yes, because Ms. Dalimonte said that boarding houses aren't legal, so I'm just asking, why is this situation considered to be a boarding house, and is it because you're just renting out a room, that's all, I just want to know the difference.

MR. CHIARA: We can ask the -- I think the Commissioner of Buildings is here and he can explain what is allowed and what's not allowed under the town code.

MS. HIGGINS: Okay, one other thing; I just want to know the reasons, because if it's not harming anything -- you know, it's --you can shoot a blue jay but not a mockingbird.

COUNCILWOMAN DALIMONTE: Ms. Higgins, there is areas in the Town of North Hempstead that are experiencing several issues with short-term rentals, where it is a party house. There is a party in the hot tub all night, they're drinking, they're ringing the neighbor's doorbells -

MS. HIGGINS: Not when the owner is occupying the home.

COUNCILWOMAN DALIMONTE: Ms. Higgins, Ms. Higgins, let me just finish. There is a quality of life issue that is happening, and if you live next to this home or any of these homes, I'm sure you would be just as upset.

MS. HIGGINS: I don't think -- I still don't think you understand. When you're hosting somebody in your home, you have guests, it's like when you have guests, you expect a certain level of good behavior, and there are recourses through the website, through Airbnb and others to deal with problems immediately. I have never, in nine years, had trash thrown around or traffic congestion or any of these things, parties, no way. The people I have are mostly professionals.

COUNCILWOMAN DALIMONTE: Mrs. Higgins, that's why, just so you know, because of you speaking out at the last board meeting, we went back and we changed it where short-term rentals would be allowed for owner-occupied, two-family or multi-family dwellings, in which, the one unit is used by the owner as their principle residence, so we did make that change since the last time.

MS. HIGGINS: I appreciate that, but you're talking about a two-family unit. What's wrong with just -- you have three extra bedrooms because the kids grew up and moved away and now you're retired and you don't have the income you had before and you don't want to have to move.

COUNCILMAN WALSH: Excuse me, ma'am, I wonder if we can have the --

COUNCILWOMAN DALIMONTE: I understand that, I think that maybe you should speak to the Building Department commissioner, because that is considered a boarding house.

MR. CHIARA: I would actually ask if the Building commissioner could hypothetical just

explain what is allowed and isn't allowed under the current state law and town code.

SUPERVISOR DESENA: That would be helpful, thank you. If you could just sort of define it and explain a little bit.

MR. NIEWENDER: So, contracting or advertising for rooms is against the town code. Having people in a transient manner, exchange favors, exchange money, exchange anything for a room, which, by the way, if they're locked out individually, it's a major code violation, it's a life safety issue, and this is what this is all about, life safety; the transient nature, anything under 30 days. In this case, if you're renting rooms, it's clear in the code that you can't rent individually, you can't have boarders, you can't have locks on doors, you can live as a family unit, not being related, but there can't be any special knowledge exit/entry equipment. You can't have locks on doors, you can't have separated living space from floor to floor, and not to mention, it's a little bit dangerous because if that person -- you might not get a good one and they don't want to leave, good luck, because now you have a squatter, and now you have a liability. You saw recently what happened out east, there are major repercussions for life safety issues, and accidents that happen. The state doesn't allow transient tenancies, they're either motels, dormitories, hotels, that type of thing. It's not permitted in a one and two-family residence. Does that help?

COUNCILMAN WALSH: And I imagine if you advertise for someone to stay in your house, they can no longer be considered extended family.

MR. NIEWENDER: That's correct, and they're not a guest at that point.

CLERK SRIVASTAVA: We have a few more cards on this item. Anna Pakula.

FEMALE VOICE: Hi, I'm here with Anna actually on FaceTime, she was going to come and speak, and if she's able to be heard clearly, could she address her comments to you through this method? The Zoom link didn't work for her and I appreciate the help. It's just to put a human face on something. Anna, go ahead and see if they can hear you. Oh boy, let's see, just a second, pardon me. I know I'm eating into my time.

COUNCILMAN TROIANO: We do need --

MS. PAKULA: Good evening, can you hear me?

COUNCILMAN TROIANO: I believe we need her to identify herself.

FEMALE VOICE: Her name is Anna Pakula, she's from the Town of North Hempstead, she lives in Roslyn.

COUNCILMAN WALSH: She can send this in by letter.

FEMALE VOICE: Yes, but she just wanted to speak briefly just to put a human face on something.

COUNCILMAN TROIANO: Clerk, do you need an address?

SUPERVISOR DESENA: Can you state your address?

FEMALE VOICE: Can you state your address?

MS. PAKULA: It's 75 Mott Avenue in Roslyn.

CLERK SRIVASTAVA: Come again, please, repeat it?

FEMALE VOICE: 75 Mott Avenue in Roslyn.

CLERK SRIVASTAVA: Okay, it's not written, it's just written Roslyn and phone number.

FEMALE VOICE: Yes, the phone number is on the card.

SUPERVISOR DESENA: Okay, go ahead.

FEMALE VOICE: Go ahead, Anna.

MS. PAKULA: I just want to support the short-term rental, it just happened that I had an intense situation that I had to leave my house for a little bit of time, and although I am PhD research scientist, I could not afford a hotel, and I stayed for two weeks in a private room, an Airbnb where the host was present to ensure everything was fine and it was really amazing and helpful. But I even came back to visit my house with my new baby because I was pregnant back then and new job, and I told her that you have a house that saves people, and please allow short-term guests, like myself, to chance --to have this safe alternative -- this safe place and affordable place for people like me that needed the time to reconsider my life and my choices, and it wouldn't be possible if I didn't have the chance to rent the room in an area I already know. So, please, reconsider this because this will help a lot of people.

FEMALE VOICE: She became part of a family unit, she did not have a separate entrance, she had kitchen privileges, and I just want to add I appreciate that you're all considering the human nature of this. She was not in a boarding house, she was in a desperate domestic situation, and she was greatly helped by this. And I just want to wish Ms. Dalimonte well, I know that you're weren't feeling well, and Ms. DeSena, I thank you for meeting us. We are just more seniors with very complicated family situations, you know, for confidentiality reasons, I can't go into what's going on in my family, but there are a lot of needs. They talk our about in the newspaper our beloved seniors, let's help them age in place and something like this is helping to keep families from disintegrating. So thank you very much, and thank you, Anna.

CLERK SRIVASTAVA: The next card is Jennifer Wooster.

MS. WOOSTER: I was just going to speak in case she couldn't, in case the technology didn't work. Thank you, very much.

CLERK SRIVASTAVA: Jennifer Wooster.

SUPERVISOR DESENA: That was her, she was passing, she's finished.

CLERK SRIVASTAVA: That was her? Oh, sorry about that. Pete Gaffney.

MR. GAFFNEY: Pete Gaffney, Westbury, Carle Place school district. Just a couple of questions -- one question, does this include pools, backyards and also the grounds of the property; not just the house? People now are renting pools out and stuff like that. Thanks.

SUPERVISOR DESENA: I think we can probably, you know, take -- we're continuing this hearing anyway, so do you want to --Mr. Chiara, are you able to answer?

MR. CHIARA: It doesn't.

SUPERVISOR DESENA: It does not?

MR. CHIARA: It does not.

SUPERVISOR DESENA: Okay, thank you.

COUNCILWOMAN DALIMONTE: It's about the dwelling unit. Are there any anymore

cards, Madam Clerk?

CLERK SRIVASTAVA: Sonny and Tina? Tito.

MALE VOICE: What agenda item are we on, ma'am?

SUPERVISOR DESENA: This is No. 1. I think there are no more cards.

CLERK SRIVASTAVA: No, we are done with our cards.

COUNCILWOMAN DALIMONTE: Okay, I move to continue the hearing to the October 27th, 2022, board meeting.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you.

CLERK SRIVASTAVA: Item No. 2, a public hearing to consider the adoption of a local law amending Chapter 37 of the town code, entitled historic landmarks preservation.

COUNCILWOMAN DALIMONTE: Madam Clerk, do we have any cards on this item?

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

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you.

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. 477 - 2022

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

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend Chapter 27 of the Town Code entitled "Historic Landmarks Preservation" in order to include a provision for written findings where a proposed landmark designation is rejected by the Town Board, to provide a basis for the approval of certain alterations, demolitions or relocations where there is a finding of economic hardship, and to attach a time limitation to certificates of appropriateness; and

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

WHEREAS, due notice was heretofore given of a public hearing scheduled for August 4, 2022, which hearing was continued to September 22, 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 has carefully considered the proposed Local Law during the seven-day period, conducted a public hearing on August 4, 2022 and September 22, 2022, with respect to the Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, in accordance with the State Environmental Quality Review Act and the Act's implementing regulations (the "SEQRA Regulations") the Office to the Town Attorney has recommended that the adoption of the Local Law be classified as a Type II Action pursuant to Sections 617.5(c)(1), (2), (11), (12), (33) and (38) of the SEQRA Regulations and, as such, no further environmental review is required; and

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

NOW, THEREFORE, BE IT

RESOLVED that the Town Board determines that the adoption of the Local Law is a Type II Action pursuant to Sections 617.5(c)(1), (2), (11), (12), (33) and (38) of the SEQRA Regulations and, as such, no further environmental review is required; and be it further

RESOLVED that Local Law No. 15 of 2022 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 15 OF 2022**

**A LOCAL LAW AMENDING CHAPTER 27 OF THE TOWN CODE
ENTITLED "HISTORIC LANDMARKS PRESERVATION".**

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

Section 1. Legislative Intent.

The Board finds that it is in the best interest of the Town of North Hempstead to amend Chapter 27 of the Town Code entitled "Historic Landmarks Preservation" in order to include a provision for written findings where a proposed landmark designation is rejected by the Town Board, to provide a basis for the approval of certain alterations, demolitions or relocations where there is a finding of economic hardship, and to attach a time limitation to certificates of appropriateness.

Section 2.

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

Article III Procedures

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

Historic landmarks and districts shall be designated as provided herein:

A. An application for the designation of a building, structure, site or object as a historic landmark or an area as a historic landmark district may be submitted to the Commission by any person on a form or in a format supplied by the Town. In addition, the Commission may, on its own motion, initiate such an application. The application shall include the following:

(1) An application to designate a building, structure, site or object for preservation as a historic landmark shall include:

- (a) A concise description of the physical elements, age, architectural style, period and historical significance represented by the building, structure, site or object, including a consideration of design, scale, material, workmanship and spatial qualities, as relevant.
 - (b) A concise statement of how the building, structure, site or object meets the definition of "historic landmark" as defined in this chapter.
 - (c) Exterior photographs of the building, structure, site or object in its entirety and surrounding property and a site map illustrating the characteristics enumerated in the definition of "historic landmark" as provided in this chapter. The area to be considered for landmarking shall be clearly defined in the site map. An aerial map showing the areas surrounding the proposed historic landmark shall be included with the application.
 - (d) The name and address of the owner(s) of the building, structure, site or object. In the case of a building, structure or object, the owner of the real property, as shown in the records maintained by the Nassau County Clerk's Office, upon which the building, structure or object is situated, is presumed to be the owner of the building, structure or object.
 - (e) The name, address and telephone number of the person who is submitting the proposal and the person represented, if any.
 - (f) The relationship, if any, between the applicant(s) and the owner(s) of the structure, site or object.
 - (g) If required by the Commission, architectural drawings, including scaled plans and elevations.
 - (h) Such other information as the Commission deems necessary.
- (2) An application to designate an area for preservation as a historic landmark district shall include:
- (a) A concise statement of the physical elements which make the area a historic landmark district and a description of all buildings, structures, sites or objects located within the proposed district, with special note of types, architectural styles and periods represented which would qualify for designation as a historic landmark district under the chapter.
 - (b) A concise statement identifying other buildings, structures, sites or objects located within the proposed district that, while not qualifying under this chapter for designation as a historic landmark, contribute to the overall visual enhancement of the proposed district or are within the boundaries of the proposed district but do not contribute to it.

- (c) A concise statement of how the proposed district meets the definition of "historic landmark district" as prescribed by this chapter.
- (d) A map clearly depicting the boundaries of the proposed district and the locations of buildings, structures, sites or objects therein, with contributing properties noted as such.
- (e) A justification of the boundaries of the proposed district.
- (f) The street address and section, block and lot, as shown on the most recent tax roll, of every property within the proposed district and the owners of record thereof.
- (g) The name, address and telephone number of the person who submitted the application and the person represented, if any.
- (h) The relationship, if any, between the applicant(s) and any of the properties, buildings, sites, objects or structures within the proposed district.
- (i) A photo or photos of the sides of all buildings, structures, sites or objects visible from the public right-of-way within the proposed historic landmark district by designated street address and section, block and lot.
- (j) A written description of each building, structure, site or object which shall include the year of construction (if a building or structure), any applicable historic personage or event associated with the building, structure, site or object, if known, or any other information that will assist the Commission in its proceedings.

B. (Reserved)

C. Public hearing and decision by the Commission.

(1) Upon the submission of an application, a public hearing shall be held by the Commission within 60 days. The Executive Secretary shall notify the Building Department, the Department of Planning and Environmental Protection, the Town Attorney's Office, the Town Clerk, the Town Board and the applicant of the pending application.

(2) Notification.

(a) In the case of an application to designate a historic landmark, the applicant shall provide notice of the hearing to property owners of record as they appear on the tax rolls of the Town, of property located within 300 feet of the site, in the manner provided herein, and must file an affidavit as to the mailing of such notices in accordance with this section with the Executive Secretary not less than five days before the hearing. Not less than 10 nor more than 20 days before the hearing, the applicant shall send, by first-class mail and by registered or certified mail, a notice to each affected owner as described above. The Commission shall place a notice of the public hearing in an official newspaper of the

Town, which circulates in the affected area, at least 10 days prior to the date of the public hearing. All notices required herein shall state the nature of the application, including the location(s) of the affected property, and the date, time and place of public hearing. If, prior to the close of the public hearing, the Commission shall determine that there is a failure to comply with the notice provisions of this chapter, the public hearing may be recessed until there is compliance with these notice provisions.

(b) In the case of an application to establish a historic landmark district, the applicant shall notify the owners of record of each property within the proposed historic landmark district, as well as owners of record of property located within 300 feet of the boundary lines of the proposed historic landmark district, all as they appear on the tax rolls of the Town, in the manner provided herein, and must file an affidavit as to the mailing of such notices in accordance with this section with the Executive Secretary not less than five days before the hearing. Not less than 10 nor more than 20 days before the hearing, the applicant shall send, by first-class mail and by registered or certified mail, a notice to each affected owner as described above. The Commission shall place a notice of the public hearing in an official newspaper of the Town, which circulates in the affected area, at least 10 days prior to the date of the public hearing. All notices required herein shall state the nature of the application, including the boundaries of the proposed historic landmark district, and the date, time and place of public hearing. If, prior to the close of the public hearing, the Commission shall determine that there is a failure to comply with the notice provisions of this chapter, the public hearing may be recessed until there is compliance with these notice provisions.

(c) Where an application to designate a historic landmark or to establish a historic landmark district is adjourned on the record to a date certain, the applicant must notice the new hearing date in the manner provided herein. Not less than 10 nor more than 20 days before the hearing, the applicant shall send, via first-class mail, a notice to each affected owner as specified in the above Subsection C(2)(a) and (b). The applicant must file an affidavit as to the mailing of such notices in accordance with this subsection with the Executive Secretary not less than five days before the hearing. The Commission shall publish notice of the new hearing date in the local newspapers at least 10 days before the date of the new hearing in the same manner as the original notice.

(3) The Commission shall have 60 days after the close of the public hearing to make its decision to deny or recommend approval of the application to the Town Board. Such decisions shall be made at a meeting of the Commission.

(4) The Commission can choose to amend an application in any manner, including, but not limited to, adding or deleting properties proposed for inclusion in a historic landmark district, or by limiting an application to the structure only and eliminating a site or structure included in an application for a historic landmark. In the event the Commission amends an application, it shall adopt a written statement of the reasons for doing so, which shall be included as an addendum to the application as part of its submission to the Town Board pursuant to Subsection D below.

(5) If the Commission shall deny an application, the proceeding shall terminate, and the Commission shall not consider a new application for the same proposed historic landmark or proposed historic landmark district for one year thereafter.

(6) The Executive Secretary shall file the written decision of the Commission with the Town Clerk, the Town Attorney's Office, the Building Department, the Department of Planning and Environmental Protection, and the Town Board and shall mail a copy to the applicant and the owner(s) of the affected properties within 10 business days after the decision of the Commission.

D. Submission to the Town Board.

(1) A Commission recommendation to designate a proposed historic landmark or establish a proposed historic landmark district shall be delivered by the Town Clerk to the Town Board. The Town Board shall schedule a public hearing on the recommendation within 90 days after the filing of the Commission's decision with the Town Clerk. The Executive Secretary shall notify the applicant of the date for the public hearing at which the Town Board will consider the recommendation, and the applicant shall provide notice of such hearing in accordance with Subsection C(2) herein. The Town Clerk shall publish notice of the public hearing in the local newspapers at least 10 days before the date the recommendation is to be considered by the Town Board.

(2) The Town Board shall, within 60 days after the close of the public hearing:

(a) Accept the recommendation of the Commission;

(b) Remand the recommendation of the Commission for further consideration or information with written findings of the Town Board in which it states specific concerns and its reasons for the remand; or

(c) Reject the recommendation of the Commission, **setting forth written findings of the Town Board in which it states its reasons for the decision.**

E. Within 10 days of the Town Board's final action, the Town Clerk shall notify the Commission, the Building Department, the Department of Planning and Environmental Protection, the applicant, and the owner(s) of the affected properties. If the Town Board accepts the recommendation, the Town Clerk shall also notify the Nassau County Department of Assessment.

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

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

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

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

No approval of a zone change, variance, conditional use permit, site plan, building permit demolition permit, sign permit or any other permit issued by the Town shall be granted by the Town for any property proposed as a [n] historic landmark or historic landmark district from the date of the filing of the application with the Commission until the final disposition of the application by the Commission or Town Board.

Section 3.

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

Article IV Construction, Alteration, Demolition and Removal

§ 27-8 Certificate of appropriateness.

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

- (1) Any alteration, subject to the exclusions in Subsection K.
- (2) Any construction within a designated historic landmark district.
- (3) Any demolition or relocation of a building, structure, site or object in a designated historic landmark district or of a designated historic landmark.

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

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

D. Not less than 10 nor more than 20 days before the Commission reviews any application for a certificate of appropriateness, the applicant shall be required to notify

the owners of record as they appear on the tax rolls of the Town of property located within 300 feet of the boundary lines of the subject property, by first-class mail and by registered or certified mail, identifying the subject property, stating the nature of the application and the date, time and place for the hearing. This notice shall also provide the address designated by the Commission to which comments may be submitted to the Commission on the application. The applicant must submit an affidavit of mailing along with a copy of the notice and certified mail receipts postmarked by the U.S. Postal Service to the Executive Secretary not less than five days before the hearing. The Commission shall publish notice of the public hearing for the certificate of appropriateness in the local newspapers at least 10 days before the hearing date. The notice shall state the nature of the application, including the location(s) of the affected property, and the date, time and place of public hearing. If, prior to the close of the public hearing, the Commission shall determine that there is a failure to comply with the notice provisions of this chapter, the public hearing may be recessed until there is compliance with these notice provisions.

(1) Where an application for a certificate of appropriateness is adjourned on the record to a date certain, the applicant must notice the new hearing date in the manner provided herein. Not less than 10 nor more than 20 days before the hearing, the applicant shall send, via first-class mail, a notice to each affected owner as specified in this Subsection D. The applicant must file an affidavit as to the mailing of such notices in accordance with this subsection with the Executive Secretary not less than five days before the hearing. The Commission shall publish notice of the new hearing date in the local newspapers at least 10 days before the date of the new hearing in the same manner as the original notice.

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

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

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

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

incongruous to the historic and architectural qualities or distinctive aspects of the historic landmark district.

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

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

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

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

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

J. Where the Commission approves an application under circumstances where the permitted activity is likely to uncover or affect archaeological resources the Commission shall require reasonable efforts to identify, protect and preserve such resources. Where such protection and preservation is not feasible, the Commission shall nevertheless impose appropriate and reasonable conditions to insure that the archaeological resources are made accessible for a reasonable period of time to qualified persons.

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

(1) Ordinary maintenance, repair or replacement in kind with like materials of similar quality, of any place, site, structure, object or building designated as a historic site, or any property located wholly or partially within the boundaries of a historic landmark district; or

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

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

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

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

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

M. After conducting a hearing to consider an application described in this section, the Commission shall vote to either approve or deny the application. The Executive Secretary shall notify the applicant of the Commission's approval or denial. The Commission shall only approve an application if the proposed modification is compliant with the provisions and purposes of this chapter.

§ 27-8.1 Economic hardship.

A. An applicant whose certificate of appropriateness has been denied may apply to the Commission for appropriate relief from the requirements of this article or conditions imposed by the Commission on the grounds that such requirements or conditions imposed will result in an economic hardship. Consideration of economic hardship may occur at the same meeting as consideration of an application for a certificate of appropriateness, or by separate application to the Commission within 60 days of the denial of a certificate of appropriateness.

B. Alteration or Construction. Notwithstanding any other provisions of this chapter, a certificate of appropriateness for a proposed alteration or construction will be granted by the Commission based on economic hardship if the applicant establishes that the following facts and conditions exist:

- (1) The land or improvement in question cannot yield a reasonable return if the proposed construction or alteration is not permitted; or**
- (2) The hardship of the applicant is due to unique circumstances, the proposed alteration or construction will not alter the essential character of the area, the cost of the alternative acceptable to the Commission is prohibitive as compared to the cost of the alternative proposed by the applicant, and the hardship is a result of the application of the chapter and is not the result of any act or omission by the applicant.**

C. Demolition or Relocation. Notwithstanding any other provisions of this chapter, a certificate of appropriateness for a demolition or relocation application shall be issued by the Commission if the application meets the criteria set forth in Section 27-8 (G) (1) or (2) above, and the applicant establishes an economic hardship based on the existence of the following facts and conditions:

- (1) The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible; and**
- (2) The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return, regardless of whether that return represents the most profitable return possible; and**
- (3) Efforts to find a purchaser interested in acquiring the property and preserving it have failed.**

D. The Commission shall consider whether the owner has created its own hardship through waste and neglect, thereby permitting the property to fall into a serious state of disrepair.

E. Economic hardship shall not be determined on the basis of the personal finances of the applicant.

F. If a hardship applicant's primary purpose or mission is philanthropic, eleemosynary, religious or charitable, and whose request for a certificate of appropriateness was made in furtherance of philanthropic, eleemosynary, religious or charitable purposes, such applicant must establish that the Commission's action seriously interferes with the applicant's ability to continue the current use of the property and seriously interferes with the applicant's philanthropic, eleemosynary, religious or charitable purposes.

G. The Commission may solicit expert testimony or require that the applicant make submissions concerning any information deemed necessary by the Commission to make a determination of economic hardship.

H. All decisions by the Commission with respect to hardship applications shall be in writing. The Commission's decision shall state the reasons for granting or denying the hardship application. A copy of the decision shall be sent to the applicant by the Executive Secretary.

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

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

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

B. A completed building permit application filed with the Department of Buildings pursuant to § 27-9A herein shall be subject to expedited review by the Department of Buildings. Upon completion of the Department of Buildings initial review, the Commissioner or his or her designee shall promptly cause a copy of the application and all supporting materials to be transferred to the Executive Secretary for review and compliance with this section and shall notify the applicant of the need to file an application for a certificate of appropriateness or, if applicable, an administrative certificate of appropriateness pursuant to Subsection H herein, with the Commission.

C. Applications filed herein shall be subject to:

- (1) A hearing before the Commission pursuant to § 27-8; or
- (2) Expedited review pursuant to Subsection H below.

D. In the event that an application is approved, the Executive Secretary shall produce and sign a certificate of appropriateness consistent with the Commission's approval, or an administrative certificate of appropriateness consistent with the Expedited Review Committee's approval. Copies of the certificate of appropriateness or administrative certificate of appropriateness shall be provided by the Executive

Secretary to the applicant and the Supervisor of Plan Examination in the Department of Buildings, together with any required backup documentation. The Commissioner shall not issue a building permit until the Commission has issued a certificate of appropriateness or an administrative certificate of appropriateness. If the Commission denies a certificate of appropriateness, no building permit shall be issued.

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

F. Where a proposed activity on a designated historic landmark or in a designated historic landmark district does not require a building permit, the applicant may proceed to file an application with the Executive Secretary for a certificate of appropriateness or administrative certificate of appropriateness.

G. Every owner or other person in charge of a landmark building, structure, site or object or a building, structure, site or object in a historic landmark district shall keep in good and proper repair the property and all portions thereof which, if not so maintained, may cause or tend to cause the property to deteriorate, decay or become damaged or otherwise to fall into a state of disrepair.

H. Expedited review; administrative certificate of appropriateness.

(1) Certain minor exterior alterations, restorations and changes of material that do not have a substantial adverse impact on the historic character of a designated historic landmark or designated historic landmark district, where applicable, and which conform to the Secretary of the Interior's Standards for Historic Preservation, may be approved on behalf of the Commission without a formal hearing and issued an administrative certificate of appropriateness. Such approval shall be made by the Expedited Review Committee which shall be comprised of the Executive Secretary and two members of the Commission, one of whom shall be an architect.

(2) An applicant may apply, in writing, to the Executive Secretary requesting expedited review, which request shall include such supportive documentation as the Executive Secretary may require. The Executive Secretary shall review the request to determine whether the proposed action may have a substantial adverse impact on the historic character of a designated historic landmark or designated historic landmark district, and if it meets one of the following eligible activities:

(a) Replacement of existing retaining walls with materials which are not replacement in kind.

(b) Replacement of existing roofing materials with materials which are not replacement in kind.

- (c) Removal, installation or replacement of fences, excluding the installation or replacement of fences composed of vinyl, PVC or similar material.
 - (d) Removal of trees not in the Town's right-of-way, provided a certified arborist letter or multiple photos with a written explanation indicating imminent danger accompanies the request.
 - (e) The restoration of fire or storm damage not exempted from this chapter pursuant to § 27-10, with materials which are not replacement in kind. A material list shall be provided to the Plan Examiner and the Building Inspector in the Department to assure accuracy of the replacement materials.
 - (f) Awnings. Installation of new awning fabric, without signage, to be canvas or treated fabric on an existing awning frame.
 - (g) Installation of an aboveground swimming pool or freestanding hot tub.
 - (h) Alteration, construction, demolition or relocation of a noncontributing building or structure, or part thereof, located within a historic district.
- (3) Within five business days following receipt of an application for expedited review, the Executive Secretary shall:
- (a) Review the application, together with the documentation supporting it;
 - (b) Render a preliminary written determination as to eligibility; and
 - (c) Forward the application, preliminary written eligibility determination, and all supporting documentation to the Expedited Review Committee for confirmation of eligibility and approval or denial of the application for an administrative certificate of appropriateness.
- (4) The following items shall be considered by the Expedited Review Committee in making a determination when reviewing an application for an administrative certificate of appropriateness:
- (a) Whether the application requires full review by the Commission for a certificate of appropriateness.
 - (b) Whether the application involves an emergency situation which has created a danger to health and/or safety that is preventing all or part of the building or structure from being occupied.
 - (c) Whether the application if granted could create a potential danger to persons, the building or structure or other surrounding buildings or structures.

- (5) The members of the Expedited Review Committee shall have five business days to consider the application for an administrative certificate of appropriateness and to make one of the following determinations: a) approval of the application; b) denial of the application; or c) require full review by the Commission for a certificate of appropriateness. The applicant shall be promptly notified, in writing, by the Executive Secretary of the determination.
- (6) Where the two members of the Expedited Review Committee make recommendations contrary to one another, the application under consideration shall be scheduled for full review by the Commission for a certificate of appropriateness.
- (7) Each application denied by expedited review shall be scheduled for full review by the Commission for a certificate of appropriateness.
- (8) For each application granted by expedited review, the Executive Secretary shall, within five business days, draft an administrative certificate of appropriateness for review and approval by the Chairman. A copy of the final administrative certificate of appropriateness shall be forwarded to the applicant by the Executive Secretary.
- (9) The Executive Secretary shall provide written notice to the Commission of each application decided by expedited review.

I. Expiration of Approval; Extension of Approval.

(1) A certificate of appropriateness shall expire three years from the date of issuance if the applicant has not obtained a building permit to develop the property that is the subject of the application for a certificate of appropriateness in accordance with the plans for which the certificate of appropriateness was granted, unless an extension of time has been granted by the Commission pursuant to subsection (2) herein. In those instances where an activity subject to a certificate of appropriateness does not require a building permit, the certificate of appropriateness shall expire three years from the date of issuance if the work authorized thereby is not commenced by the end of such three-year period, unless an extension of time has been granted by the Commission pursuant to subsection (2) herein.

(2) Upon the request of the applicant, the Commission may extend a certificate of appropriateness for not more than one year per application, up to a maximum of three one-year extensions. The applicant seeking an extension of a certificate of appropriateness shall submit a written request to the Commission, together with any supporting documentation. Such request shall be filed prior to the expiration date of the certificate of appropriateness or previous extension. Failure to file a timely request shall result in a lapse of the certificate of appropriateness.

§ 27-10 Exemptions.

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

health or property of any person. Where feasible, the replacement of damaged materials shall be replacement in kind. Where replacement in kind materials are feasible but would cause a delay in remedying the conditions determined to be unsafe or dangerous, temporary measures to prevent further damage should be used if possible, provided these measures are reversible without damage to the building or structure. In complying with an order as described above, a copy of any compliance plan shall be provided to the Commission.

§ 27-11 Publicly owned property.

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

§ 27-12 Fees established.

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

§ 27-13 Penalties for offenses.

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

B. A violation of Article IV, § 27-8A, of this chapter shall be a misdemeanor, punishable by a fine of not less than \$1,000 nor more than \$5,000 or by imprisonment for a term not to exceed one year, or both such fine and imprisonment.

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

§ 27-14 Appeals.

Those aggrieved by any decision of the Commission may appeal such decision to the Supreme Court in the State of New York pursuant to Article 78 of the Civil Practice Law and Rules, provided it is commenced within the governing statute of limitations.

§ 27-15 Severability.

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

Section 4.

This Local Law shall take effect immediately upon filing with the Secretary of State ; and be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on September 22, 2022 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. 15 of 2022 was adopted. The Local Law amends Chapter 27 of the Town Code entitled “Historic Landmarks Preservation” in order to include a provision for written findings where a proposed landmark designation is rejected by the Town Board, to provide a basis for the approval of certain alterations, demolitions or relocations where there is a finding of economic hardship, and to attach a time limitation to certificates of appropriateness.

Dated: Manhasset, New York

September 22, 2022

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

Dated: Manhasset, New York

September 22, 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

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

Henry Krukowski, being duly sworn, deposes and says that on the 19th day of July, 2022, he posted the attached Notice of Hearing to consider the adoption of a Local Law amending Chapter 27 of the Town Code entitled "Historic Landmarks Preservation" in order to include a provision for written findings where a proposed landmark designation is rejected by the Town Board, to provide a basis for the approval of certain alterations, demolitions or relocations where there is a finding of economic hardship, and to attach a time limitation to certificates of appropriateness, at the following locations:

Town Clerk Bulletin Board

Manhasset Post Office

Great Neck Post Office

Port Washington Post Office

Greenvale Post Office

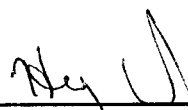
Roslyn Heights Post Office

Albertson Post Office

Carle Place Post Office

Westbury Post Office

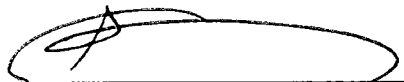
New Hyde Park Post Office



Henry Krukowski

Sworn to me this

20th day of July, 2022



Notary Public

Adriana Demirciyan
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02DE6370858 *softu dk*
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. 0021735174

: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 Designee of Newsday LLC, Publisher of Newsday

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

Carra 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 # 21735174

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 27 of the Town Code entitled "Historic Landmarks Preservation" in order to include a provision for written findings where a proposed landmark designation is rejected by the Town Board, to provide a basis for the approval of certain alterations, demolitions or relocations where there is a finding of economic hardship, and to attach a time limitation to certificates of appropriateness.

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

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

Dated: Manhasset, New York
June 16, 2022

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

NEWSDAY PROOF

Ad Number: 0021735174

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 26th day of September, 2022, he posted the attached Notice of Adoption of a Local Law amending Chapter 27 of the Town Code entitled "Historic Landmarks Preservation" at the following locations:

Town Clerk Bulletin Board


Henry Krukowski

Sworn to me this
28th day of September, 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

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. 0021747767

: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 26, 2022 Nassau

By: Ciara Woodin

Print Name: Ciara Woodin

SWORN to before me this
26 Day of September, 2022.

Authorized Designee of Newsday LLC, Publisher of Newsday

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 # 21747767
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 22, 2022 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. 15 of 2022 was adopted. The Local Law amends Chapter 27 of the Town Code entitled "Historic Landmarks Preservation" in order to include a provision for written findings where a proposed landmark designation is rejected by the Town Board, to provide a basis for the approval of certain alterations, demolitions or relocations where there is a finding of economic hardship, and to attach a time limitation to certificates of appropriateness.
Dated: Manhasset, New York
September 22, 2022
BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
NORTH HEMPSTEAD RAJINI
SRIVASTAVA TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021747767

Advertiser: TOWN OF NORTH HEMPSTEAD (GEN ACCT)

CLERK SRIVASTAVA: Item No. 3, a public hearing to consider the adoption of a local law amending Chapter 70 of the town code, entitled zoning.

COUNCILMAN TROIANO: Would anybody like to be heard?

SUPERVISOR DESENA: We have cards on this.

CLERK SRIVASTAVA: All right, this is Matthew D'Aguanno --

MR. CALABRESE: I'm president of the group, may I be able to speak first?

SUPERVISOR DESENA: You wish to speak first and introduce the others?

MR. CALABRESE: Yes, Aldo Calabrese.

CLERK SRIVASTAVA: Your card is the next one.

SUPERVISOR DESENA: It's okay, he'll be the first speaker.

MR. CALABRESE: Aldo Calabrese, 102 Haven Avenue, Port Washington, New York. I am president of the North Hempstead Business and Contractors Association. Just to give you a brief history of who we are, the Business Association started off as a contractors group way back in 1978, specifically for the interest of contractors, meaning anyone within contracting fields, trucks, excavation, things of that nature. Back in the 90's, we came back to force in light because the years had passed, apathy sets in, no issues, the issues got a little dormant so the group went dormant. Back in the 90's, the issues came back which effected specifically the contractors, and we came back, new board's, we specifically tackled certain issues; one, for example, was Beacon Hill Road, when they wanted to shut it down for commercial truck traffic for a 4-ton weight limit, which is a pick-up. Even though it's a county road and it's an access road, they wanted to -- when I say they, I mean the Town of North Hempstead, wanted to close it down for anything over 4 tons. We got involved and with the help of our group and the actual board at that time, who happened to be -- May Newberger was the president, the Chairperson, we were able to come up with an amicable solution which the residents on Beacon Hill our group, and the town all obviously could live with. There was other noise ordinance issues, specifically in the landscape industry. We also were present with that and also we were able to, I guess, come up with some kind of a solution at that point, because we were specifically being targeted. To the present day, we have changed our name to North Hempstead Business and Contractors, only because we've noticed that contractors, as well as other businesses also have certain issues that are not being attended to, whether that being by the local BID'S, or the Chamber of Commerce. So we banded together, every time there is an issue that's brought to our attention, we rally together and we see if we can actually help in mediating. Our group, we stress professionalism, you have to be licensed, you have to be insured. It's not just we get together when there are issues, we disseminate information, we stress professionalism, insurance, worker's comp, general liability, follow the rules of your industry, follow the rules, obviously, based on what kind of business you run, so we are there to help and assist and educate the industries that are part of our group, and even if they aren't, we try to assist. I belong to -- I'm on the government affairs committee of the LCALI, which is the Landscape Contractors Association of Long Island. Same issues, we band together, but also -- they also are in training, again, to disseminate information which helps --it helps the industry, it helps the community. It was brought to our attention in the August meeting, we found out that there was an issue specifically going to target several individuals on Grand Boulevard in Westbury. Myself and Frank Scobbo, who happens to be our president, we came to the meeting to inquire

CLERK SRIVASTAVA: Three minutes are up.

MR. CALABRESE: Wow, that was quick. I'll try to make it as quick as possible. We came to the meeting specifically to gather information, and because we questioned and because of the help of the board, which we would like to thank you all of you, it was adjourned so we could all gather information, and in doing so, we were able to meet with Councilperson Troiano, I thank you for the meeting, we met with yourself, we also met with other board members, Supervisor DeSena, Councilmember Walsh, Councilmember Adhami. We also tried to set up a meeting -- by the way, Mariann, I wish you a speedy recovery, we tried to set up a meeting with Mariann Dalimonte; for those who don't know, she's also part of the BID in Port Washington, and because we are many businesses, we feel that in meeting with her, she could see, being as she wears several hats, that it be advantageous to meet with us to see if we can, number one, explain the impact, and number two, if she could assist with this particular item. What we specifically want as a group, besides tabling, because we have not had an opportunity to meet with Dalimonte, we'd like to table this further. We also have some legal questions which will be addressed, we would like to table this for several reasons. One reason, understand, is there are many businesses specifically here tonight in attendance. Some of them are quite large, meaning they employ many workers, when I'm talking about closely, easily close to a thousand, if not more, employees. We are not advocates of skirting violations, that's not what we're about. We are advocates of giving a voice and possibly to act as, if we can, to mediate to facilitate --

CLERK SRIVASTAVA: Time.

MR. CALABRESE: I ask tonight if we please can table this. Mariann, Ms. Dalimonte, can you -- I understand you have an issue, take all the time you need, can you possibly meet with us, because we'd like to meet you considering you are part of the BID. We have reached out to local BID'S for support. We actually even have -- I'm sure you have a letter with you, the Chamber of Commerce of Manhasset also is in support of what --

CLERK SRIVASTAVA: Time is over, sir.

MR. CALABRESE: -- we're looking to do.

CLERK SRIVASTAVA: We have to call the next card.

MR. CALABRESE: Thank you very much.

CLERK SRIVASTAVA: Thank you. Matthew D'Aguanno.

MR. D'AGUANNO: I'd like to thank the board, my name is Matthew D'Aguanno from CPC Pools in Port Washington, I've been a resident in the Town of North Hempstead for about 50 years, business owner for 33, and I think this law that's on the books here they're about to vote on, I agree with Aldo, that we should table it and have a conversation and maybe help what your goal is, because I don't think it's just about business owners, I think it's about everybody in the room that's most likely a resident in the Town of North Hempstead, has used a plumber, a contractor, a garden place to buy plants, driven on roads where asphalt is made. Everybody that works here or lives here uses business, so to put another law on the books to crush businesses because you're having problems with bad actors, you can look to Manhattan, there are bad actors in Manhattan, there are bad actors all over the world, and you have enough regulations on the books that we could help you with as business owners to solve the problem of how you address the bad actors. So we're asking that you table --

COUNCILMAN TROIANO: We have a public hearing in order for you to supply information to all of us, not just Councilmember Dalimonte, but everybody, everybody in theory, everybody in the town, and so we can't fit everybody in the town into this room, but we do livestream our meetings so that people can hear commentary, both from the town councilmembers, as well as from audience members, so all I've heard so far this evening is a request to continue, which I'm willing to consider. But I'd also like tonight to hear what your objections are, and Mr. Calabrese said that it was being proposed to target some businesses on Grand Boulevard, well that's really unfair to say that. And then you come up and say, bad actors, which might lead somebody to believe that the businesses on Grand Boulevard, that Mr. Calabrese may be referring to are bad actors. That is not the intent of this, and the reason I would like to have some discussion about it is because I was given this flier that misstates what this resolution is about, and so I have the sense that you may not really understand what it's about, and so if you have an objection, I'd like to hear what that objection is, and maybe we can answer that now so that everybody in the town can hear, rather than you just coming to meet with Councilwoman Dalimonte, and only she gets to hear it. I want you to know, you weren't at the meeting, but I had a meeting with Mr. Calabrese and Frank Scobbo and some others from the executive board, and I offered them the opportunity to meet with me to so I could explain, because I'm looking forward for the opportunity to explain what this law is and that it's not what this says, because I think you've been misled.

