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TOWN OF NORTH HEMPSTEAD

TOWN BOARD
PUBLIC HEARING

Town Hall

October 13, 2022 7:05 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

PROCEEDINGS

SUPERVISOR DESENA: Good evening. I'd like us to come to order and we'll begin our night with the Pledge of Allegiance, if you all stand.

(Whereupon, the Pledge of Allegiance was recited).

MR. GONG: One moment of silence for the people in Ukraine and our troops to come home safely. Thank you.

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

CLERK SRIVASTAVA: Thank you. Good evening everyone. Town of North Hempstead Town Board Meeting of October 13, 2022. Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: We have 30 minutes of public comments and we request you please keep your comments up to three minutes.

SUPERVISOR DESENA: Before we get started, I just want to share with everyone that this week on Tuesday we had three local North Hempstead firefighters added to the New York State Fallen Firefighters Memorial at the Empire State Plaza Convention Center. The three are Doris Grown, who was a long time medic of the Great Neck fire department and who volunteered at Ground Zero and died in 2017 of 9/11 related cancer. And happens to be the mother of our own Tom McDonough. Also memorialized are Stanley May of the Roslyn Heights Ladder and Engine Company and Guy Romano of the Ruxbury Fire Department. We're very proud of their service and of all of our firemens service. And so I would like us to have a moment of silence to honor them. And thank them. Thank you. Would you like to call the first card?

(Whereupon, there were Public comments.)

CLERK SRIVASTAVA: We are done with our cards for public comments.

SUPERVISOR DESENA: Mr. Gaffney, did you submit a card?

(Public comments again.)

SUPERVISOR DESENA: Will you call the first item on the agenda?

CLERK SRIVASTAVA: Item 1, a public hearing to consider the adoption of a local law amending chapter 70 of the town code entitled zoning. We have a few cards on this. The first card is Deena DiGeorgio.

MS. DIGEORGIO: Good evening Supervisor DeSena and the town board. We noticed here, I'm here tonight -- Deena DiGeorgio, Schwartz, Slapkiss, Rice, Greenberg, Atlas LLP. I'm here representing the North Hempstead Business and Contractors Association. First I want to thank you for continuing the hearing. We really appreciate that we were heard and I'd like to thank each and every councilmember on behalf of my client that met with us, in particular Councilwoman Lurvey and Mariann Dalimonte and David Adhami, Jen DeSena, Dennis Walsh and Councilman Troiano. Peter, we haven't met with you yet but you know you're next, we'd be happy to do that. We appreciate that you heard us, we appreciate the communication. I'm not sure what the plan is in term of continuing on October 22nd, whether you'll vote on it or not, whether it's going to be rewritten, but on behalf of my clients I would like to ask the Town to create an advisory committee in the same way that you created the advisory committee with respect to the gas powered leaf blower law and with respect to many other initiatives that the town's undertaken over time to get input and information from the public. We would ask, obviously my client would like to be on the committee but clearly more voices need to be included as well. And we really want to be able to work with the town collaboratively to come up with a law that meets the concerns of the town in particular Councilman Troiano, but at the same time safe guards against some of the abuses and concerns that my client and I identified with the legislation. Again thank you very much, we really appreciate you hearing us and we do look forward to working with the Town on any new proposed legislation.

SUPERVISOR DESENA: Thank you.

CLERK SRIVASTAVA: Aldo Calabrese.

MR. CALABRESE: Good evening, I too would like to thank all the council members -- I too would like to thank specifically Jen, Veronica, David, Mariann, Dennis, Mr. Troiano. Mr. Zuckerman, we look forward to meeting with you also.

COUNCILMEMBER ZUCKERMAN: Absolutely.

MR. CALABRESE: I too would like to discuss what our attorney has brought up. We have worked together before in the past with the Town Board. Going back I want to reiterate how far we go back with the group but we can be a great asset to have specifically when you bring two altering sides together. We definitely can remediate. So yes I believe we definitely should have an advisory committee and yes I would like to personally be on it, that committee specifically because I am president. I would also like to note we reached out not only to us, our membership, I've reached out and Deena has also reached out to other business groups here within Nassau county. It's not just an issue here in the town of specifically Manhasset or Port Washington. We realize other areas need to know about what the new proposed legislation number one, needs to be notified about this proposed legislation, and number two, they need to know about the impact, and number three, also others have come forward to also want to be included within this advisory committee. I thank you for the continued continuation this evening and we definitely look forward to hopefully setting up this advisory committee. I feel hundred percent certain that we

can all work together on this. Thank you.

SUPERVISOR DESENA: Thank you.

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

COUNCILMEMBER TROIANO: Are there anymore cards?

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

COUNCILMEMBER TROIANO: No more cards. I'd like to move to continue the hearing to October 27th.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

COUNCILMEMBER TROIANO: I'm sorry did I say the wrong date.

DEPUTY CLERK MALITO: October 27th.

COUNCILMEMBER TROIANO: What did I say.

SUPERVISOR DESENA: Would you like to call the next one please.

CLERK SRIVASTAVA: Item Number 2, 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. We have a few cards on this.

SPEAKER: I'm going to present.

SUPERVISOR DESENA: We're going to hear from the applicant first.

MR. CHALAMI: Good evening Madam Supervisor and members of the board. My name is John Chalami, I'm from the law firm of Ruskin Moscow Poltichuk, having an office address at 1425 RXR Plaza, Uniondale, New York, 11556. I'm here tonight appearing 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. We're here tonight seeking site plan approval for the property which would permit my client to commence the site improvements including repaving and striping the parking lots, and for existing recharge bases and increase drainage for the property. I have with me our architect, members which are representative of the ownership that could answer any questions that you have. But before I proceed I thought it would be best to give the board a little update of what transpired between the time that we were first here and now. So at our initial meeting at the public hearing on September 1st the board instructed the applicant to meet with the Carle Place fire department and the Nassau County fire Marshall's office which we did on September 13. That meeting took place onsite, we walked around the site. They reviewed it and we took in their comments. That meeting resulted in a request from the Carle Place fire department to make some minor revisions to the sit plan, one of which is to relocate, to relocate an existing fire hydrant from on site --to relocating it back here so it's more accessible for the fire department.

SUPERVISOR DESENA: Why don't you bring the microphone with you.

MR. CHALAMI: We are relocating that fire hydrant that's existing on site to a new location to the rear just to give it more access to the fire trucks. We are relocating one parking spot from the corner of the building there to just increase that turning radii, we're relocating it to the rear of the property so there's no change or decrease in parking. We're also moving at this time a fire hose --

SPEAKER: No, a fire department connection.

MR. CHALAMI: A Siamese connection from the building closer to the street. So that took place on September 13th, we made those modifications, we resubmitted with those changes. Any balance of the questions from the Carle Place fire department or the marshall had to do with the operating tenant, and as my client is not in a position to opine on those operations, at the least meeting you requested a continuation to, in order to schedule a meeting between the tenant, the first marshall's office and other interested parts. That meeting occurred on October 5th. That meeting include my client, representatives from the tenant, the Nassau County fire marshall's office as well as representatives from the Town of North Hempstead, Hempstead, and Oyster Bay. That meet was very well received by the fire marshall's office who is glad that the tenant and the township are getting involved with the rewriting of the life safety fire code ordinances. The fire marshall's office also expressed their support for Tesla finding a home in Nassau County. Following a meeting with the fire marshall's office, my client and I had another meeting with the planning department on October 11th. Councilman Walsh thank you for attending that, sorry you couldn't make it Councilman Troiano, to discuss the best path forward to achieve my client's objective of completing the necessary items. As a result of that meeting, we're here again requesting approval for a proposed site plan with the understanding that the tenant's application which we now know has been submitted to the building department is currently under review, will be reviewed in full by the town. Just finally to echo the statement I made at the initial public hearing, the proposed site plan only concerns exterior site improvements. Any interior improvements including fire suppression, fire, the sprinkler systems and approvals will be made by a separate application by the tenant. They're aware they have to go through the fire marshall's office for approval. Otherwise those submissions would be consistent with the site plan presented here tonight. So if there's any specific questions for myself or the architect, we're happy to address it or to members of the board as well. Thank you.

COUNCILMEMBER TROIANO: Are there any questions from board members?

SUPERVISOR DESENA: I'll just ask Commissioner Levine. Do you have any --

COUNCILMEMBER TROIANO: We're not quite ready, I think there might be cards from the public.

COUNCILMEMBER WALSH: I have one question. The third thing that the Carle Place fire department was asking for was for the building to be a hazardous occupancy location something. What happened with that?

MR. CHALAMI: The Carle Place fire department had indicated that they wanted some place on the property where cars would be stored if they were in a serious accident that allows for a cool down. Again, that's an operational issue that we're not addressing at this moment but will be addressed with the tenant's application at a later date.

COUNCILMEMBER TROIANO: Are there any cards from the audience members?

CLERK SRIVASTAVA: We have one card on this, Pete Gaffney.

MR. GAFFNEY: Hi, Pete Gaffney, Westbury, Carle Place School District. Tesla repair station, a primary network of Tesla supercharger, a very powerful charging station. They allow Tesla owners to charge their cars in under an hour. The supercharger needs, the required 50-volt connection. The plan is for seven charging stations, I believe that the power station and what they said existing on property is incorrect. I think they're going to need at least an additional one. That's number one. The other real concern that I have is being next to that power grid station. I sent all of you a picture of the board, a picture of the property last time. I hope you reviewed it and saw the big station on the property along with a telephone pole. Why is that concerning. Because I believe the parking, where they want to park the cars. That's number one, number two is just think about the cars and what's happening, there's such a big backlog with this. You're actually going to have storage vehicles that are going to be required there. Think about it, you're going to have 30 stations, you're going to have approximately 70 employees, plus additionally you're going to have many, many cars that are going to be in storage because of supply right now is poor for cars. Perfect example is go look at Rally Motors across the street on Glen Cove Road. That parking lot and the entrance ramp is jammed, packed with cars waiting for parts. The other concern I have is about the batteries and also the stations. From what I saw on preliminary, it was very difficult to look at the actual diagram but it looked like one charge station was right next to the building. I don't know if that's a code violation, but I think that's very concerning just because there's a tendency with some of these batteries being charged electronically where there could be a fire or potentially explosion. Being next to the property even though there's a brick facade could be a problem. Then batteries, obviously they're going to have to have battery storage. They're going to have supplies on hand. Is there going to be a storage area based on the premises. That's a concern too. No one has said anything about that. I just think that's about it, what I have in terms of problem. Maybe this is something that Tesla is going to have to address but I would like to know about the property and your concern about that power grid section. You saw that picture I sent to every one of you. Those are things I think need to be addressed. Thank you.

CLERK SRIVASTAVA: Thank you.

MR. CHALAMI: So many of those comments are operational which will be addressed directly via the tenant's application. Preliminary, we did discuss with Tesla as this was previously raised, they have confirmed that this building has sufficient power for its needs. So that's been addressed and the fire department when we met with them did do a full site review. They're aware of that tower, there wasn't any issues with their access of the fire stuff and fire engine. Any other

questions?

MR. GAFFNEY: The applicant, excuse me Pete Gaffney again, Westbury Carle Place school district. The applicant stated that this pertains to outside the property. That's what I'm asking about. The property, the parking is not a Tesla problem, it's your problem. It needs to be fenced off somehow. Someone will attempt to try to park there and invariably you're going to be hitting that station. That's number one, number two is the power charging station. The first one that I saw is outside the property so that's something you need to address and I don't know where the other six are going to be located. I beg to differ about the power. I think you're going to need more electricity and another power station. That's what needs to be done as far as I am concerned.

MR. CHALAMI: Any other questions?

COUNCILMEMBER TROIANO: Mike, you want to add anything? Commissioner Levine, I mean.

COMMISSIONER LEVINE: So, most important thing that has happened since the last meeting that is that we now, we do have the application from the tenant. Because at the first meeting a lot of stuff was vague and addressed as to be filled in later which obviously didn't work for us .

COUNCILMEMBER ADHAMI: Can you speak up, it's hard to hear back here.

COMMISSIONER LEVINE: So at this point we now have the detailed that we did not have a month ago from the tenant. That does address a lot of the questions that we left from the first hearing. Also as you've heard from the applicant, from the Carle Place fire chief preliminary meetings have been held with the fire county marshal. So there's a lot less uncertainty than there was at the prior meeting. With regard to the requests of the fire chief, the first one, this is a question that Councilman Walsh had raised, they do request that this be classified as a high hazard occupancy with regard to a design of the fire suppression system. While we do not disagree, that's actually solely under the jurisdiction of the county fire marshal, so that will happen but it's not an action the town takes. It's something that will happen when the detailed plans go to the fire marshal review presumably over the next month. Second item, relocation of the fire hydrant, that has been addressed. The plan reflects that. So we're good to go on that item. The third, that cars waiting to be serviced have a 48-hour cool down period before brought into the facility, we did check, not only with the tenant but also to see if that was industry standard and it is an unusual request. It's not commonly done so we're not recommending it or advancing that at this time. The one thing I do want to say for the board for the applicant, we fully understand what you're trying to do which is separate landlord work from tenant work and deal with them separately. As we forewarned earlier on -- the change and occupancy that's triggering the board review is really related to tenant work. So it's not going to be possible to just put it aside until later and so we have a question, you put a lot of details forward. While it is still our intent to deal with this once, to do the site plan approval tonight and hopefully you're done with the town board, there is still the possibility as you understand, something in the tenant's application such as the need for additional transformer pad, electrical service or something results in a substantial change to the plan. There's always a possibility that an amendment has to come back before the board. We try to avoid that but in some situations that may happen.

MR. CHALAMI: We understand that.

COMMISSIONER LEVINE: Things could be the fire marshal makes a major change to

something like the entrances, clearances, hydrant location, electrical service if it does have to be upgraded more than you think it, that will might bring it back to the board.

MR. CHALAMI: We understand.

COMMISSIONER LEVINE: So with that understanding at this time, the planning department does recommended approval of the applications.

COUNCILMEMBER WALSH: Excuse me Commissioner Levine, it's hard to hear, did you just ask about the possibility of an additional transformer?

COMMISSIONER LEVINE: Right. We've been questioning the electrical load from the beginning and up to now we asked at the first hearing was the services adequate. We did kind of hold out until we had the tenant's application. They also showed they're going to work within the existing service connection. So I'm just letting him know if in fact the power needs are greater than what was forecast, if that results in the addition of an onsite transformer pad as is a possibility, there is an administrative site plan amendment process where the building and planning commissioners can sign off without referring to the board. What I'm cautioning the applicant in this case we would not do that, we would send it back here on an amendment. So as long as everybody knows that, we're okay with proceeding here tonight.

SUPERVISOR DESENA: Commissioner you said that you do recommend the application?

COMMISSIONER LEVINE: We do recommend approval this time, yes. A lot of the unanswered questions from the first hearing we now have the answers.

SUPERVISOR DESENA: Thank you.

COUNCILMEMBER TROIANO: I want to thank you and your client for accommodating the board by meeting with both the Carle Place fire chief as well as the fire marshall. And I just want to also note for those who maybe didn't see it, that it wasn't just an item request. There was a fire at an auto repair shop in Westbury that fortunately because of the fire suppression, the fire was put out, put out quick. It was not an electric auto body repair, it wasn't even an auto body repair, it was an auto repair shop. So thank you for going the extra step. And given the Planning Commissioner's recommendation, subject to the understanding that he's asking for, I'd like to move to close the public hearing -- sorry, offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

MR. CHALAMI: Thank you have a great 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. 515 - 2022

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.