MR. D'AGUANNO: I agree with you –

COUNCILMAN TROIANO: Let me just finish the thought. And I also invited Mr. Calabrese to have his entire membership come tonight so we could discuss this, because I really want to get it out in the open because this is not about merely zoning violations, it's about zoning -- it's about acting outside of what you're permitted to do through your Certificate of Occupancy, and, and, putting the residents that you mentioned, the residents of this township, at risk. It has to be both those things, and I want to find the resident that says, no, I don't want to be protected from a business that's acting outside of what it's been approved for and is causing a health risk.

MR. D'AGUANNO: I agree with you a hundred percent that businesses need to follow the rules. I'm in business 33 years and I have rules I have to follow and I think any businessman in the room also follows those rules. I think it's overreaching, the law you're proposing, the regulation that you're going to vote on, and we asking to table it. Why? All the citizens, if all the businesses are taken out, because there's some large hammer that can come down and crush a company without necessarily -- like, violating our rights and not taking us to court and fight about it, you have this blanket statement in that document that you can hurt businesses badly, and that can hurt the citizens who vote

COUNCILMAN TROIANO: I'm sorry, I hate to interrupt you, although I'm famous for interrupting people, but you just said there's a blanket statement in the law that says we can hurt people badly, we don't have any such statement in the law --

MR. D'AGUANNO: I just think it's overreaching and you have enough regulations on the books.

COUNCILMAN TROIANO: This is the problem I'm having, is because I'm willing to consider, as I said, continuing this, but typically in a hearing what happens is, there's a discussion, right, and there's an opportunity for you to express how you feel about it with specifics, right, and for the town council or a councilmember to inform you because you may not have the right

information, and when that's all done, right, then I would have the opportunity, the town council could say, we ought to continue this because we've heard some things here that we need to consider. But you've got the cart, in my estimation, I head to the horse. You're saying, just continue it, without -- and then making blanket statements that are incorrect. So let's talk this discussion over again. Tell me your objections, specific objections about how this law might hurt you.

COUNCILMAN WALSH: And you can say it without being interrupted this time.

MR. D'AGUANNO: I can this time? My opinion is just one voter and one business in town. I think there are enough laws on the books that you guys can control a company or a business in town with the regulations that exist. I think this -- I'm objecting to this because I think it's overreaching, and what I would say for the citizens and business owners in town, I don't think it's fair to go about it this way, I think there's laws on the books that already exist.

COUNCILMAN TROIANO: So tell me --

MR. D'AGUANNO: I would like to not be interrupted. I appreciate the fact that I don't think this is the place, I think we can have more meetings with you, and I'll attend that one, I couldn't make it that night but I was aware of it, and I'd like to have the meeting with the councilwoman in Port Washington as a group, to discuss other methods, because we're businessmen, we solve problems, so other methods that might help to reach your end goal without this law, that I think is overreaching, because anything I do wrong you can always come to my company, show me all the rules that are on the books, if I violate them, I work with you, we solve it, and then if I don't listen, you have other ways of taking me to court and doing something else. I think this law that you're proposing needs more discussion.

COUNCILWOMAN LURVEY: May I ask a question? Is my mic working? It doesn't seem like it, I'll be very loud. I'm not on your list of people to meet with, but I do have to vote on this. I would like to understand a little bit how you think that this law works, because my understanding is it fills a gap where there has been -- and I asked the town attorney, because I want to know before I vote what I'm voting on, and I was told that there was seven steps that have to be taken before a Certificate of Occupancy or -- right? The CO is revoked, and it includes an inspection, a ticket is issued by the enforcement officer, ticket is adjudicated by the town attorney in district court, if it continues an investigation made by the commissioner of buildings, an inspection report is issued describing how the use is creating a hazard to public health and their safety, a notice is issued to the property owner given 30 days to correct the violation, if the violation continues the commissioner of buildings requests a town board hearing on whether the Certificate of Occupancy should be revoked, the notice of the hearing is sent to the property owner, the town board conducts the hearing and makes the decision to revoke a Certificate of Occupancy. So that there seems to be a lot of steps.

COUNCILMAN TROIANO: And then there's -- the last step is that if the town board were to decide to revoke the CO, then you could still go to court and file an Article 78.

MR. D'AGUANNO: Which costs a tremendous amount of money.

COUNCILMAN WALSH: Let me get a word in here. For a small business, that's hard.

COUNCILMAN TROIANO: I wasn't finished talking, Councilman, I wasn't finished talking.

COUNCILMAN WALSH: I can't tell, everybody is talking.

COUNCILMAN TROIANO: Councilwoman Lurvey also, I just want to add this, there are only two occasions when that can happen, it has to be both occasions, and I'm not sure what the objection is to this.

MR. D'AGUANNO: Okay, So --

COUNCILMAN TROIANO: Let me say those two cases. If you have a CO that was issued to you that says you could do this on your premises, and you're not doing that, you're doing something different than what was authorized, you said you're a man that follows the rules, if a business is doing something that's other than what the rules say it can do and that difference causes a public safety health hazard, only then can those steps that Ms. Lurvey went through can those be exercised, only then. So just tell me, when is the situation when you think it's an overreach, that a business is not following its CO and it's causing a health hazard, tell me what it is that I should say, okay, let's just work with him while he continues to create a hazard for the residents of this town. Give me that situation.

COUNCILMAN WALSH: Are you done? Can I say something?

COUNCILMAN TROIANO: I was asking him a question, not you.

COUNCILMAN WALSH: I know, but just like you speak and just like you were fine cutting off Ms. Lurvey, I can speak also.

COUNCILMAN TROIANO: But I asked him a question, not you.

COUNCILMAN WALSH: But I'm not speaking to you, I'm speaking to the audience here --

COUNCILMAN TROIANO: I'm speaking to him.

COUNCILMAN WALSH: See, this guy can't stop, he can't help himself. He has to tell people off.

COUNCILMAN TROIANO: Can you answer my question instead of - -

COUNCILMAN WALSH: No, no, no, you don't have to answer his questions. Can you speak to me?

MR. D'AGUANNO: Can I --

SUPERVISOR DESENA: Would you like to answer Councilman Troiano or do you want to continue the discussion?

MR. D'AGUANNO: I'd like Councilman Walsh to speak, and then I'd like a short answer from myself, but go right ahead, sir.

COUNCILMAN WALSH: And I'm going to make this very short. First of all, a small business is going to have a great deal of difficulty paying for all the attorney fees to do what we set out here, and there is --

(APPLAUSE.)

COUNCILMAN WALSH: This process will only crush more businesses, and I also believe that there's plenty of ways to shut down businesses now and this is a complete overreach by this board. This board should not be able to just tell people we're going to shut your business down and then vote and shut the business down with all these qualifications, there's plenty of other ways to do it and I think this is totally unnecessary.

(APPLAUSE.)

MR. D'AGUANNO: I appreciate it.

MR. CALABRESE: I don't think you have the right to put him on the stage like that --

MR. D'AGUANNO: I'm going to answer that, thank you. So I appreciate your comments, you said it more eloquently than me, I was using words as it's overreaching for a small business because you can turn around and crush me with this law, and then I have to defend myself with thousands of dollars up against a town. Then I was going to mention that I came up here as a citizen and a business owner to give my opinion and I wasn't prepared for a debate, so, I took Robert's Rules of Law a little bit in college in a fraternity; am I allowed to succeed to someone that can answer your questions if you want to debate it here? The only thing our group and maybe citizens that patronize businesses in this community, right, Ms. Dalimonte, they have a right to have companies exist so they can go to a deli, go to a restaurant and not have the rights of those companies who've been around -- I've been around for 33 years, there's guys in here who have been around for 100 years. So all we're asking is to have a legitimate conversation or debate, if you want to choose those words, that we're kind of doing here against me, one little guy, later, so just table it so we can discuss it because it is unfair to small business owners what you're proposing. You have teeth in laws and regulations that already exist. So, is there a Robert's Rule of Law that I could succeed if you want to debate it here with someone else that has more capability to respond?

SUPERVISOR DESENA: We're prepared to hear more public comment. Are there other people who wish to speak?

MR. D'AGUANNO: Yes.

SUPERVISOR DESENA: Absolutely.

COUNCILMAN TROIANO: I don't mean to be argumentative, I just want to say, and this is the point that I think Councilwoman Lurvey was saying was, that she and everybody on this dais has to vote, and they ought to have the chance to hear the comments that all of you want to make, but you seem to want have one-off meetings with individuals, which doesn't give us all the benefit of all you have to say.

MR. D'AGUANNO: There wasn't one-off, there was questions to everyone on the panel to have meetings.

COUNCILMAN TROIANO: Mr. Calabrese, you're part of his organization, said he met with me, which he did, he met with, I think, Councilman Walsh, he and your group met with the Supervisor, I believe, that's what I mean by one-off meetings. The purpose of a hearing is so that everybody can get the benefit of what you have to say.

MR. D'AGUANNO: So you need to hear from other members in the audience.

COUNCILMAN TROIANO: That's what the hearing is about.

MR. D'AGUANNO: Is everybody here a citizen and ever shop at a business in town, in the Town of North Hempstead, everybody raise your hand, business owner, citizen that votes.

COUNCILMAN TROIANO: And I hope that all of you that come up will give us reasons --

MR. D'AGUANNO: It's overbearing, there's your reason, overbearing. It's overbearing.

Thank you for your time.

CLERK SRIVASTAVA: The next speaker is Frank Scobbo.

MR. SCOBBO: Good evening, everybody. Thank you, I'll try to make it quick within the three minutes. Councilwoman Dalimonte, I hope you're feeling better. One of the major points that I think need to be made is that this proposal legislation doesn't exist in the Town of Oyster Bay, the Town of Hempstead. When you say public safety, public health, it's a very broad brush that you want to paint this law with, because public safety could affect everything from a hot day and atmospheric conditions, when our concrete trucks and asphalt trucks, just like the Town of North Hempstead return back to their yard with the same conditions on a hot day, public safety, public health, it could be the same issue. I just think it's a very broad brush to try to put this into the wording. I'm sorry you're shaking your head, Councilman, but --

COUNCILMAN TROIANO: You know that's not true.

MR. SCOBBO: It's a very broad brush.

COUNCILMAN TROIANO: That's not true, just like this flier isn't true.

MR. SCOBBO: One of the other issues as we had mentioned, we believe it's anti-business. Tonight in this room is, I believe, Aldo mentioned, you have some of the largest corporate owners, employers here in the Town of North Hempstead, are here in this room. It's that important of an issue that these individuals collectively, 1,200 employees, the biggest in the Town of North Hempstead sitting in the back, they took it as a personal goal to be here tonight to listen to what everyone had to say and support the association. Small businesses, and many of them, make up almost 60 percent within the Town of North Hempstead. They can't afford the legal fees that would come from this, and when you say it's public safety --

COUNCILMAN TROIANO: I'm sorry, can't afford the legal fees?

MR. SCOBBO: The legal fees. I know you said that there's steps within this. Businesses are very easy targets, and as we discussed at the meeting with you, and again, thank you for taking the time, as we discussed in the meeting, businesses are very easy targets. Anybody can move in, and like we mentioned, the zoning for commercial squeeze, and then you have residential closer and closer to industry and people move in and they buy homes in these areas because they're a little bit more affordable, the taxes perhaps are a little bit lower, but now they're closer to industry, and now the nice area that they moved into they start to question, hey, why is that concrete truck here at 6:00 in the morning or 8:00 in the morning. Why is there snow plowing trucks going on at 4:00 in the morning when there are snow removal contractors? So now we're a much easier target than anything else, and I think that the way that it's written, again, is ambiguous and can be interpreted in a lot of different ways, and when it says that the building commissioner, upon the approval and the final step, the board can then assign the building commissioner to remove a C of O, you're talking about an imperfect or a potential for an imperfect operation. I just think that leaves too much open for interpretation and discussion. There's going to be other speakers that want to comment on a few things, thank you.

COUNCILMAN TROIANO: Frank, can I just -- and I don't want anybody to think that I'm looking to debate it, but this is going to be a proper functioning hearing. When comments get made by someone like you that are inaccurate, they need to be addressed, because otherwise, people that are in the audience think that it's correct and get a misunderstanding of what this law is about. So as an example, what I'm saying, you said that the building commissioner can yank

the CO. That's not true.

MR. SCOBBO: After the steps; right?

COUNCILMAN TROIANO: After, then, the steps, it comes to this board, and four of the seven board members agree, okay, then it can be yanked, but it's not the building commissioner on his own. That's one thing. Everybody needs to understand that.

MR. SCOBBO: That's how it's written, you're right.

COUNCILMAN TROIANO: Thank you.

MR. SCOBBO: That's how it's written.

COUNCILMAN TROIANO: The second thing is that -- I may not have this exactly right, but a truck may pull up at 6:00 in the morning; is that what you said, something like that?

MR. SCOBBO: Yes.

COUNCILMAN TROIANO: If your business involves trucking and you've got a CO or a Certificate of Use that says you do trucking, then you are not in violation of your CO, and so therefore, we can't pull your CO.

MR. SCOBBO: I get it, but I'm pointing it out that businesses are easy targets. An anonymous phone call and then now there's a public safety officer taking down and perhaps the public safety officer now starts the process, or a building department starts the process and here's one summons, and then followed by another, and then followed by another. And then you can present it, well, I received multiple violations so now we're going to take steps to move forward. This is what I'm saying in reference to trucks or whatever it might be. Does that explain it?

COUNCILMAN TROIANO: Can I respond to that?

MR. SCOBBO: Sure.

COUNCILMAN TROIANO: I hope that everybody finds this useful. The fact that a summons get issued is not sufficient. What has to happen is the summons gets issued, because the business owner is operating outside of what he was approved to operate for. Then it goes to court, and if the court finds that the town was right, and in fact he is guilty and was operating outside of what his CO says he can do, and it creates a public safety risk, only then can we even consider pulling the CO.

MR. SCOBBO: Can you define the public safety risk, what it might be?

COUNCILMAN TROIANO: What it might be? It could be - - you're right, it could be a number of different things. This tribunal, if you will, would have to agree, the courts would have to agree. It's not this whimsical thing that we do, there's plenty of due process in this, and so to simply say that a truck might pull in at 6:00 in the morning and there are some new neighbors who aren't happy with that, that's not accurate, because it has to be that a truck is pulling up and that's not somehow part of the CO that the business owner has.

MR. SCOBBO: Okay, I believe others are going to comment, thank you.

CLERK SRIVASTAVA: Dina De Giorgio.

COUNCILMAN TROIANO: I'm sorry, I'm happy to have you heard, but we have a card system where they're numbered --

CLERK SRIVASTAVA: She's the next one.

COUNCILMAN TROIANO: If there's a rational, Dina, of why you should be heard now, we're happy to --

MS. DE GIORGIO: First of all, I'm representing the North Hempstead Business and Contractors Association, and I'm hoping that maybe we can have a debate about -- I can tell you what specifically is wrong with the law and you can get on with your hearing and not have to hear from every other person in the room, so I'm actually trying to be helpful.

COUNCILMAN TROIANO: I would really like that, and if everybody else agrees with that, I'm fine with that.

COUNCILMAN ADHAMI: Councilman, I believe her card was next anyway.

MS. DE GIORGIO: I did prepare a memo, and I have a copy for everyone.

CLERK SRIVASTAVA: Just announce your name.

MS. DE GIORGIO: So it's Dina De Giorgio, and I'm appearing today on behalf of Schwartz Sladkus Reich Greenberg & Atlas LLP, the address is 551 Port Washington Boulevard, Port Washington, New York. It's 516-767-1231, and I representing the North Hempstead Businessmen Contractors Association, and I did prepare a written memo sort of explaining what I think my client's concerns are, and I am prepared to have specific conversation about ways in which I think you can table the vote on the legislation and you can potentially create a statute that everybody can live with and that's more specific and more targeted to accomplish the goal that you want to accomplish. I think the concern that my clients have is that, although you're saying that there's this whole process about issuing a summons and if you don't cure and then we can take all these steps, if you literally read what you've written, it says, "upon acquiring information that a commercial premises may be used in violation of the Certificate of Occupancy or Certificate of Existing Use, issued therefore, the commissioner of building and safety, inspection and enforcement, shall cause an investigation of the premises to be made, an inspection report to be prepared containing the following," and then there's information of what has to be included. There's nothing in here about a summons being issued, going to court, having a hearing, not curing. So I think the steps need to be laid out a little bit more clearly. I also think that -- I gave away all my memos, hold on, sorry. I just want to read the criteria. I think the statute is so vague that it's unconstitutional, and I'm going to tell you why. The Court of Appeals in the Town of Delaware versus Camping Trip held that in addressing a challenge to a statute as unconstitutionally vague in violation of the due process, clause, a court must enlist a two part test to determine whether the statute is sufficiently definite to give a person of ordinary intelligence fair notice of forbidden conduct under the statute; and two, the enactment provides officials with clear standards of enforcement. A statute is unconstitutionally vague if it fails to provide a person of ordinary intelligence a reasonable opportunity to know what is prohibited, and it is written in a manner that permits or encourages arbitrary or discriminatory enforcement. I think that piece of it is really the issue here. I think the people that are in this room are concerned that they don't understand what conduct could potentially violate a Certificate of Occupancy or a Certificate of Existing Use on their property. Some of these businesses have properties that predate the zoning code. In those instances, might not be clear what the property can be used for. So, I think the fear is that there will be overzealous enforcement of the statute and that each of the business owners will have to incur substantial legal fees to take on the town,

and they're not clear about what is specifically prohibited. The second point that I want to make is that when you get to the part of the process where the town board has a town hearing, there is no specific criteria that the town board has to use to determine whether or not the Certificate of Occupancy should be revoked. For example, and it's also in the memo --

CLERK SRIVASTAVA: Time is over.

MS. DE GIORGIO: The law provides no guidance to the commissioner of buildings in determining when to invoke the provisions of the statute, because it just says, upon acquiring information that a commercial premises is being used in violation of the CO, they do an inspection, right, but what's the degree of violation that would trigger the inspection; right? The second issue --

CLERK SRIVASTAVA: The three minutes are over, please.

SUPERVISOR DESENA: If you could just wrap it up.

MS. DE GIORGIO: Okay, thank you. The last point I want to make is there's no criteria or standards in the proposed law that the town board should consider or apply in the context of the hearing to aid in the determination as to whether the Certificate of Occupancy should be revoked. So the absence of objective criteria and standards invites the town board and the commissioner of buildings to use subjective criteria, which permits or encourages arbitrary or discriminatory enforcement, and allows certain property owners to potentially be targeted for enforcement, which violates the due process clause. And revoking the C of O involves a property right, which requires that the town provide the property owner with procedural and substantive and due process. So I think the point you're making about property owners that are engaging in activity that's dangerous or risks to public safety is important, and I don't think anybody would, including myself, who happens to be a resident here, thinks that people who conduct their business that way should be allowed to do that without a remedy, but I do think that the statute as written just raises a lot of questions and concerns, and I think that perception is reality and I think it'll create this anti -- there's a fear in the room about an antibusiness stance that's taken by the town, and I think that meeting with the North Hempstead Businessmen Association and talking about this a little more, focusing on the things that I mentioned and that are in the memo, will just improve the statute so that you wouldn't have so much opposition to it. Thank you for hearing me out.

COUNCILMAN TROIANO: Thank you, Dina.

(APPLAUSE.)

COUNCILMAN TROIANO: I want to thank you for beginning to put some meat on the bones that have been laid out for us, but I just want to comment on one thing; you said it's not clear from the law what's --

MS. DE GIORGIO: Are we going to debate?

COUNCILMAN TROIANO: I think what you said was, it's not clear from the law what's being prohibited; did I hear that right?

MS. DE GIORGIO: Right.

COUNCILMAN TROIANO: There's nothing being prohibited, all we're asking for is compliance with what the CO is issued for. We're not saying don't do this, don't do that, we're saying just do what your CO says it does.

MS. DE GIORGIO: When I read this, I don't read the statute that way. I read it literally, and it says, upon acquiring information, doesn't say what kind of information or where it's from or whether it's reliable, that a commercial premises, which is basically all of the businesses in the Town of North Hempstead, may be used in violation of the Certificate of Occupancy or Certificate of Existing Use issued, therefore, the commissioner shall cause an investigation of the premises to be made and an inspection report to be prepared containing the following information. Perhaps it would be better if the statute said, upon acquiring information that a commercial premises is being used in violation of the Certificate of Occupancy and that use creates, you know, a danger or a hazard to the public, or a public health or safety, and you specify specifically what kinds of violations would cause the town to invoke the statute, that would make it a little bit clearer. You're sort of assuming that because it says here, a description of how such use in violation of the Certificate of Occupancy or Certificate of Existing Use is creating a hazard to public health or safety, that that's a requirement, and I could understand why you would think that, but I think it's not as clear as, perhaps, you think it is, and it their point is that they don't want to have to hire an army of lawyers to interpret the statute, they'd rather have clarity and they would rather understand ahead of time that the statute is going to be invoked for a real violation or actions that create public danger to public safety or a serious health hazard, or creates a life safety issue.

COUNCILMAN TROIANO: If I'm hearing what you're saying, you're agreeing that the town could have a right to revoke a CO, if a company was operating outside of it's CO and creating a public health hazard. I thought that I heard you acknowledge that, but your problem is that the - that the way it's written?

MS. DE GIORGIO: Yes, I agree with you. You have the absolute right to revoke a C of O. The town has that authority.

COUNCILMAN TROIANO: I want to thank you for that.

COUNCILMAN WALSH: They have the authority to do it now.

MS. DE GIORGIO: I'm sorry?

COUNCILMAN WALSH: They have the authority to do it now.

MS. DE GIORGIO: That's right, you have the authority to do it now.

COUNCILMAN TROIANO: Tell me where that exists.

MS. DE GIORGIO: Honestly, I can't site for you the provision of the code. I think that the issue is the distinction between issuing somebody -- let's say a business, repeated violations for violating a specific portion of the code, like, for example, you know, odors or noises or, you know, engaging in dangerous activity, you're allowed to issue a violation, a violation is returnable in district court, and, you know, assuming the person pays the -- I guess what you're concerned about is repeat offenders that are large enough to just pay the fine and keep going. I would argue, and I can't site, you know, as I stand here, the law, but I would argue that the town has the ability to -- you could create a statute that creates escalating fines, you could create a statute that says if you have this many violations for the same offense in a certain period of time, that would trigger this investigation and this procedure. I just think you need to be specific and I think you need to ensure the business owners in the room that, you know, if a neighbor calls and complains and says, you know, there's all kinds of dust and debris coming out of XYZ business, that's information, right, because somebody gave information to the town, and that's

going to trigger an investigation, and it's not really clear the level of violation that you're talking about.

COUNCILMAN TROIANO: We're going back to your previous argument. What I'd like to focus on is that Councilman Walsh said, we already have the means to -- let me say it this way. You acknowledge that the town should have the right to pull a CO.

MS. DE GIORGIO: Right.

COUNCILMAN TROIANO: Councilman Walsh said we already have that right. You said, yeah, we do, and I'm not aware that exists, that we have that right.

COUNCILWOMAN LURVEY: Maybe that's a question for town attorney.

MS. DE GIORGIO: Is it in the statute or not? Is it in the code?

MR. CHIARA: The town only has a right to pull the CO if it was gained illegally or fraudulently. It does not have the right to pull a CO for public safety reasons, similarly to the residential code, so the buildings department today can pull the CO if he find a residential, but he cannot pull the CO for a commercial property, so right now as we stand today, the town does not have the authority to revoke a CO for something of public safety or public hazard.

MS. DE GIORGIO: I looked at the residential statute, it mirrors pretty much what you have here, I think that's an unconstitutionally vague law, too. It's just a question of not whether you have the right, it's just how you're implementing it, and I don't think the statute achieves the goal.

COUNCILMAN TROIANO: Ms. De Giorgio, you acknowledge that we should have the right, right, to do that; you acknowledge that, you did.

MS. DE GIORGIO: I'm not denying that you -- I'm just saying you're doing it the wrong way.

COUNCILMAN TROIANO: Hear my logic, okay? You acknowledge that we should have the right to revoke a CO for, I'm going to use the term, for bad actors, right, and then you acknowledge that, and then we've learned, counter to what Councilman Walsh said, that we don't currently have that right. So if we have the right -- if you recognize that we should have the right to do it but we don't have it today, if we made this more specific, you would then agree with it.

MS. DE GIORGIO: It depends on how specific and what the law says. If you are satisfying the two-prong test that the Court of Appeals set forth in that case to determine whether or not you're not denying -- a law is not unconstitutionally vague, then yeah, I think you can vote on it and you could pass it. But I just think this is not it.

COUNCILMAN TROIANO: Thank you for agreeing with me that we --

MS. DE GIORGIO: You're twisting my words, Robert.

COUNCILMAN TROIANO: Also, Dina, many laws are passed, right, and it takes a test to find out whether or not they're constitutional or not, you're aware of that; right?

MS. DE GIORGIO: Right, but --

COUNCILMAN TROIANO: And So counsel, before they would even let us do this, has made a determination that in their estimation, this is constitutionally valid. Now, it may be challenged at some point, you go to court you may be proven to be right, but we don't have any -- aside from the town attorney, their assessment, and you know this as a former councilperson, we have no

other way of knowing until we get into the court system and find out. I don't want to argue with you. I agree, we should --

MS. DE GIORGIO: I need to make a last point.

COUNCILMAN TROIANO: I'm agreeing with you.

MS. DE GIORGIO: No you're not, you're twisting my words. What I think the distinction is, is that the gentlemen that are sitting behind me and the women that are sitting behind me don't want to be a test case, because bringing an Article 78 proceeding is very expensive to test the constitutionality of the law, so rather than wait and see what happens, don't you think it would be better, and your residents are asking you to put in the effort, to come up with something that could be a little bit more artfully drawn. That's all I'm saying.

SUPERVISOR DESENA: Councilman, can we go on and hear some of the other people now? Can we hear some of the other people in the audience? Thank you.

COUNCILMAN TROIANO: Yes.

SUPERVISOR DESENA: Thank you.

MR. CALABRESE: May I please speak?

COUNCILMAN TROIANO: No.

COUNCILMAN WALSH: No.

MR. CALABRESE: Mr. Troiano --

COUNCILMAN TROIANO: I'm sorry, Mr. Walsh was saying no.

COUNCILMAN WALSH: I'm saying that we have to go by the cards, you can speak if we have no more cards --

CLERK SRIVASTAVA: We have no more cards on this item.

SUPERVISOR DESENA: No more cards?

CLERK SRIVASTAVA: We are done with our cards.

SUPERVISOR DESENA: Okay, Mr. Calabrese, if you would like to add something.

MR. CALABRESE: Mr. Troiano, you would like specifics. Now, again to see the display of two attorneys going after each other, quite honestly, doesn't really make me happy, because I'm not an attorney, I'm in landscape construction --

COUNCILMAN TROIANO: Are you referring -- am I the other attorney? I'm not an attorney.

MR. CALABRESE: Well, actually, I give you too much credit because you speak like an attorney.

COUNCILMAN TROIANO: I won't say any comments about attorneys.

MR. CALABRESE: Let me speak specifically about certain issues which we, the business community, find very alarming. You want specifics, I'll give you specifics. When it comes to public safety, I'll give you an example. We mow lawns, okay, I'm allowed to park my trucks on my property, okay. Someone walks by who has an asthma problem and smell the fumes of grass clippings. Anonymously, they call the town and say, listen, there's something going on at this

property, I want you to investigate. Now, they come in, let me tell you there's a main reason why we are all here tonight, because we have all experienced the town and code enforcement, okay, whether justified or not, because anonymously, someone makes a complaint. They could be a neighbor, they could be someone across town, it could be valid or it could be someone has a personal vendetta against you or your industry because of who you employ, okay, that's number one. Number two, the fact that, I'm sorry, landscape industry, we make noise. Number three, we have trucks, and I'm sorry you don't want to see our trucks on your streets. So Sands Point, for example, we cannot park on Sand Point roads, so we have to park in their driveways. Let me give you an example of what transpires. Truck and a trailer, you have to back in certain driveways with overhanging branches. Some driveways it's almost virtually impossible to back into with a truck and a trailer, we do our best. Do I break the law? I'll be the first one to say yes. Do others? Yes. We try to do the best we can, sometimes you cannot. That's an example. Getting back to the smell issue, okay, you're allergic to grass clippings, you walk by my property, you smell this, you break out in uncontrollable hives. Now the inspector comes in, now they have a right to enter my property, and at that point, if they see no issue, now they want to look around, and trust me, anyone under the scrutiny of code enforcement, whether you are commercial, industrial or residential, any residential properties in this room, if you send a code enforcement agent to your house, they will find something. That individual now comes back after two, three weeks, after code enforcement has come in, they are not satisfied. They keep calling, code enforcement comes back. Now, it's a cycle that perpetuates itself. The reason why we are very alarmed is because we've been experiencing this for over 30, 40 years, that's why we formed as a business group, the BID does not help. Mariann, you need to help us if you belong to the BID. We need to meet. That's number one. Number two, public safety. Define to me what exactly is public safety. Now, anyone can complain about anything under the sun. The reflection of your mirrors burn my eyes, you need to do something about your lights, your lights are bothering me, they give me headaches. It's very ambiguous. What exactly constitutes a violation to public safety? You wanted specifics, I gave you specifics. We have a major problem with this legislation. You cannot vote on it tonight. We need to meet further. We want to help you. Thank you.

COUNCILMAN TROIANO: Please stay. So you can probably tell I enjoy engaging with people who come to the podium. You're providing an example what you think is wrong is really very helpful. And I can't deal with Sands Point because that's a whole nother municipality and I don't want to talk about that -- can't talk about it, it has nothing to do with this legislation.

MR. CALABRESE: It is within the Town of North Hempstead.

COUNCILMAN TROIANO: So is the Village of Westbury, then this rule wouldn't apply to the Village of Westbury.

MR. CALABRESE: The Town of North Hempstead does actually encompass Sands Point.

COUNCILMAN TROIANO: Okay, my mistake. The case of your particular business, though, and about somebody, an asthmatic person walking by and perhaps having -- going into a fit because you're using your trucks or your equipment, and someone might deem that a public safety risk. But in your scenario, and we'll make it particular to you since it's not hypothetical, I imagine you you've got a CO that lets you operate your business that way; correct?

MR. CALABRESE: But do you understand --

COUNCILMAN TROIANO: I want your members to understand, if you have a CO that allows you to operate a landscaping business, we cannot revoke your CO.

MR. CALABRESE: Can I give you another example? You want specifics. Matt owns a pool company, right, he cleans pools. What if he decides tomorrow he wants to build pools without actually having trucks? He has vans for cleaning pools, he subs out the actual installation of a pool, but he decides he can do the masonry aspect, the plumbing aspect, but that's actually part of his business. Now technically, again, I'm sorry Matt, I'm sorry for bringing up your name, but, do you understand now -- even though they are very associated within the same industry, if you're not now zoned for building, erecting pools, could that not be a violation?

COUNCILMAN TROIANO: Where's the safety concern?

MR. CALABRESE: Again, now -- with -- he has certain chemicals, somebody might be allergic to the smell of cement, or the fact that a bag breaks and it gets into the air, now you have these floating particles, someone walks by and inhales it and gets -- can it happen -- everyone is allergic, even to peanut -- you want to kill Americans, just give everybody peanut butter. It goes to the level of public safety. You wanted specifics, I'm trying to give you specifics in a nonlawyer way. But this is -- you understand our frustration, that is why we're here, because there's too much ambiguity with this law, and the fact that you want to set a precedent really scares us, because where else -- I know you understand -- you have it with the residential properties, you don't have it with the business properties. Is it really necessary is number one. And number two, do you need to set a precedent, do you have to be the first one in line to say, hey, look what we did? That's all I'm saying, thank you.

SUPERVISOR DESENA: Does anyone else wish to be heard?

(No response.)

COUNCILMAN TROIANO: What is the date of the next town council meeting, October --not the 28th, 13th? So is everybody ready for this? You're over it already, right? I make a motion that we continue the public hearing to October 13th.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: I just want to add to that. I want everybody here to understand that I met with the Contractors Association and offered to have more meetings between them and tonight, and I wasn't taken up on that offer. I'm just going to ask that since I'm agreeing to continue it, that we, together with all the other council people, make sure that those meetings take place, because I really do want to hear the specifics.

CLERK SRIVASTAVA: We have a motion

SUPERVISOR DESENA: Go ahead, you can call the roll, Town Clerk.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye, and I would hope to also be invited to those meetings. I did have a lot of questions, I just hadn't had a chance to ask anybody before, and I want to thank you, Dina, for your memo, and you're always a class act and it's nice to see you.

MS. DE GIORGIO: Thank you, and I'm happy to come to the meeting.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: I'd just like to say, being an attorney and I do represent businesses and individuals with code and other violations, I do understand the concern and the vagueness of this language is concerning, and not that anybody would improperly use this code currently, I think it is rife for abuse in the future if someone does decide to target a business or an individual. And for those reasons, I vote aye.

(APPLAUSE.)

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: I can't hear with the clapping. What did you say?

CLERK SRIVASTAVA: Councilwoman Dalimonte.

SUPERVISOR DESENA: Your vote. Councilwoman Dalimonte.

COUNCILMAN ZUCKERMAN: It's your turn to vote.

COUNCILWOMAN DALIMONTE: You guys have to -- use the mic, please speak closer to the mic --

SUPERVISOR DESENA: The motion is to continue it to October 13th.

COUNCILWOMAN DALIMONTE: Thank you, I vote aye, then.

CLERK SRIVASTAVA: Thank you. Supervisor DeSena.

SUPERVISOR DESENA: Aye.

MR. CALABRESE: Thank you.

CLERK SRIVASTAVA: Item No. 4, 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. Can you hear me.

SUPERVISOR DESENA: Are you the applicant on No. 4?

MR. CHILLEMI: Yeah, I can't hear anything.

SUPERVISOR DESENA: Can we shut the door again?

CLERK SRIVASTAVA: We have just one card.

MR. CHILLEMI: John Chillemi?

CLERK SRIVASTAVA: Yes.

MR. CHILLEMI: That's me.

CLERK SRIVASTAVA: Thank you for making it easier.

SUPERVISOR DESENA: Okay, go ahead.

MR. CHILLEMI: Good evening, Supervisor, members of the board, my name is John Chillemi from the law firm of Ruskin Moscou Faltischek, P.C., having an address of 1425 RXR Plaza, Uniondale, New York, 11556. I am appearing here tonight on behalf of the applicant, 40 Voice Road Realty, LLC, which is the owner of the property located at 40 Voice Road in Carle Place. I submitted a letter earlier today to the town indicating that I, on behalf of my applicant, am requesting a continuance of this hearing until the next board meeting on October 13th. As you may recall, at the last meeting it was requested that we meet with the fire department and the fire marshal, Nassau County fire marshal, which we did do on September 13th. The meeting was held on the property site, we did get some great feedback and we were able to, as a property owner, integrate into the site plan some of the comments that both the chief and the marshal had. However, in response to our meeting, the fire department marshal, any conditions that the town may be proposing as solely relate to the proposed tenants operations warrant for the discussion between the applicant and the proposed tenant. For those reasons, we request the continuance. I'm happy to address any questions at this time as well.

COUNCILMAN TROIANO: I just want to give anybody that might have come here tonight a chance to make comments as well. Does anybody want to be heard?

(No response.)

COUNCILMAN ADHAMI: I have one question, just out of curiosity. What did the fire marshal and fire chief recommend, if anything?

MR. CHILLEMI: So the site access is good, we're relocating one parking spot to make a turning radius more conducive, and we are relocating an on-site fire hydrant that's already on the site farther back on the site. Other than that, there is a condition that they are imposing regarding to storage of vehicles outside the premises for 48 hours, which we cannot consent to because we are not the property users at this time, so we're discussing that with the post tenant.

COUNCILMAN ADHAMI: Are they saying to limit cars being parked outside to a maximum of 48 hours?

MR. CHILLEMI: No, so they want the condition to be that the cars stay outside for 48 hours before it even enters the building to get worked on. And to your point, I don't know which board member mentioned it, we did specifically ask about Amazon and the queueing of trucks, and the fire chief said it's never an issue, so we did ask that question.

COUNCILMAN ADHAMI: Is the concern of leaving cars outside for 48 hours due to the lithium ion batteries?

MR. CHILLEMI: That is the concern of the fire chief, yes.

COUNCILMAN ADHAMI: Did they have any concern with Amazon and their storage of lithium ion batteries?

MR. CHILLEMI: The question was not asked, but thank you.

CLERK SRIVASTAVA: Pete Gaffney.

MR. GAFFNEY: That'd be me. Hi, I thought we were postponing it so I didn't bother bringing the actual paperwork. I sent everyone on the board today an actual copy of what the site looks like at the back end of the property. We also had difficulty looking at the actual diagram of the

project. First of all, just thanks to Chrissy West for obtaining the DEC environmental release letter for 40 Voice Road. Yesterday I received late from -- and I also spoke to the person who actually sent it down, I spoke to him late last night, but anyway, thanks very much. Just kind of recapping the August 1st town board meeting, the type of repair shop, it's a EV car repair shop, primarily Tesla vehicles, but other EV's will be used also. The public will be able to use one of the seven charging stations, fee based; correct?

MR. CHILLEMI: That's not correct.

MR. GAFFNEY: Not correct? I'm just asking a question.

MR. CHILLEMI: Yeah, not correct.

MR. GAFFNEY: Okay, so that's not correct, so it's gonna be free, I guess, then.

MR. CHILLEMI: And it's also not all EV vehicles, it's specifically to Tesla.

MR. GAFFNEY: That's not what was said last time, but go ahead.

MR. CHILLEMI: The proposed tenant is Tesla it's only going to be serving Tesla vehicles, it's not going to be open for any other manufacturers.

MR. GAFFNEY: Including the charging?

MR. CHILLEMI: Including the charging.

MR. GAFFNEY: All right, that's fine. Okay, that's different from what I have.

COUNCILMAN WALSH: Tesla chargers have different chargers than Chevy's and other cars.

MR. GAFFNEY: There's actually several different versions. And then the other one was at this time, hydrogen chargers. In the future, if they go into the shop, they're going to have to come back to the board for that because that's a whole different animal. That's if it's happening. Now, the hours of operation you said was approximately 7:00 a.m. to 5:00 p.m., ballpark, I'm not

--

MR. CHILLEMI: 8:00 to 5:00.

MR. GAFFNEY: 8:00 to 5:00, okay, that's fine. Okay, that's fine, 8:00 to 5:00, so we'll make that note.

MR. CHILLEMI: That's an operational --

MR. GAFFNEY: That's fine, more importantly it's not a 24-hour operation. Okay. We said 30 bays, that was correct, and also seven charging stations, and then also the cell tower that's on the property, they're going to continue to pay the rent?

SUPERVISOR DESENA: Mr. Gaffney, he would like to correct something else.

MR. GAFFNEY: Oh, I'm sorry. I'm just going by what we --

MR. CHILLEMI: I understand. A lot of these questions are operational, I'm not at Tesla, I don't represent Tesla, some of these questions I cannot answer, nor can my client. We're the property owner, we're priming the property for a tenant. The interior layout will be subjected to a separate application, in terms of bays and what not.

MR. GAFFNEY: Okay, so, that's fine, okay. And you had said you were not applying to the Nassau County IDA for any construction breaks or tax breaks; correct?

MR. CHILLEMI: That's correct.