WHEREAS, 40 Voice Road Realty LLC, through its agent Brian E. Newman (the "Applicant"), has applied (the "Application") to the Town to renovate a one-story 59,000 square foot building from light manufacturing to automotive repair, including an expanded parking lot, increased drainage capacity, additional landscaping and improved site lighting, on a 176,418 square foot (4.05 acre) site located at 40 Voice Road, Carle Place, New York and identified on the Nassau County Land and Tax Map as Section 9, Block 663, Lot 8 (the "Premises"); and

WHEREAS, it has been determined that the Application is subject to site plan review pursuant to § 70-219(A)(1)(b)[1] 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 1, 2022, which public hearing was continued to September 22, 2022 and was further continued to October 13, 2022, for the site plan review (the "Public Hearing"), as authorized and directed by the Town Board pursuant to Resolution No. 392-2022, adopted on August 4, 2022; and

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

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

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

WHEREAS, pursuant to Resolution No. 10496-22, adopted August 11, 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 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 1, 2022, and the Negative Declaration indicating that the Action constitutes an "unlisted action" pursuant to Section 617.2 (a) of the SEQRA Regulations which will not result in any significant adverse impacts on the environment based upon the analysis set forth in the SEAF 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 SEAF, that the intended use will not be expected to result in the significant consumption of water nor the generation of solid waste or sewage although there may be an increase in the consumption of electricity; 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 1, 2022, September

22, 2022, and October 13, 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 SEAF, 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 site plan are in compliance with Chapter 70 of the Town Code, and this Board further finds that the site plan is consistent with the spirit and intent of Town Code § 70-219; and be it further

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

RESOLVED that a copy of this approval shall be filed with the Commissioner of Building Safety, Inspection and Enforcement (the “Building Commissioner”), and the Building Commissioner is hereby authorized and directed to issue a building permit, upon compliance with the building permit application requirements as set forth in the Town Code, and any other conditions or requirements imposed by this Board or any other governmental entity having jurisdiction over the property, and to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

October 13, 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.

Affidavit of Publication

County of Nassau SS
State of New York,

REC'D TOWN CLERK
AUG 22 '22 PMS 153

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

1 weeks, viz: August 17, 2022

Linda Baccoli

Sworn to me this 17 day of
August-2022

Shari M. Egnasko

Notary Public

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

**LEGAL NOTICE
NOTICE OF HEARING
PLEASE TAKE NO-**
TICE that public hearing will be held by the Town Board of the Town of North Hempstead on September 1, 2022 at 7:00 p.m. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York,

on the application for site plan review submitted by 40 Voice Road Realty to renovate a one-story 59,000 square foot building from light manufacturing to automotive repair, including an expanded parking lot, increased drainage capacity, additional landscaping and improved site lighting, on a 176,418 square foot (4.05 acre) site.

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

PLEASE TAKE FURTHER NOTICE that the property which is the subject of this application is known as 40 Voice Road, Carle Place, New York and identified on the Nassau County Land and Tax Map as Section 9, Block 663, Lot 8.
Dated: Manhasset, New York
August 4, 2022

**BY ORDER OF THE
TOWN BOARD OF
THE TOWN OF
NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK
8-17-2022-1T#234487-
NIN/WBY**

CLERK SRIVASTAVA: Item 3, a public hearing to consider the adoption of the a local law amending Chapter 2 of the town code entitled administration and enforcement.

SUPERVISOR DESENA: Are there any cards on this?

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

SUPERVISOR DESENA: Does anyone from the board have any questions or comments? Okay, so I move to close the hearing and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 516 - 2022

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

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to amend Section 2-35(J)(1) of the Town Code concerning reciprocal plumbing licenses to expand the permitted place of business requirement to include Suffolk County; 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 October 13, 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 October 13, 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)(26) and (30) 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)(26) and (30) of the SEQRA Regulations and, as such, no further environmental review is required; and be it further

RESOLVED that Local Law No. 16 of 2022 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 16 OF 2022**

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

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

Section 1. Legislative Intent.

The Board finds that it is in the best interest of the Town of North Hempstead to amend Chapter 2 of the Town Code entitled "Administration and Enforcement" such that the requirement that an applicant seeking a reciprocal license under Section 2-35(J)(1) have a principal place of business in County of Nassau be expanded to include the County of Suffolk.

Section 2.

Sections 2-35 of Article II of Chapter 2 of the Town Code are hereby amended as follows:

§ 2-35 Examining Board of Plumbers.

[Amended 2-18-1969; 8-26-1969; 10-21-1969; 8-13-1991 by L.L. No. 11-1991; 11-10-1992 by L.L. No. 9-1992; 4-11-2006 by L.L. No. 5-2006; 6-5-2018 by L.L. No. 5-2018]

A. Appointment. Immediately upon the adoption of this ordinance a committee of three plumbers shall be appointed an Examining Board of Plumbers for the term of three years, two years and one year, respectively, and thereafter their successors shall be appointed annually for the full term of three years. Members of the Board shall be master or journeyman plumbers who shall have had not less than 10 years' practical experience in the plumbing trade. Each member of such Examining Board of Plumbers shall receive such compensation as the Town Board may determine for each day actually and necessarily spent in the work of this Board, not to exceed four in one calendar month.

B. Meetings. The Board shall meet at the call of the Chairman. Notice of a meeting of the Board shall be given by phone, email or by mailing notice of the time and place of the meeting, addressed to each member at his last post office address, at least five days before the time of such meeting.

C. Regulations. The Board shall make rules and regulations for the conduct of its business as an Examining Board.

D. Qualifications of plumbers. No person shall engage in the business of plumbing within the Town of North Hempstead until he or she shall obtain a certificate of competency or license from the Examining Board of Plumbers mentioned in Subsection A of this section.

E. Application for examination. Persons applying for a certificate to engage in the business of master or employing plumber shall file with the Board an application on such forms as may be prescribed by the Board, and shall furnish to the Board such information as it may require concerning the applicant's fitness and qualifications to receive a certificate. All applications must be under oath.

F. Each applicant shall be required to furnish vouchers from two persons, who shall sign under oath on forms prescribed by the Board, certifying to the time the applicant has been employed by them as journeyman plumber or the period of time they have known such applicant as master or employing plumber.

G. Any person desiring a master plumber's license shall apply, in writing, to the Examining Board of Plumbers, which Board shall arrange for an examination of such applicant.

H. The Board shall refuse to receive an application from any person who may be unlawfully engaged in business as a master or employing plumber.

I. All applications shall expire and be canceled after a period of one year if the applicant does not appear for examination or reexamination within that period.

J. Examination will be required for each applicant, with the exception of the following:

(1) Where the applicant, at the time of making the application, maintains a principal place of business within the County of Nassau **or the County of Suffolk** and has been duly licensed as a master plumber by a municipality within the County of Nassau with whom the Town of North Hempstead has entered into a reciprocity agreement. Such applicant shall, however, file with the Board the required application, together with a certificate of competency and a certified copy of a currently valid master plumber's license. Upon approval of the application such applicant shall be considered a duly licensed master plumber within the Town of North Hempstead.

(2) Examination shall be waived for applicants who are currently a duly licensed master or employing plumber in any other municipality in the State of New York, and who submit a certified copy of a certificate of competency issued by the Examining Board of Plumbers in such municipality, and who maintain a principal place of business in such municipality, provided that such municipality has signified, in writing, its

willingness to reciprocate in like manner with the Examining Board of Plumbers of the Town of North Hempstead. Such applicant shall receive a license only. No certificate of competency shall be issued to any applicants unless they have been examined by the Examining Board of Plumbers of the Town of North Hempstead.

K. Experience. No person shall be examined unless he or she shall have had at least five years' experience as a journeyman plumber and is able to furnish satisfactory evidence of such fact. No application will be received from any person who does not furnish proof of the legal authorization to work in the United States.

[Amended 5-20-2021 by L.L. No. 10-2021; 12-16-2021 by L.L. No. 28-2021]

L. Examinations. The examination of the Board shall be in two parts, namely a practical test to determine the applicant's skill as a journeyman and a written examination. The written examination shall consist of questions and be planned to determine the applicant's fitness and qualifications to engage in the business of master or employing plumber.

M. The time of holding the examination shall be left to the discretion of the Board. Ample notice shall be given to the applicants.

N. Persons who pass the tests as prescribed by the Board shall be eligible to receive a certificate of competency as master or employing plumber. A person who fails in the practical test shall not be eligible for another test until the expiration of three months; should he or she fail in the second test, he or she will not be eligible for a third test until the expiration of six months; and failing in the third test, he or she will not be eligible for a fourth test until the expiration of one year. An applicant who fails in the written examinations shall not be eligible for reexamination until the expiration of one month; should he or she fail in the second examination, he or she will not be eligible for another examination until the expiration of three months; should he fail in the third examination, he or she will not be eligible for another examination until the expiration of six months; and should he or she fail in the fourth examination, he will not be eligible for another examination until the expiration of one year.

O. Fitness of applicant. Before issuing a certificate to engage in the business of master or employing plumber, the Board shall inquire into the applicant's fitness and qualifications for conducting such business and may require the applicant to submit under oath such evidence, in addition to the examinations and tests hereinbefore provided, as will satisfy the Board that he or she is a person of good repute, character and responsibility and otherwise qualified to engage in business as a master or employing plumber.

P. Fees. Each applicant for a master plumber's license, except as may be otherwise provided by reciprocity agreement with other municipalities within the County of Nassau, shall pay a fee in the amount indicated in the Town of North Hempstead Fee Schedule.

Q. Applications for renewal of licenses shall be filed during the month of December in the year in which the license expires with the Examining Board, together with such verification of the plumbing work performed under the authority of the prior license as the Board may require to determine the continuing competency of the licensee. Renewals shall be for periods of up to three years from January 1. The fee for license renewals shall be paid in accordance with the Town of North Hempstead Fee Schedule.

R. Any licensed plumber who has not secured a renewal by the first of March of each year following the year in which the license expires shall be required to make a new application and be reexamined and pay the fee shown in the Town of North Hempstead Fee Schedule for each such examination and license.

S. Duplicate certificates.

(1) In case a certificate of competency is lost by the holder thereof, the Board may issue a duplicate. In other cases, the Board shall issue a certificate of record stating that the records of the office show that a certificate was issued to a specific person. The charge for a duplicate certificate of competency or a certificate of record shall be the amount stated in the Town of North Hempstead Fee Schedule.

(2) In case the sticker required to be affixed to a vehicle operated by a licensed plumber in the course of business shall be lost by the holder thereof or in case additional stickers shall be required, the Board may issue duplicate or additional vehicle stickers for the fee shown in the Town of North Hempstead Fee Schedule.

T. Insurance. Every master plumber shall file with the Examining Board of Plumbers, before beginning operations under the license, a certificate of insurance as evidence of public liability insurance which shall contain amounts of \$100,000/\$300,000 bodily injury and not less than \$25,000 property damage. Such certificate of insurance shall be issued to the Town of North Hempstead and shall contain a provision that no policy cancellation or material modification to such policy shall be made except on at least 15 days' prior written notice by certified mail to the Town. The required insurance shall be obtained from an insurance company authorized to do business in the State of New York. In the event that the required insurance shall be canceled, not renewed or materially modified with the result that the required insurance is not in effect, the Town may direct the master plumber to suspend work.

U. Suspension and revocation of licenses.

(1) Subject to compliance with the requirements stated in Subsections U(2) and (3) below, the Commissioner of Buildings may revoke (or suspend for a period of up to one year) a certificate of competency or license granted under the provisions of this article for any of the following reasons:

- (a) Failure to file an application for a permit prior to the installation of plumbing work; or
 - (b) Failure to take the required action called for upon receipt of a violation notice; or
 - (c) Performance of plumbing work in violation of the requirements of this Chapter; or
 - (d) Renting or lending a license to a third party; or
- [Amended 9-6-2018 by L.L. No. 7-2018]
- (e) Being convicted of a felony; or
 - (f) Altering or defacing a certificate of inspection or approval; or
 - (g) Filing an application to perform plumbing work for a person not licensed by the Town of North Hempstead.

(2) Any suspension or revocation pursuant to Subsection U(1) above may only be effected after a hearing by the Examining Board of Plumbers on the proposed suspension or revocation. The notice of hearing shall state the date, time and location of the hearing and the reasons [as stated in Subsection U(1) above] forming the basis for the proposed revocation or suspension. The notice of hearing shall be served either personally or by certified mail, return receipt requested, to the licensee's last known address at least 10 days prior to the hearing. The licensee shall have an opportunity to appear and be heard in relation to the proposed revocation or suspension, and may be represented by counsel. Minutes of the hearing shall be transcribed by a court reporter. The Commissioner of Buildings shall attend the hearing. The hearing shall be considered a "quasi-judicial proceeding" for purposes of Article 7 of the New York Public Officers Law.

(3) Within 10 days of the hearing, the Examining Board of Plumbers shall present the Commissioner of Buildings with its recommendations as to whether to suspend or revoke the certificate of competency or license. Upon receipt of the recommendations, the Commissioner of Buildings may either accept or reject the Examining Board of Plumbers' recommendations and revoke or suspend the certificate of competency or license. The revocation or suspension shall be effectuated by notice to the licensee by personal service or by certified mail, return receipt requested.

Section 3. Effective Date.

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

; and be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on October 13, 2022 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. 16 of 2022 was adopted. The Local Law amends 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 place of business requirement to include Suffolk County.

Dated: Manhasset, New York

October 13, 2022

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

Dated: Manhasset, New York

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Town Clerk

NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No. 0021748965

: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

October 03, 2022

Nassau

By:



Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
3 Day of October, 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 # 21748965

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 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

NEWSDAY PROOF

Ad Number: 0021748965

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

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.

0021751459

:SS.:
COUNTY OF ERIE)

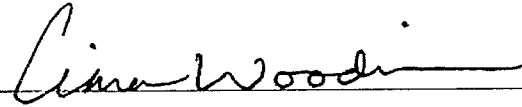
The undersigned, being duly sworn, says that such person is a duly authorized custodian of records of Newsday LLC, the publisher of Newsday, a daily newspaper published in Melville, County of Suffolk, State of New York, and circulated in Nassau, Suffolk, and Queens Counties, and that the Legal Notice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

Monday

October 17, 2022

Nassau

By: _____

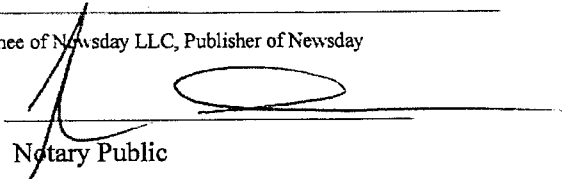


Ciara Woodin

Print Name: _____

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
17 Day of October, 2022.



Notary Public

Tyshawn Harrison
Notary Public - State of New York
No. 01HA6186920
Qualified in Erie County
Commission Expires 05/12/2024

Ad Content

**Legal Notice # 21751459
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on October 13, 2022 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. 16 of 2022 was adopted. The Local Law amends 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 place of business requirement to include Suffolk County.

**Dated: Manhasset, New York
October 13, 2022**

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

NEWSDAY PROOF

Ad Number: 0021751459

Advertiser: TOWN OF NORTH HEMPSTEAD (GEN ACCT)

CLERK SRIVASTAVA: Item Number 4, a public hearing to consider the adoption of a local law amending Chapter 57 of the town code entitled town facilities.

COUNCILMEMBER DALIMONTE: Madam Clerk, is there anyone wishing to be heard on this item?

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

COUNCILMEMBER DALIMONTE: I wish to close the public hearing, offer the resolution, and move for its adoptions.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: 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. 517 - 2022

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, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend 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

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 October 13, 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 October 13, 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)(26), (33) and (35) 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)(26), (33) and (35) of the SEQRA Regulations and, as such, no further environmental review is required; and be it further

RESOLVED that Local Law No. 17 of 2022 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 17 OF 2022**

**A LOCAL LAW AMENDING CHAPTER 57 OF
THE TOWN CODE ENTITLED “TOWN FACILITIES”.**

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

Section 1. Legislative Intent.