MR. GAFFNEY: Okay, thank you. The location is also on a dead end of Voice Road, and past, like I said, there was some dumped garbage, litter there and all that kind of stuff and the prior company did maintain it. Well last week I noticed that the area was clean, so if your company did it, great, thank you very much, I appreciate it. This was a whole big pile of garbage over there.

MR. CHILLEMI: That was sanitation.

MR. GAFFNEY: Just letting you know. Next thing, just in terms of the Tesla 4 electric vehicle models, there are Model 3 Model S, Model X, Model Y. The primary network for Tesla superchargers are very powerful, they need 480-volt charging stations, that's a 50 amp volt supply. You said that there's going to be seven amps. One of the planograms that I looked at, it appeared that one of the outlets was very close to the building, I think that's gonna be something you're going to have to check out for violation purposes.

CLERK SRIVASTAVA: Your three minutes are over.

MR. GAFFNEY: Well, I just have questions, this is an open hearing, right, it's not just three minutes.

SUPERVISOR DESENA: Mr. Gaffney, this is going to be continued at the next meeting --

MR. GAFFNEY: I'm just trying to give them information that they need to be prepared to come back.

SUPERVISOR DESENA: Right, but apparently there will be another application by the actual occupant, Tesla, so --

MR. GAFFNEY: I'll leave it for now, because of, you know, the craziness of what's gone on before.

SUPERVISOR DESENA: Do we have to move to continue it? Are there anymore cards?

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

COUNCILMAN TROIANO: I'd like to make a motion to continue the hearing to October 13th.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

MR. CHILLEMI: Thank you, have a great evening.

CLERK SRIVASTAVA: Item No. 5, a public hearing to consider amendments to the town's tree policy pursuant to section 20A-4 of the town code.

COUNCILWOMAN LURVEY: We are still in the process of scheduling the meeting of the tree advisory committee, we just have some issues with the scheduling. So we are going to be continuing this public hearing, but if there is anybody here to speak.

(No response.)

COUNCILWOMAN LURVEY: Seeing no one, I would like to move to continue this item to the October 27th town board meeting.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item No. 6, a public hearing to consider the application of 679 Port Washington Blvd., LLC for a special use permit for the premises located at 679 Port Washington Boulevard, Port Washington and designated on the Nassau County land and tax map as Section 6, Block 2, Lots 115 and 277.

COUNCILWOMAN DALIMONTE: I would like to ask the applicant to come up and make their presentation.

MR. EDWARDS: Thank you. Good evening Supervisor, members of the board, for the record my name is Wayne Edwards of Sahn Ward Braff Koblenz, 333 Earle Ovington Boulevard, Uniondale, New York, I'm the attorney for the applicant. The applicant owns the property

located at 679 Port Washington Boulevard, known as Section 6, Block 2, Lots 115 and 277 on the land and tax map of Nassau County, it is zoned Business-B on the official zoning map of the Town of Oyster Bay and a small strip is located in a residential zone on the east side of the property. The property is 10,823-square feet, with a frontage on Port Washington Boulevard of 100 feet, and a frontage on Park Street of 106 feet. The applicant is proposing constructing a one-story bank building, approximately 1,588-square feet on the property, which will include a drive-thru window. The applicant is Alma Bank, which is based out of Astoria, New York, and it has approximately 12 locations throughout the New York metropolitan areas. The hours of operation will be Monday-Friday, 9:00 a.m. to 5:00 p.m., Saturday 10:00 a.m. to 2:00 p.m. There will be two ATM's which will be open 24/7. The CEO of Michael Silos is here today, he's a 26-year resident of the town and has always been desirous of having a branch in his town. This is branches first Long Island branch and he's very proud of it. Previously on the site was a gasoline station or a repair which was at this location for a number of years. I've submitted a packet of photos and exhibits. Exhibit 1 is a panel photo showing the existing repair station and a copy of the city directory shows back a long history of it being used, first as a gasoline station and then solely as a repair station. The proposed bank building with the drive-thru will be a substantial improvement on the site. Exhibit 2 two is a copy of the Board of Zoning Appeals decision, variances were granted to permit the applicant to go forward to this board for the drive-thru window. They place certain conditions on the grant, the first was the curb cut on Park Avenue shall be restricted to one-way only, entrance onto the site, and the curb cut entrance on Port Washington Boulevard shall be restricted to an exit with the site, only a right turn, no left turns out of that exit. Two, there's gonna be a 15-foot landscape buffer planted in accordance with the requirements of the town code and irrigation shall be provided in this matter. A landscape plan was submitted with out application, and this is on east side of the property. And three, all lighting shall be shielded, also as part of your packet that you received previously was a photometric plan. We are here today for a special use permit for the drive-thru window. You will note that the drive-thru windows conforms with the town code in terms of having sufficient vehicle standing spaces for the drive-thru window, as well as a bypass lane. The parking conforms to the town code. The plans were reviewed by your own planning department, comments were made and they were incorporated in the plan that's before you. At this time, I would like to called Sean Mulryan who is our traffic consultant. He's appeared as an expert before this board on many occasions and also the Board of Zoning Appeals, so at this time, unless you want me to qualify him, I would like to have him come up and testify as to the plan.

MR. MULRYAN: Good evening, Sean Mulryan, 1225 Franklin Avenue, Garden City, New York, Mulryan Engineering. I know that the hour is late so I'll just summarize. We have prepared a traffic study in connection with this application. That study was reviewed not only by the Zoning Board, the Planning Department, the Nassau County Planning Commission, but also the New York State Department of Transportation. The plans are in compliance and we have received zoning grants to bring this before this board. This is a bank application, we're looking for a drive-thru window which is part and parcel of the banking industry as we know it today. This is a location that is near several other banks that also have drive-thru. One of the reasons that we're here before the board is just to exhibit that this will not cause an exacerbation to traffic, and again, we have been through a review of the Nassau County Planning Commission, New York State Department of Transportation, as well as the Zoning Board and Planning Department. We believe in the report results indicate that this will not cause a traffic congestion on Port Washington Boulevard and we believe that it will be a good application and a

good use on this subject site. If the board has any questions I will be happy to try and answer them. Thank you.

CLERK SRIVASTAVA: The next card we have on this item is Ellen McCullough.

MS. MCCULLOUGH: Yes, hi, I've been a resident of the Town of Port Washington on Park Avenue, two houses up from this. This has been a repair site for many years without a gas station. I've lived there for 30 years, it hasn't been a gas station since I've been there. It has been a repair station or it has been vacant before the repair came in. My concern is two-fold; number one, the lighting. I have not been able to bring up the plans. You have two ATM's, where are they located, in the back of the building, in the front of the building, or on the side of the building towards Port Boulevard or on the side of the building on the north side of the building?

SUPERVISOR DESENA: Would you like to come and answer?

MR. EDWARDS: Yes.

SUPERVISOR DESENA: Can you speak into the microphone because we may have people that are watching. Thank you.

MR. EDWARDS: One ATM is located by the tellers window for the drive-thru window, so when the teller is not there during the operating hours, the car can pull up and use the ATM, and the other ATM is located around the corner on the side of the building close on the northwest corner of the building, so that would be, and I'm going to move from the camera -- I'll make an X, right over here.

MS. MCCULLOUGH: So both of the ATM's are away from Park Avenue on the north side of the building?

MR. EDWARDS: Correct.

MS. MCCULLOUGH: My concern is two-fold, I understand the traffic study, I would like to know more about what it was done because when the traffic study was first presented, we have come in front of this board on this issue since it started, it was done on Port Boulevard. I am a Park Avenue resident. They were saying that during rush hour there were three cars every -- I can't remember if it was ten seconds or 15, we do not have that kind of traffic on Park Avenue, we do have that kind of traffic on Port Boulevard. I am glad to see that there's now a one-way entrance in and then the exit on to Port Boulevard. However, is that a new curb cut that you're moving further back up Park Avenue, or are you using the existing curb cut?

MR. MULRYAN: This site is being completely rebuilt so there will be new sidewalks, new curb cuts, so this would be a new curb cut. There are two different curb cuts to this property, one's in the rear and one's in the front, it will be a combination of one drive-thru -- excuse me, driveway, which will be located right here in front of the 15-foot buffer that's --

MS. MCCULLOUGH: Okay, so that is further up Park Avenue than the curb cut currently exists. I would object to that. So now you're bringing more traffic up into our road, not less. And the other thing is, the lawyer mentioned that this was commercial except for that 15 feet, and my husband will speak to that after that. I'm concerned about the light pollution. Ever since those new telephone poles went in and they took down the tree in this area, there used to be two big trees, they have been cut down. We now, with the ATM's being lit 24 hours, that is going to add light pollution to the house right next door, my neighbor's house. In addition, into my second story bedroom window; if there's any light. I understand you're going to plan a

buffer, but is that buffer going to cover any light that comes from the ATM?

MR. EDWARDS: I have a photometric plan that was submitted to the town. Apparently the witness or person who is here -- I'm sorry, what is your name?

MS. MCCULLOUGH: My name is Ellen McCullough.

MR. EDWARDS: -- didn't get, I'll give her my copy. It shows that along, and I'll explain it, along the boundary lines, this is the buffer, they're zero's, that was a requirement to the Board of Zoning Appeals, that we zero out all lighting.

MS. MCCULLOUGH: I understand that, but this zero was taken at ground level; correct? The floodlights are zero? My concern is up on the second story.

MR. EDWARDS: And we also have a landscaping plan which has landscaping in the buffer as well, and if there is going to be light wash, I'll give you my card and you call me and -- actually, the bank President -- CEO of the bank is here, you call up and we'll make sure that the lights are adjusted so that you don't get any lights. The whole point is to not have any impact on the residential area. Again, this is a business zone, it had a car repair shop there and I gave you the city directory shows when the service and when the service station tanks probably were pulled and at that point transferred over, I think it goes back to 1982 with the service station. I didn't say 30 years, I just --

MS. MCCULLOUGH: More than 30 years.

MR. EDWARDS: Whatever it was, I wasn't saying 30 years. But the point is at the end of the day, this is a well thought out plan, the curb cut had to be moved further east, so we had one curb cut but it was moved further east and that was to make sure that we had good traffic flow throughout the site; not only for the drive-thru window for customers coming in and providing sufficient parking with sufficient back up space and providing the 15-foot buffer. Initially we planned a 10-foot buffer, but after presenting the case to the board, it went to a 15-foot buffer.

MS. MCCULLOUGH: My objection is that -- my problem is, who will be measuring that zero foot, and is this zero-foot light that you have in your plans have to be up to two stories to be in compliance with this? Because that's where the light effects it. The light does not effect at ground, and you're building a buffer but it's going to be 20 years before any buffer is high enough to block any light that's at a two-story level.

CLERK SRIVASTAVA: David McCullough.

MR. EDWARDS: I was informed by one of my consultants that you have a dark-sky plan and it's going to conform with the dark-sky plan.

COUNCILWOMAN DALIMONTE: Commissioner Levine, can you just confirm as she's two houses away by looking at the lighting plan, that her second floor will not be disturbed by the light going in?

MR. LEVINE: What we're requiring is the light fixtures have glare shields, and what happens is, the Building Department inspects prior to issuing a CO with the lights on, and if necessary, they'll come back at night because you can see that during the day, but often it does require a night visit. If the lights are not meeting the performance standards, then there have been cases where the property owner has been ordered to either re-aim, replace or add external glare shields. So there is a required performance standard that there be no light spillover, there are remedies if,

for any reason, the lights installed don't meet that standard. So, it's not a -- installed one time one time and walk away from it, if there are problems, Buildings will have them come correct them. Again, through re-aiming lights or through glare shields.

MS. MCCULLOUGH: Can I just ask one question? I understand that you're saying that you will inspect that, but if the light is now coming into my bedroom window, that it doesn't come into it now, will that be readjusted on that? What criteria does it have to meet to require them to readjust it?

MR. LEVINE: This has happened --it doesn't happen often but it's happened a few times where somebody will be -- even as much as a block away in one case, and they'll say, can you see it from my perspective? So Buildings will observe it from where you are, and usually lighting fortunately is one of the easier things to be addressed after the fact. A lot of things once you build it, there's no remedy. With lights, they will keep trying with regard to repositioning the lights and adding external shields as necessary until the problem is corrected. It is something that it's fairly easy to correct after the fact if necessary.

MR. MCCULLOUGH: I'm David McCullough, 7 Park Avenue.

COUNCILWOMAN DALIMONTE: Can you please just state your name again?

MR. MCCULLOUGH: I'm David McCullough, 7 Park Avenue. My major concern is -- what I believe has been sort of a misrepresentation that this parcel of land is zoned commercial. There are actually two lots, as was clearly stated before. One of lots is zoned commercial and the other one is zoned residential. The commercial lot is where the building will be and the parking lot will be on the lot that's zoned residential, and I object to the use of residential property for commercial use.

COUNCILWOMAN DALIMONTE: Mr. Levine, can you speak on that? Is that absolutely correct? I thought that was --

MR. LEVINE: One of the lots is entirely commercial, the other lot is split zone. One of the required areas of relief needed from the Zoning Board was to enable the commercial area to encroach on to that second lot, so what the zoning board is increase the buffer so that the residential part of that second lot, the eastern most 15 feet is landscaped, and that the parking area is --it's not confined to the first tax lot, it does spill over to the second tax lot, but it stays within the business zone part of that tax lot.

MR. MCCULLOUGH: My information is from MyNassauProperty.com, and it shows that that second lot is zoned Class 1. I don't know that whether that --

MR. LEVINE: That's assessment class, that's the use of the property as opposed to the zoning boundary. So the lot boundary and the zoning boundary here don't coincide, there's about a 15-foot difference between the two, so the classification is assessment classification, it was not used commercially, nor it would be, so it would trigger a reassessment, it would be assessed on a commercial right now.

MR. MCCULLOUGH: Okay, thank you.

MS. MCCULLOUGH: That part of the lot has never been used commercial, it is currently a grass area that actually all the kids play on, and the current person who is in that lot keeps it mowed and knows that the kids play on that. So my concern is, okay, now we have a bank, I don't understand why the bank is buying a property and just not keeping their banking into that

area, this is the same bank that tried to go into the Dairy Barn, I don't know why they didn't stay on that land, so I'm concerned with the banks -- the mention was that there were two banks with drive-thrus, by the way, two of them have closed, there were three on Port Boulevard, two have closed, with the drive-thrus. So my concern is, with the banking --both of them are currently for sale. My concern is, coming in with a bank with the way banking has been going now more and more online, less and less brick and mortar, what happens in ten years if the bank then closes and you've now made this commercial with a parking lot? So now any commercial industry now can buy and then come into it and use it, so you've taken a front -- first lot on Port Boulevard with all of our neighborhood behind it being residential and you've taken the second residentially used lot, assessed as residential on the tax code, and now you're allowing it to be commercial. That is unfortunate.

COUNCILWOMAN DALIMONTE: That decision -- Michael Levine, that decision was done by the BZA; correct?

MR. LEVINE: The issue is, although it does appear from the street, it was in the summary that was sent to the board, as if the fence line was the property line. The commercial owner, for lack of a better term, as far as we could tell they didn't acquire the second property, they had it already, and even though it was not used commercially, it had been in their ownership. Again, it does look from the street as if the fence line was the property line, turns out it wasn't.

MS. MCCULLOUGH: The fence line was originally the proper line and the former owners, the North Shore Farms then bought the residential lot afterwards, wanted to put up a two-story building on that lot in the back corner to have his deliveries, and the neighborhood fought that and he was not able to do that, so we were able to then not have it be used commercially, but now you're going and making it use commercially. We've been fighting this for many times, not only with the bank, but with the previous owner from North Shore Farms, which were convinced the board at that time not to take an area that has been residential for years and allow it to become commercial.

COUNCILWOMAN DALIMONTE: I just find it a little bit surprising that I have not heard any issues regarding this until this evening. I have not received one e-mail on that.

MS. MCCULLOUGH: That's surprising because we did send e-mails. We have all the time, we also came and spoke to the board, not for tonight's meeting, but previously. This issue was brought up.

COUNCILWOMAN DALIMONTE: -- since 2020, I'm speaking about this application.

MS. MCCULLOUGH: This application, we sent e-mails when it came before the Board of Zoning Appeals.

COUNCILWOMAN DALIMONTE: You have to understand, the Board of Zoning Appeals and the town board are two separate boards, so I would not have information if you sent it to the BZA.

MS. MCCULLOUGH: Oh, I'm sorry, I assumed all of our e-mails that we --

COUNCILWOMAN DALIMONTE: I'm a little bit shocked that there's even anybody speaking on this because I just thought this was absolutely going to go through and go into it fine, but I'm going to ask the Clerk, is there anyone else that needs to speak on this?

COUNCILMAN WALSH: I'd like to say something from the position over here. As I look at

these pictures that you provided us, I see what looks like nine cars on that repair shop property, I see a cargo container with a bunch of junk next to it, I see a bunch of bald tires on the other side of the building, and you know, it looks, to me, unsightly, and there's weeds coming out of the cracks in the sidewalk -- I know you're impatient, but just let me finish. There's weeds coming out of the sidewalk, and as everybody gets the opportunity to speak and can say whatever ever they want, I'm sure that those -- there are people in the neighborhood that would argue that they would like to see something better than this repair shop that exists now, and you know, everyone gets to speak for themselves, but I think there's a lot of people in the area that would like this, and to me it looks like an improvement.

MS. MCCULLOUGH: Those pictures were taken when the fence fell down. The fence has been repaired. We never see those tires around on that, and you don't even see those from Port Boulevard. Yes, you see the containers for storage, but that fence was broken when those pictures were taken. That fence has been repaired.

COUNCILMAN WALSH: But I still believe that there are those that would argue that it's an improvement to have a bank, not you, but others in the neighborhood --

MS. MCCULLOUGH: Oh, no, I would argue that it's an improvement to have a bank if they weren't going after all these variances, number one. If they weren't taking a residential -- a piece of property that's been used for residential for the 30 years that I've been there, okay, my kids played whiffle ball and lacrosse with the little fidget sticks there when they were growing up, and my children are 31 and 29. It has been a grass area the kids in the neighborhood use, so I have no problem with going from a repair shop to a bank, that's not my objection. My objection is taking the property that has been used residential, that has been taxed residential for over 30 years and now making it commercial.

COUNCILMAN WALSH: And if I could say something just along the lines of the defense for this in that a developer -- a property owner has a right to develop their property, and they've gone through the Zoning Board of Appeals, and they have approval to do this through the Zoning Board, and I guess we should get on with the vote at some point.

COUNCILWOMAN DALIMONTE: You know, Councilman Walsh, I'm not ready, it's my district. I'm not ready to move ahead right now.

COUNCILMAN WALSH: I do apologize, you know, I didn't see you sitting there, I forgot about the TV.

COUNCILWOMAN DALIMONTE: I want to find out if anybody else --

COUNCILMAN WALSH: I'm sorry, but the TV threw me off.

COUNCILWOMAN DALIMONTE: Are there anymore cards?

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

MR. EDWARDS: Councilwoman, I would like to have the CEO of the bank, Michael Psyllos to speak as to some of these questions, and I just want to remind you, Councilwoman, and maybe you don't have the Board of Zoning Appeals decision in front of you, the Board of Zoning Appeals put all of these arguments and discussions came up before them, and they spent a lot of time -- if you read the decision, it's not a yes-and-no-type decision, they put a lot of effort into examining what the variances were requested and what the reasons were for them granting the variances. If there -- and there was opposition at the hearing. I wasn't at the hearing, my partner

handled it, but I was sitting having another hearing, watching it, so I have some knowledge as to it, and a lot of these issues came up, and the board, in all of its --in terms of what they do, they basically reviewed the plan, asked for changes to the plan in terms of increasing the buffer, making sure that no light spillage was onto it, and under the town code, there is a way for the -- what they call an incursion of the business into that residential property, and it's basically only a few feet into the residential zoned property. Other residential zoned property is basically the buffer zone. So at this time, I would like to have him come up here and he'd like to address the board because he feels this is a very important matter to him.

MR. PSYLLOS: Thank you, Wayne. Good evening, Supervisor, council members, I really do appreciate your time and I do appreciate all of those that have come to speak tonight because we're a community bank, I respect all of their opinions. We had a number of residents that came to the BZA hearings and they expressed questions, inquiries, and I think we've done a good job of addressing all of their concerns. This not the first time I've been before the board, I've also as a Parish Council President of Archangel Michael, resident of Port Washington also. I've lived in the Town of North Hempstead for 26 years myself. Our intent is to always be a good neighbor. We're a community bank, we're not a trillion dollar bank, we're a community bank. We want to be a good neighbor. On occasion you can't make everybody happy but it's our very large goal to make as many people as we can, and to always be a good resident. As the Parish Council President of Archangel Michael in Port Washington, we've always tried to be a good neighbor and that will continue, and it's no different than my professional life and my volunteer life for the church. We purchased this property several years ago. I think the question before the town board is a special use permit in terms of the drive-thru. We did a lot of research before we asked for this. We canvassed the town, what all the other banks offer and what the residents want, what our existing customers want. We have hundreds, if not, thousands of existing Town of North Hempstead customers that currently do their business with us, the businesses are operated but they come and see us in our closest branch in Queens, in Flushing. This has been asked for by them. We did own a site across the street, we did try to acquire two other bank sites, one other bank wouldn't sell to another bank, which I think is unconscionable but we tried. We identified a site, we've been very receptive to the feedback, I'm very cognizant of it, I'm here personally because this is important to me and I really appreciate everyone's comments. Our existing customers, which include supermarkets, coffee shops, restaurants, contractors, engineers, attorneys, accountants, churches, synagogues, other houses of worship, many non-for-profits and countless of my existing neighbors and residents; those are all Town of North Hempstead customers, existing customers of the bank. We're only a billion dollar bank, we're only 14 offices in New York and New Jersey, we understand, we're trying to help build this community and support its businesses and its residents, that's our job. So I appreciate the feedback, I heard concerns about light, we'll address those. I know that if any information came to me, we're going to take care of it. Again, these are my neighbors and I want to make sure they're happy. Thank you.

COUNCILWOMAN DALIMONTE: Thank you very much. There are no more cards; correct?

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

COUNCILWOMAN DALIMONTE: Is there anyone else wishing to be heard?

(No response.)

COUNCILWOMAN DALIMONTE: I guess no. I know this area very, very well and?

SUPERVISOR DESENA: She froze.

COUNCILMAN TROIANO: Can I make a motion that we recess for five minutes or the sooner of five minutes or the screen coming back up?

COUNCILMAN ZUCKERMAN: Second.

(Chorus of "ayes.")

10:00 p.m.

(Whereupon, at 10:00 p.m., a recess was taken.)

(TIME NOTED: 10:12 p.m.)

SUPERVISOR DESENA: We're ready to get back, if we can have the town board back in their chairs, we have Mariann back.

COUNCILWOMAN DALIMONTE: So, I'm --did you guys hear my motion?

SUPERVISOR DESENA: No. Mariann, hold on a second, we don't have Robert and David back.

COUNCILWOMAN DALIMONTE: Oh, sorry, I'm sorry.

COUNCILMAN WALSH: We're still waiting for two from that recess, and listen, before, I forgot, you know, I didn't mean to cut you off, I forgot you were here, all I saw was the television, I could hardly see.

COUNCILWOMAN DALIMONTE: Thanks, Dennis, how could you forget I'm here?

COUNCILMAN WALSH: I got lost, I'm sorry.

SUPERVISOR DESENA: Calling David Adhami and Robert Troiano, get them in here.

CLERK SRIVASTAVA? I was just going to call both of them and they --

SUPERVISOR DESENA: Councilwoman Dalimonte, you were --

COUNCILWOMAN DALIMONTE: So sorry that I got cut off, I don't know what happened. I would like to close the public hearing, offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you.

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. 478 - 2022

A PUBLIC HEARING TO CONSIDER THE APPLICATION OF 679 PORT WASHINGTON BLVD., LLC FOR A SPECIAL USE PERMIT FOR THE PREMISES LOCATED AT 679 PORT WASHINGTON BOULEVARD, PORT WASHINGTON AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 6, BLOCK 2, LOTS 115 AND 277.

WHEREAS, 679 Port Washington Blvd., LLC (the "Applicant") is seeking to construct a drive-through facility in conjunction with a proposed single-story 1,587 square foot Alma Bank branch on a 0.25-acre premises located at 679 Port Washington Boulevard, Port Washington, New York and designated on the Nassau County Land and Tax Map as Section 6, Block 2, Lots 115 and 277 (the "Application"); and

WHEREAS, it has been determined that the Application requires a special permit approved by the Board of the Town of North Hempstead (the "Town") pursuant to Town Code §70-203.T(1) using the standards set forth in Town Code §§ 70-225.B(1) and 70-203(S) (the "Special Use Permit"); and

WHEREAS, the Town Clerk, pursuant to and in accordance with Town Code, has published notice of a public hearing scheduled for September 22, 2022 (the "Public Hearing"), as authorized and directed by the Town Board pursuant to Resolution No. 391-2022, adopted on August 4, 2022, to consider the Application; and

WHEREAS, the Applicant, in the manner required by Town Code § 70-240(C), has furnished proof of service of notice of the Public Hearing to the affected property owners within a 200-foot radius of the Premises, and filed an affidavit as to the mailing of such notices as required thereunder; and

WHEREAS, by letter decision dated July 21, 2022, the Nassau County Planning Commission reviewed the case and deferred to the Town to take action as the Town deems appropriate; and

WHEREAS, the Town's Department of Building Safety, Inspection and Enforcement (the "Building Department") issued a notice of disapproval on February 9, 2020 citing the following items: (1) installation of a drive-through lane in an R-C Zone, which is not a permitted use under § 70-44; (2) installation of parking spaces of 10'x18' where 10' x 20' is required pursuant to § 70-103.B; (3) installation of a loading zone with the dimensions of 10' x 23' where 10' x 25' is required pursuant to § 70-103.F; (4) installation of a proposed drive aisle with a width of 22 feet where 24 feet is required pursuant to § 70-103.O; (5) Town Board approval is required pursuant to Town Code §

70-203.T(1); (6) a proposed bypass lane which interferes with the internal circulation of the site in contravention of § 70-203.T(2)(j); and

WHEREAS, On May 11, 2022, pursuant to Appeal 21092, the Town of North Hempstead Board of Zoning Appeals (“BZA”) granted variances to the above-referenced code sections (except Town Code § 70-203.T(1)) with the following conditions: (1) the curb cut on Park Avenue shall be restricted to a one-way only entrance into the site. The curb cut on Port Washington Boulevard shall be restricted to a one-way only exit from the site, (2) the 15’ landscape buffer shall be planted in accordance with the requirements of §70-203.G of the Town Code. Irrigation shall be provided to this area in a manner which ensures the health of the vegetation, and (3) all lighting shall be shielded and directed away from residential areas and 0 footcandles shall be maintained at the property line; and

WHEREAS, the Department of Planning and Environmental Protection (the “Planning Department”) has reviewed the Application and recommends its approval incorporating all the conditions from the BZA approval; and

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

WHEREAS, the BZA has established itself as “lead agency” and issued a Negative Declaration concluding that the Application, including the proposed drive-through ATM window at the Premises, constitutes an “unlisted” action pursuant to Section 617.2 (a) of the SEQRA Regulations; and

WHEREAS, the BZA has further determined that the Action will not result in any significant adverse impacts on the environment based upon the analysis set forth in the Short Environmental Assessment Form (the “SEAF”) 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, this Board has carefully considered the Application, testimony and other relevant evidence at the Public Hearing held on September 22, 2020, and afforded all interested persons the opportunity to be heard; and

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

NOW, THEREFORE, BE IT

RESOLVED that the Board recognizes that the BZA has established itself “lead agency” under the SEQRA Regulations for the Action and has rendered determinations pursuant to SEQRA with regard to the Action; and be it further

RESOLVED that, pursuant to Town Code §§ 70-203.T(1), 70-225.B(1) and 70-203(S), the Application is hereby granted and the Permit is hereby approved subject to the conditions herein stated; and be it further

RESOLVED that a copy of this resolution shall be filed with the Town Clerk, and, pursuant to Town Code §§ 70-203(T) and 70-225, the Building Commissioner is hereby authorized and directed to issue a building permit: (1) upon compliance with the application requirements as set forth in the Town Code; and (2) upon any other conditions or requirements imposed by any other governmental entity having jurisdiction over the Premises, except as herein above set forth, and to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

September 22, 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 8th day of September, 2022, he posted the attached Notice of Hearing to consider the application of 679 Port Washington Blvd., LLC to construct a drive-through facility in conjunction with a proposed single-story 1,587 square foot bank branch on a 0.248 acre premises located at 679 Port Washington Boulevard, Port Washington, New York and designated on the Nassau County Land and Tax Map as Section 6, Block 2, Lots 115 and 277, at the following locations:

Town Clerk Bulletin Board
Port Washington Post Office
In front of 679 Port Washington Blvd
Port Washington Blvd and Highland Ave
Port Washington Blvd and Willow Ave

Henry Krukowski

Sworn to me this
8th 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

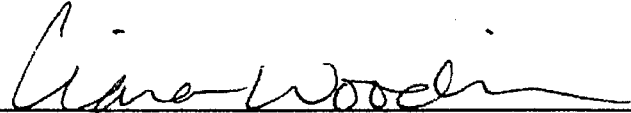
STATE OF NEW YORK)
:SS.:
COUNTY OF ERIE)

Legal Notice No. 0021744911

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: _____

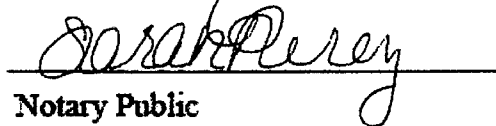


Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
12 Day of September, 2022.

Notary Public



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

Ad Content

Legal Notice # 21744911
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 22th 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 application of 679 Port Washington Blvd., LLC to construct a drive-through facility in conjunction with a proposed single-story 1,587 square foot bank branch on a 0.248 acre premises located at 679 Port Washington Boulevard, Port Washington, New York and designated on the Nassau County Land and Tax Map as Section 6, Block 2, Lots 115 and 277.
Dated: Manhasset, New York August 4, 2022
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021744911

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

CLERK SRIVASTAVA: Item No. 7 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.

MS. CURTO: Good evening, Supervisor DeSena, members of the board, My name is Andrea Tsoukalas Curto, I'm with the firm of Forchelli Deegan Terrana, with offices at 333 Earle Ovington Boulevard, Uniondale, New York. I'm here on behalf of the applicant, 1025 II LLC. With me today is Henry Bergman, he's the property manager for the property. As mentioned, this is an application for site plan review to obtain approvals for a new parking lot at 58 State Street for the tenants at 1025 Old Country Road. 1025 Old Country Road is a commercial building that is adjacent to and just south of the proposed parking lot. The lots are owned by the same entity, 1025 II LLC, pursuant to Section 70-219A1 of the town code, a change in the number of access points or curb cuts trigger site plan review. The applicant is proposing two new curb cuts to an existing site that has an area greater than 25,000-square feet. In this case, the site includes the lot with the commercial building, along with all the parking lots that serve it for a total lot area of 3.5 acres. The master site plan that you have in your packet references all the parking lots that serve 1025 Old Country Road. The applicant obtained approvals for the lots across the street in 2018, they obtained variances from the Zoning Board and site plan approval from this board. Turning to the application that before you today, 58 State Street is currently unpaved, it's a gravel lot and it's used to store trucks. It has a lot area of 9,000-square foot, it has a rectangular shape, it has 90 feet of frontage on State Street and it's 100-feet deep. The applicant is proposing to install 20 new parking spaces, two of which will be designated handicapped with one handicap access aisle. The stalls do comply with zoning, they're proposed at 10 by 20 feet. Access is right-in from State Street at the first curb cut, and right-out to State Street on the northern most curb cut and it's a one-way circulation. The applicant is also proposing drainage to accommodate stormwater retention, as well as lighting and attractive landscaping. As you can see, there's planting beds proposed at the islands. We're going to be putting in landscaping similar to what's across the street, shrubbery not to exceed 4 feet so that there's no issue with the line of sight as you're coming in and out of the site. Just to give a little more background regarding the property, 1025 Old Country Road is located on the northwest corner of Old Country Road and State Street and is situated in the town's Industrial-B zoning district. It's leased as office space and for data storage. A little background regarding the surrounding neighborhood; north of the premises there's a parking lot on Bond Street, the lot is adjacent to and east of the proposed parking lot of 58 State Street. Across the street, as I mentioned, on the west side of State Street there's additional parking for 1025 Old Country Road. Some of the other uses in and around this area include a TD Bank on the corner of Old Country Road and State Street, Sir Speedy print shop and a BMW service station located on the west side of State Street. Arkwin Industries is located on the corner of State and Main, and there's also a rug store on the corner of Old Country Road and Bond Street. The proposed parking lot will only enhance the area with new paving, landscaping and drainage for the site, and with the additional 20 stalls it will free up parking on the street, and as I mentioned, there's no variances needed so this will only be an improvement for the community at large.

SUPERVISOR DESENA: Do we have any cards on this?

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

SUPERVISOR DESENA: Does anybody from the board wish to be heard?

COUNCILMAN WALSH: Can I just ask you, the parking spaces are 20 by 9?

MS. CURTO: No, 20 by 10, so they comply, yes.

COUNCILMAN WALSH: Thank you.

COUNCILMAN TROIANO: Seeing no comments, I just want to make this observation that I live in the area, I'm familiar with the area, the owner is here, I just wanted to commend him because he maintains a really well kept building, both inside and out, I've had the opportunity to be inside the building. And the current parking lot is absolutely gorgeous, it's really well maintained, so with the expectation that this will also be just as well maintained, I move to close this public hearing and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

MS. CURTO: Thank you very much, have a good evening.

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. 479 - 2022

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 previously obtained site plan approval from the Town Board of the Town of North Hempstead (the "Town") pursuant to Resolution No. 400-2018, duly adopted on September 6, 2018 (the "Original Resolution") to demolish two buildings and create 108 additional parking spaces on a 60,442 s.f. (1.39 acre) site for use by occupants of an offsite building (1025 Old Country Road) at the premises located at 19 State Street, Westbury and designated on the Nassau County Land and Tax Map as Section 11, Block 79, Lots 242-245, 253-256, 258, 259, 271-273, 313, 315-317 & 319 (the "Original Premises"); and

WHEREAS, the Applicant has applied (the "Application") to the Town for approval of an amendment to the Original Site Plan 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") (the "Amended Site Plan"); and

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

WHEREAS, all necessary reports, recommendations, and comments on the Project have been filed with this Board by the Commissioner of Planning and Environmental Protection (the "Planning Commissioner") 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 22, 2022, for the site plan review (the "Public Hearing"), as authorized and directed by the Town Board pursuant to Resolution No. 441-2022, adopted on September 1, 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 (the "FEAF"); and

WHEREAS, by letter dated August 23, 2022, the Nassau County Planning Commission recommended local determination; and

WHEREAS, the Town Department of Planning and Environmental Protection (the "Planning Department") has reviewed the Application and tentatively recommends approval of same; and

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

WHEREAS, the Planning Department has recommended that the 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 22, 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 for the reasons stated in the FEAF, that the size and nature of the principal building will not change and construction of a satellite parking lot will not, in itself, cause an increase in traffic volume and there should be no changes in demand for water or electricity, nor any increases in the generation of solid waste or sanitary sewer; and

WHEREAS, this 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, this Board has carefully considered the Application, testimony and other relevant evidence at the Public Hearing held on September 22, 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 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 Action is an “unlisted action” which will not result in any significant adverse impact on the environment, based upon the analysis set forth in the FEA, 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 this Board finds that the Application and amended site plan are in compliance with Chapter 70 of the Town Code, and this Board further finds that the amended 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 amended 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 22, 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 8th day of September, 2022, he posted the attached Notice of Hearing to consider 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, at the following locations:

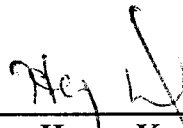
Town Clerk Bulletin Board

Westbury Post Office

In front of 58 State Street

State St, 100 feet north of Old Country Rd

State St and Main St



Henry Krukowski

Sworn to me this

8th day of September, 2022



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

NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No. 0021744876

: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 # 21744876

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**

NEWSDAY PROOF

Ad Number: 0021744876

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

CLERK SRIVASTAVA: Item No. 8, 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.

COUNCILWOMAN DALIMONTE: I'd like to ask the applicant to come up and make their presentation.

MR. ANZALONE: Thank you. Good evening, Madam Supervisor and honorable members of the town board, John Anzalone for Harris Beach, PLLC, 333 Earle Ovington, Suite 901, Uniondale, New York, 11553, attorneys for the applicant. Thank you for the opportunity to make this presentation to you tonight. I'm here tonight to with respect to HR Port Tennis Owners LLC's application for a change of zone to admit the conversion of the existing Port Washington Tennis Academy from a not-for-profit use to a for-profit operation. As a matter of housekeeping, affidavits and mailing of posting were filed prior to tonight's hearing, we also filed a supplemental return and receipt cards we've received since that time at the start of this hearing. The Port Washington Tennis Academy is located at 100 Harbor Road, Port Washington, and the property is 5.268 acres. The property is presently split zone at Residence-C and Business-A. Within the Business-A zone is some of the parking for the tennis academy as well as two out buildings. In the Residence-C zone is the indoor tennis building, within which the recreational use is operated. Under the proposed application, the entirety of the site would be rezoned Business-A, and all of the uses and existing buildings would remain. The application before this board includes no new modifications to the existing improvements on the site, there are no new proposed buildings, and no expansion is planned of the tennis academy. If the application is approved, the only planned improvements are making delayed maintenance and upgrades to the facility within its existing footprint. In short, the applicant who is in contract to buy the property cannot operate existing tennis use without a change in zone since the recreational building in the Residence-C zone is currently permitted as a not-for-profit use, pursuant to 1966 and 1967 special use permits from the Zoning Board of Appeals. A for-profit use of the recreational building is prohibited in the Residence-C zone, but is permitted as of right in the Business-A zone, which our portion of the property is currently zoned. The application for this board will preserve the existing use at the property, which has existed for over 50 years while allowing the facility to be upgraded for its uses. Upgrades are anticipated to cost approximately \$7 million and include upgrades to the existing courts, locker rooms, HVAC systems, roofs, interiors, as well as cleaning and repairing the building's distinctive facade. To operate this facility, the applicant has reached out to SPORTIME Clubs, LLC, which is highly experienced in operating several tennis facilities in New York, including Long Island. On a temporary basis, SPORTIME was brought in to manage the property, which was long run by Dick Zausner, the son of the academy's founder. His sister had been operating the facility since he's passed in 2021. If the application is approved, the applicant will enter into a long-term lease with SPORTIME to manage the use. Out of this facility, SPORTIME will operate the fifth John McEnroe Tennis Academy. Mr. McEnroe and Patrick, his brother, and other notable professional tennis players, trained at this facility. The John McEnroe Tennis Academy will also be affiliated with the Johnny Mack Tennis Project Inc., a 501C3 non-for-profit organization to provide access to quality tennis programs, including tennis training for junior players, regardless of the player's socioeconomic background. Together with SPORTIME, the Johnny Mack Tennis Project plans to offer free and low cost tennis learning opportunities at the property, to local schools and community-based organizations, and to fund scholarships for

under resourced kids and their families to learn tennis and refine their talents. We have a number of witness here today with us in support of the application, including David Wortman, a professional engineer and senior environmental manager, VHB Engineering. Mr. Wortman is on hand to answer any questions regarding the existing additions of the property, which are being maintained; Patrick Lenihan of VHB Engineering, our traffic expert is also on hand to answer any questions this board may have regarding his comprehensive parking and traffic analysis, which was submitted before this application and vetted by the planning department. We also have with us, Clad Olkin of SPORTIME, the operator's representative, who is here to answer any questions the board may have regarding operations. And finally, we have Mr. Darren Horning, The applicant's representative. We are here to answer any of the questions this board may have and otherwise ask for approval of this application.

COUNCILWOMAN DALIMONTE: Thank you very much. Madam Clerk, are there any -- does anyone have questions on the board?

(No response.)

COUNCILWOMAN DALIMONTE: Do we have any cards? No?

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

COUNCILWOMAN DALIMONTE: Mr. Gaffney. Hi, Mr. Gaffney.

MR. GAFFNEY: Hi, Ms. Dalimonte, you look pretty good there on TV. I hope you feel better, but you know, that's -- never mind, I won't say it. Anyway, with regards to the applicant, I guess he has to get approval and then send the tax notification to the state to get that put on the books and all that, the fees and stuff, the \$30 bucks. Now, on the premises, is the restaurant staying, and also the dormitory? And is the dormitory an overnight stay for people?

COUNCILWOMAN DALIMONTE: Come to the mic, please. Thank you.

MR. ANZALONE: To answer the question about the dormitory, the dormitory is of restricted use, it's approved pursuant to 1980's Zoning Board of Appeals approvals. It is for use of only the tennis academy's employees, it cannot be rented out to anyone besides the tennis academy's employees and it's limited to the duration of their employment with the tennis academy. What was the other question?

MR. GAFFNEY: And the other question is, the restaurant on the premises; is that still going to be there?

MR. ANZALONE: The answer is yes.

MR. GAFFNEY: Does that change anything once it becomes commercial?

MR. LEVINE: The rules on the expansion, if there was an expansion of the restaurant, there's nothing planned now, so they can continue as is under the prior approvals. If they came in for an expansion yes, it would be evaluated under the business requirements.

MR. GAFFNEY: Okay, thank you.

COUNCILWOMAN DALIMONTE: Mr. Gaffney, this is a great thing for our community.

MR. GAFFNEY: I'm not saying it isn't, I'm just asking a question.

COUNCILWOMAN DALIMONTE: Thank you.

COUNCILWOMAN LURVEY: Councilwoman Dalimonte, if I could ask a follow-up question to the dormitory?

COUNCILWOMAN DALIMONTE: Of course you can.

COUNCILWOMAN LURVEY: Is the dormitory registered with the Building Department? Will it have a rental permit? How will it --

MR. ANZALONE: My understanding is when this change of zone occurs, they will be required to file a rental permit with the town, that's my understanding.

MR. LEVINE: Right, we have -- it is one situation that does have to be resolved, because the zoning board approval of the dormitory was tied to a specific conditional use permit, that conditional use permit will no longer be in effect if it's rezoned, so we have three specific conditions limiting the use of the dormitory so that it will comply with the zone that it's now going into, which is -- as a business zoned property. I agree

COUNCILWOMAN LURVEY: Sorry, can you repeat that?

MR. LEVINE: In order to handle what happens to the dormitory, since the conditional use permit that it was tied to will no longer be in effect, we're proposing three conditions; restricting the future use of the dormitory so that we remain in compliance. The first is that it will only be used to house active employees, subject to a housing agreement, where housing will never extend beyond the employment period, representation just made a few minutes ago. Second, it will be limited to 12 residents, and the third one is the question that you brought up, that they will be required to register the dormitory with the Building Department, maintain a valid rental registration permit. So up to this point, that was never needed, going forward it will be, and I'm presume that the applicant is consenting to those three conditions.

MR. ANZALONE: Yes.

COUNCILWOMAN DALIMONTE: Are there any more questions?

(No response.)

COUNCILWOMAN DALIMONTE: Seeing that there's no more questions, I would like to close the public hearing, offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Is John McEnroe going to be throwing tennis rackets here?

MR. ANZALONE: He's supposedly calmed down.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

MR. ANZALONE: Thank you, all, have a good evening.

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. 480 - 2022

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, pursuant to Resolution No. 442-2022, duly adopted on September 1, 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, by letter dated August 23, 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 22, 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 22, 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 with the following restrictions placed on the use of the dormitory: (1) the existing 6-bedroom dormitory will only be used to house active employees subject to a housing agreement, where housing will never extend beyond the employment period; (2) the dormitory will be limited to 12 residents; and (3) the applicant will be required to register the dormitory with the Building Department and maintain a valid Rental Registration Permit; 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 with the restrictions set forth herein on the use of the dormitory; 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 22, 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 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.

Dated: Manhasset, New York

September 22, 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 22, 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 8th day of September, 2022, he posted the attached Notice of Hearing 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, at the following locations:

Town Clerk Bulletin Board

Port Washington Post Office

In front of 100 Harbor Rd


Harbor Rd and Valley Rd

Harbor Rd, 300 feet east of Valley Rd


_____ **Henry Krukowski**

Sworn to me this

8th day of September, 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*

NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No. 0021744879

: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 # 21744879

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
SRIVASTAVA TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021744879

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

Affidavit of Publication

County of Nassau SS
State of New York,

**LEGAL NOTICE
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 22, 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 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.

Dated: Manhasset, New York
September 22, 2022

**BY ORDER OF THE
TOWN BOARD OF
THE TOWN OF
NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK
9-28-2022-IT-#235123-
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: September 28, 2022

Linda Baccoli

Sworn to me this 28 day of
September-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

REC'D TOWN CLERK
SEP 28 2022 AM 11:17

CLERK SRIVASTAVA: Item No. 9, 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 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.

COUNCILWOMAN DALIMONTE: Hi, Mr. and Mrs. Bichoupan, how are you? Can you just make your presentation to the town board?

MR. BICHOUPAN: My name is Robert Bichoupan, 4 Waters Edge, Port Washington. My wife Carolyn, who is the applicant, is standing next to me. This is an application for a variance on a dock, we're past the DEC approval, the approval of the Army Corp of Engineers, the Department of State, we went back to them again based on the change in our lot lines to accommodate an objection where we were encroaching upon the side yard setbacks, so that's been resolved. We've addressed and incorporated the comments of the board as to the dock with the pier height, the railing height. We have spoken with our neighbor and adjusted the starting point on the dock as far away from our house as we're allowed to and we've reduced the dock length application from the original 260 feet to 240 feet. The reason for the request for the variance is we need to get to water that's deep enough to hold a boat. We have the misfortune of having a lot that is further back from the beach and the waterfront than our neighbors, so to get to water that's deep enough for a boat, we need a longer dock, and that's why we're here before you tonight. We were before the Waterfront Advisory Committee not too long ago, we were asked questions, our neighbor who has been objecting, Ms. Tito, read a letter which she had read several times at these hearings. Her objections in that letter, if I recall, had to do with the Port Washington Yacht Club, students using sailboats, the dock being too close to them. A representative of the Port Washington Yacht Club was at the Waterfront Advisory Committee meeting, he had no such objection, at least he didn't voice one. She has expressed that it will interfere with her view; under New York law you don't have a right to a view. What else did she say -- it will interfere with navigable waterways, we submitted pictures from the end of the dock of the Port Washington Yacht Club, which is to our south, showing the end point of our dock being shorter than that dock, as well as the nearest dock to the north; if you don't recall the pictures, I have another one here, but these were all submitted then, and again, submitted to the Building Department to address all the other issues and we're down to the one issue, which is the length. I submitted tide charts which show multiple times a year, there are low tide events. The 150 feet allowed of light gets us to 8 inches of water, and I don't have a boat that can use 8 inches of water. If you guys want to see the picture, I brought another copy showing from the Port Washington Yacht Club and the other dock and the buoys there are well within those two, we're not interfering with navigable waters. The two docks on either side go further. So we thank you - -

COUNCILMAN TROIANO: Would you mind bringing that up, please?

MR. BICHOUPAN: Of course. Again, I'm standing on the end of the dock to the Port Washington Yacht Club, two buoys you see are well within the two other docks. That's the end point, the buoys are the end point of where our dock would end. So, again, we're just down to length and we're down to our neighbor, who unfortunately she feels like she's entitled to a view. I don't know what else to do at this point. We ask for your decision and hopefully approval.

COUNCILWOMAN DALIMONTE: Thank you very much for your presentation. Does

anyone on the board have questions regarding the presentation?

(No response.)

COUNCILWOMAN DALIMONTE: I think we have cards on this item, I would ask that, Madam Clerk, if you could please call the cards.

CLERK SRIVASTAVA: Yes, we have cards on this. Deirdre Milano.

MS. MILANO: That's me, if Ms. Tito can go first?

MS. TITO: Is it okay if I go first?

CLERK SRIVASTAVA: Tito, yes. There is Tina Tito.

MS. TITO: Good evening. I will read this again, although we've changed some of the issues that we have discussed -- talked to you about before. My husband and I would like to reiterate our opposition to the revised plans for dock at 4 Waters Edge, which is next door to our property, 6A South Court. We have a number of concerns regarding the proposed structure in the revised plan that we wanted to share with the town board. The requested variance would impinge on our rights. Any vessel tied up on the north side of the floats fully encroaches on the required 15 foot side yard to our property. Additionally, the lateral views, when we purchased our house 24-and-a-half-years ago, were and remain the yacht club dock to the south and the Milano property dock to our north. The water view, sailboats, kayaks, young campers sailing and swimming and fishermen would be substantially obstructed by the proposed structure from every water view facing our windows out to the water from this dock at 4 Waters Edge, placing the proposed dock straight into our direct view from all windows of our house. This isn't a matter of a slight interpretation in our view of the side yard. The proposed structure would dominate the water view from every single window and door. We took photos of the buoys recently placed in the water at the end point of the proposed dock, to show the prominence of the proposed structure from our home. I'd like to share these with you. The photos were taken from our dining room table, which is in the middle of the house, master bedroom. As you can see, the proposed dock will overwhelm the view. The proposed dock would also be prominently visible from our living room and our second bedroom windows. We included also a mock-up approximating the impact of the proposed dock on our water view. The Bichoupan's recently purchased their house at 4 Waters Edge, knowing that there wasn't a dock on the property, and aware of the town code regarding the building of a new dock, as they are both lawyers with their own local practice. Their original plans were for a dock that was longer, higher and wider than the town code, and too close to the side yards of both neighbors, in addition to other deviations from the town code. The purpose of a dock is to enhance pleasure. It would be unfair to grant a variance for a new neighbor's enjoyment while taking away our rights to the same. It would also be unfair for the town to provide a variance that results in property value accruing to the same neighbor and taken away from us. The structure still extends to 240 feet to a similar location in the water as the last plan. This is 60 percent longer than the 150 length permitted by the town code and excessive. Additionally as mentioned, any boat decked on the northern side would encroach substantially into our 15-foot side yard. Also, the revised plan showed two floating docks at the end, when only one was allowed by town code. Floats by nature are moveable so they could be easily reconfigured in the future. We understand that the requested dock length is based on the specifications of a desired boat. This seems to us to be an artificial, self-serving specification. No one has the right to dock any size boat in front of theirs and their neighbor's

home. Soon after we originally move into our house we worked with an expeditor to inquire with the town about replacing a previously existing dock on the property. The town indicated that they would not approve the dock. Had our dock been approved, the proposed dock would not have sufficient lateral clearance for safe navigation. Most importantly, the encroachment of the proposed dock would impede our ability to build a dock at our property in the future, impinging on our right to enjoy and access the water from our property. From the public use perspective, the little open cove between 6 South Port --

CLERK SRIVASTAVA: Three minutes are over.

MS. TITO: -- and Port Washington is used for all the things I mentioned before.

CLERK SRIVASTAVA: Can you please keep your comments to three minutes? Thank you.

MS. TITO: Thank you.

COUNCILMAN TROIANO: May I ask a question?

MS. TITO: Sure.

COUNCILMAN TROIANO: I want to make sure I'm following your line of reasoning. I think you are suggesting that the proposed dock would block your view, change the view you have today; is that correct?

MS. TITO: Definitely block the view, from all our windows facing the water, yes.

COUNCILMAN TROIANO: You had wanted to get your own dock built?

MS. TITO: Yes.

COUNCILMAN TROIANO: Would that also have blocked your view?

MS. TITO: No, because I'm 15 feet above water, so that it would be much more --it wouldn't block the window view.

COUNCILMAN TROIANO: And you want a dock because you have a boat?

MS. TITO: I'm not looking to have a dock right now, I'm just wanting to preserve my rights to be able to have one since I'm on the water.

COUNCILMAN TROIANO: So at one time you had a boat, you wanted to have a dock?

MS. TITO: We wanted to have a dock when we first moved in, yes.

COUNCILMAN TROIANO: Did you have a boat also?

MS. TITO: Pardon?

COUNCILMAN TROIANO: Did you have a boat also?

MS. TITO: Not at the time, no.

COUNCILMAN TROIANO: So you wanted the dock for what reason?

MS. TITO: I'm sorry, I don't hear you.

COUNCILMAN TROIANO: You wanted the dock for what reason?

MS. TITO: We would have purchased a boat if we could have gotten a dock.

(AUDIENCE PARTICIPATION.)

SUPERVISOR DESENA: We'll finish with you at the mic, and when you're finished, we'll go -
- yeah.

MS. TITO: Absolutely.

COUNCILMAN TROIANO: I just wonder if there's a way, and this probably does not work at all because you're still blocking view, but if there's a way for you all to have access to the dock that they want to build.

MS. TITO: What do you mean by access?

COUNCILMAN TROIANO: So you could also -- I'm not a boater in any way, so I don't know if you could have more than one both there on their dock, and if so, is that a dock that you could enjoy as well?

MS. TITO: Not according to the laws and town code, I've looked them up. You can have -- the owner of the house can have a boat on their dock, they cannot have another boat, that's not permitted. It's against town code, I looked that up.

COUNCILMAN TROIANO: All right, thank you.

MR. BICHOU PAN: Can I just address a couple of things that were incorrect? Very quickly. The side yard setback is 15 feet, any boat we're contemplating will be much more narrow than 15 feet. In fact, there's an 18-foot gap between the side of our dock and the property line, it's an imaginary line in the water. There's about another 80 feet beyond that to the next dock, there's plenty of room for boats. There was a statement made that a boat wouldn't be able to maneuver, that's not accurate.

CLERK SRIVASTAVA: Thank you, we have to call the next speaker.

MR. BICHOU PAN: Just one other thing, the comment that there's only one dock allowed by town code is not accurate either, you can have a 30 or 40-foot dock or you can have two 20's, and we're asking for two 20's.

CLERK SRIVASTAVA: Deirdre Milano.

MR. TITO: Thank you. My name is, Elan Tito, my parents live next door to 4 Waters Edge, at 6A South Court. I spent a number of my early years living there as well, and now live nearby in Port Washington with my wife and kids and we spend a lot of time at our family home. I'm opposed to the revised dock plans at 4 Waters Edge. My primary concern is that the proposed dock interferes with my parent's right to really enjoy their home and also use and access the water in the future. This matter has gone on for some time now and started off with the proposal, which my mom alluded to, it was longer, wider, higher than town code, placed literally right along our property line and other nonconforming issues. Soon after this process started, my parents received a letter from the Bichoupan's stating that if this dock plan does not go through, then their recourse would be to install a lift which would block their view even more. I know Mr. Bichoupan very much wants a dock, however, we don't believe his desired outcome is fair. I took the photos, which you have, that my mom shared with you. The proposed dock itself and any boat decked on this structure literally would dominate the view, it's not a matter of, oh, it's kind of a small part, every single water facing window or door would have that in the middle, and really, it's a matter of being able to enjoy your home, eating on your dining room table and not looking as if a boat is entering the table, and it's literally the dining room table, the table outside, their bedroom. I understand also that the Bichoupan's sold a few square feet of their

waterfront property to their southern neighbor to change the angle of the property line and the corresponding side yards. This may have technically conformed certain elements to town code, but I don't really think this kind of manipulation is fair, I guess that's for you to judge. As my mother mentioned, any boat decked on the norther side of the floats of the proposed dock would still encroach substantially into the 15-foot side yard, even if that's 2-3 feet of difference, as Mr. Bichoupan said, any boat parked there still encroaches, that's a problem. In addition to that, their two floating docks, which, by nature, could be moved as well; I don't see how you can enforce not being able to park on one side versus the other for future owners of the house, as well. And then my mom also mentioned that they worked with an expeditor about 25 years ago right after they moved in for a dock to replace a previously existing one, that was actually my desire at the time, and really, kind of the concern is, this dock would interfere with our act ability to have another dock in the future. In conclusion, I'd just like to state that really we're not looking to interfere with anyone's right to enjoy their property, we just want to make sure that all parties involved can do so. Thank you.

CLERK SRIVASTAVA: Next card is Deirdre Milano.

MS. MILANO: Thank you and good evening, everyone. My name is Deirdre Milano. I'd like to speak about proposal of the Bichoupan dock at 4 Waters Edge. I live at 6 South Court, which is two houses from the Bichoupan property, approximately 40 yards north from their property line to where mine begins. My family moved into our house three years ago. We have a dock on our property that has existed for 28 years. I'm opposed to the building of this proposed dock for the following reasons: Navigational congestion; we dock our boat on the south side of our dock -- may I give you all some pictures of the area? Thank you. My color printer ran out, sorry about the black and white versions. I've marked up the docks. We dock our boat on the south side of our dock, Exhibit A, due to a busy community dock that is 45 yards north of us, and on weekends, boats of all sizes, including sailboats, motorboats and 50-foot yachts are pulling in to the south side of the community dock. To allow ample space for turning around and avoid any accidents of hitting our boats or theirs, the south side works well for us. If the proposed dock is built to our south, 50 yards from our dock, this would create a difficult space for us to navigate, docking a boat on our float during frequent high wind days and in cases where they have a boat docked on the north side of the proposed dock, whether it is a their boat or a friends boat visiting. It creates navigational congestion for my family. Another reason is the public usage danger. The space between my family dock and the active thriving boat membership of Port Washington Yacht Club dock, which is approximately 100 yards to our south, Exhibit B, it's a very busy space on weekends during the summer. Kayakers, fishermen, windsurfers, motorboats, paddleboarders, constantly use this area, and not only about will the building of this new dock eliminate this public enjoyment, but it will actually create a dangerous congested area when bringing our boats to and from the docks. Thank you for your consideration.

COUNCILMAN ADHAMI: I have a question. The Tito's are in between you and the Bichoupan's; correct?

MS. MILANO: Yes.

COUNCILMAN ADHAMI: So if the Titos built a dock, that'd be even worse for you.

MS. MILANO: I don't even know if that would be possible to be able to navigate.

COUNCILMAN ADHAMI: I don't know if it would be impossible, but you should really be

opposed to Titos building a dock, too.

MS. MILANO: They're not applying for one tonight, it's not on the table, and if you look at an overhead picture that's provided there, there's not a lot of -- they're not that close together, the docks that are there.

COUNCILMAN ADHAMI: I understand that, but in theory, everybody who owns a waterfront property could build a dock.

AUDIENCE MEMBER: If it goes along with the setbacks, et cetera, yeah.

COUNCILMAN ADHAMI: And there's approximately 40 yards between you and the Bichoupan property?

MS. MILANO: Yes.

COUNCILMAN ADHAMI: 120 feet?

MS. MILANO: Yes.

COUNCILMAN ADHAMI: And you're saying that you wouldn't be able to back out in 120 feet?

COUNCILWOMAN DALIMONTE: David, can you please speak into the mic?

COUNCILMAN ADHAMI: You're saying you wouldn't be able to back out in 120 feet and it would cause a navigational hazard?

MS. MILANO: It's -- there's -- it's a busy spot on the weekends, there's windsurfer, there's sailboats, and in order to pull into the float, you have to make a large circle in order to get there, and on windy days, it makes it, you know, more difficult, et cetera.

COUNCILMAN ADHAMI: I am a boater and in my marina we don't have 120 feet of room to turn around. I probably have 30 or 40 feet and I'm able to turn around and I guess everybody else in the marina is able to, as well.

MS. MILANO: I don't know if you have sailboats and paddleboarders and windsurfers in your marina, but they're all there in that spot, kayakers, it's just -- it's busy.

COUNCILMAN ADHAMI: Thank you.

CLERK SRIVASTAVA: Steve Klyce.

MR. KLYCE: Thank you, I'm Steven Klyce of 5 North Court in Port Washington, I'm also the president of Bayview Colony Civic Association, and we have four homes and property, Bayview Colony shared property within 500 feet of the proposed dock, so that's -- I'm here to support the Titos. I'll just give a little bit of background here, riparian rights give private upland owners right of access to the navigable portion of a waterway. Such rights also include reasonable, safe and convenient use of water for general purposes, such as boating, fishing and so on. The private riparian land owner may construct necessary improvements to provide reasonable access to the navigable portion of the waterway. Such improvements include, among other things, a dock, pier, wharf, bulkhead, and so on and so forth, to permit the safe harbor of a vessel with access to the navigable water. These rights would be exercised by the 4 Waters Edge plan to provide access to the navigable water for their vessels. However, the owners of 6A Couth Court, the Titos, inquired two decades ago to build a similar pier and were told that it would be denied. That's in the past. Currently, though, if 4 Waters Edge project goes ahead, there would be not

enough adequate clearance for 6A South Court to construct their own pier, thereby denying equal riparian rights for 6A South Court. Therefore, I ask the town to deny this application.

COUNCILMAN TROIANO: I'm sorry, I didn't follow, you said 6A South court?

MR. KLYCE: The Tito's house.

COUNCILMAN TROIANO: That's the Tito's house?

MR. KLYCE: Yes.

COUNCILMAN TROIANO: I thought that was Waters Edge.

MR. KLYCE: Waters Edge is 4 Waters Edge, sorry.

COUNCILMAN TROIANO: The Titos are on South Court?

MR. KLYCE: The Titos are on South Court.

COUNCILMAN TROIANO: The picture I have it looks like --

COUNCILWOMAN DALIMONTE: It's right next to each other but it's different areas, different streets to go down.

MR. KLYCE: Different street, different subdivision, different streets. I'd also like to point out --

COUNCILWOMAN DALIMONTE: There's the different areas, they don't go down the same street to get to their house.

COUNCILMAN ADHAMI: What's the width of the Tito's property?

MR. KLYCE: 40 yards, and the width of the Bichoupan, I think -- you have 50 feet, something like that? The width of the property -- I don't have that memorized, it's something like 100 feet for the Tito property and about 50 feet for the Bichoupan property. And I'd also like to mention, it was brought up, why don't we just go be and friendly and share, and that's a wonderful idea, except if you read the town code, the town code specifically prohibits allowing a neighbor to use your dock in any kind of a semipermanent basis, so that just doesn't fly. It's Chapter 42, paragraph whatever.

COUNCILWOMAN LURVEY: It's been a while since I was in law school and I don't think I paid attention to the lecture about riparian rights, and I don't know that our town attorney would be an expert in riparian rights, either. John, do you have anything to add to the statement that these homeowners are entitled to a certain use of the water and if somebody else is going to be infringing on that then that's somehow a violation of law or personal property?

MR. KLYCE: It would be a violation of the riparian rights of the property owner. Every shoreline property owner has this riparian right. What I was quoting here and reading, but actually I didn't make it up, I read it from a New York publication based on publications of law.

COUNCILMAN ADHAMI: One other question, if the Titos have 100-foot or 100-foot plus of waterfront width, what would prevent them from building their own dock?

MR. KLYCE: Well, I think that would have to be taken up by the town to see if there -- the distance between the two docks would be -- the Bichoupan say one hundred and

COUNCILMAN ADHAMI: Would be 50 feet at least.

MR. KLYCE: 140 feet?

MR. BICHOU PAN: The distance between our dock and the dock to the north is 148 feet.

MR. KLYCE: 150 feet, So - -

MR. BICHOU PAN: The distance between our dock and the yacht club is 200 feet.

MR. KLYCE: So then you'd have 75 feet between the two docks, so I don't know if the Waterfront Commission would go along with the Building Department, I don't know who would take care of that.

COUNCILMAN ADHAMI: Is there a requirement as to -- sir town attorney, if you could inform, is there a requirement as to the distance between neighboring docks?

MR. CHIARA: The issue, I think, you know, is that how the town code is set up, there are requirements of setbacks, and also that basically with that requirement, you wouldn't be able to allow every waterfront property to have a dock to get to a navigable water, so the town board on an individual basis would have to grant variances --

COUNCILMAN ADHAMI: That's for the length.

MR. CHIARA: -- they wanted to allow, just because of how the code is set up. The property sizes are too small for the setbacks for everyone to have a dock.

MR. BICHOU PAN: If I may speak to that point.

CLERK SRIVASTAVA: We have one more card on this.

MR. BICHOU PAN: The code at the Water Front Advisory Committee meeting was brought up, this point was brought up and we were told it has to be 70 feet between two docks, which, given 148 feet, could be accomplished. I handed up a satellite picture showing distances between, all the different points, I think it's being passed around now. The lady who spoke immediately before this gentleman I believe has a 33-foot boat? A 32-foot boat. To turn a 32-foot boat in 148 feet of space is, for boaters, a no-brainer. I don't think there is any danger posed there, and while there are a lot of sailboats and larger craft in the harbor, they're not coming up to the shallow water by our house, they are mostly, with very few exceptions, beyond the docks. What you get is a couple of sailboats, 16-foot sunfish from the yacht club, and they have 200 feet to get out and turn into the harbor, so I really don't know where we're going with this. The fact that Ms. Tito someday maybe might want a dock, aside from interfering with our view, you know, is not a basis for a denial of the fact that Ms. Tito can see a dock, just like everybody else who lives anywhere on this harbor can see a dock, just like anybody else who lives next to a property with a dock can see a dock is not a basis for a denial. It's up to you to decide if the request is reasonable and safe, and if it is, it's up to you to decide whether you want to grant the variance.

CLERK SRIVASTAVA: We have one more card on this item. Let's call the next speaker. Tom McDonough.

MS. TITO: If it's interfering with my view --

SUPERVISOR DESENA: Wait until you get to the microphone. Hold on, hold on, hold on.

MS. TITO: Why don't I have rights to have the freedom of looking out of my house as anybody else would have? I'd be looking out at somebody else's dock. I don't even know if he will see

his own dock, but I will see it because of the curve of his property. Also, I'd like to know what the width is of your property.

MR. BICHOUPAN: I believe it's about 56, 57 feet.

MS. TITO: Because also, town code states than you can build a dock only on 100 feet width, therefore, he's almost half the width that is allowed to build a dock, so we're talking about variances here. If I had to build a dock on my property, I wouldn't need a variance, I would go straight out and be able to build the dock. Also that I'm high, it doesn't interfere with my view. The Milano's house is high, their dock does not touch my view, nor their boat on the south side. It's not a matter of everybody sees everybody's dock, it's this dock will be placed out in the water with a visual view compromising all the views of all the windows in my house. No one buys a house so somebody can see a dock coming in at an angle. I think with the pictures that we've shown you, you have the vision of what we'd be seeing right there, and there was the buoy proved that that buoy came right directly to the middle of my house.

COUNCILMAN ADHAMI: Ms. Tito, in the pictures that you did submit, we do see both your neighboring docks, Port Washington Yacht Club --

MS. TITO: But you see it without --the street, they're not interfering, they're not crossing. This dock crosses, that's why even the fact that I would even want a dock eventually, I don't know if somebody else on a board will say, well, I've interfered with the other dock that is being placed there in the water ends up in the middle of my property. That's the problem. If his dock was straight, I'd say fine, I have no problem with it, but his land is curved, so, therefore, he might not even see the end of his dock, I see it because he will be blocked.

COUNCILMAN ADHAMI: Ms. Tito, you stated if you build a dock you wouldn't see it, because your house is high enough.

MR. BICHOUPAN: Your house is at an angle, everything is parallel. Your house is at the angle.

MS. TITO: My house isn't at the angle, your house is at the angle.

MR. BICHOUPAN: That's your house.

MS. TITO: That's my house, and your house is the one that's on the curve, not my house.

MR. BICHOUPAN: Ms. Tito, I know you're passionate about this, but just take a look.

MS. TITO: So are you.

COUNCILMAN ADHAMI: Ms. Tito, I just have one more follow-up question.

COUNCILMAN WALSH: Excuse me, you can't have this banter, the Councilman is trying to ask you a question.

MS. TITO: I'm terribly sorry. I didn't come up to him, he came up to me. I'm sorry.

COUNCILMAN ADHAMI: Your house is high and you don't see your neighbor's dock or the other docks --

MS. TITO: Right.

COUNCILMAN ADHAMI: -- and if you built a dock you wouldn't see it.

MS. TITO: It wouldn't interfere with the views from the window.

COUNCILMAN ADHAMI: You would only see this dock?

MS. TITO: But this dock I will see because of the curvature of the property, and the buoy shows that it's in the middle of my view.

COUNCILMAN TROIANO: Do you see any other docks, I think was the question.

MS. TITO: Pardon?

COUNCILMAN TROIANO: Do you see any other existing docks?

MS. TITO: If I go straight to my window, yes. But this, with the buoy, you can see that -- even in the back of my dining room looking out at the water, I see the dock. I don't see any sea anymore, I see a dock. That's a very different issue. I also --

MR. TITO: I took the photos. One of the photos is a mock-up --

COUNCILMAN ADHAMI: We see the Port Washington Yacht Club dock and your neighbor's dock on the other side.

MR. TITO: There's 180 degrees, you see docks in the last few on either end. One of those -- the last of those four photos is a mock-up, the other three are pure photos. So the mock-up was a Photoshopped one of the neighbor's dock and approximated based on kind of the measurement, where would it be to try to understand the impact of the view. So basically that shows it comes right across -- The other three are pure photos.

COUNCILMAN ADHAMI: That mock-up isn't made to scale, though; right?

MR. TITO: It's me taking the dock and moving it.

COUNCILMAN WALSH: Can I ask you a question? If you were to build -- Mr. Tito; correct?

MR. TITO: Yes.

COUNCILMAN WALSH: If you were to build a dock of your own, would any of the neighbors see your dock?

MR. TITO: So the Milanos would see it, the Bichoupans, I don't know, I don't know if they would see it. They probably -- I don't even know if they would see the dock they're building because of the angle of their house on the property, so they probably would not see it.

COUNCILMAN WALSH: No, no, I'm saying if you, if your house, if you built a dock, would any of your neighbors be able to see the dock that you built?

MR. TITO: That's what I'm answering, the Milanos, yes, the Bichoupans, no, I don't think.

COUNCILMAN WALSH: So the answer is yes; that is correct?

MR. TITO: Yes.

COUNCILMAN WALSH: Okay, thank you.

CLERK SRIVASTAVA: Tom McDonough.

MR. MCDONOUGH: I think I'm going to stay away from this. But I can tell you a little bit about riparian rights.

COUNCILWOMAN DALIMONTE: Tom, I was actually hoping that you were going to put a

card in.

CLERK SRIVASTAVA: We don't have anymore cards on this.

COUNCILWOMAN DALIMONTE: Can I ask you a couple of questions?

MR. MCDONOUGH: Surely, Tom McDonough, Port Washington.

COUNCILWOMAN DALIMONTE: The reason why I'm asking Tom is, so everyone knows, he's, like, the expert in the docks because he used to inspect them, he did this. So, they brought up that your property has to be 100 feet wide? I don't recall ever seeing that.

MR. MCDONOUGH: I don't remember seeing that in 42.

COUNCILWOMAN DALIMONTE: I don't either.

MR. MCDONOUGH: It's been a while since I looked at it.

COUNCILWOMAN DALIMONTE: Commissioner Levine, do you remember seeing that?

MR. LEVINE: No, I'm not familiar with Chapter 42 so -- no, I haven't seen it, but --

COUNCILWOMAN DALIMONTE: I thought that was important to just point out. I just want to let everyone know that -- Tom, do you have anything to say about this, though?

MR. MCDONOUGH: Listen, as of right, he has the right to build a dock up to 150 feet long. The extra footage that he's asking for is a requirement by New York State DEC and the Army Corp -- well, actually DEC requires anybody with a fixed pier dock to have four feet of draft, that's where he needs to get there through. If it was a floating dock, we have several of those within the town, which is, they're floats from the waterline, for the mean-high waterline all the way out, you only need two feet of draft.

COUNCILWOMAN DALIMONTE: I think Mr. Klyce found something.

MR. MCDONOUGH: That's what it is, but as of right, he can build 150-foot dock and not even have to come here.

COUNCILMAN TROIANO: Can you please explain to me, Tom, so what does draft mean?

MR. MCDONOUGH: Draft is the depth of the water.

COUNCILMAN TROIANO: So you said he has to go out 240 feet to get to the four feet of draft?

MR. MCDONOUGH: Unfortunately, the bay keeps filling in. There used to be commercial use all the way back to the back of the bay, we keep it deep, not any longer.

COUNCILMAN TROIANO: But with a floating dock you only need two feet of draft.

MR. MCDONOUGH: Yeah, you can't have a boat on a floating dock, it's almost an impossibility. I think there's two left there in the Village of Sands Point. Riparian rights are -- you own the property on the waterfront and there's somebody between you and the public way that you have the right to pass through their property to get to your property to enjoy it. We've several of those around, too. That it, Mariann?

COUNCILWOMAN DALIMONTE: Yes, thank you very much. Mr. Klyce?

MR. MCDONOUGH: And you shouldn't have been on the meeting tonight, you should have

been off.

COUNCILWOMAN DALIMONTE: You know, I get yelled at all week by him. I love you too, Tom.

MR. KLYCE: She's our Councilwoman.

COUNCILWOMAN DALIMONTE: That's right, I fight for District 6.

MR. KLYCE: I'd just like to read from paragraph 42.9 under standards, "accept as provided under paragraph 42.9C, there shall be no more than one dock or floating dock per lot." It's just one more, unless it's 40 with less than 100 feet of shoreline frontage, so the statement that you can't have a dock unless there's 100 feet of frontage I think is not right, it looks like you can't have more than one dock if it -- unless you have more than 100 feet of shoreline. I think the bottom line here is, talking about property values, if you can't build a dock, you lose value, if the view is obstructed because of somebody else's dock in your face, your property value is affected, and the point is, if, in fact, a second dock, if they cannot build a dock because there's not adequate side yard space or room to build it according to town codes, then they lose their riparian rights for access to navigable water. So, you know, to me it's not a simple issue and I hate to see the rights of one of our Bayview Colony members being, you know, taken away by another neighbor.

COUNCILWOMAN DALIMONTE: Thank you. So, Madam Clerk, do we have anymore cards?

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

COUNCILWOMAN DALIMONTE: I just want to let everybody know that this has been going on, this dock application, I'd like to let the board know, for over a year. I asked to hire Rise the Tide to review this application, they did, and then what happened from there, there was a lot of -- the 4 Waters Edge made a lot of adjustments to their application. Now, they had four or five items that they would have needed variances on. They went back to the drawing board and now they only need one, and the only one they need is the length. Also I would like to let the board know that I did file a FOIL request for 6A South Court, Tito's property, going back to see if there was any dock application that was ever denied. It came back that there was no record of a dock application because I was, you know, I feel that if they got denied a dock application, why. I'd want to know why were they denied. So, I do want to let you know and I believe I let the Titos know that that happened. So I just -- you know, I'm torn, but I feel, like, you know, sometimes our job is tough, and I hear that Mr. and Mrs. Tito's complaints and I understand that 4 Waters Edge has a right to build a dock. It's -- by looking at the drawings, and I have all my files here, by looking at the drawings, there is the claim 6, not 6A, and 4 Waters Edge, there will be 148 feet difference, so I believe if the Titos ever wanted to build a dock they would be able to. I just -- I'm sorry, but I have to close the public hearing and offer the resolution and move for its adoption, because they have a right to build this dock at 4 Waters Edge.

CLERK SRIVASTAVA: Councilman Troiano.

MS. TITO: Can I make one comment in response to this?

CLERK SRIVASTAVA: We have a motion on the floor.

SUPERVISOR DESENA: I think we have to --

COUNCILMAN WALSH: We have a motion on the floor.

CLERK SRIVASTAVA: Yes, we have a motion on the floor.

COUNCILMAN TROIANO: I'm a bit bemused by the argument that the president of Bayview Colony, that you are concerned about the rights of the Titos and not wanting them to have their right taken away from them, but don't seem to be as concerned about denying the -- and I can't your name, Bichoupans, I'm sorry, deny them their right to build a dock, I'm not sure -- are you Bayview Colony residents?

MS. BICHROUPAN: No.

COUNCILMAN TROIANO: That's the difference, okay, thank you. I understand you have a concern about residence, but we have a concern about --a broader concern beyond just one little development. To the Titos, you have a spectacular view, and I understand why you want to preserve it, but the superimposed picture of this dock is also spectacular, and I think you should consider yourselves, for someone who lives in a land-locked community, consider yourselves very lucky. I vote eye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: I believe the man has a right to have the dock where he's asking for and I vote aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 481 - 2022

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 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 Bichoupan (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 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 the Department of Building Safety, Inspection and Enforcement (the "Building Commissioner") pursuant to Town Code § 42-7(A)(1); and

WHEREAS, by determination dated July 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 §42-11 (the "Appeal"); and

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

WHEREAS, pursuant to Resolution No. 443-2022, duly adopted by the Town Board on September 1, 2022, a public hearing on the Appeal was scheduled for September 22, 2022 before this Board; and

WHEREAS, pursuant to at §42-11(C), the Application was forwarded to the Town of North Hempstead Waterfront Advisory Commission (the "Commission"); and

WHEREAS, at its meeting on June 13, 2022, the Commission did not come to any recommendation as to the Application; and

WHEREAS, having received the Determination and the Appeal and having heard testimony on the Appeal at the public hearing held on September 22, 2022, the Board wishes to render a determination on the Appeal; and

NOW, THEREFORE, BE IT

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

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

Dated: Manhasset, New York

September 22, 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

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


Henry Krukowski, being duly sworn, deposes and says that on the 8th
day of September, 2022, he posted the attached Notice of Hearing 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, at the following locations:

- Town Clerk Bulletin Board**
- Port Washington Post Office**
- Waters Edge and Yacht Club Drive**
- In front of 4 Waters Edge**
- Yacht Club Drive and North Plandome Rd**



Henry Krukowski

Sworn to me this
8th day of September, 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**

NEWSDAY AFFIDAVIT OF PUBLICATION

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STATE OF NEW YORK)

Legal Notice No. 0021744913

: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 # 21744913

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
SRINIVASTAVA TOWN CLERK**

NEWSDAY PROOF

Ad Number: 0021744913

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CLERK SRIVASTAVA: Item No. 11, a public hearing to consider the approval of the sale of property of the Manhasset Park District. The proposed action is the sale of 61 Locust Street, Manhasset, New York, by the Manhasset Park District.

MR. WEIGAND: Supervisor, Councilmembers, I am commissioner for the Manhasset Park District, Ken Weigand. I'm just asking for your approval for the sale of this property, the park district. Since the pandemic has gone through significant financial challenges, and we have made every effort to continue to maintain our business for our constituents. We have significant expenses that are coming up with trucks, with new paving that's going on, looking into electronic meters to better enhance the ability to get your tickets for the community, and with the lack of parking that has been going on for the past two-and-a-half-years, especially with this lot, which has never been open in the past two-years. We have found an opportunity to sell this property and would like your approval to make this happen.

MR. CHIARA: I can speak to this issue of -- you want to speak to this issue, Mike? The town attorney's office asked for several documents, I think your attorney's and we're still missing some information which we believe is necessary for the board to move forward on this matter.

MR. WEIGAND: I'm not familiar with the documents that you're looking for, under the sale. Is it associated to the Manhasset Park District selling it or is it associated to the buyer and what they intend to do with the property?

MR. KELLY: What we -- Michael Kelly, Chief Deputy Town Attorney. The issue we have here is that we're not entirely clear since we're already being informed that it's going to be purchased by a private purchaser and put to a different use, A, exactly what that other use is, and B, how that use would even be permissible under the zoning code and what who need to happen in order for that to be permissible. So under the State Environmental Quality Review Act, we can't make determinations at the current time, and if we can't make determinations, we can't make a determination on the application, and I've communicated all that to your attorney, Paul Pepper, as recently as yesterday.