The Town Board of the Town of North Hempstead finds that loitering in public parking lots for the purpose of engaging in illegal conduct or conduct that is threatening to the public or property of the Town erodes public safety and provides challenges to the proper management of public parking lots. As such, the Town Board finds that it is in the best interest of the Town of North Hempstead to make amendments to Chapter 57 of the Town Code entitled “Town Facilities” in prohibit loitering in the off-street parking areas of the Port Washington Public Parking District.

Section 2.

Chapter 57 of the Town Code is hereby amended to add Article III as follows:

Article III Loitering.

§ 57-16 Definitions.

As used herein and unless otherwise expressly stated or unless the context or subject matter otherwise requires, the following terms shall have the meanings indicated:

OFF-STREET PARKING AREA

A parking area described in Section 83 of the Uniform Traffic Code of the Town of North Hempstead.

§ 57-17. Loitering Prohibited.

No person shall loiter within any Off-Street Parking Area. For purposes of this Section 57-17, a person loiters when he or she:

A. Loiters, remains in an Off-Street Parking Area or wanders about for the purpose of tumultuous, violent or threatening conduct or when, being present at an assembly which either has become or becomes tumultuous, violent or threatening to members of the assembly or the public, he or she remains there with intent to advance that purpose; or

B. Loiters, remains or wanders about in an Off-Street Parking Area for the purpose of any activity which is intended to intimidate the public or interferes with the free passage of another; or

C. Loiters, remains or wanders about in an Off-Street Parking Area for the purpose of the consumption of alcohol in a public place in violation of any local, state or federal law; or

§ 57-18. Penalty for violation of subsection.

Any person who violates the provisions of this Article shall, upon conviction thereof, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding \$250 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. The continuation of an offense against the provisions of Section 57-17 above shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

Section 3. Severability.

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

Section 4. Effective Date.

This Local Law shall be effective upon filing with the Secretary of State.

; and be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on October 13, 2022 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. 17 of 2022 was adopted. The Local Law amends 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.

Dated: Manhasset, New York

October 13, 2022

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

Dated: Manhasset, New York

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Town Clerk

NEWSDAY AFFIDAVIT OF PUBLICATION

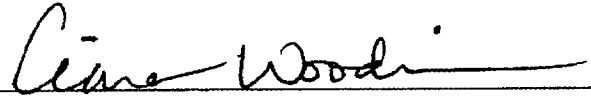
TOWN OF NORTH HEMP TOWN CLERK
200 PLANDOME ROAD
MANHASSET, NY 11030-2326

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

Legal Notice No. 0021748959

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

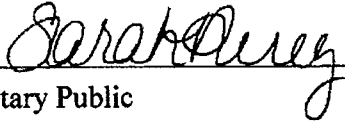
Monday October 03, 2022 Nassau

By: 

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
3 Day of October, 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 # 21748959

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**

NEWSDAY PROOF

Ad Number: 0021748959

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

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. 0021751478

: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 October 17, 2022 Nassau

By: Ciara Woodin

Print Name: Ciara Woodin
Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
17 Day of October, 2022.

Tyshawn Harrison
Notary Public

Tyshawn Harrison
Notary Public - State of New York
No. 01HA6186920
Qualified in Erie County
Commission Expires 05/12/2024

Ad Content

Legal Notice # 21751478
NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on October 13, 2022 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. 17 of 2022 was adopted. The Local Law amends 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.

Dated: Manhasset, New York
October 13, 2022

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

NEWSDAY PROOF

Ad Number: 0021751478

Advertiser: TOWN OF NORTH HEMPSTEAD (GEN ACCT)

CLERK SRIVASTAVA: Thank you. Item Number 5, a public hearing to consider the adoption of a local law amending Chapter 70 of the town code entitled zoning.

COUNCILMEMBER LURVEY: The purpose of the local law is to establish setback requirements for dog parks in residential zoning districts. Are there any cards on this item?

CLERK SRIVASTAVA: We have cards on this. Claudia David Berger.

MS. BERGER: Good evening everyone. Good evening Madam Supervisor and all the Council members, thank you very much. I'm very heartened by the fact that we're having this conversation and in particular to extend my gratitude and appreciation to Councilwoman Lurvey for really, putting this forward on a much, much needed discussion that needs to happen. Myself and my husband, we live at 55 North Drive in Great Neck. We are perhaps the most severely impacted of all the neighboring homes as our home directly borders the dog park. It runs the entire length of our property from the very front to the very back at a near 40 feet distance, with the proposed double gated entry of the dog run directly facing us. The proposed dog park construction in Allenwood Park has turned into a very, very heated argument which has become quite ugly for neighboring residents. We have been heckled and booed at parks district meetings and been singled out by name on social media and been personally threatened by dog park enthusiasts. This is unacceptable. The Great Neck Parks District has not condemned any of this abuse even at their meetings. I wish that no other resident will ever have to go through what we have all endured. Tonight I am hoping that basic common sense and the respect for people's quality of living will prevail. This should be a basic right for all. As the Park District has already erected the fencing, without a permit I may add, we have been able to experience firsthand the disturbing level of noise generated by this new attraction. Our bedroom, living room, and my home office out of which I run my business every day are located adjacent to the dog park. We have already been woken up, disturbed late at night by incessant barking and can no longer open our windows for fresh air as the noise is deafening when the dog park is in use. There are recommended standards adopted by countless park districts across the nation with regards to dog park construction. A recommended setback of 150 to 250 feet is commonplace. In addition, dog park entrances are not recommended to be situated directly adjacent to any home because of the increased noise in that area. I beg you to consider the unfair situation we find ourselves in and we look forward to you passing a law that prohibits dog parks from being constructed so close to homes. This is a great first step. But more dog park regulations are needed in future to ensure safety and environmental standards are met.

SUPERVISOR DESENA: Thank you

MS. BERGER: Thank you very much.

CLERK SRIVASTAVA: David Berger.

MS. BERGER: Oh, we were together.

CLERK SRIVASTAVA: Okay. Yun Danson.

MR. SUNG: Council members, Supervisor, thank you very much for this opportunity to speak. My name is Yun Danson, I live at 19 Birch Street, Great Neck, so I'm on the other side of the dog park that Claudia just mentioned. I'm here today to support passing Item 5, to have proper setback when concerning building a dog park in town of North Hempstead territory. This June I suddenly found wooden fences erected in the area of Allenwood park that my home directly faces. We were told that there was going to be a quote on quote "pilot dog park." I oppose this

plan for a very simple reason, it is too close to several neighboring homes including my own. My home is only separated by a 30 feet street from the dog park fencing. Actually a similar incident happened before in several neighborhoods in the tri-state area, Babylon, New York, Stonington, Connecticut where dog parks were built but were built too close to people's home. People protested, even legal actions were taken and then dog parks were eventually removed. Since the fence was built we have been burdened by significant increased amount of noise and we have gathered video and picture evidence showing incessant dog park barks and increasing traffic from dog park owners. The situation will only get worse should the dog park actually open. I also want to point out that if you just do a Google Map search on dog parks and just see the satellite image you will find that none of the dog parks are this close to residential homes, which is also why you should not believe the false claim by some people that this dog park will improve surrounding home value because the homes that are this close are never in the study. The fact that a very experienced realtor in Great Neck told us that our home, the value will go down 10 to 15 percent should the dog park actually open and become permanent in that area. I also want to point out we're not against dogs or dog parks in general, we are just advocating a minimum distance of any dog park to any residential homes. A dog park in a residential zoning area this close to homes poses great stress to quality of life of nearby residents. Therefore I'm asking council members of this town and supervisor to pass this setback requirements into local law so that people can enjoy their home peacefully and money, time, and effort into making those dog park plans are not wasted. Thank you very much.

CLERK SRIVASTAVA: Thank you. Matt Kopal.

MR. KOPAL: Thank you very much. Thank you Supervisor DeSena and thank you members of the council and especially thank you to Veronica Lurvey for bringing this proposal forward. I'm here to speak in favor of it. I'm also a homeowner with a home bordering on Allenwood Park. It's not just about Allenwood Park. This experience I think has taught us that we live in times where people seem to take pleasure in doing things that are divisive and creating controversy. The fact of the matter is we sent out surveys, overwhelmingly people who live within the park district oppose this park, but there's a very small but very vocal and adamant minority that's been pushing for this and they're the ones that attacked our neighbors by name and included on social media. And what can be done about this. The reality is the only thing that can be done is to have common sense legislation to prevent these type of things from happening. None of us oppose dog parks, me and my wife, we personally have two wonderful dogs. We have a five year old Havanese named Cooper and a one year old Havanese-Maltese mix named Carl. Cooper had surgery today so we are all hoping he feels better. They would love to play with other dogs in an organized fashion but for the park district to go and do this without really any proper notice and who put to quote on quote "a pilot" within 30 feet of our neighbors' home is just outrageous. It should never happen and I don't think they intended for it to happen. If there wasn't a law in that's guided them, then this couldn't have happened. By the way, turns out the entire thing is illegal anyway, they're going to have to take it down. There's no provision for a dog park to be built in the park in the park district, no animals in fact are allowed in the parks at all. Nobody bothered to even check the law. This isn't about Allenwood Park, that's going to come down no matter what we say here tonight. But this shouldn't happen again, and no neighborhood should have to go through this where there's this level of hatred, divisiveness and vitriol online. Again, overwhelmingly the neighborhood opposes this. I happen to be the president of the Allenwood Park Civic Association, but I don't feel that it's proper for me to talk in that capacity tonight given how personally impacted we are. But I can tell you that overwhelmingly, the neighborhood

opposes having it there and it's really, it's a very small minority asked for it. No one should have to go through this again. Thank you, I hope you pass this tonight.

SUPERVISOR DESENA: Thank you.

CLERK SRIVASTAVA: Nina Kopal.

AUDIENCE: I'm with him.

CLERK SRIVASTAVA: We are done with cards for this item. We have a letter on this. The name is Susan Lapatchkin, mayor, Village of Kensington.

COUNCILMEMBER LURVEY: Thank you Madam Clerk. I do and the board here has the letter from Susan Lapatchkin the mayor of the Village of Kensington, many whose homes are adjacent or close to the park that is zoned in the residential district. And she writes, I'm writing to you in support of the legislation on the agenda for tonight's board meeting regarding the dog park setback requirements. I'd read the proposed legislation and I agree with the language and the intent providing for a 100 foot setback from property which is zoned for residential use, which is a sensible approach for this issue. Further it protects homeowners who live close to a town park from unwanted disturbance which could affect their quality of life. I believe most municipalities do indeed the distance of dog parks from private residences, and the legislation introduced by the town would be in keeping with standards followed across the country. So, dogs can be a great uniter. You walk around on the streets, right, and in parades and everybody loves to walk up to you and start talking. But unfortunately there have been instances where dog parks have been proposed where it got so divisive as these people here are testifying to, that I think it's important that we have some common sense requirements according to which dog parks can be built. And I think that the setbacks are those one of those requirements. I would like to ask Commissioner Levine for just a little bit of a background on how he came up and proposed the 100 foot setback so that people appreciate that there is a basis for this.

COMMISSIONER LEVINE: Two things. I first determined what is the decibel level for barking dogs, that's dogs plural, and then what's the distance needed for this sound to adequately drop off. So adequately we are recommending a diminishing of the sound down to 70 decibels from 110. 110 is what the Hearing Health Foundation identified as the ambient level of noise of barking dogs, again emphasize dogs plural. 70 is considered the safe ambient background noise level and the distance required to diminish for 70 from 110 is a hundred feet. So that's where the basis for our recommendation.

COUNCILMEMBER LURVEY: Thank you Commissioner. Are there any questions? Seeing none I would like --

COUNCILMEMBER WALSH: I would just like to make a little comment. You know, first of all I rescued greyhound for many years of my life. I can no longer have them because they're too big to be at my house, you have to have two at a time. I am a big dog lover but I do understand that dogs bark, small dogs bark not quite as loud as big dogs. And I agree with the Hearing Health Foundation and the mayor of Kensington.

COUNCILMEMBER LURVEY: Thank you. I would like to close the public hearing, offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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. 518 - 2022

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 70 OF THE TOWN CODE ENTITLED "ZONING."

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend Chapter 70 of the Town Code entitled "Zoning" in order to establish setback requirements for dog parks in residential zoning districts; and

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

WHEREAS, due notice was heretofore given of a public hearing to be held on October 13, 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 October 13, 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 Department of Planning and Environmental Protection has recommended that the adoption of the Local Law be determined to be a Type II Action pursuant to Section 617.5(c)(21) and Section 617.5(c)(33) of the SEQRA Regulations and, as such, no further environmental review is required; and

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

NOW, THEREFORE, BE IT

RESOLVED that the Town Board determines that the adoption of the Local Law is a Type II Action pursuant to Section 617.5(c)(21) and Section 617.5(c)(33) of the

SEQRA Regulations and, as such, no further environmental review is required; and be it further

RESOLVED that Local Law No. 18 of 2022 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 18 OF 2022
A LOCAL LAW AMENDING CHAPTER 70 OF THE TOWN CODE
ENTITLED "ZONING"**

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

Section 1. Legislative Intent.

The Board finds that it is in the best interest of the residents of the Town of North Hempstead to make amendments to Chapter 70 of the Town Code entitled "Zoning" in order to establish setback requirements for dog parks in residential zoning districts.

Section 2.

Section 70-203 of Chapter 70 of the Town Code is hereby amended to add Subsection Y to follow Subsection X to read as follows:

Y. Dog runs, as defined in §70-231 and where permitted by this ordinance, shall be located not less than one hundred feet (100') from the perimeter fence or enclosure to the boundary line of the nearest property zoned or used for residential purposes.

Section 3.

Section 70-231 of Chapter 70 of the Town Code is hereby amended as follows:

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

DISPLAY SURFACE

The total number of square feet of sign space on one side of a sign, exclusive of moldings.

DOG RUN

An enclosed space in a municipal park where dogs can roam, exercise and play off-leash in a controlled environment under the supervision of their owners.

DRIVE-THROUGH FACILITY

A business, establishment, building or other structure intended, in whole or in part, to accommodate in-vehicle customer service. Such facilities shall also include, but not be limited to, establishments such as drive-through oil change and/or car wash operations, which utilize a drive-through lane or lanes, but perform their services while customers wait outside their motor vehicles, and establishments that provide in-vehicle customer service via a freestanding box.

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 October 13, 2022, Local Law No. 18 of 2022 was adopted. The Local Law amends Chapter 70 of the Town Code entitled "Zoning" in order to establish setback requirements for dog parks in residential zoning districts.

Dated: Manhasset, New York

October 13, 2022

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

Dated: Manhasset, New York

October 13, 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, Building

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

Henry Krukowski, being duly sworn, deposes and says that on the 28th day of September, 2022, he posted the attached Notice of 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, at the following locations:

Town Clerk Bulletin Board

Manhasset Post Office

Great Neck Post Office

Port Washington Post Office

Greenvale Post Office

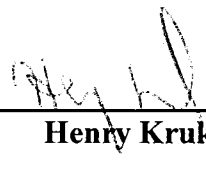
Roslyn Heights Post Office

Albertson Post Office

Carle Place Post Office


Westbury Post Office

New Hyde Park Post Office


Henry Krukowski

Sworn to me this

28th 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

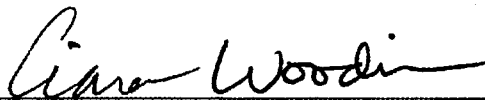
TOWN OF NORTH HEMP TOWN CLERK
200 PLANDOME ROAD
MANHASSET, NY 11030-2326

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

Legal Notice No. 0021748955

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

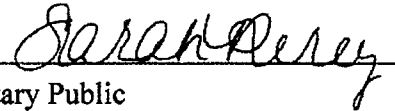
Monday October 03, 2022 Nassau

By: 

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
3 Day of October, 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 # 21748955

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 OF
NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK**

NEWSDAY PROOF

Ad Number: 0021748955

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

NEWSDAY AFFIDAVIT OF PUBLICATION

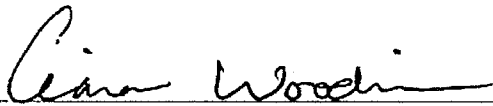
TOWN OF NORTH HEMPSTEAD (GEN ACCT)
200 PLANDOME ROAD
TOWN CLERK
MANHASSET, NY 11030-2326
STATE OF NEW YORK)

Legal Notice No. 0021751485

:SS.:
COUNTY OF ERIE)

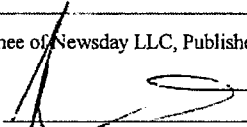
The undersigned, being duly sworn, says that such person is a duly authorized custodian of records of Newsday LLC, the publisher of Newsday, a daily newspaper published in Melville, County of Suffolk, State of New York, and circulated in Nassau, Suffolk, and Queens Counties, and that the Legal Notice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

Monday October 17, 2022 Nassau

By: 

Print Name: Ciara Woodin
Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
17 Day of October, 2022.