MR. WEIGAND: So shouldn't this be handled with the buyer's attorney and not my attorney? What I am doing is I am selling the property. What happens with that property is really of no concern to me, so I'm a little confused as to why the town is holding up my sale and maybe working with the BZA to figure out what their -- I mean, it's a commercial lot, from what we're told, it's a local mechanic that's going to be using the lot as overflow to park their cars, so we're looking to make the sale. But what you're asking for is really more a question of what the buyer is going to be doing, rather than what we're looking to do, which is really just make a sale because we have somebody who is looking to purchase our property.

MR. KELLY: Right, but as a matter of law, both the sale of the property and committing the property to another use, which would likely require an approval by the town, is considered under the law as one overall action. We're not allowed to split that up into different, that's called segmentation, which in most cases is not lawful. I do not disagree that these are questions that wouldn't be answered by your buyer's attorney, it's just we don't have the answers sufficient enough to make a determination and actually write a resolution at this point.

MR. WEIGAND: Okay. So right now, I wasn't informed of this. I was just told to come and make my request to have it approved. You're requesting my attorneys to provide you information that you've asked for? Is that where we're at?

MR. KELLY: Whether it's your attorneys or the buyer's attorneys, whoever it is, yes, and that was also communicated to your attorneys, as well.

MR. WEIGAND: Okay. Waste of my time, tonight.

SUPERVISOR DESENA: Didn't you enjoy the night?

MR. WEIGAND: My meetings are never this long.

SUPERVISOR DESENA: I'm sorry you didn't know.

MR. WEIGAND: That's okay, thank you very much.

CLERK SRIVASTAVA: Item No. 12 --

MR. CHIARA: We have to continue.

SUPERVISOR DESENA: I move to continue this item to October 27, 2022.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you.

CLERK SRIVASTAVA: Item No. 12, a public hearing to consider the adoption of ordinances affecting Dallas Avenue in New Hyde Park, New York.

COUNCILMAN ADHAMI: Madam Clerk, are there any comment cards?

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

COUNCILMAN ADHAMI: Being there's no comments, I close the public hearing and offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

ORDINANCE NO. 14 - 2022

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF ORDINANCES AFFECTING DALLAS AVENUE IN NEW HYDE PARK, NEW YORK.

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

**ORDINANCE NO. T.O. 14 - 2022
NEW HYDE PARK, NEW YORK**

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

PROPOSAL:

ADOPT:

1. DALLAS AVENUE – NORTH SIDE – NO STOPPING HERE TO CORNER
From the east curb line 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 curb line of New Hyde Park Road, east, for a distance of 30 feet.

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

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

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

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

Dated: Manhasset, New York

September 22, 2022

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


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

Henry Krukowski, being duly sworn, deposes and says that on the 8th day of September, 2022, he posted the attached Notice of Hearing to consider the adoption of ordinances affecting Dallas Avenue, New Hyde Park, New York, at the following locations:

- Town Clerk Bulletin Board
- New Hyde Park Post Office
- Dallas Ave & New Hyde Park Rd
- Dallas Ave, 100 ft east of New Hyde Park Rd
- Dallas Ave, 200 ft east of New Hyde Park Rd


Henry Krukowski

Sworn to me this
8th 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)
:SS.:
COUNTY OF ERIE)

Legal Notice No. 0021744906

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 # 22744906

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 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

DALLAS AVENUE, NEW RYDE PARK, NEW YORK
1. All motor or other vehicles of any kind shall comply with the following:

PROPOSAL:
ADOPT:
1. DALLAS AVENUE - NORTH SIDE - NO STOPPING HERE TO CORNER
From the east curb line 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 curb line of New Hyde Park Road, east, for a distance of 30 feet.

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

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

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

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

Dated: September 1, 2022
Manhasset, New York
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD RAGINI SRIVASTAVA TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021744906

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

Affidavit of Publication

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

ORDINANCE
NO. T.O. 14 - 2022
NEW HYDE PARK,
NEW YORK

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

PROPOSAL:
ADOPT:

1. DALLAS AVENUE - NORTH SIDE - NO STOPPING HERE TO CORNER From the east curb line 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 curb line of New Hyde Park Road, east, for a distance of 30 feet.

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

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

cess of the amount set forth in the Vehicle and Traffic Law of the State of New York, or by both such fine and imprisonment, plus any surcharge payable to other governmental entities, and late payment, if applicable.

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

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

Dated: September 22, 2022
Manhasset, New York

BY ORDER OF THE
TOWN BOARD OF
THE TOWN OF
NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK
9-28-2022-1T-#235120-NIN/
NHP

County of Nassau SS
State of New York,

Linda Baccoli, being duly sworn, deposes and says that she is the principal Clerk of the Publisher of
The 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: September 28, 2022

Linda Baccoli

Sworn to me this 28 day of
September-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

REC'D TOWN CLERK
SEP 30 '22 4:11:10

CLERK SRIVASTAVA: Item No. 13, a public hearing to consider the adoption of ordinances affecting Prospect Street in Williston Park, New York.

COUNCILMAN ZUCKERMAN: Madam Clerk, are there any cards?

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

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

ORDINANCE NO. 15 - 2022

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF ORDINANCES AFFECTING PROSPECT STREET IN WILLISTON PARK, NEW YORK.

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

**ORDINANCE NO. T.O. 15 - 2022
WILLISTON PARK, NEW YORK**

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

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.

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

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

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

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

Dated: Manhasset, New York

September 22, 2022

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

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

Henry Krukowski, being duly sworn, deposes and says that on the 8th day of September, 2022, he posted the attached Notice of Hearing to consider the adoption of ordinances affecting Prospect Street, Williston Park, New York, at the following locations:

Town Clerk Bulletin Board

Williston Park Office

Prospect St and Mayflower Ave

Mayflower Ave, 100 ft west of Prospect St

Mayflower Ave 100 ft south of Prospect St



Henry Krukowski

Sworn to me this

12th 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

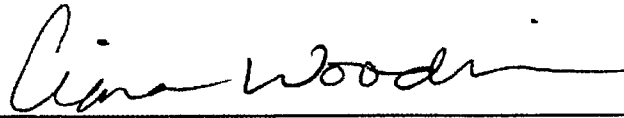
TOWN OF NORTH HEMP TOWN CLERK
200 PLANDOME ROAD
MANHASSET, NY 11030-2326

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

Legal Notice No. 0021744907

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: 

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
12 Day of September, 2022.


Notary Public

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

Ad Content

Legal Notice # 21744907
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 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**PROSPECT STREET,
WILLISTON PARK,
NEW YORK**

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

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.

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

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

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

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

Dated: September 1, 2022
Manhasset, New York

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

NEWSDAY PROOF

Ad Number: 0021744907

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

Affidavit of Publication

County of Nassau SS
State of New York,

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

ORDINANCE
NO. T.O. 15 - 2022
WILLISTON PARK,
NEW YORK

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

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.

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

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

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

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

Dated: September 22, 2022
Manhasset, New York

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

RAGINI SRIVASTAVA
TOWN CLERK
9-28-2022-1T-#235121-NIN/
NHP

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: September 28, 2022

Linda Baccoli

Sworn to me this 28 day of
September-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

REC'D TOWN CLERK
SEP 28 '22 11:13

CLERK SRIVASTAVA: Item No. 14, a public hearing to consider the adoption of an ordinance affecting Bolton Road in Garden City Park, New York.

COUNCILMAN WALSH: Is there anybody who wants to be heard on this subject?

(No response.)

COUNCILMAN WALSH: Are there any cards?

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

COUNCILMAN WALSH: Okay, so I want to close the hearing and offer the resolution move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

ORDINANCE NO. 16 - 2022

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING BOLTON ROAD IN GARDEN CITY PARK, NEW YORK.

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

**ORDINANCE NO. T.O. 16 - 2022
GARDEN CITY PARK, NEW YORK**

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

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.

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

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

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

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

Dated: Manhasset, New York

September 22, 2022

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

**RAGINI SRIVASTAVA
TOWN CLERK**

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

Henry Krukowski, being duly sworn, deposes and says that on the 8th day of September, 2022, he posted the attached Notice of Hearing to consider the adoption of ordinances affecting Bolton Road, Garden City Park, New York, at the following locations:

Town Clerk Bulletin Board
New Hyde Park Post Office
Bolton Rd & Bretton Rd
Bolton Rd, 100 feet east of Bretton Rd
Bolton Rd, 100 feet west of Marcus Ave


_____ **Henry Krukowski**

Sworn to me this
8th day of September, 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***

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. 0021744908

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 # 21744908
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 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

BOLTON ROAD, GARDEN CITY PARK, NEW YORK

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

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.

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

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

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

Section 5. This ordinance shall be incorporated in the Uniform Traffic Code of the Town of North Hempstead.
Dated: September 1, 2022
Manhasset, New York

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

NEWSDAY PROOF

Ad Number: 0021744908

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

Affidavit of Publication

County of Nassau
State of New York,

SS

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

ORDINANCE
NO. T.O. 16 - 2022
GARDEN CITY PARK,
NEW YORK

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

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.

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

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

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

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

Dated: September 22, 2022
Manhasset, New York

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

9-28-2022-1T-#235122-NIN/
NHP

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: September 28, 2022

Linda Baccoli

Sworn to me this 28 day of
September-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

REC'D TOWN CLERK
SEP 28 2022 11:17

CLERK SRIVASTAVA: Item No. 15 --

SUPERVISOR DESENA: So we're about to get into the resolutions, it was suggested at a prior meeting that we might call the employee resolution earlier in the meetings so that all of our staff could get home earlier, which would not be possible at this point anyway, we missed earlier, but I wonder if we might move to consider the employee resolution before we go into all the other resolutions.

COUNCILMAN ADHAMI: I second the motion.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item 47 -- oh. Item 47, a resolution authorizing the employment, appointment, transfer, adjustment, correction, change in grade or salary and/or termination of employees and/or officials in various departments of the town.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye --

SUPERVISOR DESENA: Oh, gosh, sorry, I didn't see you.

MR. MCDONOUGH: Tom McDonough, CSEA 7555, and I appreciate everything that's being done for union members, but my union members aren't getting 11-and-a-half and 12 percent raises, and there's 11 And a Half and 12 percent raise on here. 11-and-a-half is by a gentleman who was put into a position in January of this year, given a \$2,500 raise when he came into it, and he's getting another \$3,600 tonight. My people aren't getting that. I have a commissioner that's getting a 14 and change, my people aren't getting that. Where's all this money coming from? I got a problem with it. You took three people off --and these aren't my people, you took three people off the employment reso the last meeting, that have worked for her since she became a councilperson, worked for her since she became a councilperson, and worked for him

when she started with Angelo Ferrara, but somebody who's been here for eight months, you took him off for that? That's wrong, Peter. That's wrong.

COUNCILMAN ZUCKERMAN: That person you're referring to has been working here for several years.

MR. MCDONOUGH: That's wrong. Then you know what? Where are the other two? Where are the other two? Now I'm sticking up for nine union people; where are the other two? If he's here for eight months, they're here for a few months too, they deserve a raise also.

COUNCILMAN ZUCKERMAN: The person that you're referring to was here every day during the pandemic. The person you're referring to --

MR. MCDONOUGH: There were a few during the pandemic.

COUNCILMAN ZUCKERMAN: Percentage that he is getting --

MR. MCDONOUGH: It's 11-and-a-half percent. I figured it out.

COUNCILMAN ZUCKERMAN: -- it's not more than the other people, it's not more than the other individuals getting it, who, by the way, are a hundred percent deserving. All of these individuals are a hundred percent deserving.

MR. MCDONOUGH: And all of my people are deserving, too. 11-and-a-half for 12 percent? That's out of control. Living in this town, being a resident in this town, it's out of control. Thank you.

SUPERVISOR DESENA: I'd also like to say that I was surprised to see the size of these significant raises being given out at the end of the year as opposed to doing them as adjustments and next year's budget. This is an unusual practice, but here in the town, we've encountered these raises often throughout the year, almost at every meeting, and now tonight, I was even more surprised to see these substantial raises, especially as I, as the chief administrative officer and financial officer of the town wasn't giving prior notice before these raises were put on to the agenda. I find it hard to understand why I was not consulted before thousands of dollars of raises are doled out, but unfortunately, this is the current state of affairs with the majority able to do whatever they like, regardless of the financial implications to the town going forward. I said it last meeting and I'll say it again, just because we may have some extra money in a departmental budget at the end of the year doesn't mean raises are the best ways to spend it, instead of using it to invest in something else so that our residents will benefit from, such as our parks, our roads or our infrastructure. And this is not in any way directed towards any of our employees who may be receiving raises tonight. We have a fantastic work force, and I'm happy to support them, but this is about the process as it seems I was intentionally circumvented, even though by law I am the chief financial officer of the town. I have some particular concern about the raises in the Building Department, which is currently under audit, and whether there are any -- this might create any perception that might impact the audit. Madam Clerk, can you please all the roll?

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: I'm a little confused, and maybe it's the lateness of the hour, I just want to make sure I'm voting for the right resolution. I think what's up for a vote now is the general personnel resolution; right?

SUPERVISOR DESENA: 47, yes.

COUNCILMAN TROIANO: And I'm confused because Mr. McDonough, I thought was talking about the tabled items.

COUNCILMAN ZUCKERMAN: They're separated.

SUPERVISOR DESENA: He might have been complaining about both.

COUNCILMAN TROIANO: But he came up in really out of order; is that right?

COUNCILWOMAN LURVEY: I don't think so, I think what he was talking about is on Item 47, but he wasn't --

(AUDIENCE PARTICIPATION.)

COUNCILWOMAN LURVEY: Hold on a second, Mr. McDonough. He wasn't aware that we may be moving to untable Item 49.

COUNCILMAN ZUCKERMAN: The ones that were taken off --

MR. MCDONOUGH: I was trying to point out the reason why they were taken off the resolution last month, that what my point was. I was talking about the appointment reso now, because the individual I was talking about is on tonight's employment reso, general employment reso, and those people were taking off last month because that person wasn't on last month's employment reso.

CLERK SRIVASTAVA: Can we move on with the votes?

SUPERVISOR DESENA: I'm moving Item 47. I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: We have a motion.

COUNCILMAN TROIANO: I'd just like to -- oh, you want to call me, go ahead.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: I just want to point out that union members, I think in almost every case, get an increase every year, it's by contract, and sometimes they get --and we have 34 union members that are getting merit raises. The people that I'm aware that are getting larger or getting the -- the commissioner is getting whatever the percentage raise was that you calculate, hasn't gotten a raise in seven years, and so you may look at this as, wow, they're getting a 12 percent increase this year, but they have not gotten an increase at any time before that. No more comments, okay? Once we're taking on voting --

MR. MCDONOUGH: No, Robert, you're wrong. You're wrong and I'll prove it to you, I'll bring the paperwork in. They call a raise every year.

SUPERVISOR DESENA: Go ahead and vote.

MR. MCDONOUGH: I apologize.

COUNCILMAN TROIANO: Thank you. And regarding -- I didn't understand the comment about giving raises to Building Department employees impacting the audit doesn't make sense to me. I don't think that the Nassau County Comptrollers are going to be influenced by the town board perhaps giving raises to the Building Department, so that just seems backwards.

SUPERVISOR DESENA: Well these raises were not brought to me for approval as we have

instructed all the commissioners and the department heads, they are to bring raises to the chief budget officer for approval before going on, so I didn't have the opportunity to consider why these four were being given raises, and I have to point out the potential for someone to say, were they being given a raise for a certain reason, to either say or not say or give or withhold any information, so I would have thought it would be prudent to leave that and give the staff raises as part of the budget process, which is ongoing, which budget will be released in two weeks.

COUNCILMAN TROIANO: So I'm going to say this again, we're not going to debate this on and on, but the Comptroller's department, as I understand it, is doing an operational audit, and so I'm not really sure what you think the Building Department, and just a suggestion, that the Building Department would give incorrect information, erroneous information, because they're being giving merit raises now, is, I think, beyond appalling, but I vote aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: I just have to say that my legislative assistant who has more time than all the other legislative assistants put together has not gotten a raise for COVID in two years, and I vote aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: I vote aye.

COUNCILMAN ADHAMI: Nay.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: I vote aye.

CLERK SRIVASTAVA: Thank you.

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. 482 - 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: 482 - 1

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Alexis Barriera to the title of Attendent / 311 Call Rep in the amount of \$16.00 hourly in the 311 Call Center effective 09/22/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 2

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Erica Lazo to the title of Attendent / 311 Call Rep in the amount of \$16.00 hourly in the 311 Call Center effective 09/23/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 3

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Nyshiera Gay to the title of Attendent / 311 Call Rep in the amount of \$16.00 hourly in the 311 Call Center effective 09/23/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 4

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Helen Reddington to the title of Clerk Typist P/T in the amount of \$30.00 hourly in the Receiver of Taxes effective 09/23/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 5

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade and step change for Stephen Bauer to the title of Info Tech Manager to the amount of 4,702.90 Bi-weekly to \$122,570 Annual in the Doitt Department effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 6

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade and step change for Donna Farrell to the title of Info Tech Manager to the amount of 4,358.00 bi-weekly / \$113,308 annually

in the Doitt Department effective 10/01/22. **Ayes:** Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 7

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade and step change for Allister Roseman to the title of Laborer II to the amount of \$24.78 hourly / \$51,540 annually in the Department of Parks & Recreation - NHBP effective 10/15/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 8

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade and step change for Matthew Gerhardt to the title of Laborer II to the amount of \$24.05 hourly / \$50,026 annually in the Department of Parks & Recreation - Tully effective 10/15/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 9

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade and step change for Joseph DePinto to the title of Laborer I I to the amount of \$25.51 hourly / \$53,056 annually in the Department of Parks & Recreation - NHBP effective 10/15/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 10

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade and step change for Susan Raeside to the title of Laborer I I to the amount of \$25.75 hourly / \$53,559 annually in the Department of Parks & Recreation - Whitney effective 10/15/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 11

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade, step and location change for Josephn Iannotti to the title of Superintendent of Parks to the amount of \$51.00 hourly / \$106,085 annually to the Department of Parks & Recreation - Administration effective 10/15/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 12

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade, and step change for Michael Riccardo to the title of Equipment Operator 3 to the amount of \$37.21 hourly / \$77,405 annually in the Highways Department effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 13

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade, and step change for Enrico Vicari to the title of Equipment Operator Trainee to the amount of \$24.05 hourly / \$50,026 annually in the Highways Department effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 14

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade, and step change for Christian Sanchez to the title of Equipment Operator Trainee to the amount of \$24.05 hourly / \$50,026 annually in the Highways Department effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 15

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade, and step change for Craig T. Bates to the title of Laborer 2 to the amount of \$31.09 hourly / \$64,666 annually in the Highways Department effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 16

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade, and step change for Devin Talt to the title of Equipment Operator Trainee to the amount of \$24.05 hourly / \$50,026 annually in the Highways Department effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 17

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade, and step change for Joshua Skidmore to the title of Equipment Operator Trainee to the amount of \$24.05 hourly / \$50,026 annually in the Highways Department effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 18

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade, and step change for Brendan Acker to the title of Equipment Operator Trainee to the amount of \$24.29 hourly / \$50,530 annually in the Highways Department effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 19

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade, and step change for John DiLeo to the title of Equipment Operator 2 to the amount of \$31.35 hourly / \$65,210 annually in the Highways Department effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 20

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade, and step change for Brian Hailey to the title of Laborer 2 to the amount of \$26.24 hourly / \$54,571 annually in the Highways Department effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 21

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade, and step change for Andy Mercado to the title of Equipment Operator 2 to the amount of \$26.94 hourly / \$56,030 annually in the Sidewalk District (DPW) effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 22

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade, and step change for Kevin Campbell to the title of Equipment Operator 2 to the amount of \$26.94 hourly / \$56,030 annually in the Sidewalk District (DPW) effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 23

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade, and step change for Matthew Matta to the title of Equipment Operator 2 to the amount of \$26.94 hourly / \$56,030 annually in the Sidewalk District (DPW) effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 24

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, salary, grade, and step change for Patrick Miller to the title of Equipment Operator Trainee to the amount of \$24.05 hourly / \$50,026 annually in the Sidewalk District (DPW) effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 25

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary, grade, and step change for Joanne Kenney in the title of Assistant to the Commissioner to the amount of \$2583.20 bi-weekly / \$67,164 annually in the Solid Waste Management Division effective 09/03/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 26

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary, grade, and step change for Patrick Saccoccia in the title of Senior Solid Waste Disposal Facility Supervisor to the amount of \$46.21 hourly / \$96,116 annually in the Solid Waste Management Division effective 09/03/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 27

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Kerry Johnson in the title of Clerk 2 to the amount of \$2,377.60 bi-weekly / \$61,818 annually in the Buildings Department effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 28

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Michael Conza in the title of Clerk 2 to the amount of \$2,639.10 bi-weekly / \$68,616 annually in the Buildings Department effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 29

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Ivy Newbeck in the title of Clerk 2 to the amount of \$2,478.20 bi-weekly / \$64,432 annually in the Buildings Department effective 10/01/22. **Ayes:** Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 30

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Scott Koehler in the title of Plans Examiner 2 to the amount of \$4,036 bi-weekly / \$104,937 annually in the Buildings Department effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 31

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Priya Ramoutar in the title of Auditing Assistant 1 to the amount of \$2,206.60 bi weekly / \$57,952 annually in the Comptroller's Office effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 32

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Anthony Cimorelli in the title of Info. Tech Spec III to the amount of \$3,548.00 bi-weekly / \$92,249 annually in the Doitt Department effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 33

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Tommy Brinkley in the title of Info. Tech Spec II to the amount of \$3,897.20 bi-weekly / \$101,327.00 annually in the Doitt

Department effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 34

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Jessica Ring in the title of Info. Tech Spec II to the amount of \$3,366.10 bi-weekly / \$87,518 annually in the Doitt Department effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 35

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Vincent Sacco in the title of Park Construction Coord. to the amount of \$51.39hourly /

\$106,896 ann in the Department of Parks & Recreation - Trades Crew effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 36

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Elisabetta Veltri in the title of Recreation Aide to the amount of \$23.95 hourly /

\$49,823 ann in the Department of Parks & Recreation - Administration effective 10/01/22. Ayes: Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 37

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Antonio Giammarino in the title of Lead Auto Mechanic to the amount of \$46.00 hourly / \$95,670 annually in the Highways Department effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 38

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Scott Bosworth in the title of Equipment Operator 3 to the amount of \$40.91 hourly / \$85,092 annually in the Highways Department effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 39

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary change for Gordon Tepper in the title of Public Information Officer to the amount of \$5,032.61 bi-weekly / \$130,848 annually in the Communications effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 40

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary change for Robert Weitzner in the title of Commissioner of Finance/HR to the amount of \$5,472.34 bi-weekly / \$142,281 annually in the Human Resources effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 41

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary change for Brandon Gimpelman in the title of Administrative Assistant to Town Board to the amount of \$2,397.84 bi-weekly / \$62,344 annually in the Town Board (CD2) effective 09/03/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 42

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the location change for Nicole Fredericks in the title of

Recreation Leader in the amount of \$26.37 hourly / \$54,857 annually to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 43

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the location change for Nicholas Halufska in the title of Recreation Aide in the amount of \$26.22 hourly / \$54,530 annually to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 44

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the location change for Jennifer Costantino in the title of Recreation Aide in the amount of \$32.15 hourly / \$66,870 annually to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 45

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the location change for Frank Fabiano in the title of Recreation Leader in the amount of \$28.98 hourly / \$60,283 annually to the Department of Parks & Recreation - YWCCC effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 46

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status change for Logan Frankel in the title of Laborer I in the amount of \$15.00 hourly in the Department of Parks & Recreation - Caemmerer effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 47

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status change for Michael Rivera in the title of Public Safety Officer I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Public Safety effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 48

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status change for Sharde Jones in the title of Public Safety Officer I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Public Safety effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 49

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status change for Kenneth

Quinn in the title of Public Safety Officer I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Public Safety effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 50

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status change for Ian Spence in the title of Public Safety Officer I in the amount of \$18.00 hourly in the Department of Parks & Recreation

- Public Safety effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 51

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status change for Justin Vasek in the title of Laborer I in the amount of \$15.00 hourly in the Department of Parks & Recreation - CGM effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 52

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status change for Bailey Lee in the title of Laborer I in the amount of \$15.00 hourly in the Department of Parks & Recreation - CGM effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 53

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status change for Anthony Danile in the title of Laborer I in the amount of \$15.00 hourly in the Department of Parks & Recreation - CGM effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 54

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status change for Liam Flanagan in the title of Lifeguard I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 55

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status change for Isabella Bigeni in the title of Attendant in the amount of \$15.00 hourly in the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 56

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status change for Shyler Fernandes in the title of Lifeguard Trainee in the amount of \$18.00 hourly in the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 57

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status change for Arianna Sikiric in the title of Lifeguard Trainee in the amount of \$18.00 hourly in the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 58

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status change for Jack Chatham in the

title of Attendant in the amount of \$15.00 hourly in the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 59

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status change for Victor Sluetsky in the title of Lifeguard I in the amount of \$18.00 hourly in the Department of Parks & Recreation Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 60

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status and location change for Nathan Gayzynski in the title of Lifeguard Trainee in the amount of \$18.00 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 61

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status and location change for Daniel Gillette in the title of Lifeguard Trainee in the amount of \$18.00 hourly to the Department of Parks

& Recreation - Tully effective 10/01/22. Ayes: Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 62

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status and location change for Jordan Stoner in the title of Attendant in the amount of \$15.00 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 63

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status and location change for Emily Stampfli in the title of Attendant in the amount of \$15.00 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 64

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status and location change for Nicole Fee in the title of Lifeguard II in the amount of \$24.50 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 65

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status and location change for Luca Van Velsor in the title of Attendant in the amount of \$15.00 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 66

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status and location change for Daniel Driscoll in the title of Lifeguard I in the amount of \$18.00 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 67

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status and title change for Markus-Aare Joks to the title of Lifeguard I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 68

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status and title change for Claire Takes to the title of Lifeguard I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 69

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status and title change for Alexis Pieters to the title of Admin. Intern Temp in the amount of \$18.00 hourly in the Community Services effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 70

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status, title and hourly rate change for Alisha Augustine to the title of Admin. Intern Temp to the amount of \$17.00 hourly in the Town Board (CD5) effective 09/23/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 71

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Christopher Manetta in the title of Lifeguard I in the amount of \$19.25 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 72

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Antonio Lazo in the title of Lifeguard II in the amount of \$21.00 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 73

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Christopher Fay in the title of Recreation Aide in the amount of \$18.00 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 74

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Jasmine Willis in the title of Recreation Aide in the amount of \$19.00 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 75

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Nicholas Zimmerman in the title of Lifeguard II in the amount of \$21.00 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 76

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Matthew Novella in the title of Lifeguard II in the amount of \$21.00 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 77

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Alexa Brown in the title of Lifeguard II in the amount of \$24.50 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 78

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Elizabeth Duke in the title of Lifeguard III in the amount of \$25.00 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 79

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Maiken Bursig in the title of Lifeguard II in the amount of \$22.25 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 80

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Sarah Pincay in the title of Lifeguard I in the amount of \$18.25 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 81

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Skylar Truong in the title of Lifeguard II in the amount of \$18.00 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 82

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Christopher DiCanio in the title of Lifeguard I in the amount of \$18.00 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 83

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Gregory Nold in the title of Lifeguard III in the amount of \$25.00 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 84

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Jonathan Ng in the title of Lifeguard II in the amount of \$21.50 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 85

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Gavin Hwang in the title of Lifeguard I in the amount of \$21.50 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 86

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Jack Nichols in the title of Lifeguard I in the amount of \$20.00 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 87

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Gregory Tyson in the title of Laborer I in the amount of \$15.00 hourly to the Department of Parks & Recreation -

Yes We Can effective 10/01/22. Ayes: Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: Councilperson Adhami.

RESOLUTIONNO: 482

- 88

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Mollie Zimmerman in the title of Lifeguard II in the amount of \$21.00 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 89

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Amanda Fishkin in the title of Recreation Aide in the amount of \$18.00 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTIONNO: 482 - 90

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Michael Baltzer in the title of Lifeguard II in the amount of \$21.00 hourly to the Department of Parks & Recreation - Tully effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 91

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time title change for Rolgens Dextra to the title of Recreation Aide in the amount of \$18.00 hourly in the Department of Parks & Recreation - YWCCC effective 10/01/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 92

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time resignation of Christopher Romano in the title of Laborer I in the amount of \$23.27 hourly / \$48,411 annually in the Sidewalk District (DPW) effective 08/03/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 93

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time resignation of Austin Scarpati in the title of Laborer II in the amount of \$27.69 hourly / \$57,599 annually in the Department of Parks & Recreation - Tully effective 08/27/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 94

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time resignation of Gerard Merolla in the title of Clerk Typist P/T in the amount of \$30.00 hourly in the Receiver of Taxes effective 09/16/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 95

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time termination of Suzette Gray in the title of Clerk Typist P/T in the amount of \$30.00 hourly in the Receiver of Taxes effective 01/12/22.

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

Nays: Councilperson Adhami.

RESOLUTION NO: 482 - 96

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of Brendan Rainey to the title of Maintenance Mechanic I in the amount of \$25.53 hourly / \$52,689 annually in the Highways Department effective 10/01/22.

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

Nays: Councilperson Adhami.

CLERK SRIVASTAVA: Item No. 15, a resolution setting a date for a public hearing to consider the adoption of a local law authorizing the town of North Hempstead to opt-in to the new income eligibility rates for the senior citizens property tax exemption pursuant to Section 467 of the New York State Real Property Tax Law.

SUPERVISOR DESENA: These next two resolutions will be to set a date for a public hearing on October 13th to -- for the Town of North Hempstead to opt in to updated tax exemption thresholds for senior citizens and persons with disabilities. Opting into this legislation would grant our senior citizens and persons with disabilities the same income eligibility levels as New York City residents for these important tax exemptions. These tax exemptions are crucial to helping our senior residents and residents living with disabilities remain in their homes on Long Island, and under this new legislations, these individuals will be eligible to receive up to a 50 percent reduction on their assessment, if their annual household income is \$50,000 or less. Opting into this legislation would represent a huge win for our senior citizens and persons living with disabilities, and I'm proud to have fought alongside County Legislator Rich Nicoletto and Assemblyman Ed Rock, to call on the Governor to get this done, to give our seniors and persons living with disabilities as much help as we can, especially as inflation continues to skyrocket. With that, I offer the resolution to set a date for public hearing on October 13th, 2022.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Yes, I want to thank Senator Kaplan for sponsoring this. I vote eye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: I vote aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: In addition to Senator Kaplan, I would like to thank Assemblywoman Silitti for voting on this. I vote eye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: I would like to thank Senator Kaplan, Assemblywoman Silitti, and everybody who sponsored this. I vote eye.

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. 483 - 2022

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AUTHORIZING THE TOWN OF NORTH HEMPSTEAD TO OPT-IN TO THE NEW INCOME ELIGIBILITY RATES FOR THE SENIOR CITIZENS PROPERTY TAX EXEMPTION PURSUANT TO SECTION 467 OF THE NEW YORK STATE REAL PROPERTY TAX LAW.

WHEREAS, New York Real Property Tax Law § 467 ("Section 467) provides for a partial real estate property tax exemption for low-income seniors; and

WHEREAS, prior to August 8, 2022, the maximum income limitation to qualify for any amount of exemption under Section 467 was \$29,000.00; and

WHEREAS, on August 8, 2022, the Governor of the State of New York signed legislation amending Section 467 to increase the maximum income limitation to \$50,000.00 effective July 1, 2022; and

WHEREAS, in order to implement the increase of the maximum income limitation for taxes levied for the Town of North Hempstead, the Town Board is required to adopt a local law after a public hearing to authorize the increase in the maximum income limitation; and

WHEREAS, the Town Board desires to set October 13, 2022 as the date for a public hearing to consider the adoption of a local law to authorize the increase in the maximum income limitation stated in Section 467 to \$50,000.00, complementary to, but not in supplement of, any approvals required of the County and School Districts within the Town.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing to consider the adoption of a local law to authorize the increase in the maximum income limitation stated in Section 467 to \$50,000.00 with regard to taxes levied by the Town, complementary to, but not in supplement of, any approvals required of the County and School Districts within the Town, shall be held before the Town Board in the Town Board Room located at Town Hall, 220 Plandome Road, Manhasset, New York on October 13, 2022 at 7:00 p.m.; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing to consider the adoption of a local law to authorize the increase in the maximum income limitation for the senior real property tax exemption stated in New York Real Property Tax Law Section 467 to \$50,000.00 with regard to taxes levied by the Town, complementary to, but not in supplement of, any approvals required of the County and School Districts within the Town, shall be held before the Town Board in the Town Board Room located at Town Hall, 220 Plandome Road, Manhasset, New York on October 13, 2022 at 7:00 p.m.

Dated: Manhasset, New York

September 22, 2022

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

Dated: Manhasset, New York

September 22, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Town Clerk

CLERK SRIVASTAVA: Item No. 16, a resolution setting a date for a public hearing to consider the adoption of a local law authorizing the Town of North Hempstead to opt-in to the new income eligibility rates for the disabled with limited incomes property tax exemption pursuant to Section 459-C of the New York State Real Property Tax Law.

SUPERVISOR DESENA: I offer the resolution to set a date for public hearing on October 13th, 2022.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 484 - 2022

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AUTHORIZING THE TOWN OF NORTH HEMPSTEAD TO OPT-IN TO THE NEW INCOME ELIGIBILITY RATES FOR THE DISABLED WITH LIMITED INCOMES PROPERTY TAX EXEMPTION PURSUANT TO SECTION 459-C OF THE NEW YORK STATE REAL PROPERTY TAX LAW.

WHEREAS, New York Real Property Tax Law § 459-C ("Section 459-C) provides for a partial real estate property tax exemption for persons with disabilities and limited incomes; and

WHEREAS, prior to August 8, 2022, the maximum income limitation to qualify for any amount of exemption under Section 459-C was \$29,000.00; and

WHEREAS, on August 8, 2022, the Governor of the State of New York signed legislation amending Section 459-C to increase the maximum income limitation to \$50,000.00 effective July 1, 2022; and

WHEREAS, in order to implement the increase of the maximum income limitation for taxes levied for the Town of North Hempstead, the Town Board is required to adopt a local law after a public hearing to authorize the increase in the maximum income limitation; and

WHEREAS, the Town Board desires to set October 13, 2022 as the date for a public hearing to consider the adoption of a local law to authorize the increase in the maximum income limitation stated in Section 459-C to \$50,000.00, complementary to, but not in supplement of, any approvals required of the County and School Districts within the Town.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing to consider the adoption of a local law to authorize the increase in the maximum income limitation stated in Section 459-C to \$50,000.00 with regard to taxes levied for the Town, complementary to, but not in supplement of, any approvals required of the County and School Districts within the Town, shall be held before the Town Board in the Town Board Room located at Town Hall, 220 Plandome Road, Manhasset, New York on October 13, 2022 at 7:00 p.m.; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing to consider the adoption of a local law to authorize the increase in the maximum income limitation for the persons with disabilities and limited incomes real property tax exemption stated in New York Real Property Tax Law Section 459-C to \$50,000.00 with regard to taxes levied for the Town, complementary to, but not in supplement of, any approvals required of the County and School Districts within the Town, shall be held before the Town Board in the Town Board Room located at Town Hall, 220 Plandome Road, Manhasset, New York on October 13, 2022 at 7:00 p.m.

Dated: Manhasset, New York

September 22, 2022

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

Dated: Manhasset, New York

September 22, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Town Clerk

CLERK SRIVASTAVA: Item No. 17, a resolution setting a date for a public hearing to consider the adoption of a local law amending Article IX of the Town of North Hempstead uniform traffic code entitled "Port Washington Public Parking District."

COUNCILWOMAN DALIMONTE: I offer the resolution, setting a date for October 13, 2022.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 485 - 2022

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING ARTICLE IX OF THE TOWN OF NORTH HEMPSTEAD UNIFORM TRAFFIC CODE ENTITLED "PORT WASHINGTON PUBLIC PARKING DISTRICT."

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

WHEREAS, this Board wishes to set a date for a public hearing to consider the adoption of a Local Law amending Article IX of the Town of North Hempstead Uniform Traffic Code entitled "Port Washington Public Parking District" in order to make permanent the conversion of a portion of commuter parking spaces in Lots 4, 5 and 7 to metered parking spaces.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 13th day of October, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, for the purpose of considering the adoption of a Local Law amending Article IX of the Town of North Hempstead Uniform Traffic Code entitled "Port Washington Public Parking District" in order to make permanent the conversion of a portion of commuter parking spaces in Lots 4, 5 and 7 to metered parking spaces; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on the 13th day of October, 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 Article IX of the Town of North Hempstead Uniform Traffic Code entitled "Port Washington Public Parking District" in order to make permanent the conversion of a portion of commuter parking spaces in Lots 4, 5 and 7 to metered parking spaces.

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

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

Dated: Manhasset, New York

September 22, 2022

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

Dated: Manhasset, New York

September 22, 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, Planning, Buildings

CLERK SRIVASTAVA: Item No. 18, a resolution setting a date for a public hearing to consider the adoption of a local law amending Chapter 70 of the town code entitled "zoning."

COUNCILWOMAN LURVEY: I offer the resolution and set the hearing date for October 13th, 2022.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 486 - 2022

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

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

WHEREAS, this Board wishes to set a date for a public hearing to consider the adoption of a Local Law amending Chapter 70 of the Town Code entitled "Zoning" in order to establish setback requirements for dog parks in residential zoning districts.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 13th day of October, 2022, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, for the purpose of considering the adoption of a Local Law amending Chapter 70 of the Town Code entitled "Zoning" in order to establish setback requirements for dog parks in residential zoning districts; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on the 13th day of October, 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 70 of the Town Code entitled "Zoning" in order to establish setback requirements for dog parks in residential zoning districts.

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

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

Dated: Manhasset, New York

September 22, 2022

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

Dated: Manhasset, New York

September 22, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Town Clerk

CLERK SRIVASTAVA: Item No. 19, a resolution setting a date for a public hearing to consider the adoption of a local law amending Chapter 57 of the town code entitled "town facilities."

COUNCILWOMAN DALIMONTE: I offer resolution, setting a date for October 13th, 2022.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 487 - 2022

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 57 OF THE TOWN CODE ENTITLED "TOWN FACILITIES."

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

WHEREAS, this Board wishes to set a date for a public hearing to consider the adoption of a Local Law amending Chapter 57 of the Town Code entitled "Town Facilities" in order to prohibit loitering in the off-street parking areas of the Port Washington Public Parking District.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 13th day of October, 2022, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, for the purpose of considering the adoption of a Local Law amending Chapter 57 of the Town Code entitled "Town Facilities" in order to prohibit loitering in the off-street parking areas of the Port Washington Public Parking District; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on the 13th day of October, 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 57 of the Town Code entitled "Town Facilities" in order to prohibit loitering in the off-street parking areas of the Port Washington Public Parking District.

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

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

Dated: Manhasset, New York

September 22, 2022

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

Dated: Manhasset, New York

September 22, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Town Clerk

CLERK SRIVASTAVA: Item No. 20, a resolution setting a date for a public hearing to consider the adoption of a local law amending Chapter 2 of the town code entitled "administration and enforcement."

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 488 - 2022

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

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

WHEREAS, this Board wishes to set a date for a public hearing to consider the adoption of a Local Law amending Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to amend Section 2-35(J)(1) of the Town Code concerning reciprocal plumbing licenses to expand the permitted principal place of business requirement to include Suffolk County.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 13th day of October, 2022, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, for the purpose of considering the adoption of a Local Law amending Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to amend Section 2-35(J)(1) of the Town Code concerning reciprocal plumbing licenses to expand the permitted principal place of business requirement to include Suffolk County; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on the 13th day of October, 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 2 of the Town Code entitled "Administration and Enforcement" in order to amend Section 2-35(J)(1) of the Town Code concerning reciprocal plumbing licenses to expand the permitted principal place of business requirement to include Suffolk County.

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

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

Dated: Manhasset, New York

September 22, 2022

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

Dated: Manhasset, New York

September 22, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Town Clerk

CLERK SRIVASTAVA: Item No. 21, a resolution setting a date for a public hearing to consider the rescission and adoption of ordinances affecting High Street in Manhasset.

COUNCILWOMAN LURVEY: I offer the resolution setting a hearing date of October 13, 2022.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 489 - 2022

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE RESCISSION AND ADOPTION OF ORDINANCES AFFECTING HIGH STREET IN MANHASSET.

WHEREAS, a recommendation has been made for the rescission and adoption of ordinances affecting High Street, Manhasset, 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 13th day of October 2022, at 7:00 o'clock in the evening for the purpose of considering the rescission and adoption of the following ordinances:

PROPOSAL:

RESCIND:

1. T.O. #11-2008

Adopted May 06, 2008

HIGH STREET – SOUTH SIDE – NO PARKING – 12:00 MIDNIGHT TO 7:00 A.M.
From a point 442 feet west of the west curb line of Community Drive, West, for a distance of 134 feet.

2. T.O. #11-2008

Adopted May 06, 2008

HIGH STREET – SOUTH SIDE – NO STOPPING ANY TIME

From the west curb line of Community Drive, west, for a distance of 100 feet.

3. T.O. #11-2008

Adopted May 06, 2008

HIGH STREET – SOUTH SIDE – NO PARKING ANY TIME

From a point 322 feet west of the west curb line of Community Drive, west, for a distance of 120 feet.

ADOPT:

1. HIGH STREET – SOUTH SIDE – NO STOPPING ANY TIME

From the west curb line of Community Drive, west, for a distance of 62 feet.

2. HIGH STREET – SOUTH SIDE – NO STOPPING ANY TIME

From a point 62 feet from the west curb line of Community Drive, West, for a distance of 77 feet.

3. HIGH STREET – SOUTH SIDE – NO PARKING ANY TIME

From a point 322 feet west of the west curb line of Community Drive, west, for a distance of 55 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 22, 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 No. 22, a resolution setting a date for a special meeting of the town board of the Town of North Hempstead for October 6, 2022.

SUPERVISOR DESENA: These next few items are --

MR. GAFFNEY: I know it's a resolution, I put in a card for this, also. You kind of just miss them all the time. I put arrows and highlight and I just -- it doesn't happen. I just want to mention, just kind of remind the board that, you know, a few years ago when Tania Orenstein (phonetic) and also Steve Pollock (phonetic) helped miscellaneous, we limited it at the minute miscellaneous listing. We limited between 15,000 and no more than 25,000, because there was sometimes when it was 75,000 and 80,000, 100,000, so just keep that in mind when you're doing the budget, thank you.

SUPERVISOR DESENA: These next few items will be setting dates for budget hearings and work sessions. I wanted to make two amendments to the dates that are listed here. On Item No. 25, I would like to amend that date to October 12th and -- I guess I have -- on October -- No. 20, the next resolution, I would like to amend that date from October 18, to October 19th. So I'll guess I'll move to amend it first.

CLERK SRIVASTAVA: Which one?

SUPERVISOR DESENA: Oh, I skipped it. All right, I skipped one. Okay. So Item 20

COUNCILMAN TROIANO: I'm sorry, just as a matter of process, we have to go in order --

SUPERVISOR DESENA: Right.

COUNCILMAN TROIANO: So we have to deal with, I guess, it's 22 first.

CLERK SRIVASTAVA: I just read 22, this is for October 6th.

SUPERVISOR DESENA: The purpose of this resolution is to conduct a public hearing on my tentative budget of the Town of North Hempstead, as well as the budgets for all special improvement districts, and the assessment roles of the Belgrave Water Pollution Control District, Great Neck Water Pollution Control District and Port Washington Pollution Control District for the fiscal year beginning January 1st, 2023, and to consider any other business that may come before the board. I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: I'd like to ask if we set the date of October 6th as the date for this for the hearing of the tentative budget, when would we, or do we, I'm not really sure I know, vote to accept the tentative budget?

SUPERVISOR DESENA: Mr. Chiara, would you like to?

MR. CHIARA: The tentative budget, the acceptance of the budget is scheduled for the -- the acceptance of the tentative budget is scheduled for the 28th; correct?

MR. KELLY: Correct.

COUNCILMAN TROIANO: The hearing of the preliminary budget on -- scheduled for October 11th, right?

MR. KELLY: October 11th is a work session.

COUNCILMAN TROIANO: Oh, a work session on the preliminary budget. So you can't have

a preliminary budget until the tentative budget --

SUPERVISOR DESENA: Oh, the tentative budget t will be offered at the September 28th hearing.

COUNCILMAN TROIANO: There's no hearing on the 28th.

SUPERVISOR DESENA: Yes, we do have a hearing.

COUNCILWOMAN DALIMONTE: Wait, wait, wait --

COUNCILMAN TROIANO: So you're going to present that budget to us?

SUPERVISOR DESENA: That is on the agenda for the 28th; am I correct?

COUNCILMAN TROIANO: But we're not accepting it.

SUPERVISOR DESENA: It's going to be introduced.

COUNCILMAN TROIANO: Right.

MR. KELLY: As I understand it, on the 28th, the budget would be -- the town board would acknowledge receipt of the tentative budget on the 28th. On October 6th

COUNCILMAN TROIANO: Can I just ask, I'm sorry, we're going to acknowledge receipt on the 28th, the town board meeting that night is in the evening. Are we going to get the budget earlier in the day or during the evening of the 28th?

MR. KELLY: I don't control when the budget is submitted, so I don't know the answer to that question.

SUPERVISOR DESENA: I can't tell you exactly, but the 28th is primarily to hear about the development on West Shore Road, but we will be --

COUNCILMAN TROIANO: I understand, and are apparently going to add a reso --

SUPERVISOR DESENA: It's on the agenda.

COUNCILMAN TROIANO: Apparently a reso has been added that will -- the board will acknowledge receipt of the tentative budget; correct?

MR. KELLY: Yes.

COUNCILMAN TROIANO: And we're not certain right now if we will have received it the morning of the 28th or as we're voting; is that correct? You said you're not quite sure.

SUPERVISOR DESENA: We'll be presenting, we will be presenting it that day.

COUNCILMAN TROIANO: You're going to present the budget that day.

SUPERVISOR DESENA: Yes.

COUNCILMAN TROIANO: So when is that happening?

SUPERVISOR DESENA: The 28th.

COUNCILMAN TROIANO: You're presenting it?

SUPERVISOR DESENA: The tentative budget.

COUNCILMAN TROIANO: When is that presentation being made?

COUNCILWOMAN DALIMONTE: You're doing a presentation of the budget --

DEPUTY SUPERVISOR SCALERO: I'm sorry, if I may, Madam Supervisor. You had a question as to when the tentative budget would be presented to the board members?

COUNCILMAN TROIANO: No, I asked --the question was, when will receive it?

DEPUTY SUPERVISOR SCALERO: By law you have to receive it --

COUNCILMAN TROIANO: The Supervisor said a presentation would be made on the 28th.

SUPERVISOR DESENA: No, it will be made available to the board.

DEPUTY SUPERVISOR SCALERO: It will be presented to the board members.

COUNCILMAN TROIANO: As in given to the board members.

DEPUTY SUPERVISOR SCALERO: Actually, as I'm sure you're familiar, it will be delivered to the Clerk no later than the 30th of the month. Our plan is to do it by the 28th, and it gets distributed to each board member. So you'll have it on the 28th.

COUNCILMAN TROIANO: You used the word 'presented', you mean it will be given to us.

DEPUTY SUPERVISOR SCALERO: Yes, is there any other --

COUNCILWOMAN LURVEY: So what do we vote on, then?

SUPERVISOR DESENA: It's not a vote.

COUNCILWOMAN LURVEY: What are we voting on? So there's not a resolution?

DEPUTY SUPERVISOR SCALERO: On the 28th?

COUNCILWOMAN LURVEY: Yes.

DEPUTY SUPERVISOR SCALERO: It's a resolution just acknowledging receipt of it.

COUNCILWOMAN LURVEY: It's acknowledging receipt of it.

DEPUTY SUPERVISOR SCALERO: Right, and that's by law. That's not anything we've

COUNCILMAN TROIANO: What I was asking --

DEPUTY SUPERVISOR SCALERO: And it's nothing that this board has not done differently in the past.

COUNCILMAN TROIANO: So you know I'm an older man, and I haven't been on this board in 13 years, so I don't remember all the processes. The question I asked was, are we going to receive -- are we going to have presented to us, whatever word you prefer, the tentative budget sometime during the day on the 28th or on the evening on the evening of the 28th, when we actually take the vote to receive?

DEPUTY SUPERVISOR SCALERO: Okay, I don't know. It depends on what time it gets done and printed and delivered to the clerk and distributed.

COUNCILMAN TROIANO: The reason I ask this is not just to put you on the spot, but I'm trying to understand if we're just going to first receive it on the 28th, then we're being asked to have a hearing on the 6th. How much time are we going to have to review it? That's why I'm asking this question.

DEPUTY SUPERVISOR SCALERO: You'll have at least the difference between the 28th and the 6th.

COUNCILMAN TROIANO: Yeah, but if I got it at 8:00 in the morning on the 28th, that gives me 12 hours more to look at it.

DEPUTY SUPERVISOR SCALERO: Robert, and I don't mean to sound facetious, but the purpose of the state law being written that way, it's my understanding, because it's been on the books for many, many, many years, is that you acknowledge receipt of it on the 28th just so that nobody can go into a hearing and say, oh, I never even saw it before. This requires -- this is a state law that ensures that every member of the board sees the budget prior to the hearing.

COUNCILMAN TROIANO: Thank you, Joe. That's not really the question.

DEPUTY SUPERVISOR SCALERO: But it is, Robert.

COUNCILMAN TROIANO: It's not at all.

DEPUTY SUPERVISOR SCALERO: The point is that you'll have it in advance of the budget.

COUNCILWOMAN LURVEY: The question is how soon.

DEPUTY SUPERVISOR SCALERO: The State law says you have to have it by the 30th, you're actually going to be getting it two days early.

COUNCILMAN TROIANO: That's fine, I'm not suggesting you're violating the state law, I'm just trying -- we've been asked, Joe, to approve a resolution to set a date for the tentative hearing on October 6th, okay? At if I'm going to do that, I'd like to be able to have the budget, review the budget, come to understand the budget, and you're not giving us a lot of time between the 28th and the 6th, and what I'm negotiating for maybe, is that if we can get it in the morning, that gives us more time, but you're not sure you're able to do that. And so if you can't get it to us until the evening of the 28th, I've got the 29th and the 30th is work days, right, then I've got the 3rd is another workday, then the 4th, then the 5th --

COUNCILWOMAN LURVEY: The 5th is Yom Kippur.

COUNCILMAN TROIANO: -- is a Jewish holiday, right, and I may not have access to all of our employees to be able to ask questions of them about what's in the tentative budget. So there's not a lot of time, and that's the point of my questioning, not whether or not you're violating state law.

DEPUTY SUPERVISOR SCALERO: I understand that, but that's also the purpose of a public hearing, is to have the time to ask those questions and to make those determinations, but you do it in a public forum so that the public can also participate.

SUPERVISOR DESENA: Also so that we can all participate together, it has to be public.

COUNCILMAN TROIANO: I understand that. But the idea of together --

COUNCILMAN ADHAMI: Councilman Troiano --

COUNCILMAN TROIANO: Troiano.

COUNCILMAN ADHAMI: Isn't that what I said?

COUNCILMAN TROIANO: Troiano.

SUPERVISOR DESENA: No, he said it, he said it.

COUNCILMAN TROIANO: No, I don't believe he did.

COUNCILMAN ADHAMI: Okay, well thank you for correcting me. I mean, you are getting it before the 30th and you could technically get it on the 30th; correct?

COUNCILMAN TROIANO: Correct.

COUNCILMAN ADHAMI: And you acknowledge that, so I don't understand why we're nitpicking over exactly what time you're going to get it on September 28th.

COUNCILMAN TROIANO: I'd be happy to explain that to you, Mr. Adhami.

COUNCILMAN ADHAMI: I understand you want more time, trust me, I always want more time.

COUNCILMAN TROIANO: I'm going to explain that to you, I do, I want more time to review it. So what's at the question is not so much getting the 28th and the 30th, it's about the 6th, and if I'm going to get it late on the 28th, it gives me less time to prepare for a public hearing.

COUNCILMAN ADHAMI: You can get it on the 30th.

COUNCILMAN TROIANO: And I could push the meeting back to the 12th. That's the point.

DEPUTY SUPERVISOR SCALERO: You know, Councilman Troiano, as I'm sure you're aware, there's also no legal requirement to have that hearing, and I'll defer to counsel on that for - -to confirm that, but this town has always traditionally had a hearing on the tentative budget shortly after it was distributed to the board, so it's not required, we're maintaining a tradition that's longstanding in this town, we're not changing that, and yet, suddenly it's now not enough time to review the budget before a voluntary hearing.

COUNCILMAN TROIANO: Maybe you can educate me.

DEPUTY SUPERVISOR SCALERO: I would never presume.

COUNCILMAN TROIANO: I need some help and that's what I'm trying to get and I'm getting pushback and I'm not really sure why. I think it would be in the interest of all councilpeople to want more time to review the budget, because I've seen nothing, and you know this. I've made a request of the Supervisor for information and I was denied that, right, so I'm trying. Don't act like there's something different here, and my understanding, you want to talk about precedent, my understanding is that previous councils were allowed to be part of the process and to get information before we even had to vote on any of this, so don't talk to me about precedent.

DEPUTY SUPERVISOR SCALERO: I don't know anything about that. You were a former member, I wasn't.

COUNCILMAN TROIANO: Teach me something, all right? How do we move from a tentative budget to a preliminary budget?

DEPUTY SUPERVISOR SCALERO: Well, the same way the state law has it set up. The town board gets presented with a tentative budget by the budget officer, you then have until a certain date to make whatever changes you want to amend, to accept, to do whatever you want, and present by - - I don't know the date offhand and I apologize for that, but it's a date later in October when you have to -- the board has to create a preliminary budget. Then --

COUNCILMAN TROIANO: But --

DEPUTY SUPERVISOR SCALERO: -- you have to have a hearing and a final adoption on it.

COUNCILMAN TROIANO: I'm not really understanding the process, and I really am not. We get a budget, it's called a tentative budget, right, and I guess you might refer to that as a Supervisor's budget, because that's in effect what it is.

DEPUTY SUPERVISOR SCALERO: No, it's the first draft of a budget.

COUNCILMAN TROIANO: It's only been prepared by, as far as I know, I don't know what role Mr. Walsh had or Mr. Adhami had, but I know I had --

COUNCILMAN WALSH: Let me tell you, I had no role.

COUNCILMAN ADHAMI: Let me tell you, I had no role, also.

COUNCILMAN TROIANO: I wasn't making an accusation --

SUPERVISOR DESENA: But you did ask so he told you.

COUNCILMAN WALSH: Listen, I want to help you, I want to help move this along.

COUNCILMAN TROIANO: Right, that's why I called the Supervisor's budget.

COUNCILMAN ADHAMI: Councilman Troiano, if you could just propose -- is there a date that you want?

SUPERVISOR DESENA: We have these spread out, we --

COUNCILMAN TROIANO: I am really trying to understand how this works.

SUPERVISOR DESENA: Councilman, Councilman, we have -- I apologize because these are in the next few resolutions, I jumped a little because I wanted to amend two of the dates, but we have the first hearing on October 6th, then we have proposed two work sessions on October 12th and 19th, and then it will be finished November 3rd. So that this way have ample time for the public to hear and then also for our team, our budget team to react to what questions we have from town board and the public and the commissioners, as they are able to help.

COUNCILWOMAN LURVEY: So under town law, the town board is required to propose whatever amendments, changes, proposals, whatever, but they are also entitled to meet or interview or speak with, get information from department heads. Between the time of the tentative budget and the preliminary budget, I don't think that four days, five days with Yom Kippur gives nearly enough time.

DEPUTY SUPERVISOR SCALERO: It's not four days before the preliminary budget, though, I think that's where you're obfuscating this.

COUNCILWOMAN LURVEY: It's before a public hearing.

DEPUTY SUPERVISOR SCALERO: Okay, but you have weeks until -- several weeks before the preliminary budget has to be presented by the board or adopted by the -- prepared by the board. It's not several days, it's weeks. So you have a draft budget that comes out called the tentative budget, you then have a hearing on the 16th to solicit input from the public, and then you have several weeks after that to work with it anyway you want to draw whatever budget or any amendments that you want to it.

COUNCILWOMAN LURVEY: But I haven't even had it, that public hearing, I haven't even had enough time to really dig in --

DEPUTY SUPERVISOR SCALERO: Well you're not going to make the changes. Theoretically, you're not supposed to make the changes --

COUNCILWOMAN LURVEY: -- should be up here taking comments from the public until I have had a chance to actually review what is in there and be able to be in some way responsive or to be coherent about what I'm talking about.

DEPUTY SUPERVISOR SCALERO: But the idea of the public meeting at an only tentative form, my understanding, since it's not required but this town has always done it, was so that the board could solicit the input of the public and hear the concerns that they want and see what they want built into the budget, and then you use that, as a Councilperson, to put that into your preliminary budget.

COUNCILMAN TROIANO: I think that's a great answer and the problem is that the public will have less time than we have to review the budget and ask meaningful, coherent questions, and so the whole point of having the hearing is lost because most of the public won't even know it's available, and those that fall across it on the website, won't have time to look at it and ask meaningful questions.

DEPUTY SUPERVISOR SCALERO: Let me ask you this, hypothetically, you have no budget hearing on the tentative budget because it's not required but this town always did it, so at some point, this town was always having early hearing, somehow now it's a problem. In the past, they've always done it, whether it's four days' notice or a week's notice, or whatever it was. I can pull up dates from previous years.

SUPERVISOR DESENA: Yes, we actually check the dates.

DEPUTY SUPERVISOR SCALERO: We check the dates from previous years and they've always been the early part of the month --

COUNCILMAN TROIANO: But, Joe, again

DEPUTY SUPERVISOR SCALERO: My point is --

COUNCILMAN TROIANO: No, but --

DEPUTY SUPERVISOR SCALERO: My point is -- no, no, no, you ask a question but you don't let us answer it.

SUPERVISOR DESENA: Robert, let him finish -- Robert, we're asking him for the information.

COUNCILMAN TROIANO: -- because previous councils --

SUPERVISOR DESENA: Councilman, Councilman, excuse me, Councilman.

COUNCILMAN TROIANO: -- I've requested --

SUPERVISOR DESENA: Councilman --

COUNCILMAN WALSH: Well I'm gonna talk too. If you want to talk over people, I'm gonna talk too so nobody knows what you were saying.

SUPERVISOR DESENA: I did not deny you anything, I asked you if you wanted to propose

anything.

COUNCILMAN TROIANO: You want me to read what I wrote and how you responded?

SUPERVISOR DESENA: I didn't deny –

COUNCILMAN WALSH: I want you to let the man finish who's at the microphone, you don't have any opportunity to let anybody speak. You just ramble on whenever you feel like it.

DEPUTY SUPERVISOR SCALERO: Robert, if you'd like to make some sort of statement, go ahead and read it, but it's subject to a response and I don't think this is to forum for it, but please. The Supervisor did a very courteous thing to her fellow members of the council and asked each of you if you had any items that you would like included in this budget as we are drafting the tentative budget. It's a lot of people working very hard on putting this budget together made very difficult by the fact that we don't have a comptroller or a deputy comptroller right now, and yet, we're still getting it done, all right? Because that's the duty we have. As a courtesy she said to you, Robert, do you have anything you'd like included in the budget? If you know of something off the top of your head, do you have a spending item, do you have something in your district that you want to see, let us know so we can include that in the budget, in the tentative budget, which is, again, just a draft budget. That was a simple request, and it's really meant to be inclusive of everyone, everyone on the board got that request, and your answer was, I need all of the facts and details and access to personnel that would go into crating a budget --

COUNCILMAN TROIANO: Right.

DEPUTY SUPERVISOR SCALERO: -- and I think the answer was very simple, I think you misunderstood. We didn't ask you to create a budget, we asked if you had any spending items in your district that you wanted included.

COUNCILMAN TROIANO: That's the problem, you didn't even ask. You don't even want my input.

SUPERVISOR DESENA: It's not for the town board to create the budget together. Someone has to create the budget and then during --

COUNCILMAN TROIANO: That's how the Supervisor --

SUPERVISOR DESENA: Excuse me, let me finish the sentence. Then, during the hearings, we take input from the whole town board when we meet together.

COUNCILWOMAN LURVEY: We're talking about --so you're anchoring in what has been done before, and prior, in my experience, there has been a lot more input and a lot more communication with Councilmembers by the Supervisor's office during the preparation of the budget, so maybe there wasn't a need for so many days to review, because we already had some familiarity with it. In this case, we have absolutely zero familiarity, we don't know what's going to be in there, we need time to do our job. Our job under town law, which is to review the budget, to propose the necessary revisions and to ask the questions that we need to ask.

DEPUTY SUPERVISOR SCALERO: Okay, but you have weeks to do that in various formats. The tentative budget is the first step, that's why the law defines it that way, that's why the state, why every town in the state follows that same process. You have the ability as a board to start it on the 6th and end it by November 20th. This town also, in recent years, has a proud tradition under the former Supervisor of passing that before election day, even on New Year's, when this

board doesn't stand for election, the Supervisor's intent has been very clear from day one to continue that tradition. So we are on a schedule from beginning of October to beginning of November. You have weeks in that time to work on that. To say that I need more time, more time, more time, all that does it cuts the public out of the process.

COUNCILMAN TROIANO: How so?

DEPUTY SUPERVISOR SCALERO: You're suggesting that you truncate that time into the final week or days of the month of October.

COUNCILMAN TROIANO: Well, I think you're truncating the time by submitting the budget -- I don't know, is the public going to get the budget on the 28th or the 30th?

DEPUTY SUPERVISOR SCALERO: It becomes a public document -- it's my understanding, and I'll defer to counsel, my understanding is the minute it's filed with the town clerk it becomes a public document.

COUNCILMAN TROIANO: Or on the website; right?

DEPUTY SUPERVISOR SCALERO: If that's what you normally do, sure. We're not deviating from any past practices.

COUNCILMAN WALSH: So now we've gone 20 minutes arguing over whether this is going to be done in the morning or the afternoon. Let's move this along.

COUNCILMAN TROIANO: I've got issues with this date. These dates were not -- I was not consulted about these dates, I was not consulted about my availability on any of these dates. What I would suggest is that we do what people who have come to these meetings for, to say let's collaborate, let's work together, why don't we all sit down and work out dates that work for all seven of us.

DEPUTY SUPERVISOR SCALERO: With all due respect, Councilman, it's not done that way in any other town. You set a date, the board has to be there, it's a one time a year you have to do the budget. It's one of the primary responsibilities of a town board --

COUNCILWOMAN DALIMONTE: Deputy supervisor, we do not even ask if we were available. I'm not available.

DEPUTY SUPERVISOR SCALERO: Nowhere else --no offense, but there's seven members here, to try to coordinate seven schedules for four public hearings --

COUNCILWOMAN DALIMONTE: I did it for September 28th, I did it. You have to be a team player, you have to get involved, you have to ask everyone, what's going on. But no, instead we get slam dates. That's wrong. You want to be a team player, you want to have us all involved, then ask us all the dates.

DEPUTY SUPERVISOR SCALERO: It's not a question of being involved --

COUNCILWOMAN DALIMONTE: -- September 28th.

DEPUTY SUPERVISOR SCALERO: Madam Councilwoman, it's not a question of being involved, it's a question of meeting the set dates before legal deadlines and the board having a responsibility to be at those dates.

SUPERVISOR DESENA: Councilwoman, we put notice out of these months -- in August, we gave these dates to the town attorney's office in August so that they could properly notice the

meetings, and these dates were put on the agenda --

COUNCILWOMAN DALIMONTE: Why didn't you send it to us?

COUNCILMAN TROIANO: They were noticed before we voted on them?

SUPERVISOR DESENA: No, they were put on the Novus agenda two weeks ago. Two weeks ago they were put on Novus agenda and today is the first time that we heard any objection to any of the dates, so how do you propose that we pick dates that seven people could attend and that we also give notice to the public. It's impossible --

COUNCILMAN TROIANO: I propose you try, you didn't even try. you just picked dates that work for you, I bet they work for Councilman Walsh and Adhami.

DEPUTY SUPERVISOR SCALERO: You know what --

COUNCILMAN ADHAMI: Well --

COUNCILMAN ZUCKERMAN: I can tell that you that one of the work session days do not work for me, I can tell you that.

COUNCILWOMAN LURVEY: You know what? I think if you had tried to coordinate, you would have known that one of the dates falls on the second day of Sukkot, and one of the dates falls on - - just as Simchat Torah is ending, and we could have maybe advised to you that that was not a good idea.

COUNCILMAN ADHAMI: But those dates can be changed, I wasn't consulted, but it does pop up in my calendar and I'm not crying about it. I will make myself available, we are public servants and our job is to serve the public.

DEPUTY SUPERVISOR SCALERO: Thank you, And on that holiday note, Madam, we did in fact consult with a Rabbi, who said that because they're not the high holy days and because it's the end date, I'm just repeating their opinion, that it would not preclude anybody from participating both in their religious observance and this. This is not a day when they have to be home, this is not a day when they're expected to be at temple all day, I had to take them. At that advise, though, we decided to err on the side of giving people relief from that and not even having a question on that, and the Supervisor suggested we push each one off by a day, and that's what the amendments are for, so that issue has been addressed. I don't know why when we have to get a budget done and we have very limited resources and we're putting it together, why, when you've had actually at least two weeks before now, because that's when these dates went on your agendas, you've known about them, and you wait till today to say, it doesn't work for me, I don't want to be at that meeting, I can't be there, I have something better to do, I don't understand, nobody consulted, but you've known about it for ten days. I didn't get a flurry of e-mails from people ten days ago saying, hey, this is a problem for us. I got to suggest that this is just an effort to truncate the dates down towards the end of the budget process, and then rush it through before the 3rd. Any other year, like I said, they've had this roughly -- this same timeframe. I don't see how when we tried to follow the same format as in prior years, suddenly this year is different.

COUNCILWOMAN DALIMONTE: Thank you for following the format in prior years, but you have to understand, the administration has contacted all seven board members to make sure that the dates were okay. So that is a problem. I found out about the dates two weeks ago, looking at my calendar, I can't attend --

SUPERVISOR DESENA: Why didn't you say so? Why didn't you tell that to me two weeks ago when you found out instead of waiting till today?

DEPUTY SUPERVISOR SCALERO: You said you found out two weeks ago.

COUNCILWOMAN DALIMONTE: --in the hospital.

SUPERVISOR DESENA: Not two weeks ago, you weren't.

DEPUTY SUPERVISOR SCALERO: Not two weeks ago, ma'am.

COUNCILWOMAN DALIMONTE: No, two weeks ago --

DEPUTY SUPERVISOR SCALERO: By the way, I'll echo on a personal note, you're looking great, it's good to see you with us, but I will echo Mr. McDonough, you should not be doing this, you should be getting rest, but that's your decision.

COUNCILMAN TROIANO: I guess we've had enough debate, we can take the vote.

CLERK SRIVASTAVA: We have a motion on the floor.

SUPERVISOR DESENA: I believe there is a motion on Item No. 22. I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: I don't know how to do this, and I'm going to need some help. I would like to put on a motion to table this.

SUPERVISOR DESENA: You cannot. I have a motion pending. And by the way, I also want to say that all of these dates could have been agreed on better if, as under Supervisor Bosworth, the Supervisor was allowed caucus with the majority members, so if it weren't for these separate caucus meetings, we probably could get a lot more done as far as setting dates.

COUNCILWOMAN LURVEY: Caucuses are by political party and that's by state law.

SUPERVISOR DESENA: And I am a registered Democrat, you certainly could allow me in the caucus, but you choose not to.

COUNCILWOMAN LURVEY: -- you are not allowed to caucus under law.

COUNCILWOMAN DALIMONTE: Can you please put that to rest?

SUPERVISOR DESENA: So, anyway, my motion -- my motion --

COUNCILMAN TROIANO: Just as an observation, I would love to caucus with you.

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

COUNCILMAN TROIANO: I'd just like to understand, I'm in a position where I'm going to have to vote no, which could really jam up the town board.

SUPERVISOR DESENA: It certainly could. We are on a very tight deadline --

COUNCILMAN TROIANO: Which is why I'm asking you to table it so that -- just hear me out, please, Supervisor, to table it so that we can work together as a council, and agree on new dates that can be voted on at the meeting on September 28th.

SUPERVISOR DESENA: And respectfully, I do not think we have time to do that. I do not

think we can agree on new dates that will give the public the notice they need of what we're proposing that they pay in taxes next year. This October 6th hearing is not even mandated by law, this is something that the town has always done, I am keeping it on almost the same schedule that you've had for years, so I am sticking with this motion for the first public hearing, which is not required, and which -- I hope you all attend, but the public is invited, on October 6th.

COUNCILMAN TROIANO: That will be an interesting meeting with only three members.

SUPERVISOR DESENA: Oh, you all do the same thing, you've already decided that, that none of them can come?

COUNCILMAN TROIANO: No, you're saying that whether --

SUPERVISOR DESENA: You've already decided that Councilwoman Dalimonte is not coming?

COUNCILMAN WALSH: No, no, no, no, no, you've -- I'm going to cut you off, you just sounded like you're voting for other people like there's some kind of cahoots up here.

SUPERVISOR DESENA: It sounds like you just told them how to vote.

COUNCILMAN WALSH: These guys are all in cahoots, does anybody see what's going on down here?

COUNCILMAN TROIANO: Maybe I misunderstood what you were saying, I thought you were saying even if you vote no, we're having this hearing.

COUNCILMAN WALSH: This is just a strong-arm tactic, they're all in cahoots, they're looking to delay this thing, and let's get on with the vote. Please go ahead with your vote.

COUNCILMAN TROIANO: I'm not sure --

SUPERVISOR DESENA: We owe it to our department heads and our residents to release this information so that everyone has time to look at it. I'm calling for transparency, and I hope that you'll support this.

COUNCILMAN TROIANO: I do very much support transparency --

SUPERVISOR DESENA: Okay, then let's have the public hearing on October 6th.

COUNCILMAN TROIANO: -- I don't see it though in your proposal, which will be made available the earliest, September 29th in the morning.

SUPERVISOR DESENA: September 28th.

COUNCILMAN TROIANO: No.

SUPERVISOR DESENA: It's September 28th.

COUNCILMAN TROIANO: You don't know

SUPERVISOR DESENA: That's what we said.

COUNCILMAN TROIANO: You said you might give it to us -- the Deputy Supervisor said he might give it to us on the evening of the 28th, which means the public won't see it till the morning of the 29th.

COUNCILMAN WALSH: No, because he didn't say --

SUPERVISOR DESENA: It will be made available on the 28th. I don't know why you just add days on for fun, could be the 30th, could be the 1st, whatever --

COUNCILMAN TROIANO: Because the Deputy Supervisor said he wasn't sure, he didn't know when it would be done. Did you hear him say that?

SUPERVISOR DESENA: We called for the vote.

COUNCILMAN TROIANO: So, to me, there is no transparency by rushing the tentative hearing to be only a few days after the budget is finally received by the board. So you're putting me in the position, I'm offering a compromise to table it, I'm going to have to vote no.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: I don't understand the reason we can't talk about dates. In the past there always has been collaboration with respect to the budget, as well as the dates, I vote no.

SUPERVISOR DESENA: Councilman, did you see the dates when they were put on the agenda two weeks ago?

COUNCILMAN TROIANO: We're taking a vote; right? Next, please call --

SUPERVISOR DESENA: I'm just wondering why you didn't know the dates because they were proposed two weeks ago.

COUNCILMAN WALSH: I'm up next; right? Did you see the dates that she just asked you?

SUPERVISOR DESENA: Two weeks ago.

COUNCILMAN TROIANO: Sorry, there's no time for debate during a vote. You can make a statement if you'd like, but there's no time for asking questions.

COUNCILMAN WALSH: Okay, my statement is, did you see them or didn't you see them? Of course he saw them. What are you, kidding me?

SUPERVISOR DESENA: You wait until today to ask for a date change.

COUNCILMAN ZUCKERMAN: How are you voting?

COUNCILMAN WALSH: I'm going to wait, call me later.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: I think it's disrespectful to say that I can't think for myself, I'm just going to put that out there, I do think for myself and I make my own decisions, and I take them very seriously, and I have said that I might agree with Councilman Troiano, but I do it because I think the four working days is simply not enough between the time that we get the budget and the time that the public hearing is happening, for us to be in any way ready for a public hearing, and I think it will be an embarrassment for those of us who have not been part of the budget process, to be in a public hearing after only four working days when who knows what department heads are even going to be available for us to ask questions of during those four working days, you know. They might be out of the office, they might be on vacation --

COUNCILMAN WALSH: They could be on the moon.

COUNCILWOMAN LURVEY: --it might take them a week to get back to me. I don't know.

Four working days is simply not enough, I vote no.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: I'm just going to make a statement that, you know, I work on weekends, I work late nights, we're here till probably --

SUPERVISOR DESENA: We're here till midnight.

COUNCILMAN ADHAMI: -- probably till 1:00 a.m. tonight. I don't see what the issue is with reviewing this on the weekends, you know, working, but I vote aye.

COUNCILWOMAN LURVEY: You want the staff available responding to you on the weekends?

COUNCILMAN WALSH: I thought there's no time to interject. He just told me I couldn't interject and you're interjecting to what he said.

COUNCILMAN ADHAMI: I can review it on my own, and I'm sure every other member of this board can review it on their own over the weekend as well.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: My statement is exactly with Councilwoman Lurvey. You don't have access to the department heads on the weekends. If it's an emergency, yes, but not to review budget, and I really think four days is not enough for us to be sitting up there and being able to answer anything. I vote no.

SUPERVISOR DESENA: This is a time to ask questions. A public hearing is when we all, you know, it's when we're actually allowed to sit together and ask questions. So the fact that you are all afraid to ask questions and to see the public and show them the budget is really shocking. I vote aye.

COUNCILMAN WALSH: Wait a minute, hold on, Madam Clerk, can you come back to me for a vote?

CLERK SRIVASTAVA: Yes, Councilman Walsh.

COUNCILMAN WALSH: I vote aye in that they're just trying to kill the budget. Aye.

COUNCILWOMAN LURVEY: We're not voting no against the public hearing, we're voting no against the --

SUPERVISOR DESENA: You're voting no against having a public hearing.

COUNCILWOMAN LURVEY: I just want to

SUPERVISOR DESENA: You want to delay a couple more weeks so the public doesn't find out.

COUNCILWOMAN DALIMONTE: That's not true. Supervisor, enough. You just always give accusations, it's, like, ridiculous. Be a freaking leader.

COUNCILMAN WALSH: The ridiculous part is that you're trying to kill this thing, that's what the ridiculous part is.

SUPERVISOR DESENA: I'm trying to be a leader, I'm trying to show the budget, I'm trying to be transparent with our budget. I'm trying to give everyone time and look at the budget and

make it better and ask questions. I'm not trying to hide. Next resolution --next --

CLERK SRIVASTAVA: Item No. 23.

SUPERVISOR DESENA: Now, I move to amend this to -- it currently says setting a special meeting October 11, first I would like to move to amend this to October 12th.

CLERK SRIVASTAVA: A resolution setting a date --

SUPERVISOR DESENA: Hold on, we have a card on this.

COUNCILWOMAN DALIMONTE: We can't move it to October 12th.

SUPERVISOR DESENA: Can I move to amend it first before we call the card?

COUNCILMAN TROIANO: You can't -- I'm sorry, you can't, because the resolution has not been called yet. Once it's called, you can amend it.

COUNCILMAN ADHAMI: It was called.

COUNCILMAN WALSH: I thought she called it.

COUNCILMAN TROIANO: I didn't hear her call it.

CLERK SRIVASTAVA: I just started reading it.

COUNCILMAN TROIANO: She just started.

CLERK SRIVASTAVA: A resolution setting a date for a special meeting of the town board of the Town of North Hempstead for October 11, 2022 at 10:30 a.m.

COUNCILMAN TROIANO: I move to table this resolution. Call the item, please. Motion has been made, call the item.

SUPERVISOR DESENA: Councilman.

COUNCILMAN TROIANO: A motion has been made, call the item. That's how the Robert's Rules of Order work.

SUPERVISOR DESENA: We had a card on this. I was trying to call -- I was trying to call the speaker to the stand when you interrupted.

COUNCILMAN TROIANO: My motion --

SUPERVISOR DESENA: Can we please hear --

COUNCILMAN WALSH: No, no, no, no, she's right. The speaker goes first.

COUNCILMAN TROIANO: My motion goes first.

COUNCILMAN WALSH: The motion is not ready yet. Can you please speak if you want to speak?

MALE VOICE: Good evening. As I'm sitting here I understand these -- first of all, thank you very much for sitting here on our behalf, and I understand your leadership is paramount to us. As I understand, there are two dates which are supposed to be convened, the 11th and the 18th. I'm very surprised to hear that a Rabbi would say that these are not high holy days. They are Biblical holidays, Sukkot and Simchat Torah are celebrated all over the world since the times of Moshe or Moses for 3,430 years, and being that we are an inclusive town, it might seem that it's

insensitive not to invite people who are observant, and I know that that's not the aim of this -- the council over here, because as I know some of you, and have heard some you speak at the 9/11 event, I know that we really do focus on sensitivity and inclusion over here. And so being that it's open to the public and to the employees, someone which might be observant, that would automatically exclude some of us and some of the employees as well, so I'm respectfully asking if it could be moved to another convenient date, I don't know which date, so long as it's not a Biblical mandated date, which we cannot drive, we cannot use a microphone, we cannot write, we wouldn't be able to participate. If there's an employee that would need to write something or would need to type something, or would need to speak in a microphone, that would be problematic. That's all I wanted to say, thank you very much for giving the time.

SUPERVISOR DESENA: Thank you for coming.

MALE VOICE: God bless you for all --

COUNCILMAN TROIANO: I make a motion to table this item.

COUNCILWOMAN LURVEY: Thank you.

CLERK SRIVASTAVA: Thank you.

COUNCILMAN TROIANO: I make a motion to table this item.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: No.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: No.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

SUPERVISOR DESENA: Can I just ask why you're moving to table this item? What's the point? We owe this to the public. This is a work session, and I tried to amend it as requested, I tried to amend it, I did say that motion before you cut me off, and can you just please say why did you all four of vote to table this very important meeting when we work on the budget so it's ready on time?

COUNCILWOMAN LURVEY: I can only speak for myself.

COUNCILMAN TROIANO: Well she asked me and I'm not going to answer, and maybe she's asking all of us, I guess.

SUPERVISOR DESENA: I am asking the four of you, why did you plan this?

COUNCILMAN TROIANO: Didn't plan this but --

SUPERVISOR DESENA: Sure you did.

COUNCILMAN WALSH: They're in cahoots, what are you, kidding me? Come on.

SUPERVISOR DESENA: What is the reason for tabling this -- what is the reason for tabling this motion for a work session?

COUNCILMAN TROIANO: As I explained earlier, I would like the opportunity for all seven of us work for all of us to together set dates that work for all of us and that work for the public. You have said no to that, and I am concerned --

SUPERVISOR DESENA: So you're going to give us no dates tonight.

COUNCILMAN TROIANO: No, I'm not, I'm tabling it - -

SUPERVISOR DESENA: So we'll have no dates .

COUNCILMAN TROIANO: I'm tabling it until another time when we can get together and agree on this, but I'm not going to -- I'm not going to -- sorry, Supervisor, I'm not going to be pressured into voting for the dates that only you picked and I was not consulted.