Notary Public

Tyshawn Harrison
Notary Public - State of New York
No. 01HA6186920
Qualified in Erie County
Commission Expires 05/12/2024

Ad Content

Legal Notice # 21751485
NOTICE OF ADOPTION
PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on October 13, 2022, Local Law No. 18 of 2022 was adopted. The Local Law amends Chapter 70 of the Town Code entitled "Zoning" in order to establish setback requirements for dog parks in residential zoning districts.
Dated: Manhasset, New York
October 13, 2022
BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
NORTH HEMPSTEAD RAGINI
SRIVASTAVA TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021751485

Advertiser: TOWN OF NORTH HEMPSTEAD (GEN ACCT)

CLERK SRIVASTAVA: Thank you. Item Number 6, 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.

COUNCILMEMBER DALIMONTE: I would like to make a motion to continue this public hearing without a date.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item Number 7, a public hearing to consider the adoption of a local law authorizing the Town of North Hempstead to opt-it 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: The purpose of this proposed local law is to authorize 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. Do we have any cards on this?

CLERK SRIVASTAVA: We have Senator Anna Kaplan.

SENATOR KAPLAN: Good evening and thank you. My name is Anna Kaplan, I'm New York State Senator for District 7. I'm here tonight to thank members of the board and the Supervisor for getting forth this important resolution. Our seniors built the community we call home. And we owe it to them to fight for every break we can give them, especially at a time of rising cost for every day expenses. In 2019 I proudly cosponsored legislation that would expand eligibility for the senior property tax exemption and the disability property tax exemption to give more Nassau county seniors and residents with special needs a break on their property taxes. This past spring I was proud to help to pass both houses of state legislature so that it could finally become law and give local communities like North Hempstead an opportunity to opt-in and begin providing the vital tax breaks I fought for. So tonight, I'm here to thank the board and the

Supervisor for taking advantage of our new law and I urge you to adopt these expanded tax exemptions that will be an important lifeline for our seniors and people with special needs. Thank you.

SUPERVISOR DESENA: Thank you. (Applause.)

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

SUPERVISOR DESENA: Does anyone else wish to be heard? Seeing none, I would like to close the public hearing, offer the resolution, and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: I would like to thank you, Senator Anna Kaplan for your advocacy. Really thank you, and I vote Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: I'm glad that our seniors aren't going to be treated different from just over the border into New York City anymore. So thank you, and I vote Aye.

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

RESOLUTION NO. 519 - 2022

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, 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 opt into new income eligibility rates for those persons with senior citizen property tax exemptions under Section 467 of the Real Property Tax Law; 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 October 13, 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 October 13, 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)(26) 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)(26) of the SEQRA Regulations and, as such, no further environmental review is required; and be it further

RESOLVED that Local Law No. 19 of 2022 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 19 OF 2022
A LOCAL LAW OPTING INTO NEW INCOME ELIGIBILITY RATES FOR THE
SENIOR CITIZENS PROPERTY TAX EXEMPTION PURSUANT TO SECTION 467
OF THE NEW YORK STATE REAL PROPERTY TAX LAW.**

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 adopt a local law to opt into certain amendments to Section 467 of the New York Real Property Tax Law to increase the maximum income levels for receiving an exemption or partial exemption from real property taxation for certain persons sixty-five (65) years of age and over.

Section 2.

The graduated maximum income levels for receipt of a partial exemption from real property taxation for purposes of taxes levied for the Town of North Hempstead, pursuant to Section 467 of the Real Property Tax Law, heretofore authorized by the Town, is amended as follows:

Annual Income	Percent of Exemption
Up to an including \$50,000	50%
More than \$50,000, but less than \$51,000	45%
\$51,000 or more, but less than \$52,000	40%
\$52,000 or more, but less than \$53,000	35%
\$53,000 or more, but less than \$53,900	30%
\$53,900 or more, but less than \$54,800	25%
\$54,800 or more, but less than \$55,700	20%
\$55,700 or more, but less than \$56,600	15%
\$56,600 or more, but less than \$57,500	10%
\$57,500 or more, but less than \$58,400	5%

Section 3.

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

; and be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on October 13, 2022 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. 19 of 2022 was adopted. The Local Law opts the Town into new income eligibility rates for the senior citizen property tax exemption under Section 467 of the Real Property Tax Law.

Dated: Manhasset, New York

October 13, 2022

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

Dated: Manhasset, New York

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes:

Nays:

cc: Town Attorney, Town Clerk

NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

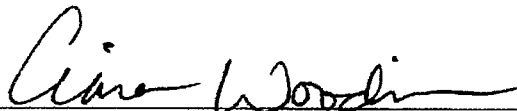
Legal Notice No. 0021748940

: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 October 03, 2022 Nassau

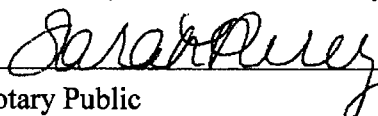
By: 

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this

3 Day of October, 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 # 21748940
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 \$30,000.00 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

NEWSDAY PROOF

Ad Number: 0021748940

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

NEWSDAY AFFIDAVIT OF PUBLICATION

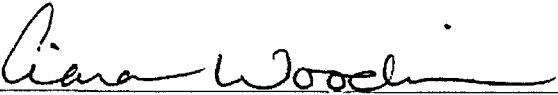
TOWN OF NORTH HEMPSTEAD (GEN ACCT)
200 PLANDOME ROAD
TOWN CLERK
MANHASSET, NY 11030-2326
STATE OF NEW YORK)

Legal Notice No. 0021751520

: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:

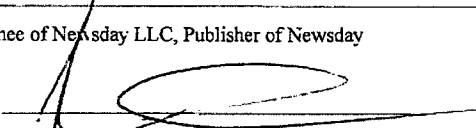
Monday October 17, 2022 Nassau

By: 

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
17 Day of October, 2022.


Notary Public

Tyshawn Harrison
Notary Public - State of New York
No. 01HA6186920
Qualified in Erie County
Commission Expires 05/12/2024

Ad Content

Legal Notice # 21751520
NOTICE OF ADOPTION
PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on October 13, 2022 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. 19 of 2022 was adopted. The Local Law opts the Town into new income eligibility rates for the senior citizen property tax exemption under Section 467 of the Real Property Tax Law.
Dated: Manhasset, New York
October 13, 2022
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021751520

Advertiser: TOWN OF NORTH HEMPSTEAD (GEN ACCT)

CLERK SRIVASTAVA: Thank you. Item Number 8, a public hearing to consider the adoption of local law authorizing the Town of North Hempstead to opt-in for the new income eligibility rates for the persons with disabilities and limited incomes property tax exemption pursuant to Section 459-C of the New York State real property tax law.

SUPERVISOR DESENA: The purpose of this proposed local law is to authorize the Town of North Hempstead to opt-in to the new income eligibility rates for persons with disabilities and limited incomes property tax exemption under Section 459-C of the New York State real property tax law. Are there any additional cards?

CLERK SRIVASTAVA: Senator Anna Kaplan.

SENATOR KAPLAN: I made my statement, thank you.

SUPERVISOR DESENA: Okay. I would like to close the public hearing, offer the resolution and move for its adoptions.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Thank you to the Senator. Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: I'm glad that we can provide a small amount of tax relief for our residents. Thank you and I vote Aye.

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

RESOLUTION NO. 520 - 2022

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 PERSONS WITH DISABILITIES AND LIMITED INCOMES PROPERTY TAX EXEMPTION PURSUANT TO SECTION 459-C OF THE NEW YORK STATE REAL PROPERTY TAX LAW.

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 opt into new income eligibility rates for the persons with disabilities and limited incomes property tax exemption under Section 459-C of the Real Property Tax Law; 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 October 13, 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 October 13, 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)(26) 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)(26) of the SEQRA Regulations and, as such, no further environmental review is required; and be it further

RESOLVED that Local Law No. 20 of 2022 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 20 OF 2022
A LOCAL LAW OPTING INTO NEW INCOME ELIGIBILITY RATES FOR THE
PERSONS WITH DISABILITIES AND LIMITED INCOMES PROPERTY TAX
EXEMPTION PURSUANT TO SECTION 459-C OF THE NEW YORK STATE REAL
PROPERTY TAX LAW.**

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 adopt a local law to opt into certain amendments to Section 459-C of the New York Real Property Tax Law to increase the maximum income levels for receiving an exemption or partial exemption from real property taxation for certain persons with disabilities and limited incomes.

Section 2.

The graduated maximum income levels for receipt of a partial exemption from real property taxation for purposes of taxes levied for the Town of North Hempstead, pursuant to Section 459-C of the Real Property Tax Law, heretofore authorized by the Town, is amended as follows:

Annual Income	Percent of Exemption
Up to an including \$50,000	50%
More than \$50,000, but less than \$51,000	45%
\$51,000 or more, but less than \$52,000	40%
\$52,000 or more, but less than \$53,000	35%
\$53,000 or more, but less than \$53,900	30%
\$53,900 or more, but less than \$54,800	25%
\$54,800 or more, but less than \$55,700	20%
\$55,700 or more, but less than \$56,600	15%
\$56,600 or more, but less than \$57,500	10%
\$57,500 or more, but less than \$58,400	5%

Section 3.

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

; and be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on October 13, 2022 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. __ of 2022 was adopted. The Local Law opts the Town into new income eligibility rates for the persons with disabilities and limited incomes property tax exemption under Section 459-C of the Real Property Tax Law.

Dated: Manhasset, New York

October 13, 2022

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

Dated: Manhasset, New York

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Town Clerk

NEWSDAY AFFIDAVIT OF PUBLICATION

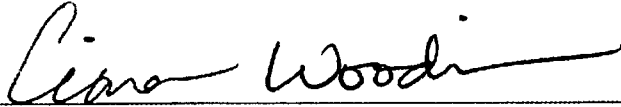
TOWN OF NORTH HEMP TOWN CLERK
200 PLANDOME ROAD
MANHASSET, NY 11030-2326

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

Legal Notice No. 0021748948

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


Monday October 03, 2022 Nassau

By: 

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
3 Day of October, 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 # 21748948

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 7:00p.m.

Dated: Manhasset, New York
September 22, 2022

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

NEWSDAY PROOF

Ad Number: 0021748948

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

NEWSDAY AFFIDAVIT OF PUBLICATION

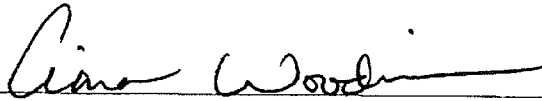
TOWN OF NORTH HEMPSTEAD (GEN ACCT)
200 PLANDOME ROAD
TOWN CLERK
MANHASSET, NY 11030-2326
STATE OF NEW YORK)

Legal Notice No. 0021751522

: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:

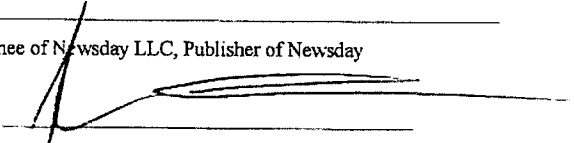
Monday October 17, 2022 Nassau

By: 

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
17 Day of October, 2022.



Notary Public

Tyshawn Harrison
Notary Public - State of New York
No. 01HA6186920
Qualified in Erie County
Commission Expires 05/12/2024

Ad Content

Legal Notice # 21751522
NOTICE OF ADOPTION
PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on October 13, 2022 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. 20 of 2022 was adopted. The Local Law opts the Town into new income eligibility rates for the persons with disabilities and limited incomes property tax exemption under Section 459-C of the Real Property Tax Law. Dated: Manhasset, New York October 13, 2022
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD RAGINI SRIVASTAVA TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021751522

Advertiser: TOWN OF NORTH HEMPSTEAD (GEN ACCT)

CLERK SRIVASTAVA: Item Number 9, a public hearing to consider the rescission and adoption of ordinances affecting High Street in Manhasset.

COUNCILMEMBER LURVEY: The rescission and adoptions of these ordinances will remove the presently posted time limited No Parking restriction and add a No Stopping Anytime restriction on the south side of High Street in Manhasset. Are there any cards?

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

COUNCILMEMBER LURVEY: Seeing none, I'd like to close the public hearing, offer the resolution, and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER 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:

ORDINANCE NO. 17 - 2022

A PUBLIC HEARING TO CONSIDER THE RESCISSION AND ADOPTION OF ORDINANCES AFFECTING HIGH STREET IN MANHASSET.

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. 17 - 2022
MANHASSET, NEW YORK**

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

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.

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

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

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

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

Dated: Manhasset, New York

October 13, 2022

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

Affidavit of Publication

County of Nassau SS
State of New York,

**LEGAL NOTICE
NOTICE OF HEARING**
PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on the 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 ordinance:

HIGH STREET.

MANHASSET NEW YORK

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

**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.

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 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-#235124-
MAN**

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

1 weeks, viz: September 28, 2022

Linda Baccoli

Sworn to me this 28 day of
September-2022

[Signature]

Notary Public

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

RECEIVED TOWN CLERK
SEP 28 2022 AM 11:17

Affidavit of Publication

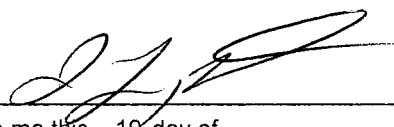
County of Nassau
State of New York,

SS

RECEIVED
2022 OCT 19 10 51 AM
CLERK

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

1 weeks, viz: October 19, 2022



Sworn to me this 19 day of
October-2022



Notary Public

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

LEGAL NOTICE
NOTICE 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. 17-2022
MANHASSET,
NEW YORK

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

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

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From a point 322 feet west of the west curb line of Community Drive, west, for

a distance of 55 feet.

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

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

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

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

Dated: October 13, 2022
Manhasset, New York

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

10-19-2022-IT-#235450-
MAN

CLERK SRIVASTAVA: Item Number 10, 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.

COUNCILMEMBER DALIMONTE: I offer the resolution and set the hearing date for November 17, 2022.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 521 - 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.

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 allow overnight parking for residents under certain conditions in Lot 7 of the Port Washington Public Parking District and to remove Section 83(D)(3) relating to the temporary conversion of commuter parking spaces to metered shopper parking spaces with the intention of permanently converting such spaces by resolution of the Town Board.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 17th day of November, 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 Article IX of the Town of North Hempstead Uniform Traffic Code entitled "Port Washington Public Parking District" in order to allow overnight parking for residents under certain conditions in Lot 7 of the Port Washington Public Parking District and to remove Section 83(D)(3) relating to the temporary conversion of commuter parking spaces to metered shopper parking spaces with the intention of permanently converting such spaces by resolution of the Town Board; 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 17th day of November, 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 allow overnight parking for residents under certain conditions in Lot 7 of the Port

Washington Public Parking District and to remove Section 83(D)(3) relating to the temporary conversion of commuter parking spaces to metered shopper parking spaces with the intention of permanently converting such spaces by resolution of the Town Board.