SUPERVISOR DESENA: I gave you notice of these dates two weeks ago. That was ample time for grownups to check their calendars.

COUNCILMAN TROIANO: That you never sought -- you could have just -- you always say, let's work together, well let's do that. So instead of next time you just submit your own dates, let's call and find out. Can you make this date? It's not that hard to do.

SUPERVISOR DESENA: The town attorney asked me for these dates and I gave them to him in August.

COUNCILMAN TROIANO: That may be, but you could have said, Councilmembers, do these dates work for you?

COUNCILMAN ADHAMI: The town board meeting dates aren't run by me, but I'm still here, and all of you are still here. I don't understand the issue, I honestly really don't.

COUNCILMAN TROIANO: I don't understand what you're referring to.

COUNCILMAN ADHAMI: Propose a date, I said propose a date, then.

COUNCILMAN TROIANO: The dates were set before you took office -- for the town board meetings, the dates were set. If you had a problem with any single meeting, David, you could have said that and we could have changed the date, these dates are not set in concrete. So don't act like it's been imposed on you. That's not the case --

COUNCILMAN ADHAMI: If it's something important, I adjust my schedule.

COUNCILMAN TROIANO: In fact, on August 4th, we could have moved the August 4th meeting if the Supervisor had a previous commitment that we didn't know about.

COUNCILMAN ADHAMI: Okay, but this is important and I make my time available. There is a lot of events that I'm not available for, and the important ones I always try to make myself available. I understand if there's a conflict but it seems somewhat odd that four people all have the same conflict.

COUNCILMAN TROIANO: I didn't say there was a conflict; did I? Did you hear me say that?

COUNCILMAN ADHAMI: You said you weren't consulted about the dates.

SUPERVISOR DESENA: Let's go on to the agenda.

SUPERVISOR DESENA: Let me ask you this; have you checked the date, October 12th?

COUNCILMAN TROIANO: Let's just go on, let's go on.

SUPERVISOR DESENA: We are all here, please. We are all here, let's agree on a date. Can you please check October 12th?

COUNCILMAN TROIANO: I'm not able to check, no.

SUPERVISOR DESENA: You're not able to check.

COUNCILMAN WALSH: I guess we all see what's going on around here.

COUNCIL WOMAN LURVEY: So you asked why the four of us voted to table this, speaking for myself, if we haven't agreed on the meeting on the 6th, how can we be on the meeting following it?

COUNCILMAN TROIANO: That's right.

SUPERVISOR DESENA: So we'll have no meetings, let's just surprise the public, we'll give them four days.

COUNCIL WOMAN DALIMONTE: Why don't we just table all of it and work together as a team to get dates, and then on the 28th, we can set all the dates?

SUPERVISOR DESENA: That would be lovely, if, Councilwoman, if we give the public fair notice and we have one hearing every week of October. If we can pick those days, then fine, but it's very important that we have enough time in between the meetings for our staff and the public and all of us to react to what is said at the hearings. We cannot have four hearing dates in the last week before the budget is due, it's just not right. So, if you'll all agree to one day in each of the weeks of October, then I won't have any worry at all that you're trying to hide.

COUNCIL WOMAN DALIMONTE: No one is trying to hide, I'm just saying, why don't we -- tomorrow, we can have all the dates and put it on the town board --

SUPERVISOR DESENA: As long as we have one day in each week of October so that we have time, we have to build this.

COUNCIL WOMAN DALIMONTE: But Supervisor, I ask you to send everyone --we send you -- everyone send an e-mail and then we go through our calendar.

SUPERVISOR DESENA: As long as we commit to doing this orderly and have one hearing each week of October. That will show that you really want to have real work sessions.

COUNCIL WOMAN DALIMONTE: Everyone wants to have work sessions.

COUNCIL WOMAN LURVEY: I want to be ready for work sessions, you keep on saying I don't want to have work sessions, I want to be ready for the work sessions.

SUPERVISOR DESENA: Well we can't have them all in the last week, then. Okay, so I vote - - what was the current vote?

CLERK SRIVASTAVA: Supervisor DeSena, we are waiting for you.

SUPERVISOR DESENA: This is the motion to table? I vote no.

CLERK SRIVASTAVA: Item No. 24, a resolution setting a date for a special meeting of the town board of the Town of North Hempstead for October 18, 2022 at 6:00 p.m.

SUPERVISOR DESENA: I move to amend this date to October 19th.

COUNCILMAN ADHAMI: I second it.

SUPERVISOR DESENA: Call the roll on the motion.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: I vote no on the amendment.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: I vote no on the amendment.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: No.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Yes.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: No.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Yes.

CLERK SRIVASTAVA: Item No. 25 --

SUPERVISOR DESENA: No, now we have to vote on the resolution as written. The amendment failed but we still have to vote on the resolution.

CLERK SRIVASTAVA: Councilman Troiano -- do I have to read the whole thing?

MR. CHIARA: Are you moving for the adoption or is there another motion?

SUPERVISOR DESENA: It's the resolution as written.

CLERK SRIVASTAVA: As written? So I'll just take the vote.

SUPERVISOR DESENA: I think you can just call it.

COUNCILMAN TROIANO: I make a motion to table.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: No.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Yes.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: No.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: No.

CLERK SRIVASTAVA: Item No. 25, a resolution setting a date for a special meeting of the town board of the Town of North Hempstead for November 3, 2022.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: I vote no.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: No.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: No.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: No.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: We're required to vote on this budget. You can't just delay --you can't just refuse to have any dates. We have to vote on this budget.

COUNCILWOMAN LURVEY: Like Councilwoman Dalimonte said, we'll send you dates tomorrow.

COUNCILMAN WALSH: "We'll" send you dates tomorrow?

SUPERVISOR DESENA: You're all working together, the four of you.

COUNCILMAN WALSH: --do you coordinate the dates together or how is that "we'll" send the dates --

COUNCILWOMAN LURVEY: No, David will send dates, Mariann will send dates --

COUNCILMAN WALSH: -- I don't know, you said "we'll" send the dates.

SUPERVISOR DESENA: Okay, I vote aye.

COUNCILWOMAN DALIMONTE: Everyone send dates.

CLERK SRIVASTAVA: Item No. 26 --

COUNCILMAN TROIANO: I'm sorry, I make a motion to table Item 25.

SUPERVISOR DESENA: She hasn't read it. She hasn't even read it, Robert.

COUNCILMAN WALSH: Okay, please read the item.

CLERK SRIVASTAVA: I'm reading Item No. 26 now. A resolution setting a date of October 6, 2022, for a public hearing on the tentative budget of the Town of North Hempstead, together with the budgets of all special improvement districts and the assessment rolls of the Belgrave Water Pollution Control District, the Great Neck Water Pollution Control District and the Port Washington Water Pollution Control District for the year 2023.

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

COUNCILMAN WALSH: I second.

CLERK SRIVASTAVA: Councilman Troiano. Councilman Troiano.

COUNCILMAN TROIANO: Give me a moment, please.

COUNCILWOMAN LURVEY: How does this work, because in 22 we voted no, so there is no --

COUNCILMAN TROIANO: That's what I'm trying to understand.

COUNCILWOMAN LURVEY: -- special meeting, so how could we be voting to set a date for a public hearing when there is no special meeting?

COUNCILMAN ZUCKERMAN: You can't do it, you can't do it.

MR. CHIARA: You can't really do it.

COUNCILMAN TROIANO: I'm sorry?

MR. CHIARA: You can't really do it. You'd be setting a date when there's --a hearing when there is no date.

COUNCILWOMAN LURVEY: So do we just not -- do we skip it?

MR. CHIARA: You still have to vote.

SUPERVISOR DESENA: Go ahead, call the roll, please.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: No.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: No.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: No.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: No, because there's no hearing that date.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item No. 27, a resolution authorizing the town board to accept gifts to the town pursuant to Town Law Section 64.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye, and I want to thank everybody who donated gifts to the town.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: I echo that, thank you for everyone who donated for Funday Monday and National Night Out and the Bench Op.

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. 490 - 2022

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

WHEREAS, Target Corporation has generously offered, as a gift, \$2,500 for youth programs and special events at the "Yes We Can" Community Center; and

WHEREAS, Agewell New York, LLC has generously offered, as a gift, \$300 for the Town's 2022 FunDay Monday events; and

WHEREAS, Joyce Poupko Inc. has generously offered, as a gift, \$300 for the Town's 2022 FunDay Monday events; and

WHEREAS, Loving Care Health Management, LLC has generously offered, as a gift, \$300 for the Town's 2022 FunDay Monday events; and

WHEREAS, Northwell Health has generously offered, as a gift, \$5,000 for the Town's 2022 FunDay Monday events; and

WHEREAS, Oyster Bay Senior Residence DBA Harbor House has generously offered, as a gift, \$300 for the Town's 2022 FunDay Monday events; and

WHEREAS, the Parker Jewish Institute has generously offered, as a gift, \$300 for the Town's 2022 FunDay Monday events; and

WHEREAS, the North Hempstead Housing Authority, the Islamic Center of Long Island, The Littig House, the Nassau County PBA and the UBS Arena generously offered, as a gift, food and refreshments for the Town's National Night Out Events on August 2, 2022; and

WHEREAS, Alpha Kappa Alpha, the National Circus Project, the PW Tennis Academy, PAL and Port Youth Activities generously offered, as a gift, entertainment for the Town's National Night Out Events on August 2, 2022; and

WHEREAS, Target, the National Circus Project, and Deer Park Recycling generously offered, as a gift, giveaways for the Town's National Night Out Events on August 2, 2022; and

WHEREAS, Western Beef has generously offered, as a gift, a \$200 gift card for the Town's National Night Out Events on August 2, 2022; and

WHEREAS, the Roslyn High School Class of 1966 has generously offered, as a gift, \$2,500 for the purchase of a commemorative bench at Gerry Pond Park; and

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

NOW, THEREFORE, BE IT

RESOLVED that this Board hereby gratefully accepts the Gifts.

Dated: Manhasset, New York

September 22, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Comptroller, Parks and Recreation

CLERK SRIVASTAVA: Item No. 28, a resolution authorizing supplemental budget appropriations pursuant to town law section 112.

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

MR. MCDONOUGH: I would have left a long time ago, I appreciate that you moved the employment reso up, but I already filled out the cards, but I do appreciate it, thank you very much. I'll go back to January 6th, you took a bunch of money, threw it over different places and is this is stealing from Peter to pay Paul. I'm glad to see that the \$2,500 went back to Yes We Can Center for the youth of the neighborhood, of the community, because there isn't a lot of youth programs throughout the Town of North Hempstead, there's more senior programs than there are youth, but I do appreciate that. Also, the Town of North Hempstead spends a lot of money on software, there's a thing called Microsoft Teams, maybe we should all get on the same page and start using it and start using our shared calendars, because the confidence level is getting lower, it's really getting lower. Have a good night, thank you.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 491 - 2022

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

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

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

(1) \$2,500.00 to be recorded to revenue line A.3820 with the offsetting expense to be recorded to expense code A.05.7141.4890 for youth programs and special events at the “Yes We Can” Community Center, with the remainder, if any, to be used to support the Department of Parks and Recreation; and

(2) \$2,500.00 to be recorded to revenue line A.2705 with the offsetting expense to be recorded to expense code A.05.7020.4930 for the purpose of procuring a commemorative bench at Gerry Pond Park, with the remainder, if any, to be used to support the Department of Parks and Recreation; and

(3) \$6,500.00 to be recorded to A.2705 with the offsetting expense to be recorded to expense code A.34.6773.4903 for the Town’s 2022 FunDay Monday events, with the remainder, if any, to be used to support the Department of Community Services; and

WHEREAS, the Board wishes to authorize the Supplemental Appropriations.

NOW, THEREFORE, BE IT

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

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

Dated: Manhasset, New York

September 22, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Comptroller, Town Clerk

CLERK SRIVASTAVA: Item No. 29, a resolution authorizing the acceptance of a grant from the New York State Division of Criminal Justice Services Aid to localities 2022-23 program and the taking of related action.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 492 - 2022

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES AID TO LOCALITIES 2022-23 PROGRAM AND THE TAKING OF RELATED ACTION.

WHEREAS, the Town Board (the "Board") of the Town of North Hempstead (the "Town"), is committed to the safety of its residents and seeks to deter gang violence in the Town (the "Project"); and

WHEREAS, a grant from the New York State Division of Criminal Justice Service's Legislative Grant Program is available for youth programs to deter gang involvement and violence through education and enrichment programs to be carried out at the North Hempstead "Yes We Can" Community Center (the "Grant"); and

WHEREAS, the Grant is in the amount of \$5,000; and

WHEREAS, the Grants Coordinator (the "Coordinator") has recommended that the Town accept the grant from the New York State Division of Criminal Justice Service's Legislative Grant Program; and

WHEREAS, this Board wishes to accept the Grant and authorize the execution of an agreement for the Grant.

NOW, THEREFORE, BE IT

RESOLVED that the Town accepts the Grant; and be it further

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

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the Contract Documents in connection with the Project and the Grant.

Dated: Manhasset, New York

September 22, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Comptroller

CLERK SRIVASTAVA: Item No. 30, a resolution authorizing the preparation and submission of an application to the Nassau County Office of Community Development for the 48th program year community development block grant funds.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 493 - 2022

A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF AN APPLICATION TO THE NASSAU COUNTY OFFICE OF COMMUNITY DEVELOPMENT FOR THE 48TH PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

WHEREAS, Nassau County (the "County") and the Town of North Hempstead (the "Town") previously entered into a Cooperative Agreement, as amended, to participate in the Community Development Block Grant ("CDBG") Program administered by the United States Department of Housing and Urban Development (the "Cooperative Agreement"); and

WHEREAS, as a party to the Cooperative Agreement, the Town wishes to make a joint application with the Town Community Development Agency (the "Agency") for up to Seven Hundred Seventy-Eight Thousand and 00/100 Dollars (\$778,000.00) in the CDBG 48th Program Year (the "Application").

NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby authorizes the Town to prepare, in conjunction with the Agency, the Application; and be it further

RESOLVED that the Supervisor or her designee is authorized to execute and submit the Application on behalf of the Town; and be it further

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

Dated: Manhasset, New York

September 22, 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, Exec. Dir. CDA

CLERK SRIVASTAVA: Item No. 31, a resolution authorizing the preparation and submission of a grant application to the Empire State Development's Restore New York Communities Initiative and the taking of related action.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye, and I want to thank Rosemary Olsen and the CDA for all that they do for the Town.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Thank you, Rosemary. 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. 494 - 2022

A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF A GRANT APPLICATION TO THE EMPIRE STATE DEVELOPMENT'S RESTORE NEW YORK COMMUNITIES INITIATIVE AND THE TAKING OF RELATED ACTION.

WHEREAS, New York State Empire Development provides grant funding to units of local government for the revitalization of residential and commercial properties, community development and neighborhood growth through the elimination and redevelopment of blighted structures; and

WHEREAS, the Town of North Hempstead and its Community Development Agency have established a successful program for construction of new, affordable replacement homes on blighted sites, and intend to construct three, 3-bedroom homes for sale to first time homebuyers with incomes of up to 80% of area median income on the sites of these three properties in New Cassel; and

WHEREAS, the Town of North Hempstead and its Community Development Agency (the "Agency") has identified three houses in the hamlet of New Cassel which are vacant and abandoned and could be acquired by the Agency for development (the "Project"); and

WHEREAS, the removal of these blighted homes for replacement with quality, affordable residences is fully consistent with the Town of North Hempstead's "New Cassel Brownfield Opportunity Area, Step 2" revitalization plan, and the "New Cassel Urban Renewable Area" initiative; and

WHEREAS, Restore New York financing assistance would be appropriate for this residential redevelopment project, and will leverage resources including North Hempstead's allocations of HUD Community Development Block Grant, HUD HOME Partnership Assistance Program, New York State Affordable Housing Corporation funding, NYS Brownfield Opportunity Area funding, and U.S. EPA Brownfield grant resources; and

WHEREAS, this residential revitalization project will facilitate an effective and efficient use of existing and future public resources and promote the economic development and preservation of community resources in the hamlet of New Cassel, building upon the Town's established blight removal and affordable housing program and its long-standing brownfield revitalization efforts; and

WHEREAS, the Executive Director of the Agency has recommended that the Town submit an application to the Empire Development Corporation's Restore New York Communities Initiative (the "Application") for a grant in an amount up to One Million Six

Hundred Twenty-Nine Thousand, Seventy-Four and 45/100 Dollars (\$1,629,074.45) (the "Grant"); and

WHEREAS, this Board wishes to authorize the preparation of the Application for the Grant.

NOW, THEREFORE, BE IT

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

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

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Contract Documents in connection with the Project and the Grant.

Dated: Manhasset, New York

September 22, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

CLERK SRIVASTAVA: Item No 32, a resolution authorizing the execution of an agreement with Vita Vending, Inc. D/B/A Healthyvendingny.com for vending services.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 495 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH VITA VENDING, INC. D/B/A HEALTHYVENDINGNY.COM FOR VENDING SERVICES.

WHEREAS, the Town requires a firm to install, maintain, operate and service food and beverage vending machines at various Town facilities (the "Services"); and

WHEREAS, the Director of Purchasing (the "Director") has issued a Request for Proposals for the Services, in response to which the Town received three (3) proposals; and

WHEREAS, having reviewed the proposals and having the proposals scored by a committee, the Director recommended that the Town enter into an agreement with Vita Vending, Inc. d/b/a HealthyVendingNY.com, 2600 Shames Drive, Westbury, New York 11590 (the "Contractor") to provide the Services for a term beginning on September 23, 2022 and ending on September 22, 2025, with the option to renew the agreement for two (2) additional one (1) terms on the same terms and conditions including price, in consideration of payment to the Town of 42.5% of the proceeds generated by the Contractor in performing the Services (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

September 22, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Comptroller

CLERK SRIVASTAVA: Item No. 33, a resolution authorizing the execution of an agreement with Solar Glass Creations, Inc. For the repair of a window at Michael J. Tully Park, New Hyde Park.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 496 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH SOLAR GLASS CREATIONS, INC. FOR THE REPAIR OF A WINDOW AT MICHAEL J. TULLY PARK, NEW HYDE PARK.

WHEREAS, the Town of North Hempstead (the "Town") requires the services of a contractor to repair a window at Michael J. Tully Park, 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, Solar Glass Creations, Inc., 4030 Austin Boulevard, Island Park, New York 11558 ("the Contractor") submitted the lowest quote, proposing to perform the Services in consideration of an amount not to exceed One Thousand Four Hundred Thirty-One and 45/100 Dollars (\$1,431.45) (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, 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 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 22, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Admin Services, Comptroller, Purchasing

CLERK SRIVASTAVA: Item No. 34, a resolution authorizing the execution of an agreement with Archangel Michael Church to operate a feast at North Hempstead Beach Park, Port Washington, New York.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 497 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ARCHANGEL MICHAEL CHURCH TO OPERATE A FEAST AT NORTH HEMPSTEAD BEACH PARK, PORT WASHINGTON, NEW YORK.

WHEREAS, Archangel Michael Greek Orthodox Church has requested a license to use the parking lot at North Hempstead Beach Park, located at 175 West Shore Road, Port Washington, for the purposes of setting up, hosting, and breaking down its Annual Greek Festival, including a fireworks display, from September 19, 2022 through September 26, 2022 in consideration of payment to the Town in an amount of Nine Thousand Three Hundred Twenty Five and 00/100 Dollars (\$9,325.00) (the "License"); and

WHEREAS, the Town Department of Parks and Recreation has recommended granting the License; and

WHEREAS, the Board wishes to grant the License and to authorize the Town to execute an agreement with the Contractor for the License (the "Agreement").

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York

September 22, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Comptroller Parks

CLERK SRIVASTAVA: Item No. 35, a resolution authorizing the execution of an agreement with Northwell Health for flu vaccine distribution at the Port Washington Adult Activity Center, Port Washington.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 498 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH NORTHWELL HEALTH FOR FLU VACCINE DISTRIBUTION AT THE PORT WASHINGTON ADULT ACTIVITY CENTER, PORT WASHINGTON.

WHEREAS, the Town of North Hempstead (the "Town") owns certain property known as the Port Washington Adult Activity Center, 80 Manorhaven Boulevard, Manorhaven, New York (the "Premises"); and

WHEREAS, on behalf of Northwell Health (the "Licensee"), Councilperson Mariann Dalimonte has requested that the Licensee be granted a license to use the Premises to host a flu vaccination distribution (the "Licensed Use") on September 30, 2022 between 8:00am and 3:00pm and to waive the customary fees for use of the Premises as in the interests of the residents of the Town (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 22, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney

CLERK SRIVASTAVA: Item No. 36, a resolution authorizing the execution of an agreement with the law offices of Leventhal, Mullaney & Blinkoff, LLP for legal services.

COUNCILMAN TROIANO: I make a motion to table this item.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: No.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: No.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: You motioned to table it?

COUNCILMAN ZUCKERMAN: Yes.

SUPERVISOR DESENA: Don't you know?

COUNCILWOMAN DALIMONTE: I'm sorry, Councilman Troiano --

COUNCILMAN TROIANO: There's a motion to table it.

COUNCILWOMAN DALIMONTE: To table it, aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: I'm going to ask no, but I'm gonna ask why; why are you moving to table this? This is something we've talked about for months and you asked for more time to consider it. Mr. Leventhal would be a council to our ethics board, he's very well known. He basically wrote the book on ethics, and we're in a situation where our ethics board that's supposed to be rendering decisions, possibly even on us, the town board, town officials, are being advised by the town attorney who also represents us. So I can't understand not going forward with Mr. Leventhal to help the ethics board as we planned. I vote no.

CLERK SRIVASTAVA: Item No. 37, a resolution authorizing the use of an agreement between The New York State Office of General Services and various vendors for floor coverings and related services.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 499 - 2022

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE NEW YORK STATE OFFICE OF GENERAL SERVICES AND VARIOUS VENDORS FOR FLOOR COVERINGS AND RELATED SERVICES.

WHEREAS, the Town of North Hempstead (the "Town") requires the replacement of floor coverings and related services (the "Services"); and

WHEREAS, the New York State Office of General Services awarded contract #PGB23200 entitled "Group 20600- Floor Coverings and Related Services" to various vendors (the "Contractors"); and

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

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

September 22, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Admin Services, Comptroller

CLERK SRIVASTAVA: Item No. 38, a resolution authorizing the use of an agreement between the Town of Huntington and Freeport Marine Supply Co., Inc. for the purchase of marine supplies and equipment.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 500 - 2022

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE TOWN OF HUNTINGTON AND FREEPORT MARINE SUPPLY CO., INC. FOR THE PURCHASE OF MARINE SUPPLIES AND EQUIPMENT.

WHEREAS, the Town of North Hempstead (the "Town") requires the purchase of marine supplies and equipment (the "Services"); and

WHEREAS, the Town of Huntington awarded bid #TOH 21-3R-010 entitled "Marine Supplies" to Freeport Marine Supply Co., Inc., 47 W. Merrick Road, P.O. Box 111, Freeport, New York 11520 (the "Contractor"); and

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

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

September 22, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Admin Services, Comptroller

CLERK SRIVASTAVA: Item No. 39, a resolution amending Resolution No. 216-2022, adopted April 28, 2022, awarding a contract for the installation of awnings at the Clinton G. Martin Park pool, New Hyde Park.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 501 - 2022

A RESOLUTION AMENDING RESOLUTION NO. 216-2022, ADOPTED APRIL 28, 2022, AWARDED A CONTRACT FOR THE INSTALLATION OF AWNINGS AT THE CLINTON G. MARTIN PARK POOL, NEW HYDE PARK.

WHEREAS, pursuant to Resolution No. 216-2022, duly adopted on April 28, 2022 (the "Resolution"), the Town Board authorized the execution of an agreement with Able Awning Co., Inc., 315 Broadway, Bethpage, New York 11714 ("Able"), the vendor submitting the lowest quote, for the installation of two (2) retractable awnings at the lifeguard station at Clinton G. Martin Park in New Hyde Park in consideration of an amount not to exceed Eleven Thousand Five Hundred Fifteen and 00/100 Dollars (\$11,515.00) (the "Services"); and

WHEREAS, subsequent to the Board meeting it became clear that Able was not able to comply with the Town's insurance requirements; and

WHEREAS, it has been requested that the Resolution be amended to authorize the execution of an agreement with Long Island Awnings Corp., 60 Ralph Avenue, Copiague, New York 11726, the vendor submitting the second lowest quote for the Services, in consideration of an amount not to exceed Twelve Thousand Two Hundred Thirty-Six and 00/100 Dollars (\$12,236.00) (the "Amendment" and "Agreement"); and

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

NOW, THEREFORE, BE IT

RESOLVED that the Resolution be and hereby is amended to reflect the Amendment; and be it further

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 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 22, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney

CLERK SRIVASTAVA: Item No. 40, 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.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 502 - 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 for calendar year 2022 (the "Resolution"); and

WHEREAS, the Commissioner of the Department of Services for the Aging has requested that the Resolution be amended to include Raphael Francois, 247 Harrison Avenue, Bethpage, NY 11714, to provide Zumba Gold 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 a term commencing retroactively on September 14, 2022 and terminating December 31, 2022 (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 22, 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 No. 41, a resolution confirming the appointment of Melissa Slobin to the Town of North Hempstead Board of Ethics.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: No.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: No.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: No.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: No.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Melissa Slobin is very well known in the Great Neck community, she's a teacher at Manhasset High School. Her name has been on the agenda for probably five months. We had to go through - - she had to fill out financial disclosure documents even before she could get back on the agenda. We have holdovers still, we have four in holdover status, I cannot understand why you will not consider this fine candidate for the ethics board. No one has come to me in all these months with any concern about her character, her connection to the community. I'm at a total loss as to why you do not take the ethics board seriously. We need an independent ethics board.

COUNCILMAN WALSH: I'm not at a total loss, it's because they don't want the Supervisor to have any kind of anything that's moving forward at all, and as a matter of fact, didn't some members of the ethics board say that they were feeling bad that they were not being asked to say and they asked that question of members of the majority or a member of the majority? Do we have an ethics board that's beholden to the majority here? This is getting to be out of control. This woman should be approved to the ethics board.

COUNCILMAN TROIANO: Supervisor, you made comments, which is fair --

SUPERVISOR DESENA: And I vote aye.

COUNCILMAN TROIANO: -- and Councilman Walsh has already voted and he's making comments on it, taking the opportunity to comment as well. You said, Supervisor, that Ms. Slobin has been on the agenda --

SUPERVISOR DESENA: Can you please call the next resolution?

COUNCILMAN TROIANO: Why can Councilman Walsh --

SUPERVISOR DESENA: Because it's 12:37.

COUNCILMAN TROIANO: Why can Councilman Walsh talk and I can't talk?

SUPERVISOR DESENA: You've been talking all night, Robert. You've had your fair share. You've had more than your fair share.

COUNCILMAN TROIANO: You're not going to shut me up. If you're going to make statements like that, Jen, then I'm going to respond to the. I have been consistent since January that the process you follow did not --was not beholden to the town code and it was the process, not the individuals, so don't make it about Melissa Slobin because it's not about her. It's about your failure to follow the town code.

SUPERVISOR DESENA: The process is that the Supervisor nominates the ethics board.

COUNCILMAN TROIANO: And consultation with the town council, there's been no consultation --

SUPERVISOR DESENA: Exactly, there's been no consultation --

COUNCILMAN TROIANO: -- you're saying I want to do this and you won't let me.

SUPERVISOR DESENA: You're silent all the time. You give me no comments, no suggestions, not a word about Melissa, I've heard nothing except abstain, no, abstain, no, it's a joke, you're not taking your duty seriously.

COUNCILMAN TROIANO: -- work of the town council to come up with nominees, not that you --

SUPERVISOR DESENA: That is not true, the Supervisor nominates the ethics board.

COUNCILMAN TROIANO: With consultation with the board.

SUPERVISOR DESENA: And I have given you her name and resume for five months and you have not said a word to me.

COUNCILMAN TROIANO: That's not consultation.

SUPERVISOR DESENA: Sure it is.

COUNCILMAN TROIANO: No it's not.

SUPERVISOR DESENA: Sure it is.

COUNCILMAN ADHAMI: You've had ample time to consult over the past few months.

SUPERVISOR DESENA: All right, please call the next.

CLERK SRIVASTAVA: Item No. 42, a resolution confirming the appointment of Derek Chan to the Town of North Hempstead Board of Ethics.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: No.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: No.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Yes, absolutely. This person belongs on the ethics board and I think we see what's going on here.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: I have been consistent since these residents have been put on the agenda early this year. In my position that the Board of Ethics, regardless of the fact that, you know, they're now in holdover terms, that they should be staggered, that --

SUPERVISOR DESENA: The terms are staggered, Councilwoman, the terms are staggered already.

COUNCILWOMAN LURVEY: So that means that you would get the opportunity to appoint two at a time, not --

SUPERVISOR DESENA: That is not the way it works.

COUNCILWOMAN LURVEY: That's how a staggered board works. If there was --

SUPERVISOR DESENA: No, they have staggered terms.

COUNCILWOMAN LURVEY: Excuse me, if the terms were staggered, then there would have been two reappointed at the end of last year and there would be two reappointed at this end of this year. What you are doing is trying to replace the entire board with your handpicked people, and I think -- enough of implying that there's some sort of collusion between the majority and the ethics board.

SUPERVISOR DESENA: Just because you vote the same on every single resolution?

COUNCILWOMAN LURVEY: This is different, this is actually impinging the ethics board of the town, people who have served with distinction for decades.

COUNCILMAN WALSH: For 40 years.

COUNCILWOMAN LURVEY: For decades.

COUNCILMAN WALSH: For 40 years.

COUNCILWOMAN LURVEY: Yes.

COUNCILMAN WALSH: 40 years, 25 years, and the reason why I said it --

SUPERVISOR DESENA: By the way, these terms have been approved by the current ethics board, they've reviewed their financial statements and the terms that have been proposed, and they have been approved by the ethics board.

COUNCILWOMAN LURVEY: They reviewed their financial statements and they didn't find anything wrong in their financial statements. This is my vote of no, has nothing to do with these people or their financial statements. I think and I feel badly for them for being put up so often when you know what my position, at least, is, that I believe in replacing them a little bit at a time, not giving you the authority to replace the entire board with your handpicked people. I vote no.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Well said, Councilwoman Lurvey. No.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item No. 43, a resolution confirming the appointment of Francisco Vasquez to the Town of North Hempstead Board of Ethics.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: No.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: No.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Again, yes, and we see what's going on here.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: No.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: No.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: It's my responsibility to provide an independent board of ethics for the town and that is what I've been trying to do. I vote aye.

CLERK SRIVASTAVA: Item No. 44, a resolution authorizing the transfer of funds from the general fund to the Port Washington Public Parking District.

COUNCILMAN ADHAMI: I move to table the item.

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

COUNCILMAN WALSH: Hold on --

SUPERVISOR DESENA: Sorry, Councilman Adhami had a motion on the floor.

COUNCILMAN ADHAMI: I move to table the item, it's the theme of the night.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: No.

COUNCILMAN WALSH: Why not?

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILWOMAN DALIMONTE: What was his motion, I didn't hear him?

COUNCILWOMAN LURVEY: He moved to table the item.

COUNCILMAN ADHAMI: It seems to be the theme of the night; why not?

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: No.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: No.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: This is not a joke, no.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Yes.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: I have no idea why this is being tabled, no.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: No.

CLERK SRIVASTAVA: Item No. 45, a resolution authorizing --

COUNCILWOMAN DALIMONTE: Wait, now you have it to read it. It's voted not to table.

MR. CHIARA: Do you have a motion, Councilwoman Dalimonte?

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Yes.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 503 - 2022

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE PORT WASHINGTON PUBLIC PARKING DISTRICT.

WHEREAS, the American Rescue Plan Act (ARPA) signed into law by the President of the United States in March 2021, provides approximately \$350 billion in financial assistance to state, local and tribal governments to assist in the continued relief from the impact of the Covid-19 pandemic; and

WHEREAS, the Office of the New York State Comptroller (the "State Comptroller") is tasked with disbursing allocated ARPA funding to eligible cities, towns and villages within the state; and

WHEREAS, the Town of North Hempstead received \$10,114,021.27 under the State and Local Fiscal Recovery Fund program approved by the ARPA (the "ARPA Funding") to cover revenue loss in 2020, which funds were accepted by this Board pursuant to Resolution 156-2022, duly adopted on March 31, 2022, and recorded to the General Fund; and

WHEREAS, the Port Washington Public Parking District (the "PWPPD") lost revenue in 2020 due to decreased commuter activity resulting from the COVID-19 pandemic; and

WHEREAS, it has been requested that \$609,365.00 of the ARPA funding received by the Town be transferred to the PWPPD; 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 22, 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: Now we can move on to Item No. 45. A resolution authorizing budgetary transfers for the fiscal year of 2021.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 504 - 2022

A RESOLUTION AUTHORIZING BUDGETARY TRANSFERS FOR THE FISCAL YEAR OF 2021.

WHEREAS, the Town Board has previously adopted the Budget for the Town of North Hempstead for the fiscal year 2021; and

WHEREAS, the Comptroller has requested budgetary transfers from budget lines where appropriations are available to budget lines where funds are required for fiscal year 2021; and

WHEREAS, this Board wishes to approve the requested budgetary transfers.

NOW, THEREFORE BE IT

RESOLVED that the Comptroller be and hereby is authorized to make budgetary transfers, set forth in the reports annexed hereto as Exhibit A, from budget lines where appropriations are available to budget lines where funds are required.

Dated: Manhasset, New York

September 22, 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 of North Hempstead
Budget Eliminations GASB Entry
12/31/2021

Fund	Division	Department	Account Code	Adopted Budget	Budget Amendments	Amended Budget	YTD Transactions	Budget - YTD Transactions	Adjustment Needed	Account
A	01	1621	1200	10,800.00	0.00	10,800.00	3,979.50	6,820.50	(6,820.00)	A.01.1621.1200
A	01	1622	1000	391,698.00	0.00	391,698.00	348,294.60	43,403.40	(43,403.00)	A.01.1622.1000
A	01	1623	1000	28,952.00	0.00	28,952.00	12,653.71	16,298.29	(16,298.00)	A.01.1623.1000
A	01	1624	1000	28,952.00	0.00	28,952.00	12,653.71	16,298.29	(12,178.00)	A.01.1624.1000
A	01	1627	1000	28,952.00	0.00	28,952.00	7,449.26	21,502.74	(21,503.00)	A.01.1627.1000
A	01	1627	4743	3,200.00	(510.00)	2,690.00	468.64	2,221.36	(2,221.00)	A.01.1627.4743
A	01	1628	1000	9,651.00	0.00	9,651.00	4,217.90	5,433.10	(5,433.00)	A.01.1628.1000
A	01	1670	4293	90,000.00	0.00	90,000.00	74,435.69	15,564.31	(14,733.00)	A.01.1670.4293
A	01	1670	4751	70,000.00	(1,850.00)	68,150.00	35,893.20	32,256.80	(18,018.00)	A.01.1670.4751
A	02	6310	4299	3,652.00	2,250.00	5,902.00	5,901.33	0.67	(1.00)	A.02.6310.4299
A	02	6310	4741	3,500.00	0.00	3,500.00	3,379.98	120.02	(120.00)	A.02.6310.4741
A	02	6772	1000	6,000.00	0.00	6,000.00	4,500.00	1,500.00	(1,500.00)	A.02.6772.1000
A	02	7310	1000	168,810.00	0.00	168,810.00	122,669.81	46,140.19	(46,140.00)	A.02.7310.1000
A	02	7310	1200	48,711.00	0.00	48,711.00	31,372.31	17,338.69	(17,339.00)	A.02.7310.1200
A	02	7310	4670	10,000.00	0.00	10,000.00	4,862.67	5,137.33	(796.00)	A.02.7310.4670
A	03	1315	1000	991,273.00	0.00	991,273.00	822,283.39	168,989.61	(52,776.00)	A.03.1315.1000
A	03	1315	4429	207,000.00	(29,173.00)	177,827.00	135,776.00	42,051.00	(30,984.00)	A.03.1315.4429
A	03	1380	4430	20,000.00	0.00	20,000.00	2,410.00	17,590.00	(17,590.00)	A.03.1380.4430
A	03	1950	4993	75,800.00	0.00	75,800.00	46,087.31	29,712.69	(29,713.00)	A.03.1950.4993
A	03	1989	4400	300,000.00	(272,656.00)	27,344.00	0.00	27,344.00	(10,725.00)	A.03.1989.4400
A	04	1310	1000	419,722.00	0.00	419,722.00	363,388.36	56,333.64	(56,334.00)	A.04.1310.1000
A	04	9010	8010	2,685,774.00	0.00	2,685,774.00	2,682,485.00	3,289.00	(3,289.00)	A.04.9010.8010
A	04	9060	8062	376,228.00	0.00	376,228.00	279,104.69	97,123.31	(48,366.00)	A.04.9060.8062
A	05	7020	1200	34,675.00	0.00	34,675.00	28,793.81	5,881.19	(2,368.00)	A.05.7020.1200
A	05	7020	4660	83,000.00	(9,341.00)	73,659.00	57,856.76	15,802.24	(15,802.00)	A.05.7020.4660
A	05	7110	1200	35,000.00	(3,116.00)	31,884.00	29,276.89	2,607.11	(2,607.00)	A.05.7110.1200
A	05	7110	1400	1,000.00	0.00	1,000.00	670.55	329.45	(329.00)	A.05.7110.1400
A	05	7110	4210	8,834.00	8,834.00	12,834.00	12,833.06	0.94	(1.00)	A.05.7110.4210
A	05	7110	4740	3,000.00	2,487.00	5,487.00	4,075.05	1,411.95	(1,412.00)	A.05.7110.4740
A	05	7110	4743	14,000.00	1,836.00	15,836.00	14,875.42	960.58	(961.00)	A.05.7110.4743
A	05	7110	4930	25,000.00	5,931.00	30,931.00	29,152.68	1,778.32	(1,778.00)	A.05.7110.4930
A	05	7111	1200	200,000.00	(16,091.00)	183,909.00	137,750.07	46,158.93	(46,159.00)	A.05.7111.1200
A	05	7111	1400	2,500.00	0.00	2,500.00	186.85	2,313.15	(2,313.00)	A.05.7111.1400
A	05	7111	4210	50,000.00	4,994.00	54,994.00	54,448.49	545.51	(546.00)	A.05.7111.4210
A	05	7111	4220	30,000.00	0.00	30,000.00	26,656.56	3,343.44	(3,343.00)	A.05.7111.4220
A	05	7111	4680	6,000.00	(3,608.00)	2,392.00	2,391.48	0.52	(1.00)	A.05.7111.4680
A	05	7111	4740	20,000.00	(3,138.00)	16,862.00	15,864.29	997.71	(998.00)	A.05.7111.4740
A	05	7111	4743	40,000.00	(689.00)	39,311.00	36,668.30	2,642.70	(2,643.00)	A.05.7111.4743
A	05	7111	4752	5,000.00	(4,329.00)	671.00	558.00	113.00	(113.00)	A.05.7111.4752
A	05	7111	4753	30,000.00	(4,108.00)	25,892.00	24,569.43	1,322.57	(1,323.00)	A.05.7111.4753
A	05	7111	4890	154,000.00	110,199.00	264,199.00	242,265.34	21,933.66	(21,934.00)	A.05.7111.4890
A	05	7111	4902	20,000.00	0.00	20,000.00	17,674.39	2,325.61	(2,326.00)	A.05.7111.4902
A	05	7111	4909	10,000.00	(5,931.00)	4,069.00	3,749.00	320.00	(320.00)	A.05.7111.4909
A	05	7111	4930	42,500.00	55,141.00	97,641.00	84,696.87	12,944.13	(12,944.00)	A.05.7111.4930
A	05	7111	8410	102,000.00	0.00	102,000.00	90,089.26	11,910.74	(11,911.00)	A.05.7111.8410
A	05	7112	1200	44,854.00	(9,200.00)	35,654.00	7,680.64	27,973.36	(27,973.00)	A.05.7112.1200
A	05	7112	4743	4,000.00	11,869.00	15,869.00	15,048.23	820.77	(821.00)	A.05.7112.4743
A	05	7136	4930	6,000.00	(1,564.00)	4,436.00	3,217.73	1,218.27	(1,218.00)	A.05.7136.4930
A	05	7141	1000	584,022.00	36,286.00	620,308.00	551,753.18	68,554.82	(68,555.00)	A.05.7141.1000