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

October 13, 2022

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

Dated: Manhasset, New York

October 13, 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 Number 11, 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?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 522 - 2022

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

WHEREAS, Ivy Prep LLC has generously offered, as a gift, tee shirts for the Autumn Moon Festival at Clark Botanic Garden on September 9, 2022; and

WHEREAS, New Wolf Cyber Intelligence Advisors has generously offered, as a gift, moon cakes for the Autumn Moon Festival at Clark Botanic Garden on September 9, 2022; and

WHEREAS, Unlimited Sports Action has generously offered, as a gift, floating lanterns for the Autumn Moon Festival at Clark Botanic Garden on September 9, 2022; and

WHEREAS, the Manhasset High School Class of 2023 has generously offered, as a gift, \$1,000 for the maintenance and enhancement of the Town's parks; and

WHEREAS, the Mulligan Family has generously offered, as a gift, \$2,500 for the purchase of a commemorative bench at Town Dock; 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

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Comptroller, Parks and Recreation

CLERK SRIVASTAVA: Item Number 12, a resolution authorizing supplemental budget appropriations pursuant to town law Section 112.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 523 - 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 Board authorize supplemental appropriations in year 2022 (the “Supplemental Appropriation”) as follows:

- 1. \$3,010.00 to be recorded to revenue line A.2705 with the offsetting expense to be recorded to expense code A.06.3510.4110, for supplies and materials for the Animal Shelter; and
- 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 Town Dock, with the remainder, if any, to be used to support the Department of Parks and Recreation; and

WHEREAS, the Board wishes to authorize the Supplemental Appropriations.

NOW, THEREFORE, BE IT

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

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

Dated: Manhasset, New York

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Comptroller, Clerk

CLERK SRIVASTAVA: Item Number 13, a resolution authorizing the preparation and submission of a grant application to the New York State Environmental Facilities Corporation's Clean Vessel Act Program's pumpout boat replacement grant and the taking of related action.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 524 - 2022

A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION'S CLEAN VESSEL ACT PROGRAM'S PUMPOUT BOAT REPLACEMENT GRANT AND THE TAKING OF RELATED ACTION.

WHEREAS, the Town, pursuant to Resolution No. 463-2020, duly adopted on October 22, 2020, applied for, and later received, a grant in the amount of Sixty Thousand and 00/100 Dollars (\$60,000.00) from the New York State Environmental Facilities Corporation's Clean Vessel Assistance Program ("CVAP") for Construction and Upgrades ("the C&U Grant") for the replacement of a pumpout boat; and

WHEREAS, pursuant to Resolution No. 279-2021, duly adopted on May 20, 2021, this Board authorized the award of a bid for the new boat to Sound Marine Service and Supplies, 925-12 Lincoln Avenue, Holbrook, New York 11741; and

WHEREAS, due to supply chain issues, the Town will not receive delivery of the pumpout boat until March of 2023; and

WHEREAS, the grant previously received will expire before the Town receives the new vessel and the Town has been advised by the State to submit a new application for the grant to ensure the funds do not expire before the boat is delivered; and

WHEREAS, the Grants Coordinator has recommended that the Town submit an application to the New York State Environmental Facilities Corporation's Clean Vessel Act Pumpout Boat Replacement Assistance Program Grant (the "Application") for the C&U grant as recommended by the State; and

WHEREAS, the Board wishes to authorize the preparation of the application for the C&U Grant for the replacement of the pumpout boat (the "Project").

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby authorizes the preparation of the Application for the Grant for the undertaking and completing of the Project; 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 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

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

CLERK SRIVASTAVA: Item Number 14, a resolution authorizing the award of a bid for the Tully Park tennis court replacement.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 525 - 2022

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE TULLY PARK TENNIS COURT REPLACEMENT (TNH290-2022).

WHEREAS, the Town’s Division of Purchasing solicited bids for Tennis Court Replacement at Michael J. Tully Park, New Hyde Park, NY, TNH290-2022 (the “Project”); and

WHEREAS, bids in response to the solicitation (the “Bids”) were received and were opened, which Bids are as follows; and

Bidder	Price
Pioneer Landscaping & Asphalt Paving 168 Townline Road Kings Park, NY 11754	Bid: \$1,533,014.00 Add Alt: \$406,505.00
The LandTek Group Inc. 105 Sweeneydale Avenue Bay Shore, NY 11706	Bid: \$1,826,460.00 Add Alt: \$445,200.00
Laser Industries Inc. 1775 Middle Country Road Ridge, NY 11961	Bid: \$1,888,888.00 Add Alt: \$657,920.00
Galvin Brothers Inc. 149 Steamboat Road Great Neck, NY 11024	Bid: \$2,533,170.00 Add Alt: \$562,850.00

WHEREAS, after a review of the Bids, a calculation error was apparent on the face of Pioneer Landscaping & Asphalt Paving’s bid and the corrected bid price is One Million Five Hundred Fifty-One Thousand Seven Hundred Fourteen and 00/100 Dollars (\$1,551,714.00); and

WHEREAS, having examined the Bids, the Commissioner of the Town's Department of Parks and Recreation (the "Commissioner") determined that Pioneer Landscaping & Asphalt Paving remains the lowest responsible bidder; and

WHEREAS, the Commissioner has recommended that the contract for the Project be awarded to Pioneer Landscaping & Asphalt Paving, 168 Townline Road, Kings Park, NY 11754 (the "Contractor") as the lowest responsible bidder at its corrected total gross bid, inclusive of the add alternate, of One Million Nine Hundred Fifty-Eight Thousand Two Hundred Nineteen and 00/100 Dollars (\$1,958,219.00); and

WHEREAS, the Town Board desires to authorize the award of a contract to the Contractor as recommended by this Commissioner.

NOW, THEREFORE, BE IT

RESOLVED that a Contract for the Project is hereby awarded to the Contractor, as the lowest responsible bidder, at its corrected total gross bid, inclusive of add alternate, of One Million Nine Hundred Fifty-Eight Thousand Two Hundred Nineteen and 00/100 Dollars (\$1,958,219.00), as more particularly set forth in an agreement which will be filed in the Office of the Town Clerk (the "Award"); and be it further

RESOLVED that the Supervisor or her designee is hereby authorized and directed to execute the contract documents, 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 is hereby authorized and directed to supervise the execution of the contract documents to effectuate the Award; and be it further

RESOLVED that the Comptroller is hereby authorized and directed to pay the cost thereof upon receipt of a duly executed contract and certified claims therefor.

Dated: Manhasset, New York

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Comptroller, Parks

CLERK SRIVASTAVA: Item Number 15, a resolution authorizing the award of a bid for fuel for marine equipment.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 526 - 2022

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR FUEL FOR MARINE EQUIPMENT (TNH292R-2022).

WHEREAS, the Director of Purchasing (the "Director") has solicited bids for fuel for marine equipment; and

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

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

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

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York

October 13, 2022

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

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

Nays: None.

cc: Town Attorney, Comptroller, Purchasing

TNH292R-2022-Fuel for Marine Equipment		Safe Harbor Capri Marina
		15 Orchard Beach Blvd
		Port Washington, NY 11050
		516-883-7800
		ddoody@shmarinas.com
		David Doody
No.	DESCRIPTION	UNIT
1	89 Octane Gasoline – bid cents off posted - price per gallon	gallon
		\$0.20
2	#2 Diesel Fuel – bid cents off posted - price per gallon	gallon
		\$0.20
Hours of availability		8.-6.
Days of availability (please list any days closed)		7 days a week in seaport by appointment

TNH92R-2022-Fuel for Marine Equipment	
Winning Vendor	Items Won
Safe Harbor Capri Marina	All Items
15 Orchard Beach Blvd	
Port Washington, NY 11050	
516-883-7800	
ddoody@shmarinas.com	
David Doody	

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. 528 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH P.W. GROSSER CONSULTING, INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO DRAINAGE IMPROVEMENTS AT BEVERLY ROAD - PORT WASHINGTON, NY, DPW PROJECT NO. 22-11.

WHEREAS, the Town of North Hempstead (the "Town") Department of Public Works (the "Department") requires the services of an engineering consulting firm to provide professional engineering services for Drainage Investigation and Improvements on Beverly Road, Port Washington, NY, DPW Project No. 22-11 (the "Services"); and

WHEREAS, the Acting Commissioner of the Department has recommended that the Town enter into an agreement with P.W. Grosser Consulting Inc., 630 Johnson Avenue, Suite 7, Bohemia, New York 11716 to provide the Services in consideration of an amount not to exceed Twelve Thousand Five Hundred and 00/100 Dollars (\$12,500.00) (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

CLERK SRIVASTAVA: Item Number 18, a resolution authorizing the execution of an agreement with the Long Island Nets by and through the Brooklyn Nets LLC to use the North Hempstead Yes We Can Community Center as the official practice facility of the Long Island Nets.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 529 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE LONG ISLAND NETS BY AND THROUGH THE BROOKLYN NETS, LLC TO USE THE NORTH HEMPSTEAD "YES WE CAN" COMMUNITY CENTER AS THE OFFICIAL PRACTICE FACILITY OF THE LONG ISLAND NETS.

WHEREAS, the Town has previously permitted the Long Island Nets, a National Basketball Association Development League team associated with the Brooklyn Nets (the "Licensee") to use the North Hempstead "Yes We Can" Community Center (the "Community Center") as its official practice facility (the "Use"); and

WHEREAS, the Licensee continues to use the Community Center's gym and locker room for practices and to use other rooms at the Community Center for meetings, training staff and storage; and

WHEREAS, the Town has negotiated an agreement with the Licensee to use the Community Center for the Use commencing retroactively on September 1, 2022 and ending August 30, 2023 in consideration of payments to the Town based on Licensee's actual hours of use of the various areas at the Community Center at agreed upon hourly rates for each area, in addition to providing the Town tickets to Long Island Nets games at Nassau Veterans Memorial Coliseum for Town residents and holding basketball and fitness clinics for youth in the community (the "License Agreement"); and

WHEREAS, Town staff have recommended that the Town Board authorize the execution of the License Agreement; and

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

NOW, THEREFORE, BE IT

RESOLVED that the License 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 License Agreement on behalf of the Town, which License 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 complete the negotiation and oversee the execution of the License

CLERK SRIVASTAVA: Item Number 16, a resolution authorizing the execution of an agreement LK Mclean Associates PC for professional engineering services related to a corridor and traffic study at Maple Street, Manhasset, New York, DPW project Number 22-02

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item Number 17, a resolution authorizing the execution of an agreement with PW Grosser Consulting Inc. for professional engineering services related to drainage improvements at Beverly Road, Port Washington, New York, DPW project number 22-11.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

Agreement, and to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item Number 19, a resolution authorizing the execution of an agreement with the Community Chest of Port Washington New York, Inc. to cosponsor a Thanksgiving Day run.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye. And I challenge you all you to run with me in the Turkey Trot.

COUNCILMEMBER DALIMONTE: I'll be at the finish line. I'll high five you.

COUNCILMEMBER LURVEY: Didn't you run a half marathon?

SUPERVISOR DESENA: Yes.

COUNCILMEMBER LURVEY: Yes, no way.

COUNCILMEMBER DALIMONTE: We would still be at the starting line and she would be at the finish line.

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. 530 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE COMMUNITY CHEST OF PORT WASHINGTON, NY, INC. TO CO-SPONSOR A THANKSGIVING DAY RUN.

WHEREAS, the Community Chest of Port Washington, N.Y., Inc., 382 Main Street, Port Washington, New York 11050 (the "CCPW") provides activities and services to residents of the Town of North Hempstead (the "Town"); and

WHEREAS, the CCPW has asked the Town to co-sponsor its Thanksgiving Day Run (the "Event"), through the provision of funds not to exceed Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00) and Town equipment (the "Town Sponsorship"); and

WHEREAS, this Board wishes to authorize the Town to enter into an agreement with CCPW to provide the Town Sponsorship in exchange for recognition as a co-sponsor of the Event (the "Agreement").

NOW, THEREFORE, BE IT

RESOLVED that the Town shall co-sponsor the Event and provide the Town Sponsorship; and be it further

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

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

RESOLVED that the Town Comptroller is hereby authorized and directed to pay the costs of the Agreement upon receipt of a duly executed agreement and certified claim therefor.

Dated: Manhasset, New York

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Comptroller

CLERK SRIVASTAVA: Item Number 20, a resolution authorizing the execution of an agreement with Appellate Innovations for appellate printing and consulting services.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 531 -2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH APPELLATE INNOVATIONS FOR APPELLATE PRINTING AND CONSULTING SERVICES (TNH287r-2022).

WHEREAS, the Office of the Town Attorney requires a firm for appellate printing and consulting services (the "Services"); and

WHEREAS, the Director of Purchasing (the "Director") issued a Request for Proposals for the Services, in response to which the Town received one (1) proposal; and

WHEREAS, having reviewed the proposal and having determined that the pricing is reasonable and the vendor can meet the needs of the Town, the Director has recommended that the Town enter into an agreement with Appellate Innovations, 3 Barker Avenue #3, White Plains, New York 10601 (the "Contractor") to provide the Services on as an needed basis for a term beginning October 14, 2022 and ending October 13, 2023, 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 by the Town based on the nature and level of Services required (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

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Comptroller

CLERK SRIVASTAVA: Item Number 21, a resolution authorizing the execution of an agreement with Canon Solutions America Inc to maintain a check imager and endorser for the office of the receiver of taxes.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 532 - 2022

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

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

WHEREAS, the Receiver of Taxes has recommended that the Town enter into an agreement with Canon Solutions America, Inc. to provide the Services for a term of one (1) year in consideration of an amount not to exceed One Thousand One Hundred Fifty and 0/100 Dollars (\$1,150.00) (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor 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

October 13, 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, Tax Office

CLERK SRIVASTAVA: Item Number 22, a resolution authorizing the execution of an agreement with Defend Yourself for active bystander training.

COUNCILMEMBER LURVEY: So I want to just say a few words about this and thank the Asian American Advisory Committee. There were several meetings with this committee last year where we discussed anti-Asian bias and other issues that were important to the members at that point in time. And the concept of having bystander training came from those meetings and it's been a few months in the planning. But I'm glad it's on the agenda now. I think it's imperative that the residents of the town are well educated regarding hate crimes and how to act when one is witnessing one because it's very easy to freeze or do the wrong thing and you don't know what to do. I think a training will come in handy. Defend Yourself has over 20 years of experience and they've trained over 35,000 people in defending themselves and others so I hope that a lot of people take advantage of this.

COUNCILMEMBER DALIMONTE: Can we attend?

SUPERVISOR DESENA: I think it's online.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: I just want to comment that way, way too many times you see on television of other people taking videos where somebody else is being kicked and stomped and most people just don't have, just don't have the nerve to intervene or they think it's a good idea to take a picture. And you know, if you don't intervene for someone that you don't know, no one's going to intervene for you and I vote Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Very well said Councilman, thank you. I vote Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: think this is great. It's you know like Councilman Walsh said, this is, you're right, people get out their phones and video tapes. I vote 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. 533 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH DEFEND YOURSELF FOR ACTIVE BYSTANDER TRAINING.

WHEREAS, the Town of North Hempstead (the "Town") requires an organization to conduct a two (2) hour virtual Active Bystander Workshop for up to 35 people (the "Services"); and

WHEREAS, it has been recommended that the Town enter into an agreement with Defend Yourself, 407 Tulip Avenue, #304, Takoma Park, Maryland 20912, to provide the Services in consideration of an amount not to exceed One Thousand One Hundred and 00/100 Dollars (\$1,100.00) (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

October 13, 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 23, a resolution authorizing the execution of Horsley Archaeological Propection LLC for a ground penetrating radar survey at Monfort Cemetery.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 534 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HORSLEY ARCHAEOLOGICAL PROSPECTION, LLC FOR A GROUND PENETRATING RADAR SURVEY AT MONFORT CEMETARY.

WHEREAS, the Town of North Hempstead (the "Town") requires the retention of a firm to provide a ground penetrating radar survey in order to locate and map unmarked burials within the historic Monfort Cemetery in Port Washington (the "Services"); and

WHEREAS, the Director of Purchasing has recommended that the Town enter into an agreement with Horsley Archaeological Prospection, LLC, 518 Park Avenue, DeKalb, Illinois 60115 to provide the Services, inclusive of travel, in consideration of an amount not to exceed Eight Thousand One Hundred Thirty and 00/100 Dollars (\$8,130.00) (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 be and hereby is authorized and directed to execute, on behalf of the Town, the Agreement, a copy of which Agreement which shall be on file in the Office of the Town Clerk; and be it further

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

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

Dated: Manhasset, New York

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

CLERK SRIVASTAVA: Item Number 24, a resolution authorizing the use of various county of Nassau agreements for town purchases and rentals.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 535 - 2022

A RESOLUTION AUTHORIZING THE USE OF VARIOUS COUNTY OF NASSAU AGREEMENTS FOR TOWN PURCHASES AND RENTALS.

WHEREAS, the Town of North Hempstead (the "Town") requires the purchase of various goods and the rental of supplies (the "Purchases and Rentals"); and

WHEREAS, the County of Nassau awarded contract #BPNC19000203 entitled "Plumbing & Heating Supplies" to Babylon Plumbing Supply, Inc., 99 John Street, Babylon, New York 11702 (the "Plumbing Agreement"); and

WHEREAS, the County of Nassau awarded contract #BPNC18000105 entitled "Tents, Tables And Accessories Rental" to AAA Party Rentals, 1001 Stewart Avenue, Garden City, New York 11503 (the "Rental Agreement"); and,

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

WHEREAS, the Board wishes to authorize the use of the Plumbing Agreement and the Rental Agreement (collectively the "Agreements") for the duration of the Agreements, inclusive of any extensions.

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Admin Services, Comptroller

CLERK SRIVASTAVA: Item Number 25 a resolution authorizing the execution of an amendment to an agreement with Fairway Golf Car Corp for the rental of golf cars at Harbor Links Golf Course.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 536 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH FAIRWAY GOLF CAR CORP. FOR THE RENTAL OF GOLF CARS AT HARBOR LINKS GOLF COURSE.

WHEREAS, the Department of Parks and Recreation (the "Department") requires golf carts for use at Harbor Links Golf Course in Port Washington ("Harbor Links"); and

WHEREAS, pursuant to Resolution No. 476-2021, duly adopted on September 2, 2021, the Town awarded a bid for the lease of new golf carts for Harbor Links to Fairway Golf Car Corp., 8 Commercial Boulevard, Medford, New York 11763 ("Fairway"); and

WHEREAS, due to supply chain delays the carts were not delivered in time for the start of the 2022 golf season and, pursuant to Resolution No. 77-2022, duly adopted on February 17, 2022, the Town entered into short-term leases (the "Agreements") with Fairway to retain the existing carts for a period of four (4) months, from March 1, 2022 through July 31, 2022, or until such time as the new carts are delivered, whichever was sooner, in consideration of payment in the amount of Six Thousand Seven Hundred Fifty and 00/100 Dollars (\$6,750.00) per month for the ninety (90) electric golf carts with visage GPS and the amount of One Thousand Three Hundred Fifty and 00/100 Dollars (\$1,350.00) per month for the eighteen (18) gas golf carts; and

WHEREAS, in the event that the new carts were not delivered by July 31, 2022 the Agreements would extend under the same terms for sixty (60) days upon the request of Harbor Links, which request was previously made; and

WHEREAS, the ninety (90) electric golf carts have been received by Harbor Links but the eighteen (18) gas golf carts have not yet been delivered; and

WHEREAS, the Director of Purchasing has recommended that the short-term lease for the gas golf carts be amended to extend the term of the lease retroactively from September 30, 2022 through December 31, 2022 on the same terms and conditions (the "Amendment"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Comptroller

CLERK SRIVASTAVA: Item Number 26, a resolution authorizing the execution of an amendment to an agreement with John McGowan and Sons, Inc for asphalt paving and repairs services.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 537 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH JOHN MCGOWAN AND SONS, INC. FOR ASPHALT PAVING AND REPAIR SERVICES (TNH224-2019).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement, as amended, with John McGowan & Sons, 323 Glen Cove Avenue, Sea Cliff, New York 11579 (the "Contractor"), to provide asphalt paving and repairs in Town parks and properties (the "Original Agreement"); and

WHEREAS, the Original Agreement contains the option to extend the Original Agreement for a period of ninety (90) days, at the sole discretion of the Town (the "Option"); and

WHEREAS the Director of Purchasing (the "Director") has recommended that the Town amend the Original Agreement to exercise the Option to extend the term of the Original Agreement for a ninety (90) days period, commencing retroactively on September 26, 2022 and ending December 25, 2022 (the "Amendment"); and

WHEREAS, the Town Board finds it in the best interests of the Town to authorize the Amendment.

NOW, THEREFORE, BE IT

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

RESOLVED the Supervisor or her designee is authorized and directed to execute, on behalf of the Town, the Amendment, all as more particularly set forth in a copy of the Amendment, which shall be on file in the Office of the Town Clerk; and be it further

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

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

Dated: Manhasset, New York .

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Purchasing, Comptroller

CLERK SRIVASTAVA: Item Number 27, a resolution authorizing the execution of an amendment to an agreement with Metro Express Services for pavement marketing services.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 538 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH METRO EXPRESS SERVICES FOR PAVEMENT MARKING SERVICES (TNH089-2019).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement, as amended, with Metro Express Services, 10 Fifth Street, 2nd Floor, Valley Stream, New York 11581 (the "Contractor"), for pavement marking services (the "Original Agreement"); and

WHEREAS, the Original Agreement contains the option to extend the Original Agreement for a period of ninety (90) days, at the sole discretion of the Town (the "Option"); and

WHEREAS the Director of Purchasing (the "Director") has recommended that the Town amend the Original Agreement to exercise the Option to extend the term of the Original Agreement for a ninety (90) days period, commencing retroactively on October 11, 2022 and ending January 10, 2023 (the "Amendment"); and

WHEREAS, the Town Board finds it in the best interests of the Town to authorize the Amendment.

NOW, THEREFORE, BE IT

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

RESOLVED the Supervisor or her designee is authorized and directed to execute, on behalf of the Town, the Amendment, all as more particularly set forth in a copy of the Amendment, which shall be on file in the Office of the Town Clerk; and be it further

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

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

Dated: Manhasset, New York

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Purchasing, Comptroller

CLERK SRIVASTAVA: Item number 28, a resolution authorizing the execution of an amendment to an agreement with the Public Employer Risk Management Association for workers compensation third part administration services.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 539 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH THE PUBLIC EMPLOYER RISK MANAGEMENT ASSOCIATION, INC. FOR WORKERS COMPENSATION THIRD PARTY ADMINISTRATOR SERVICES (TNH058-2019).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Public Employer Risk Management Association, Inc., 9 Cornell Road, Latham, New York 12110 (the "Contractor"), to provide third-party administration services for the Town's Workers Compensation Plan (the "Original Agreement"); and

WHEREAS, the Original Agreement contained the option to renew the Original Agreement for two (2) additional one (1) year periods with the same terms and conditions (the "Options"); and

WHEREAS the Director of Purchasing (the "Director") has recommended that the Town exercise the first Option to amend the Original Agreement for an additional one (1) year period commencing on January 1, 2023 and ending on December 31, 2023 (the "Amendment"); and

WHEREAS, the Town Board finds it in the best interests of the Town to authorize the Amendment.

NOW, THEREFORE, BE IT

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

RESOLVED the Supervisor or her designee is authorized and directed to execute, on behalf of the Town, the Amendment, all as more particularly set forth in a copy of the Amendment, which shall be on file in the Office of the Town Clerk; and be it further

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

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

Dated: Manhasset, New York

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Purchasing, Comptroller

CLERK SRIVASTAVA: Item Number 29, a resolution authorizing the purchase from Motorola Solutions Inc of annual software maintenance and support for the town's 311 system.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 540 - 2022

A RESOLUTION AUTHORIZING THE PURCHASE FROM MOTOROLA SOLUTIONS, INC. OF ANNUAL SOFTWARE MAINTENANCE AND SUPPORT FOR THE TOWN'S 311 SYSTEM.

WHEREAS, the Department of Information Technology and Telecommunications (the "Department") requires software maintenance, cloud hosting services, and technical support for the Town's 311 system (the "Services"); and

WHEREAS, the Commissioner of the Department has recommended that the Town purchase the Services from Motorola Solutions, Inc. for a term of one (1) year in consideration of an amount not to exceed Ninety-Six Thousand Four Hundred Forty-Four and 00/100 Dollars (\$96,444.00) payable in quarterly instalments in the amount of Twenty-Four Thousand One Hundred Eleven and 00/100 Dollars (\$24,111.00) (the "Purchase"); and

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

NOW, THEREFORE, BE IT

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

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

Dated: Manhasset, New York

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Comptroller, DOITT

CLERK SRIVASTAVA: Item Number 30, a resolution ratifying the rental of light towers from Sunbelt Rentals and authorizing payment for the rental.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 541 - 2022

A RESOLUTION RATIFYING THE RENTAL OF LIGHT TOWERS FROM SUNBELT RENTALS AND AUTHORIZING PAYMENT FOR THE RENTAL.

WHEREAS, the Town required the rental of light towers for North Hempstead Beach Park in Port Washington (the "Rental"); and

WHEREAS, the Town entered into a rental agreement (the "Agreement") with Sunbelt Rentals, Inc., 522 Grand Boulevard, Westbury, New York 11590-4742 (the "Contractor") to provide the Rental in consideration of an amount not to exceed Three Thousand Nine Hundred Forty-Six and 80/100 Dollars (\$3,946.80); and

WHEREAS, it has been requested that this Board ratify the Town's actions in executing the Agreement; and

WHEREAS, this Board finds it to be in the best interests of the Town to ratify the Town's action in executing the Agreement.

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby ratifies the retention of the Contractor to provide the Rental; and be it further

RESOLVED that the Agreement be and hereby is ratified, a copy of which shall be on file with the Office of the Town Clerk; and be it further

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

Dated: Manhasset, New York

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Comptroller, Parks

CLERK SRIVASTAVA: Item number 31, a resolution establishing a new property address of 1010 N 6th Street New Hyde Park, New York for the premises identified as Section 8, Block 9, Lot 57 on the land and tax map of the county of Nassau.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 542 - 2022

A RESOLUTION ESTABLISHING A NEW PROPERTY ADDRESS OF 1010 N 6TH STREET, NEW HYDE PARK, NEW YORK FOR THE PREMISES IDENTIFIED AS SECTION 8, BLOCK 9, LOT 57 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU.

WHEREAS, Section 10-3 of the Code of the Town of North Hempstead authorizes the Town Board to adjust and renumber street addresses as may be required from time to time; and

WHEREAS, Robin Copra/Essex Property Builders LLC (the "Applicant") is the owner of real property designated on the Nassau County Land and Tax Map as Section 8, Block 9, Lot 57 (the "Property"); and

WHEREAS, the Applicant has requested that the Property be assigned a street address; and

WHEREAS, the Town has determined that, in the interest of promoting the health, safety and general welfare of Town residents, the Premises should be assigned the following street address: 1010 N 6th Street, New Hyde Park, New York (the "Address Designation"); and

WHEREAS, the New Hyde Park Postmaster has approved the Address Designation sought by the Applicant; and

WHEREAS, subject to the Nassau County Fire Marshal rendering a determination that the designation would not impede optimum emergency response time (the "Determination"), the Town Board wishes to grant the Applicant's request for the Address Designation.

NOW, THEREFORE, BE IT

RESOLVED that subject to the Determination of the Nassau County Fire Marshal, the Town Board of the Town of North Hempstead hereby authorizes and directs that the Property designated on the Nassau County Land and Tax Map as Section 8, Block 9, Lot 57 be assigned the street address 1010 N. 6th Street, New Hyde Park, New York; and be it further

RESOLVED that the Town Board hereby authorizes and directs that all necessary action be taken by the Town Department of Building Safety, Inspection and Enforcement to effectuate the foregoing; and be it further

RESOLVED that the Town Board hereby authorizes and directs the Town Clerk to notify the Nassau County Clerk, the Nassau County Engineer, and the post-office department of the United States where the premises is located, within ten days following receipt of the Determination of the Nassau County Fire Marshal as set forth above, to advise them of the Address Designation.

Dated: Manhasset, New York

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Receiver of Taxes, Planning, Building, DPW, Town Clerk

CLERK SRIVASTAVA: Item number 32.

SUPERVISOR DESENA: Hold on. Madam Clerk, before you read this one I would like to withdraw Item 32 from the agenda. This is an item regarding an ethics board nominee and this person has asked that she not be put through the embarrassment of voted down again, that if this can't be agreed that she would be appointed to the board of ethics she would rather not have her name on the agenda. I already had it on before I heard this. I just want to say that you know the supervisor's job is to fill the ethics board. I have tried to fill the ethics board. The situation where we had unexpired --we had expired terms of members was created by the prior administration and I've been doing my best to create an independent ethics board. These are volunteers, they now have to submit financial disclosure documents. I've given them staggered terms. There's just no reason to continue denying these ethics appointees. So I'm withdrawing Item 32 and please read the next item, 33.

CLERK SRIVASTAVA: 33.

SUPERVISOR DESENA: Yes.

CLERK SRIVASTAVA: Thank you. Item Number 33, 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?

COUNCILMEMBER TROIANO: The Supervisor in her withdrawing Item 32 says that she's done everything she can do to get new ethics board members appointed. She's done everything she can do except for the one thing that the town code requires is that she consult with the town council. I vote No.

SUPERVISOR DESENA: Councilman, I just need to correct as I did speak with Councilwoman Lurvey --

COUNCILMEMBER TROIANO: I think I already voted and we're taking roll --

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: No.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Yes.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: No.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: No.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: I want to say that I did speak with Councilwoman Lurvey about this

candidate and although we are in agreement as to her qualifications, Councilwoman Lurvey just said she will not approve my nominee.

COUNCILMEMBER TROIANO: Supervisor, we were voting on Item 33 which has nothing to do with the candidate you spoke to Ms. Lurvey.

SUPERVISOR DESENA: I'm correcting what you said. I'm correcting your statement.

COUNCILMEMBER TROIANO: I was pointing out Item 33 which has nothing to do with your statement about talking to Councilwoman Lurvey about the other person

COUNCILMEMBER WALSH: So, did you have a discussion with Councilwoman Lurvey to find that out? How did you find that out, she had a discussion with Councilwoman Lurvey and you're speaking for Councilwoman Lurvey it sounds like to me.

COUNCILMEMBER TROIANO: No, no, she had a discussion she said with Councilwoman Lurvey about the person noted in 32. She did not say she had a consultation with Veronica Lurvey or with anybody else about Item 33.

SUPERVISOR DESENA: That's correct.

COUNCILMEMBER TROIANO: Thank you.

SUPERVISOR DESENA: I vote Aye for 33.

CLERK SRIVASTAVA: Item Number 34, 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?

COUNCILMEMBER TROIANO: Again because the Supervisor has yet to consult with town council on this appointment, I vote no.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: No.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: I think we see the pattern here, yes.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: No.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: No.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: The names and resumes of these nominees have been available for months and I've had no objections to them. So I think this is a game that we're playing and I don't think we should be playing games with important things like an independent ethics board. I vote

ethics board. I vote Aye.