Fund	Division	Department	Account Code	Adopted Budget	Budget Amendments	Amended Budget	YTD Transactions	Budget - YTD Transactions	Adjustment Needed	Account
A	05	7141	1200	496,360.00	(67,261.00)	429,099.00	415,252.73	13,846.27	(13,846.00)	A.05.7141.1200
A	05	7181	1000	915,229.00	0.00	915,229.00	848,487.41	66,741.59	(66,742.00)	A.05.7181.1000
A	05	7181	1200	665,000.00	(147,422.00)	517,578.00	469,369.91	48,208.09	(48,208.00)	A.05.7181.1200
A	05	7181	1400	15,500.00	0.00	15,500.00	11,244.88	4,255.12	(4,255.00)	A.05.7181.1400
A	05	7181	4220	70,000.00	0.00	70,000.00	46,567.65	23,342.35	(23,342.00)	A.05.7181.4220
A	05	7181	4680	8,500.00	0.00	8,500.00	8,041.01	458.99	(459.00)	A.05.7181.4680
A	05	7181	4740	10,000.00	0.00	10,000.00	9,340.00	660.00	(660.00)	A.05.7181.4740
A	05	7181	4743	30,000.00	1,088.00	31,088.00	29,668.21	1,419.79	(1,420.00)	A.05.7181.4743
A	05	7181	4753	40,000.00	(26.00)	39,974.00	34,917.00	5,057.00	(5,057.00)	A.05.7181.4753
A	05	7181	4930	75,000.00	(23,036.00)	51,964.00	44,520.69	7,443.31	(7,443.00)	A.05.7181.4930
A	05	7181	8410	400,000.00	(19,871.00)	380,129.00	296,597.23	83,531.77	(83,532.00)	A.05.7181.8410
A	05	7182	1000	420,025.00	0.00	420,025.00	407,133.33	12,891.67	(12,892.00)	A.05.7182.1000
A	05	7182	1300	32,000.00	0.00	32,000.00	29,005.94	2,994.06	(2,994.00)	A.05.7182.1300
A	05	7182	1400	2,200.00	0.00	2,200.00	345.76	1,854.24	(1,854.00)	A.05.7182.1400
A	05	7182	4220	21,000.00	0.00	21,000.00	16,641.84	4,358.16	(4,358.00)	A.05.7182.4220
A	05	7182	4680	32,000.00	1,052.00	33,052.00	33,051.44	0.56	(1.00)	A.05.7182.4680
A	05	7182	4740	15,000.00	(750.00)	14,250.00	13,739.91	510.09	(510.00)	A.05.7182.4740
A	05	7182	4743	28,500.00	(4,829.00)	23,671.00	22,396.35	1,274.65	(1,275.00)	A.05.7182.4743
A	05	7182	4753	11,000.00	7,152.00	18,152.00	12,315.05	5,836.95	(5,837.00)	A.05.7182.4753
A	05	7182	4930	14,000.00	850.00	14,850.00	11,404.05	3,445.95	(3,446.00)	A.05.7182.4930
A	05	7183	1000	724,335.00	0.00	724,335.00	701,534.87	22,800.13	(22,800.00)	A.05.7183.1000
A	05	7183	1200	230,000.00	0.00	230,000.00	193,480.63	36,519.37	(36,519.00)	A.05.7183.1200
A	05	7183	1400	2,500.00	0.00	2,500.00	58.87	2,441.13	(2,441.00)	A.05.7183.1400
A	05	7183	4210	24,000.00	10,636.00	34,636.00	34,635.40	0.60	(1.00)	A.05.7183.4210
A	05	7183	4220	12,000.00	0.00	12,000.00	10,298.17	1,701.83	(1,702.00)	A.05.7183.4220
A	05	7183	4743	43,000.00	(1,436.00)	41,564.00	39,257.26	2,306.74	(2,307.00)	A.05.7183.4743
A	05	7183	4753	16,000.00	6,512.00	22,512.00	21,703.51	808.49	(808.00)	A.05.7183.4753
A	05	7183	4930	11,000.00	18,145.00	29,145.00	26,002.28	3,142.72	(3,143.00)	A.05.7183.4930
A	05	7183	8410	105,000.00	0.00	105,000.00	93,723.30	11,276.70	(11,277.00)	A.05.7183.8410
A	05	7184	4753	4,000.00	3,368.00	7,368.00	7,304.94	63.06	(63.00)	A.05.7184.4753
A	05	7184	4930	14,580.00	5,000.00	19,580.00	19,359.19	220.81	(221.00)	A.05.7184.4930
A	05	7185	1000	487,891.00	0.00	487,891.00	471,368.75	16,522.25	(16,522.00)	A.05.7185.1000
A	05	7185	1400	1,000.00	0.00	1,000.00	221.97	778.03	(778.00)	A.05.7185.1400
A	05	7185	4680	7,000.00	3,365.00	10,365.00	10,364.40	0.60	(1.00)	A.05.7185.4680
A	05	7185	4740	4,000.00	4,825.00	8,825.00	8,310.65	514.35	(514.00)	A.05.7185.4740
A	05	7185	4743	6,000.00	14,206.00	20,206.00	19,936.49	269.51	(270.00)	A.05.7185.4743
A	05	7185	4753	5,000.00	6,441.00	11,441.00	11,440.36	0.64	(1.00)	A.05.7185.4753
A	05	7185	4930	5,000.00	2,070.00	7,070.00	6,794.45	275.55	(276.00)	A.05.7185.4930
A	05	7200	4970	7,000.00	4,115.00	11,115.00	10,839.01	275.99	(276.00)	A.05.7200.4970
A	05	7991	4261	100,000.00	24,442.00	124,442.00	122,805.15	1,636.85	(1,593.00)	A.05.7991.4261
A	05	7991	4670	40,000.00	(750.00)	39,250.00	33,918.52	5,331.48	(5,331.00)	A.05.7991.4670
A	05	7993	4999	5,000.00	(2,031.00)	2,969.00	1,095.00	1,874.00	(1,340.00)	A.05.7993.4999
A	06	3010	4010	1,120.00	(729.00)	391.00	121.01	269.99	(270.00)	A.06.3010.4010
A	06	3010	4450	2,400.00	1,475.00	3,875.00	3,771.04	103.96	(104.00)	A.06.3010.4450
A	06	3010	4715	500.00	0.00	500.00	35.00	465.00	(465.00)	A.06.3010.4715
A	06	3010	4741	640.00	0.00	640.00	431.01	208.99	(209.00)	A.06.3010.4741
A	06	3010	4970	1,300.00	(746.00)	554.00	553.32	0.68	(1.00)	A.06.3010.4970
A	06	3510	1000	610,191.00	0.00	610,191.00	598,284.60	11,906.40	(11,906.00)	A.06.3510.1000
A	06	3510	1200	45,000.00	(11,000.00)	34,000.00	30,963.27	3,036.73	(3,037.00)	A.06.3510.1200
A	06	3510	1300	20,000.00	(1,500.00)	18,500.00	16,603.19	1,896.81	(1,897.00)	A.06.3510.1300

Fund	Division	Department	Account Code	Adopted Budget	Budget Amendments	Amended Budget	YTD Transactions	Budget - YTD Transactions	Adjustment Needed	Account
A	06	3985	4210	1,700.00	2,000.00	3,700.00	1,395.63	2,304.37	(148.00)	A.06.3985.4210
A	06	3989	1200	110,795.00	21,942.00	132,737.00	127,896.07	4,840.93	(1,104.00)	A.06.3989.1200
A	06	3990	4670	2,400.00	480.00	2,880.00	2,799.27	80.73	(81.00)	A.06.3990.4670
A	06	3990	4715	0.00	500.00	500.00	107.00	393.00	(393.00)	A.06.3990.4715
A	06	3990	4752	4,000.00	(800.00)	3,200.00	2,879.45	320.55	(321.00)	A.06.3990.4752
A	06	3990	4930	11,000.00	0.00	11,000.00	10,864.00	136.00	(136.00)	A.06.3990.4930
A	07	1440	1000	477,318.00	0.00	477,318.00	379,854.28	97,463.72	(97,464.00)	A.07.1440.1000
A	07	1440	1300	7,000.00	0.00	7,000.00	1,459.67	5,540.33	(5,540.00)	A.07.1440.1300
A	07	1440	4429	91,000.00	108,200.00	199,200.00	133,630.97	65,569.03	(65,569.00)	A.07.1440.4429
A	07	1490	1000	265,927.00	(60,000.00)	205,927.00	149,994.76	55,932.24	(55,932.00)	A.07.1490.1000
A	09	1330	1200	125,000.00	(15,754.00)	109,246.00	88,551.27	20,694.73	(20,695.00)	A.09.1330.1200
A	09	1330	1300	15,000.00	0.00	15,000.00	11,449.73	3,550.27	(3,550.00)	A.09.1330.1300
A	09	1330	4010	27,500.00	0.00	27,500.00	21,136.60	6,363.40	(6,363.00)	A.09.1330.4010
A	09	1330	4020	1,600.00	0.00	1,600.00	0.00	1,600.00	(1,600.00)	A.09.1330.4020
A	09	1330	4030	25.00	0.00	25.00	0.00	25.00	(25.00)	A.09.1330.4030
A	09	1330	4410	2,500.00	0.00	2,500.00	2,184.00	316.00	(316.00)	A.09.1330.4410
A	09	1330	4429	85,000.00	15,754.00	100,754.00	94,298.89	6,455.11	(6,455.00)	A.09.1330.4429
A	09	1330	4450	1,500.00	0.00	1,500.00	513.00	987.00	(987.00)	A.09.1330.4450
A	09	1330	4751	6,000.00	0.00	6,000.00	4,535.18	1,464.82	(1,465.00)	A.09.1330.4751
A	10	1220	1200	2,500.00	30,000.00	32,500.00	28,232.00	4,268.00	(4,268.00)	A.10.1220.1200
A	10	1220	4040	1,500.00	0.00	1,500.00	673.63	826.37	(826.00)	A.10.1220.4040
A	10	1220	4450	13,000.00	0.00	13,000.00	5,627.40	7,372.60	(7,373.00)	A.10.1220.4450
A	10	1220	4740	500.00	0.00	500.00	0.00	500.00	(500.00)	A.10.1220.4740
A	10	1341	1000	182,466.00	(30,000.00)	152,466.00	124,990.87	27,475.13	(477.00)	A.10.1341.1000
A	10	1345	1300	4,000.00	0.00	4,000.00	1,455.75	2,544.25	(2,544.00)	A.10.1345.1300
A	10	1345	4410	12,000.00	0.00	12,000.00	7,388.00	4,612.00	(4,612.00)	A.10.1345.4410
A	10	1345	4450	750.00	0.00	750.00	0.00	750.00	(750.00)	A.10.1345.4450
A	11	1420	1000	972,072.00	0.00	972,072.00	956,239.24	15,832.76	(15,833.00)	A.11.1420.1000
A	11	1420	1200	13,000.00	0.00	13,000.00	0.00	13,000.00	(13,000.00)	A.11.1420.1200
A	11	1420	4429	400,000.00	4,588.00	404,588.00	238,967.92	165,620.08	(165,620.00)	A.11.1420.4429
A	12	1010	1200	44,000.00	0.00	44,000.00	5,245.75	38,754.25	(17,655.00)	A.12.1010.1200
A	13	1410	1200	75,000.00	(7,000.00)	68,000.00	51,330.93	16,669.07	(16,180.00)	A.13.1410.1200
A	15	1481	1000	371,366.00	(2,000.00)	369,366.00	354,000.92	15,365.08	(15,365.00)	A.15.1481.1000
A	15	1481	1200	10,000.00	0.00	10,000.00	6,259.75	3,740.25	(3,740.00)	A.15.1481.1200
A	15	1481	1300	5,000.00	0.00	5,000.00	43.20	4,956.80	(4,957.00)	A.15.1481.1300
A	16	8189	4970	37,000.00	0.00	37,000.00	22,591.07	14,408.93	(14,409.00)	A.16.8189.4970
A	26	1460	1200	35,000.00	0.00	35,000.00	16,395.39	18,604.61	(18,605.00)	A.26.1460.1200
A	27	1680	1200	73,170.00	0.00	73,170.00	71,037.14	2,132.86	(2,133.00)	A.27.1680.1200
A	27	1680	4010	500.00	0.00	500.00	490.79	9.21	(9.00)	A.27.1680.4010
A	27	1680	4054	555,808.00	61,054.00	616,862.00	607,657.87	9,204.13	(9,204.00)	A.27.1680.4054
A	27	1680	4060	25,000.00	5,200.00	30,200.00	25,083.21	5,116.79	(5,117.00)	A.27.1680.4060
A	27	1680	4063	78,950.00	(5,200.00)	73,750.00	73,686.86	63.14	(63.00)	A.27.1680.4063
A	27	1680	4190	278,700.00	39,465.00	318,165.00	313,705.77	4,459.23	(4,459.00)	A.27.1680.4190
A	27	1680	4221	30,636.00	1,000.00	31,636.00	31,625.85	10.15	(10.00)	A.27.1680.4221
A	27	1680	4222	175,460.00	(5,442.00)	170,018.00	162,099.98	7,918.02	(7,918.00)	A.27.1680.4222
A	27	1680	4429	5,000.00	0.00	5,000.00	3,148.75	1,851.25	(1,851.00)	A.27.1680.4429
A	27	1680	4450	2,100.00	(1,000.00)	1,100.00	0.00	1,100.00	(1,100.00)	A.27.1680.4450
A	30	1480	1200	235,000.00	0.00	235,000.00	222,548.13	12,451.87	(12,452.00)	A.30.1480.1200
A	30	1480	4040	2,000.00	0.00	2,000.00	1,244.93	755.07	(755.00)	A.30.1480.4040
A	30	1480	4930	5,868.00	0.00	5,868.00	5,762.19	105.81	(106.00)	A.30.1480.4930

Fund	Division	Department	Account Code	Adopted Budget	Budget Amendments	Amended Budget	YTD Transactions	Budget - YTD Transactions	Adjustment Needed	Account
A	34	6773	1000	768,976.00	0.00	768,976.00	762,475.03	6,500.97	(6,501.00)	A.34.6773.1000
A	34	6773	1200	26,832.00	0.00	26,832.00	24,129.93	2,702.07	(2,702.00)	A.34.6773.1200
A	34	6773	4429	619,026.00	0.00	619,026.00	503,060.01	115,965.99	(115,966.00)	A.34.6773.4429
A	34	6773	4460	52,695.00	(4,750.00)	47,945.00	14,130.00	33,815.00	(33,815.00)	A.34.6773.4460
A	34	6773	6789	8,000.00	0.00	8,000.00	4,721.31	3,278.69	(2,107.00)	A.34.6773.6789
A			4930	0.00	0.00	0.00	(20,238.44)	20,238.44	(1.00)	A.4930
A			9901	0.00	617,437.00	617,437.00	617,436.03	0.97	(288.00)	A.9901
B	00	9999	4200	400.00	(1.00)	399.00	111.00	288.00	(288.00)	B.00.9999.4200
B	04	9010	8010	857,463.00	0.00	857,463.00	852,463.00	5,000.00	(2,846.00)	B.04.9010.8010
B	04	9030	1980	14,000.00	0.00	14,000.00	13,264.00	736.00	(736.00)	B.04.9030.1980.4
B	04	9040	8040	218,613.00	8,320.00	226,933.00	217,386.24	9,546.76	(9,547.00)	B.04.9040.8040
B	04	9050	8050	5,000.00	0.00	5,000.00	5,000.00	0.00	(5,000.00)	B.04.9050.8050
B	04	9055	8055	200.00	0.00	200.00	0.00	200.00	(200.00)	B.04.9055.8055
B	04	9060	8062	109,975.00	(23,000.00)	86,975.00	85,720.61	1,254.39	(1,254.00)	B.04.9060.8062
B	04	9060	8063	7,000.00	(570.00)	6,430.00	6,360.81	69.19	(69.00)	B.04.9060.8063
B	06	3120	1200	45,000.00	0.00	45,000.00	18,882.67	26,117.33	(9,053.00)	B.06.3120.1200
B	06	3625	1300	5,000.00	5,000.00	10,000.00	5,268.72	4,731.28	(2,795.00)	B.06.3625.1300
B	13	4020	4010	6,000.00	100.00	6,100.00	6,081.35	18.65	(19.00)	B.13.4020.4010
B	13	4020	4040	1,000.00	0.00	1,000.00	793.47	206.53	(210.00)	B.13.4020.4040
B	13	4020	4054	2,500.00	(200.00)	2,300.00	2,258.00	42.00	(42.00)	B.13.4020.4054
B	13	4020	4751	2,000.00	550.00	2,550.00	2,375.36	174.64	(175.00)	B.13.4020.4751
B	31	8020	1000	910,862.00	0.00	910,862.00	819,781.57	91,080.43	(91,080.00)	B.31.8020.1000
B	31	8020	4429	0.00	118,050.00	118,050.00	9,074.99	108,975.01	(106,112.00)	B.31.8020.4429.003
B	31	8030	4429	0.00	13,500.00	13,500.00	13,012.50	487.50	(487.00)	B.31.8030.4429
B	32	8010	1200	68,620.00	0.00	68,620.00	67,692.17	927.83	(928.00)	B.32.8010.1200
B	32	8010	4380	20,000.00	14,000.00	34,000.00	27,573.73	6,426.27	(1,265.00)	B.32.8010.4380
B	33	3620	1300	5,000.00	0.00	5,000.00	0.00	5,000.00	(5,000.00)	B.33.3620.1300
B	33	3620	4010	1,000.00	0.00	1,000.00	741.75	258.25	(258.00)	B.33.3620.4010
B	33	3620	4030	200.00	0.00	200.00	0.00	200.00	(200.00)	B.33.3620.4030
B	33	3620	4040	8,000.00	0.00	8,000.00	6,436.07	1,563.93	(1,564.00)	B.33.3620.4040
B	33	3620	4670	12,000.00	6,200.00	18,200.00	18,195.61	4.39	(4.00)	B.33.3620.4670
B	33	3620	4752	1,000.00	0.00	1,000.00	0.00	1,000.00	(1,000.00)	B.33.3620.4752
B	33	3621	4010	100.00	0.00	100.00	96.85	3.15	(3.00)	B.33.3621.4010
B	33	3621	4299	50.00	0.00	50.00	0.00	50.00	(50.00)	B.33.3621.4299
B	33	3621	4450	3,000.00	(2,667.00)	333.00	0.00	333.00	(333.00)	B.33.3621.4450
B	33	3621	4660	10,000.00	0.00	10,000.00	5,843.90	4,156.10	(4,156.00)	B.33.3621.4660
B	33	3621	4715	4,000.00	(3,105.00)	895.00	816.75	78.25	(78.00)	B.33.3621.4715
B	33	3621	4752	10,000.00	10,704.00	20,704.00	20,286.69	417.31	(417.00)	B.33.3621.4752
B	33	3621	4970	1,000.00	(163.00)	837.00	460.00	377.00	(377.00)	B.33.3621.4970
B	33	3622	1200	40,000.00	0.00	40,000.00	8,356.25	31,643.75	(31,644.00)	B.33.3622.1200
B	33	3622	1300	100,000.00	0.00	100,000.00	45,809.09	53,190.91	(53,191.00)	B.33.3622.1300
B	33	3622	4010	1,100.00	0.00	1,100.00	465.00	635.00	(635.00)	B.33.3622.4010
B	33	3622	4030	100.00	0.00	100.00	0.00	100.00	(100.00)	B.33.3622.4030
B	33	3622	4040	100.00	0.00	100.00	0.00	100.00	(100.00)	B.33.3622.4040
B	33	3622	4751	100.00	0.00	100.00	0.00	100.00	(100.00)	B.33.3622.4751
B	33	3623	1300	500.00	0.00	500.00	188.09	311.91	(312.00)	B.33.3623.1300
B	33	3623	4010	50.00	0.00	50.00	0.00	50.00	(50.00)	B.33.3623.4010
B	33	3623	4080	50.00	0.00	50.00	0.00	50.00	(50.00)	B.33.3623.4080
B	33	3623	4751	50.00	0.00	50.00	0.00	50.00	(50.00)	B.33.3623.4751
B	33	3623	4970	200.00	0.00	200.00	0.00	200.00	(200.00)	B.33.3623.4970

Fund	Division	Department	Account Code	Adopted Budget	Budget Amendments	Amended Budget	YTD Transactions	Budget - YTD Transactions	Adjustment Needed	Account
B	33	3626	4010	50.00	0.00	50.00	0.00	0.00	(50.00)	B.33.3626.4010
B			9736	48,383.00	0.00	48,383.00	0.00	48,383.00	(204.00)	B.9736
B			9901	0.00	349,582.00	349,582.00	349,581.22	0.78	(1.00)	B.9901.200
CL	08	8161	1200	39,000.00	0.00	39,000.00	5,812.50	33,187.50	(33,187.00)	CL.08.8161.1200
CL	08	8161	4040	3,000.00	500.00	3,500.00	1,831.83	1,668.17	(1,669.00)	CL.08.8161.4040
CL	08	8161	4200	440.00	0.00	440.00	125.00	315.00	(315.00)	CL.08.8161.4200
CL	08	8161	4380	800.00	0.00	800.00	481.25	318.75	(319.00)	CL.08.8161.4380
CL	08	8161	4410	1,500.00	0.00	1,500.00	1,260.00	240.00	(240.00)	CL.08.8161.4410
CL	08	8161	4450	1,500.00	0.00	1,500.00	592.98	907.02	(907.00)	CL.08.8161.4450
CL	08	8161	4524	3,000.00	0.00	3,000.00	2,160.00	840.00	(840.00)	CL.08.8161.4524
CL	08	8161	4660	8,000.00	0.00	8,000.00	3,072.74	4,927.26	(4,927.00)	CL.08.8161.4660
CL	08	8161	4670	18,700.00	0.00	18,700.00	16,953.03	1,746.97	(1,747.00)	CL.08.8161.4670
CL	08	8161	4970	5,000.00	4,500.00	9,500.00	8,481.93	1,018.07	(1,018.00)	CL.08.8161.4970
CL	08	8162	4930	298,600.00	(144,050.00)	154,550.00	154,535.89	14.11	(14.00)	CL.08.8162.4930
CL	08	8162	8410	32,000.00	10,000.00	42,000.00	39,342.33	2,657.67	(2,658.00)	CL.08.8162.8410
CL	08	8163	1000	176,677.00	0.00	176,677.00	129,213.44	47,463.56	(47,464.00)	CL.08.8163.1000
CL	08	8163	4210	5,000.00	0.00	5,000.00	4,666.97	333.03	(333.00)	CL.08.8163.4210
CL	08	8163	4685	35,000.00	(16,920.00)	18,080.00	13,366.68	4,713.32	(4,713.00)	CL.08.8163.4685
CL	08	8163	4743	20,000.00	1,500.00	21,500.00	18,048.83	3,451.17	(3,451.00)	CL.08.8163.4743
CL	08	8163	4753	25,000.00	2,000.00	27,000.00	17,139.82	9,860.18	(9,860.00)	CL.08.8163.4753
CL	08	8163	8410	30,000.00	0.00	30,000.00	22,522.34	7,477.66	(7,478.00)	CL.08.8163.8410
CL	08	8164	4933	775,116.00	0.00	775,116.00	651,611.81	123,504.19	(123,504.00)	CL.08.8164.4933.001
CL	08	8164	4934	1,787,208.00	0.00	1,787,208.00	1,748,680.16	38,527.84	(38,528.00)	CL.08.8164.4934
CL	08	8164	8410	36,300.00	0.00	36,300.00	31,110.92	5,189.08	(5,189.00)	CL.08.8164.8410
CL	08	8165	4010	500.00	0.00	500.00	0.00	500.00	(500.00)	CL.08.8165.4010
CL	08	8165	4220	2,000.00	0.00	2,000.00	1,367.52	632.48	(632.00)	CL.08.8165.4220
CL	08	8165	4740	1,000.00	0.00	1,000.00	944.95	55.05	(55.00)	CL.08.8165.4740
CL	08	8165	4743	0.00	1,200.00	1,200.00	0.00	1,200.00	(1,200.00)	CL.08.8165.4743
CL	08	8165	4753	15,000.00	7,470.00	22,470.00	21,404.78	1,065.22	(1,065.00)	CL.08.8165.4753
CL	08	8167	1200	20,000.00	(17,000.00)	3,000.00	0.00	3,000.00	(3,000.00)	CL.08.8167.1200
CL	08	8167	4740	5,000.00	0.00	5,000.00	44.54	4,955.46	(4,955.00)	CL.08.8167.4740
CL	08	8167	4743	10,000.00	0.00	10,000.00	9,978.50	21.50	(21.00)	CL.08.8167.4743
CL	08	8167	4752	8,000.00	0.00	8,000.00	6,657.88	1,342.12	(1,342.00)	CL.08.8167.4752
CL	08	8167	4753	22,000.00	(3,100.00)	18,900.00	13,085.86	5,814.14	(5,814.00)	CL.08.8167.4753
CL	08	8168	4670	2,000.00	0.00	2,000.00	408.00	1,592.00	(1,592.00)	CL.08.8168.4670
CL	08	8168	4740	5,000.00	0.00	5,000.00	4,896.18	103.82	(104.00)	CL.08.8168.4740
CL	08	8168	4752	15,000.00	3,100.00	18,100.00	16,948.58	1,151.42	(1,151.00)	CL.08.8168.4752
CL			4200	600.00	0.00	600.00	0.00	600.00	(600.00)	CL.4200
CL			8040	15,160.00	92,042.00	107,202.00	95,171.92	12,030.08	(12,030.00)	CL.8040
CL			8040	0.00	452.00	452.00	451.21	0.79	(1.00)	CL.8040.002
CL			8062	19,500.00	(100.00)	19,400.00	19,110.89	289.11	(289.00)	CL.8062
CL			8063	1,344.00	100.00	1,444.00	1,423.20	20.80	(21.00)	CL.8063
DA	04	9060	8062	151,648.00	0.00	151,648.00	92,449.84	59,198.16	(27,037.00)	DA.04.9060.8062
DA	07	5117	1000	3,879,334.00	0.00	3,879,334.00	3,837,841.28	41,492.72	(41,493.00)	DA.07.5117.1000
DA	07	5117	4220	12,000.00	0.00	12,000.00	6,909.93	5,090.07	(5,090.00)	DA.07.5117.4220
DA	07	5117	4740	12,000.00	0.00	12,000.00	4,631.41	7,368.59	(7,369.00)	DA.07.5117.4740
DA	07	5117	4743	9,000.00	0.00	9,000.00	8,628.96	371.04	(371.00)	DA.07.5117.4743
DA	07	5117	4752	1,000.00	0.00	1,000.00	0.00	1,000.00	(1,000.00)	DA.07.5117.4752
DA	07	5146	1000	887,997.00	0.00	887,997.00	713,801.47	174,195.53	(15,643.00)	DA.07.5146.1000
DA	07	5221	4743	60,000.00	0.00	60,000.00	50,540.03	9,459.97	(9,460.00)	DA.07.5221.4743

Fund	Division	Department	Account Code	Adopted Budget	Budget Amendments	Amended Budget	YTD Transactions	Budget - YTD Transactions	Adjustment Needed	Account
DA	07	5221	4744	30,000.00	0.00	30,000.00	27,626.27	2,373.73	(864.00)	DA.07.5221.4744
DA	07	5221	4753	20,000.00	0.00	20,000.00	17,974.28	2,025.72	(2,026.00)	DA.07.5221.4753
DA	07	5221	4780	130,000.00	0.00	130,000.00	97,020.17	32,979.83	(32,980.00)	DA.07.5221.4780
DA	07	5221	4930	15,000.00	0.00	15,000.00	13,800.00	1,200.00	(1,200.00)	DA.07.5221.4930
DA	07	5222	1000	375,304.00	0.00	375,304.00	275,656.02	99,647.98	(60,921.00)	DA.07.5222.1000
DA	07	5225	1200	245,000.00	0.00	245,000.00	137,010.46	107,989.54	(107,990.00)	DA.07.5225.1200
DA	07	5225	9901	0.00	432,294.00	432,294.00	432,293.44	0.56	(1.00)	DA.9901.200
DA	07	5225	9901	4,867,226.00	0.00	4,867,226.00	4,848,195.42	19,030.58	(19,031.00)	DA.9901.716
DA	07	5225	9901	1,601,059.00	0.00	1,601,059.00	1,598,799.37	2,259.63	(2,260.00)	DA.9901.717
DA	07	5225	4261	15,850.00	0.00	15,850.00	15,333.84	516.16	(516.00)	SF121.4261
SF121			4400	10,000.00	0.00	10,000.00	0.00	10,000.00	(10,000.00)	SF121.4400
SF121			4935	0.00	0.00	0.00	0.00	0.00	(170,486.00)	SF121.4935.007
SF123			4400	3,000.00	0.00	3,000.00	0.00	3,000.00	(1,874.00)	SF123.4400
SF123			4935	0.00	0.00	0.00	0.00	0.00	(37,679.00)	SF123.4935.007
SF124			4935	0.00	0.00	0.00	0.00	0.00	(29,027.00)	SF124.4935.007
SF125			4935	425,238.00	0.00	425,238.00	407,603.00	17,635.00	(13,590.00)	SF125.4935.004
SF126			4261	54,350.00	0.00	54,350.00	52,608.33	1,741.67	(1,742.00)	SF126.4261
SF126			4400	5,000.00	0.00	5,000.00	0.00	5,000.00	(5,000.00)	SF126.4400
SF126			4935	0.00	0.00	0.00	0.00	0.00	(127,058.00)	SF126.4935.007
SF127			4261	35,200.00	(384.00)	34,816.00	34,077.84	738.16	(738.00)	SF127.4261
SF127			4935	0.00	0.00	0.00	0.00	0.00	(55,250.00)	SF127.4935.007
SL014			8035	350.00	0.00	350.00	91.23	258.77	(259.00)	SL014.8035
SL014			8040	490.00	0.00	490.00	226.50	263.50	(263.00)	SL014.8040
SL014			8040	15.00	0.00	15.00	11.28	3.72	(4.00)	SL014.8040.002
SL014			8061	11,313.00	0.00	11,313.00	10,632.00	681.00	(681.00)	SL014.8061
SL014			8062	630.00	0.00	630.00	474.12	155.88	(156.00)	SL014.8062
SL014			8063	250.00	0.00	250.00	45.36	204.64	(205.00)	SL014.8063
SM017			1000	882,926.00	(30,869.00)	852,057.00	736,112.42	115,944.58	(115,945.00)	SM017.1000
SM017			4660	6,000.00	0.00	6,000.00	4,335.22	1,664.78	(1,665.00)	SM017.4660
SM017			4670	24,000.00	(13,000.00)	11,000.00	10,866.27	133.73	(134.00)	SM017.4670
SM017			4740	68,000.00	(21,426.00)	46,574.00	14,693.52	31,880.48	(3,863.00)	SM017.4740
SM017			8040	36,560.00	0.00	36,560.00	21,728.41	14,831.59	(2.00)	SM017.8040
SP152			4210	7,000.00	783.00	7,783.00	7,750.62	32.38	(32.00)	SP152.4210
SP152			4261	5,600.00	(300.00)	5,300.00	5,200.61	99.39	(99.00)	SP152.4261
SP152			4400	0.00	300.00	300.00	0.00	300.00	(300.00)	SP152.4400
SP152			4680	6,000.00	129.00	6,129.00	6,123.02	5.98	(6.00)	SP152.4680
SP152			4715	0.00	6,788.00	6,788.00	6,786.50	1.50	(1.00)	SP152.4715
SP152			4740	2,500.00	0.00	2,500.00	2,445.88	54.12	(54.00)	SP152.4740
SP152			4743	16,000.00	(3,775.00)	12,225.00	8,883.30	3,341.70	(3,342.00)	SP152.4743
SP152			4753	8,500.00	0.00	8,500.00	7,612.95	887.05	(887.00)	SP152.4753
SP152			4902	3,000.00	(41.00)	2,959.00	2,953.10	5.90	(6.00)	SP152.4902
SP152			4930	7,500.00	0.00	7,500.00	7,206.00	294.00	(294.00)	SP152.4930
SP152			8030	13,000.00	0.00	13,000.00	11,845.64	1,154.36	(1,154.00)	SP152.8030
SP152			8035	300.00	62.00	362.00	318.12	43.88	(44.00)	SP152.8035
SP152			8040	508.00	0.00	508.00	226.50	281.50	(281.00)	SP152.8040
SP152			8061	6,848.00	690.00	7,538.00	6,089.50	1,448.50	(1,448.00)	SP152.8061
SP152			8062	174.00	121.00	295.00	271.75	23.25	(23.00)	SP152.8062
SP152			8063	30.00	0.00	30.00	26.14	3.86	(4.00)	SP152.8063
SP152			8410	14,000.00	0.00	14,000.00	12,503.75	1,496.25	(1,496.00)	SP152.8410
SP152			9901	25,981.00	0.00	25,981.00	24,701.48	1,279.52	(1,280.00)	SP152.9901.716

Fund	Division	Department	Account Code	Adopted Budget	Budget Amendments	Amended Budget	YTD Transactions	Budget - YTD Transactions	Adjustment Needed	Account
SP154			1400	4,000.00	0.00	4,000.00	2,898.15	1,101.85	(1,102.00)	SP154.1400
SP154			4210	7,500.00	0.00	7,500.00	1,746.75	5,753.25	(5,753.00)	SP154.4210
SP154			4220	10,000.00	(1,968.00)	8,032.00	7,485.94	546.06	(546.00)	SP154.4220
SP154			4261	26,400.00	0.00	26,400.00	24,702.47	1,697.53	(1,698.00)	SP154.4261
SP154			4440	4,000.00	554.00	4,554.00	4,553.35	0.65	(1.00)	SP154.4440
SP154			4660	4,000.00	(30.00)	3,970.00	3,969.12	0.88	(1.00)	SP154.4660
SP154			4680	35,000.00	(10,471.00)	24,529.00	24,483.07	45.93	(46.00)	SP154.4680
SP154			4715	5,000.00	25,251.00	30,251.00	30,249.23	1.77	(2.00)	SP154.4715
SP154			4740	6,400.00	1,402.00	7,802.00	6,250.00	1,552.00	(1,552.00)	SP154.4740
SP154			4743	20,000.00	895.00	20,895.00	19,330.71	1,564.29	(1,564.00)	SP154.4743
SP154			4752	1,000.00	0.00	1,000.00	578.52	421.48	(421.00)	SP154.4752
SP154			4753	14,000.00	1,374.00	15,374.00	8,795.97	6,578.03	(6,578.00)	SP154.4753
SP154			4802	5,000.00	(2,500.00)	2,500.00	2,499.44	0.56	(1.00)	SP154.4902
SP154			4830	25,000.00	91,268.00	116,268.00	66,058.94	50,209.06	(50,209.00)	SP154.4930
SP154			8035	515.00	1,842.00	2,357.00	1,659.29	697.71	(698.00)	SP154.8035
SP154			8040	5,000.00	(4,000.00)	1,000.00	460.40	539.60	(540.00)	SP154.8040
SP154			8062	10,418.00	(2,000.00)	8,418.00	8,021.39	396.61	(397.00)	SP154.8062
SP154			8063	700.00	0.00	700.00	586.50	113.50	(113.00)	SP154.8063
SP154			8064	2,250.00	0.00	2,250.00	2,083.30	166.70	(167.00)	SP154.8064
SP154			8410	60,000.00	(10,211.00)	49,789.00	48,167.34	1,621.66	(1,622.00)	SP154.8410
SP155			4715	0.00	12,822.00	12,822.00	12,821.10	0.90	(1.00)	SP155.4715
SP155			4920	500.00	(105.00)	395.00	0.00	395.00	(395.00)	SP155.4920
ST016			1300	18,000.00	0.00	18,000.00	14,605.93	3,394.07	(1,734.00)	ST016.1300
ST016			4993	6,000.00	0.00	6,000.00	5,583.22	416.78	(313.00)	ST016.4993
ST016			8040	21,782.00	0.00	21,782.00	12,720.53	9,061.47	(633.00)	ST016.8040
ST016			8062	6,367.00	0.00	6,367.00	3,473.46	2,893.54	(313.00)	ST016.8062
ST016			9901	345,731.00	0.00	345,731.00	298,201.57	47,529.43	(29,171.00)	ST016.9901
SW018			4295	63,060.00	0.00	63,060.00	56,826.00	6,234.00	(6,234.00)	SW018.4295

CLERK SRIVASTAVA: Item No. 46, a resolution authorizing and approving the payment of a claim against the Town of North Hempstead and authorizing and directing the comptroller or deputy comptroller to pay the costs thereof.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 505 - 2022

A RESOLUTION AUTHORIZING AND APPROVING THE PAYMENT OF A CLAIM AGAINST THE TOWN OF NORTH HEMPSTEAD AND AUTHORIZING AND DIRECTING THE COMPTROLLER OR DEPUTY COMPTROLLER TO PAY THE COSTS THEREOF.

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

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

NOW, THEREFORE, BE IT

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

<u>Claimant</u>	<u>File No.</u>	<u>Amount</u>
Corey Friedman, et al. v. TONH	TD-22-0060	\$2,100.00

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

Dated: Manhasset, New York

September 22, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item No. 48, 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 Daniel Khoshlessan.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 506 - 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 DANIEL KHOSHLESSAN.

WHEREAS, the Alert Engine, Hook, Ladder and Hose Co. No. 1, Inc., Great Neck, New York, has advised of removing Daniel Khoshlessan from 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 Daniel Khoshlessan from membership 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 22, 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

CLERK SRIVASTAVA: Item No. 49, a resolution authorizing --

MR. CHIARA: Hold on, is someone moving to untable it?

COUNCILWOMAN LURVEY: I move to untable the item.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: I'm voting no because these budget items were not presented to me according to the process. Now you have to read it.

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

MR. CHIARA: We have to read it.

CLERK SRIVASTAVA: 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.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: No.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: No.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: I'm voting aye for the employees, but still protesting that these budget items were not brought to me for approval before putting them on the agenda. 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. 507 - 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: 507 - 1

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary change for 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 09/03/22.

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

Nays: Councilperson Adhami, Councilperson Walsh.

RESOLUTION NO: 507 - 2

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary change for 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 09/03/22.

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

Nays: Councilperson Adhami, Councilperson Walsh.

RESOLUTION NO: 507 - 3

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the salary change for Romina Tehrany 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 09/03/22.

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

Nays: Councilperson Adhami, Councilperson Walsh.

CLERK SRIVASTAVA: Councilman Troiano.
COUNCILMAN TROIANO: Aye.
CLERK SRIVASTAVA: Councilman Zuckerman.
COUNCILMAN ZUCKERMAN: Aye.
CLERK SRIVASTAVA: Councilman Walsh.
COUNCILMAN WALSH: Okay, aye.
CLERK SRIVASTAVA: Councilwoman Lurvey.
COUNCILWOMAN LURVEY: Aye.
CLERK SRIVASTAVA: Councilman Adhami.
COUNCILMAN ADHAMI: Aye.
CLERK SRIVASTAVA: Councilwoman Dalimonte.
COUNCILWOMAN DALIMONTE: Aye.
CLERK SRIVASTAVA: Supervisor DeSena.
SUPERVISOR DESENA: Aye.
CLERK SRIVASTAVA: Thank you, goodnight.
(At 12:46 a.m., the proceedings were concluded.)



Town Clerk