CLERK SRIVASTAVA: 35, a resolution confirming the reappointment of Joseph Sciamè to the Town of North Hempstead Board of Ethics.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: I wish this appointment was for longer. It's for two months until the end of this year which I don't really understand and just assume that we'll be reappointing him January 1st. He has done a fantastic job on the Board of Ethics for about 40 years. I vote Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: So this is for two months, 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. 543 - 2022

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF JOSEPH SCIAME TO THE TOWN OF NORTH HEMPSTEAD BOARD OF ETHICS.

WHEREAS, the Town Board of the Town of North Hempstead has heretofore created a Board of Ethics (the "Ethics Board") with seven members; and

WHEREAS, Joseph Sciame was previously appointed to the Ethics Board and has remained as a holdover member since the expiration of his term on December 31, 2018; and

WHEREAS, pursuant to §16A-9 of the Town Code, the Supervisor is authorized to make appointments to the Ethics Board, subject to confirmation by the Town Board; and

WHEREAS, the Supervisor wishes to reappoint Joseph Sciame for the remainder of his holdover term expiring on December 31, 2022.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby confirms the reappointment of Joseph Sciame to the Ethics Board for the remainder of his holdover term expiring on December 31, 2022.

Dated: Manhasset, New York

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

CLERK SRIVASTAVA: Item Number 36, a resolution confirming the appointment of Richard Pallisco to the Town of North Hempstead tree advisory committee.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye, and we will be sure to send him the invitation to the first meeting of the tree advisory committee which is coming up soon and I can't remember what date, but we'll make we do it. I vote Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 544 - 2022

A RESOLUTION CONFIRMING THE APPOINTMENT OF RICHARD PALLISCO TO THE TOWN OF NORTH HEMPSTEAD TREE ADVISORY COMMITTEE.

WHEREAS, the Town Board of the Town of North Hempstead (the "Board") has heretofore amended Chapter 20A of the Town Code entitled "Environmental Planning, Conservation and Care of Trees;" and

WHEREAS, as part of the Chapter 20A amendments, the Town Board renamed and re-established a Tree Advisory Committee and appointed members thereto pursuant to Section 20A-14(A) of the Town Code (the "Committee"); and

WHEREAS, there is currently a Committee position remaining open awaiting appointment by the Supervisor; and

WHEREAS, Supervisor DeSena has appointed Richard Pallisco to the Committee, for a term commencing retroactively on July 8, 2022 and ending July 7, 2023 (the "Appointment"); and

WHEREAS, this Board wishes to confirm the Appointment.

NOW, THEREFORE, BE IT

RESOLVED that the Appointment is hereby confirmed.

Dated: Manhasset, New York

October 13, 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, Finance

CLERK SRIVASTAVA: Item Number 37, a resolution establishing a remembrance brick program at the Town of North Hempstead Animal Shelter.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: I have some concerns about this that I was not able to discuss with the board just about the cost of taking this inside, and having our own employees doing this work as to whether the cost will be worth whatever it is that we're charging for the bricks.

COUNCILMEMBER DALIMONTE: So I moved to offer the resolution because I didn't hear you say anything. So I offered it, the information I have is buy and 8 by 8 -- the information is the same information in the notice agenda and apparently right now, you go through the shelter to get the brick and the shelter, then our town employees install it. Because it's town property, we should have our own employees being used to install it. Now I'm being told that the bricks are available in two sizes, an 8 by 8 inches with six line engraving is \$100, and four by 8 inches with three line engraving is \$50. I could tell you from the brick program I did at Trevor High School, a brick like that was only a \$100 and they even came and they installed. They were having their own town install it, we made money off of it at \$100 a brick. So I don't know that cost, but we can get that information if Sean Brown is here. Is he here this evening or Mark?

SUPERVISOR DESENA: He's coming.

COUNCILMEMBER DALIMONTE: We're accepting them as a gift. I'm sure with the union employee here they want us to have our employees install them.

MR. BROWN: Sean Brown, Public Safety Commissioner. I'm sorry could you repeat the question.

SUPERVISOR DESENA: My question is, what is the cost to the town to have our employees install the bricks?

MR. BROWN: There is no cost to the town. We invoice and we get reimbursed 100 percent.

SUPERVISOR DESENA: Okay.

COUNCILMEMBER ADHAMI: Maybe the labor costs?

SUPERVISOR DESENA: The time?

MR. BROWN: The time whatever but it's minimal.

SUPERVISOR DESENA: Maybe that's something that maybe we can look at down the road and just make sure that it's not costing us more in our use of our labor.

MR. BROWN: Absolutely.

COUNCILMEMBER TROIANO: Since you raised the question, I misunderstand the purpose of this. This is a remembrance brick for what purpose?

COUNCILMEMBER DALIMONTE: Like when my dog passed away, Supervisor Bosworth bought a brick in memory of my dog.

COUNCILMEMBER TROIANO: But if I heard correctly, the cost of the brick is the same as what we're charging for the brick?

MR. BROWN: I believe that is correct.

COUNCILMEMBER TROIANO: We could be inundated with requests.

COUNCILMEMBER DALIMONTE: This program's been around for a very long time through the shelter connection, that is run by the Town of North Hempstead which is run by the animal shelter.

SUPERVISOR DESENA: This will be done by our highway employees?

MR. BROWN: I'm sorry, I don't believe that. I think it's done by an outside vendor and --

SUPERVISOR DESENA: No it's --

COUNCILMEMBER DALIMONTE: No it's being installed by our town employees.

COUNCILMEMBER WALSH: I also have a little confusion from our caucus. There was a question about who would be installing them, how much would it cost, and the profit margin. If it cost \$100 a brick, I'm not opposed to it, but if it cost \$100 a brick and then a town laborer has to install them then there's some cost there. Is this a losing proposition or break even proposition.

MR. BROWN: As I understand it, it's a break even process and it's also a service we provide for our residents for their lost pets. It's been around for a while. I can talk, we can have sidebar conversations and I can get you specifics. Unfortunately I don't have them in front of me, but I'd be happy to meet you tomorrow, the next day, and get that for you.

SUPERVISOR DESENA: It sounds like a nice program in remembering pets. It's just the concept of now using our highway staff to be installing bricks.

COUNCILMEMBER DALIMONTE: They do that now.

SUPERVISOR DESENA: I thought you said it was being done by an outside company.

COUNCILMEMBER DALIMONTE: No, I didn't say that. I said it's being done inside. It's being done right now by --

COUNCILMEMBER TROIANO: So, if it's being done, what is this?

COUNCILMEMBER DALIMONTE: Sean, explain to them how if you went to the Shelter Connection you could buy a brick in memory of your animal. Then you get the brick and then it gets placed at the animal shelter by, and it's placed there by a town employee, correct?

MR. BROWN: Yes.

COUNCILMEMBER DALIMONTE: The only thing that's changing is instead of going to the Shelter Connection, we're now just going through the town.

MR. BROWN: That's correct.

COUNCILMEMBER TROIANO: I'm sorry, I don't know what the Shelter Connection is.

COUNCILMEMBER DALIMONTE: It'S a non-profit.

COUNCILMEMBER TROIANO: They were contracting with somebody?

COUNCILMEMBER DALIMONTE: Through the animal shelter.

MR. BROWN: The Shelter Connection has been

COUNCILMEMBER TROIANO: Who was placing the brick? Who was in the Shelter Connection having to place --

MR. BROWN: I understand the highway department was doing it.

COUNCILMEMBER TROIANO: They were doing to before and they're going to do it now. So there's no change.

COUNCILMEMBER DALIMONTE: No change except it's coming through the town instead of Shelter Connection. That's the only change.

COUNCILMEMBER WALSH: This is something small, but if I understand this, the brick cost a hundred and they pay a hundred, is that correct? They pay a hundred for the brick and the cost of a brick, that sounds pretty high to me.

MR. BROWN: I think there's more to it, I think there's engraving.

COUNCILMEMBER WALSH: I understand, I mean, maybe we should be charging 120 for a brick. I'm okay with it.

COUNCILMEMBER DALIMONTE: No cost to the town.

SUPERVISOR DESENA: It seems like there is a cost, it's just not a change in cost. We do have a cost of our labor.

COUNCILMEMBER DALIMONTE: It's in the cost of the brick.

SUPERVISOR DESENA: They're reimbursing for our staff time?

COUNCILMEMBER DALIMONTE: A brick does not cost a \$100.

MR. BROWN: Councilman Walsh mentioned that.

COUNCILMEMBER WALSH: I heard you say that.

MR. BROWN: I didn't say \$100.

COUNCILMEMBER DALIMONTE: And 8 by 8 inch brich is \$100. I know.

UNKNOWN SPEAKER: If I'm laughing it's not because of this issue. I did not expect to be back

here tonight after 7 hours.

COUNCILMEMBER TROIANO: Is this in the budget or not?

Scalero

~~UNKNOWN SPEAKER~~: This is a great program for pet lovers. It's a good memorial, I don't think anybody in the board is questioning that if I'm hearing this correctly. There was a question that came up during caucus as to whether we're using town employees to put the brick and install it. You're selling them for a \$100, but it may be costing us \$150 to put them in place because we use highway labor, the crew that may cost more. Unfortunately nobody had the breakdown yet. This program has been going on, to Councilwoman Dalimonte's point it's just a mechanism for how we're selling them at this point. I think we should look into that and get some concrete, no pun intended, some solid answers on that for you. But I don't think any -- we can talk about it all night.

SUPERVISOR DESENA: We don't want to do that.

Scalero

~~UNKNOWN SPEAKER~~: Keep us here longer but I don't think anybody, Sean, myself is really able to say what does it cost to actually install them at this time. I can get that information.

SUPERVISOR DESENA: Okay. Maybe we'll look at it someday. Thank you. I vote Aye, 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. 545 - 2022

A RESOLUTION ESTABLISHING A REMEMBRANCE BRICK PROGRAM AT THE TOWN OF NORTH HEMPSTEAD ANIMAL SHELTER.

WHEREAS, the Commissioner of Public Safety has recommended that the Town establish a Remembrance Brick Program at the Town of North Hempstead Animal Shelter (“Animal Shelter”) wherein individuals can order bricks to be engraved with a personal message honoring beloved pets or sharing simple, inspirational thoughts or messages for visitors, which bricks are to be installed by the Town in an outdoor seating area at the Animal Shelter (the “Program”); and

WHEREAS, the bricks will be available in an 8” x 8” size for \$100.00 each with a 6 line engraving maximum and in a 4” x 8” size for \$50.00 each with a 3 line engraving maximum; and

WHEREAS, orders for bricks in connection with the Program will be placed via mail or in-person at the Animal Shelter and checks will be made payable to the Animal Shelter; and

WHEREAS, the Town will accept funds received from the Program as gifts pursuant to Town Law Section 64 and will use the funds to pay for the engraving of the bricks; and

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

NOW, THEREFORE, BE IT

RESOLVED that the Program is hereby established; and be it further

RESOLVED that the Town is hereby authorized to accept the funds received from the Program as a gift pursuant to Town Law Section 64.

Dated: Manhasset, New York

October 13, 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

CLERK SRIVASTAVA: Item Number 38, a resolution designating parking spaces in Lot 7 of the Port Washington Public Parking district as merchant parking.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 546 - 2022

A RESOLUTION DESIGNATING SPACES IN LOT 7 OF THE PORT WASHINGTON PUBLIC PARKING DISTRICT AS "MERCHANT PARKING."

WHEREAS, pursuant to Article IX of the Uniform Traffic Code, entitled "Port Washington Public Parking District", the Town Board, acting in its capacity as the Board of Commissioners (the "Board") of the Port Washington Public Parking District (the "District"), has heretofore established a fee schedule and set policies for the operation of District lots; and

WHEREAS, Section 83(B)(2) of Article IX provides that the Board may designate spaces within an off-street parking area as "Merchant Parking" spaces; and

WHEREAS, the Board wishes to allocate 45 parking spaces in Lot 7 (Area Number Seven) (the "Lot") of the District as "Merchant Parking" spaces, such spaces to be designated by the Commissioner of Public Safety, from Monday through Friday between the hours of 7:00am to 7:00pm, the merchant parking spaces to be located in the back row of the Lot and be made available at a cost of \$750 per parking space.

NOW, THEREFORE, BE IT

RESOLVED that 45 parking spaces in Lot 7 (the "Lot") shall be designated as "Merchant Parking" spaces from Monday through Friday between the hours of 7:00am to 7:00pm, such spaces to be located in the back row of the Lot and be made available at a cost \$750 per parking space; and be it further

RESOLVED that all policies and regulations otherwise applicable to merchant parking shall apply to the merchant parking spaces in Lot 7; and be it further

RESOLVED that the District be and hereby is authorized and directed to take such action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

October 13, 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, Public Safety/PWPPD

CLERK SRIVASTAVA: Item Number 39, a resolution authorizing the town board to suspend parking meter regulations for November 26, 2022 through and including January 1, 2023 on certain roads in Port Washington.

COUNCILMEMBER DALIMONTE: This is something we do every year for holiday shopping. I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: I think it's a great idea, Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 547 - 2022

A RESOLUTION AUTHORIZING THE TOWN BOARD TO SUSPEND PARKING METER REGULATIONS FROM NOVEMBER 26, 2022 THROUGH AND INCLUDING JANUARY 1, 2023, ON CERTAIN ROADS IN PORT WASHINGTON.

WHEREAS, the Town Board finds it in the best interests of the Town to suspend Section 88 (A) of the Town of North Hempstead Uniform Traffic Code (the "UTC") relative to metered parking such that vehicles may be parked on the streets stated in this resolution from November 26, 2022 through, and including, January 1, 2023 without the necessity of a parking meter payment, but subject to the time restrictions contained in Section 88 (B) and (C) of the UTC and the enforcement provisions contained in Section 89(A) of the UTC.

NOW, THEREFORE, BE IT

RESOLVED that Section 88 (A) of the UTC relative to metered parking is hereby suspended such that vehicles may be parked on the following streets from November 26, 2022 through, and including, January 1, 2023 without the necessity of a parking meter payment, but subject to the time restrictions contained in Section 88 (B) and (C) of the UTC, and the enforcement provisions contained in Section 89(A) of the UTC:

- Port Washington Boulevard – Mertz Place to Campus Drive
- Port Washington Boulevard – Bogart Avenue to Chestnut Road
- Main Street – Port Washington Boulevard to 3rd Avenue
- Irma Avenue
- S. Maryland Avenue
- Carlton Avenue
- Haven Avenue – Main Street to Franklin Avenue.

Dated: Manhasset, New York

October 13, 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, PWPPD

CLERK SRIVASTAVA: Item Number 40, a resolution authorizing the transfer of funds from the general fund to the Port Washington public parking district.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 548 - 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 2021, 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 2021 due to decreased commuter activity resulting from the COVID-19 pandemic; and

WHEREAS, it has been requested that \$445,919.00 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

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Comptroller

CLERK SRIVASTAVA: Item Number 41, 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?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 549 - 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 claims as more particularly described herein below, for the reasons set forth in a memorandum to the Board on file in the Office of the Town Attorney; and

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

NOW, THEREFORE, BE IT

RESOLVED that the settlement and payment of the following 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>
State Farm (Takes) v. TONH and Thomas O'Reilly	TD-21-0117	\$2,500.00

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

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney, Comptroller

CLERK SRIVASTAVA: Item Number 42, a resolution 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

CLERK SRIVASTAVA: We have a card on this. Noreen Murphy.

MS. MURPHY: Hi, Noreen Murphy

COUNCILMEMBER WALSH: Ms. Murphy, thank you for being here for 6 hours and 15 minutes this morning.

MS. MURPHY: It's been a long day but I appreciate you listening to me. I don't have much to say other than we'd like as the union thank all of you for giving us our upgrades and our salary changes. It's very appreciated for past and present. And but the only thing we would like is more full-time employees, less part-time employees perhaps moving forward. I think that would help all of us work together well. And I'm ready to go to bed, 6:00 comes really early. Thank you.

SUPERVISOR DESENA: Thank you for coming and staying. Okay, I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: I vote Aye on Numbers 42-1 through 42-23.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: I vote Aye on Items 42-1 through 42-23 .

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: I also vote Aye on Items 42-1 through 42-23.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: I vote Aye on Items 42-1 through 42-23 .

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: I vote Aye on Items 42-1 through 42-23 .

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: I vote Aye on Numbers 42-1 through 42-23.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: I vote Aye on Numbers 42-1 through 42-23 .

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. 550 - 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: 550 - 1

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of Kristen M. Leto to the title of Clerk Typist 1 in the amount of \$1,924.10 bi-weekly / \$50,026 annually in the Department of Public Safety - Code Enforcement effective 11/14/22.

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

Nays: None.

RESOLUTION NO: 550 - 2

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of current part-time employee Jamal Little in the title of Recreation Aide to the amount of \$22.82 hourly / \$47,471 annually in the Department of Parks & Recreation - YWCCC effective 10/29/22.

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

Nays: None.

RESOLUTION NO: 550 - 3

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Shyler Fernandes to the title of Lifeguard Trainee in the amount of \$18.00 hourly to the Department of Parks & Recreation - Tully effective 10/29/22.

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

Nays: None.

RESOLUTION NO: 550 - 4

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time status change of Samantha Flores in the title of Assistant Town Attorney to the amount of \$1,680.22 bi-weekly / \$43,686 bi-weekly (60% reduced hours) in the Town Attorney's Office effective 10/11/22.

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

Nays: None.

RESOLUTION NO: 550 - 5

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change of Joseph Gross to the title of Auto Mechanic's Aide to the amount of \$26.94 hourly / \$56,030 annually in the Highways Department effective 10/29/22.

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

Nays: None.

RESOLUTION NO: 550 - 6

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change of Rocco Macri to the title of Auto Mechanic's Aide to the amount of \$26.94 hourly / \$56,030 annually in the Highways Department effective 10/29/22.

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

Nays: None.

RESOLUTION NO: 550 - 7

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change of Matthew Riquelme to the title of Laborer II to the amount of \$24.05 hourly / \$50,026 annually in the Department of Parks & Recreation - Clark Gardens effective 10/29/22.

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

Nays: None.

RESOLUTION NO: 550 - 8

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change of Raymond Jones to the title of Laborer II to the amount of \$24.54 hourly / \$51,034 annually in the Department of Parks & Recreation - NHBP effective 10/29/22.

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

Nays: None.

RESOLUTION NO: 550 - 9

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change of Timothy Prewitt to the title of Laborer II to the amount of \$24.05 hourly / \$50,026 annually in the Department of Parks & Recreation - Martin "Bunky" Reid Park effective 10/29/22.

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

Nays: None.

RESOLUTION NO: 550 - 10

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status change of Emily Eng in the title of Lifeguard Trainee in the amount of \$18.00 hourly in the Department of Parks & Recreation - Tully Park effective 10/01/22.

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

Nays: None.

RESOLUTION NO: 550 - 11

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status change of Angelo Ferrara in the title of Laborer I in the amount of \$15.00 hourly in the Department of Parks & Recreation - Clark Gardens effective 10/01/22.

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

Nays: None.

RESOLUTION NO: 550 - 12

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status change of Kevin Rodriguez in the title of Laborer I in the amount of \$15.00 hourly in the Department of Parks & Recreation - Gerry Pond Park effective 10/01/22.

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

Nays: None.

RESOLUTION NO: 550 - 13

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status change of Samuel Callendar in the title of Laborer I in the amount of \$15.00 hourly in the Department of Parks & Recreation - NHBP effective 10/01/22. Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 550 - 14

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 of Luigi Iannucci in the title of Laborer 1 in the amount of \$15.00 hourly to the Department of Parks & Recreation - Tully Park effective 10/01/22.

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

Nays: None.

RESOLUTION NO: 550 - 15

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change of Marcia Trice Noel in the title of Lifeguard I in the amount of \$18.00 hourly to the Department of Parks & Recreation - Tully Park effective 10/15/22.

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

Nays: None.

RESOLUTION NO: 550 - 16

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change of Nicolas Rubinic in the title of Lifeguard II in the amount of \$21.00 hourly to the Department of Parks & Recreation - Tully Park effective 10/15/22.

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

Nays: None.

RESOLUTION NO: 550 - 17

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of full-time employee Brian Farrell in the title of Equipment Operator 1 in the amount of \$26.37 hourly / \$54,857 annually in the Highways Department effective 07/18/22.

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

Nays: None.

RESOLUTION NO: 550 - 18

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of full-time employee Nicholas Guarascio in the title of Labor Supervisor 1 in the amount of \$29.73 hourly / \$61,833 annually in the Highways Department effective 09/09/22.

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

Nays: None.

RESOLUTION NO: 550 - 19

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of full-time employee Anthony Mattia in the title of Equipment Operator 1 in the amount of \$26.37 hourly / \$54,857 annually in the Highways Department effective 06/07/22.

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

Nays: None.

RESOLUTION NO: 550 - 20

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of full-time employee Daniel Galante in the title of Recreation Leader I in the amount of \$25.33 hourly / \$52,689 annually in the Department of Parks & Recreation - YWCCC effective 09/19/22.

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

Nays: None.

RESOLUTION NO: 550 - 21

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the retirement of full-time employee Anthony Burriesci in the title of Building Inspector 1 in the amount of \$2,877.80 bi-weekly / \$74,822 annually in the Buildings Department effective 09/24/22.

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

Nays: None.

RESOLUTION NO: 550 - 22

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the termination of part-time employee Maya McNair in the title of Recreation Aide in the amount of \$17.00 hourly in the Department of Parks & Recreation - YWCCC effective 09/07/22.

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

Nays: None.

RESOLUTION NO: 550 - 23

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Clarence King in the title of Laborer II to the amount of \$31.58 hourly / \$65,679 annually in the Department of Parks & Recreation - NHBP effective 10/15/22.

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

Nays: None.

CLERK SRIVASTAVA: Item Number 43, a resolution approving the action of the Fire Medic Company Company Number 1 in Port Washington, New York in adding to membership Cathy Yang, removing Noah Bellman, from membership and changing Lindsay Wersan Falconer from active to exempt membership.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 551 - 2022

A RESOLUTION APPROVING THE ACTION OF THE FIRE-MEDIC CO., NO. 1, PORT WASHINGTON, NEW YORK, IN ADDING TO MEMBERSHIP CATHY YANG, REMOVING NOAH BELLMAN FROM MEMBERSHIP, AND CHANGING LINDSAY (WERSAN) FALCONER FROM ACTIVE TO EXEMPT MEMBERSHIP.

WHEREAS, the Fire-Medic Co. No. 1, Port Washington, New York, has advised of adding Cathy Yang to membership, removing Noah Bellman from membership and changing Lindsay (Wersan) Falconer from active to exempt membership.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Fire-Medic Co. No. 1, 65 Harbor Rd, Port Washington, NY 11050, in adding to membership Cathy Yang of 7 Bank Street, Port Washington, NY 11050, removing Noah Bellman from membership and changing Lindsay (Wersan) Falconer from active to exempt membership hereby is approved and the Town Clerk directed to record their names in the Minutes of the Town Board.

Dated: Manhasset, New York

October 13, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

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

CLERK SRIVASTAVA: Item Number 44, a resolution approving the action of the Protection Engine Company Number 1, Port Washington, New York in adding to membership Christian M Alexander.

COUNCILMEMBER DALIMONTE: So this is fourth generation that is being added to this fire company. Simply amazing, this family is amazing. I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye. I move to untable Item 45. This is a resolution --

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. 552 - 2022

A RESOLUTION APPROVING THE ACTION OF THE PROTECTION ENGINE COMPANY NO. 1, PORT WASHINGTON, NEW YORK IN ADDING TO MEMBERSHIP CHRISTIAN M. ALEXANDER.

WHEREAS, the Protection Engine Company No. 1, 14 S. Washington Street, Port Washington, New York, 11050 has advised of adding to membership Christian M. Alexander.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Protection Engine Company No. 1, 14 S. Washington Street, Port Washington, New York, 11050, in adding Christian M. Alexander of 23 Graywood Road, Port Washington, NY, 11050 to membership, is hereby is approved and the Town Clerk is directed to record the name in the Minutes of the Town Board.

Dated: Manhasset, New York

October 13, 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: Protection Engine Company 1, Town Attorney, Comptroller

CLERK SRIVASTAVA: Item Number 45, a resolution authorizing the execution of an agreement with the law offices of Leventhal, Mullaney & Blinkoff LLP for legal services.

SUPERVISOR DESENA: This would be to hire an independent counsel that would be available to the ethics board. Steve Leventhal is very well known, he literally wrote the book on ethics, and this would be available at the wishes of the ethics board.

COUNCILMEMBER ZUCKERMAN: Just for clarification, we have to vote to untable and then --

SUPERVISOR DESENA: That's the motion. The motion is to untable.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

Clerk SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Do it again? A resolution authorizing the execution of an agreement with the law offices of Leventhal, Mullaney & Blinkoff LLP for legal services

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: No.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: No.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: I have a question for the council. Is it a conflict of interest for you who will be advising the ethics board and also representing me?

TOWN ATTORNEY CHIARA: Is there a conflict?

COUNCILMEMBER WALSH: Yes. It seems to me there may be a conflict.

TOWN ATTORNEY CHIARA: Sometimes it's hard for a lawyer to be asked if there's a conflict. No, there's not a natural conflict. There's not a natural conflict between this board and that board. The town attorney's office also represents all the commissioners and also other boards. There's not a natural conflict.

COUNCILMEMBER DALIMONTE: Can you speak into your mic.

TOWN ATTORNEY CHIARA: I said there's not an automatic conflict.

COUNCILMEMBER WALSH: Maybe that's not what I was asking. Can there be a potential conflict of interests? I would think there could be. I mean you represent me and you would be advising the ethics board and you would supposed to be representing me as well and I don't see why outside counsel can't be taken.

TOWN ATTORNEY CHIARA: That's a policy decision. I don't think, I don't represent you individually, I represent the town board and you collectively. But I don't, I don't see how a conflict could exist with representing the town board and the supervisor's office and representing the board of ethics alone. There could be, obviously conflicts could arise. Conflicts could come up, and obviously we have conflicts come up. When we have conflicts, we the town attorney hire outside counsel. I haven't had a conflict, we haven't had to hire outside counsel yet for outside counsel. But we obviously we do see and identify conflict, then we would have to hire them. Any organization would have to hire in case of conflict.

COUNCILMEMBER WALSH: I think it would be safer to have the ethics board have the ability to ask to have their own outside counsel. Madam Clerk, pass me by and come back to me.

COUNCILMEMBER TROIANO: Dennis you said, you think it would be appropriate for the ethics board to be able to ask their own outside counsel.

COUNCILMEMBER WALSH: I think SO.

CLERK SRIVASTAVA: We have a motion on the floor.

COUNCILMEMBER TROIANO: Did they ask for outside counsel?

SUPERVISOR DESENA: No. They have said --

COUNCILMEMBER TROIANO: They haven't asked though.

COUNCILMEMBER WALSH: But they may in the future.

COUNCILMEMBER TROIANO: We'll deal with that when it comes up.

COUNCILMEMBER WALSH: We could deal with it right now.

COUNCILMEMBER TROIANO: They haven't asked.

COUNCILMEMBER WALSH: But they may.

COUNCILMEMBER LURVEY: I think -- I know for a fact that in the past when they have deemed it important or they deemed it necessary, I don't know what their criteria was but they have hired outside counsel when they need arose. I think I said this at the last meeting when this item was on the agenda and they had actually hired Mr. Leventhal in the past when an issue came up. But that's different than having him on a retainer advising the ethics committee on an ongoing basis. I think that answers your question.

CLERK SRIVASTAVA: Councilman Lurvey, we are waiting for you. We have a motion on the

floor.

SUPERVISOR DESENA: He passed.

COUNCILMEMBER WALSH: Get back to me.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: No.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: No.

CLERK SRIVASTAVA: Supervisor DeSena?

COUNCILMEMBER WALSH: Wait a minute, Councilman Walsh. I just, I am voting yes for this. In the past when it came time to vote, we were allowed to speak and when the Supervisor tried to speak out of turn, she was corrected by Councilman Troiano not to speak because we were in the middle of voting and I was in the middle of voting and Councilman Troiano spoke. So just so everything is always square around here, I hope that we can continue that practice.

COUNCILMEMBER TROIANO: You asked the town attorney a question and I followed up on that.

COUNCILMEMBER WALSH: But you already voted.

COUNCILMEMBER TROIANO: But --

COUNCILMEMBER WALSH: But you already voted.

COUNCILMEMBER TROIANO: But you opened it up when you asked the counsel for clarification.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: So I would just ask the board if the ethics board can and has in the past asked for representation by Steve Levanthal, why are you objecting to having him available on a regular basis? That's, I know you already voted but this is my question. Why are you so against it.

COUNCILMEMBER DALIMONTE: They didn't ask for it.

COUNCILMEMBER TROIANO: In the past when they asked is because there was a seemingly conflict of interest. That's not been presented and they haven't asked.

SUPERVISOR DESENA: So it seems like anytime they would like to ask for an independent counsel, that is permissible, is that correct, Mr. Chiara? Is that correct?

TOWN ATTORNEY CHIARA: If both me, my office saw that there was a conflict we are ethically obligated to tell them they have to hire outside counsel. Obviously anyone on the board could also recognize a conflict too. This is a pretty sophisticated board. I'm not sure how they did in the past, how that came about. My understanding is in the past I think had Mr. Leventhal who by the way I worked with, have good things to say, in the past they requested I think outside

counsel when they did an ethics, review of the ethics code, it's my understanding. I also think they requested in the past on when there was, when the town attorney had a conflict. That's my recollection. So if they ask for it, you really would have to give it to them. If they either, the town attorney's office recognized a conflict or they recognized a conflict you would really be obligated to allow them to select an outside counsel.

SUPERVISOR DESENA: Okay, thank you. I vote Aye.

COUNCILMEMBER TROIANO: In the event of a conflict.

TOWN ATTORNEY CHIARA: Absolutely.

SUPERVISOR DESENA: If they perceive it to be a conflict, not what you perceive or what the town attorney perceives but if they perceive the conflict, they could ask.

COUNCILMEMBER WALSH: I'm Still confused.

SUPERVISOR DESENA: They wouldn't ask the town attorney, they would ask the town board.

COUNCILMEMBER WALSH: That's what my question is. They would have to come back to the town board and get approval, correct, correct.

COUNCILMEMBER LURVEY: I think Councilwoman Dalimonte's saying is ask the town attorney --

COUNCILMEMBER DALIMONTE: Right --

TOWN ATTORNEY CHIARA: We have an ethical obligation to spot conflicts and identify them. It's not just their conflict, it's my conflict, which is an ethical conflict. It goes to our whole practice. If you see a conflict, we need to look for it. We do look for it.

SUPERVISOR DESENA: Okay. Thank you.

COUNCILMEMBER LURVEY: Move to adjourn.

SUPERVISOR DESENA: I move to adjourn.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMEMBER TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMEMBER ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMEMBER WALSH: Absolutely.

CLERK SRIVASTAVA: Councilman Lurvey?

COUNCILMEMBER LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMEMBER ADHAMI: Aye.

CLERK SRIVASTAVA: Councilman Dalimonte?

COUNCILMEMBER DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you, good night.

(Whereupon, the proceedings concluded at 10:03 p.m.)



Town Clerk