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TOWN OF NORTH HEMPSTEAD
TOWN BOARD
PUBLIC HEARING

Town Hall

February 7, 2023 7:01 p.m.

COUNCIL MEMBERS PRESENT:

JENNIFER DESENA	- Town 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,	- Commissioner of Planning

PROCEEDINGS

SUPERVISOR DESENA: All right, good evening, everybody. We're gonna get started, if you'll all stand and join me in the pledge.

(Pledge of Allegiance.)

SUPERVISOR DESENA: If you'd remain standing for a moment of silence for the young NYPD officer who just succumbed to his injuries from over the weekend. Also for the thousands, maybe 10,000 people who have died or are still trapped in the -- in Turkey and Syria after that terrible earthquake.

(Moment of silence.)

SUPERVISOR DESENA: Thank you. Will you please call the roll?

CLERK SRIVASTAVA: Good evening, everyone, Town of North Hempstead town board meeting, February 7, 2023. Councilman Troiano.

COUNCILMAN TROIANO: Present.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Here.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Here.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Here.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Here.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Here.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Here.

CLERK SRIVASTAVA: Thank you.

SUPERVISOR DESENA: I'd like to start with just a couple of announcements. This Friday at Mary Jane Davies Green, right across the street we're having our Lunar New Year celebration at 4:30, so hopefully people will come and join us. We are having our Valentine's Day celebration a week from today on Valentine's Day at Harbor Links at 11:00 a.m. This is open for people who want to get married, there's still time to get your marriage license, and I believe we have two couples signed up who will be getting married, and also, anyone who wants to renew their vows for 25 years, so please join us. And then on - -

MS. MALITO: Any anniversary.

SUPERVISOR DESENA: Oh, any anniversary, you're welcome to join us. On February 15th, we're having the town's Black History Month commemoration at 6:00 p.m. at Westbury Middle

School, so please look up the details on our website and please join us. Now we will begin with 30 minutes of public comment.

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

(Time noted: 7:43 p.m.)

COUNCILWOMAN LURVEY: So I know there are a lot of people here to speak about item No. 58 and 59, and some tried to speak and some actually spoke during public comment. This is -- Item 59 is the item I submitted calling on the House of Representatives to expel George Santos. I would like to move to change the arrangement of the calendar by calling Item No. 59 out of order.

COUNCILMAN ADHAMI: I don't see why that's necessary.

SUPERVISOR DESENA: I notice that we have people here with designs, there are public hearings here. This is town business. We did speak about George Santos, we have spoken about George Santos at every meeting. I'm not -- obviously I'm willing to speak about George Santos, but at the last meeting you also suspended the rules to go into a press conference about the lighthouse. I ask that we please start with town business, and please, people are willing to wait to talk about George Santos, so, please, let's take care of town business. That's why we're here.

COUNCILWOMAN LURVEY: I think there's a motion on the table.

COUNCILMAN WALSH: I think that it's a political move on your part because, you know, you want to constantly have people come down here and attack the Supervisor over Santos.

COUNCILMAN ZUCKERMAN: Councilman, there's a motion on the floor.

COUNCILMAN WALSH: You know, I'm not finished talking. You like to cut people off.

COUNCILMAN ZUCKERMAN: So do you, Dennis.

COUNCILMAN WALSH: He always cuts people off. I think that this is done politically, so they're gonna do what they have to do because they have four votes, but this is another political game, they're highjacking Town of North Hempstead meetings for political purposes.

COUNCILMAN ZUCKERMAN: Are you done?

SUPERVISOR DESENA: No, no, I'm not done either -- we are going -- Councilman, we are going to vote on these two items. It is part of our agenda, we will vote on them.

COUNCILMAN ZUCKERMAN: Do you know what the rules are, Supervisor? Counsel, could you describe what the rules are?

COUNCILMAN ADHAMI: Is there an emergency that it has to be taken out of order?

SUPERVISOR DESENA: Town attorney.

COUNCILMAN WALSH: I think people see what's happening here.

MR. CHIARA: Obviously if you want to debate about it, and then Councilwoman Lurvey wants to call the motion, the motion is called.

COUNCILWOMAN LURVEY: I would like to call the motion to move the -- change the arrangement of the calendar by calling Item No. 59 out of order.

COUNCILMAN ADHAMI: I mean the people that are here to comment knew it was number

58 and 59, they knew it was later in the agenda. I don't see these issues and I'm not trying to quash anybody's right to speak, but you know where it stands in the agenda. Did they come here with the expectation that it would be called beforehand, that it would be called first? Is that what you're saying, Councilwoman Lurvey?

COUNCILWOMAN LURVEY: I'm not saying anything like that.

SUPERVISOR DESENA: This is a symbolic -- these are symbolic resolutions, they're not going to accomplish anything for the town. These are symbolic, we are going to vote unanimously for these two items. We are all going to vote for them at the end of the meeting, but they are symbolic. They are not taking care of town business. Please, we have professionals here getting paid to take care of their clients.

COUNCILWOMAN LURVEY: So if we would call the roll, then we can move on.

MR. CHIARA: What's the motion exactly?

COUNCILWOMAN LURVEY: To call Item No. 59 out of order.

COUNCILWOMAN DALIMONTE: Does the Supervisor want to call her item out of order?

SUPERVISOR DESENA: No.

MR. CHIARA: Is the debate over?

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: No.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: No.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: You don't want to call your item out of order?

SUPERVISOR DESENA: No, I want to do town business.

COUNCILMAN ADHAMI: There's an order for a reason.

COUNCILWOMAN DALIMONTE: There's a lot of people here to talk about it, aye.

SUPERVISOR DESENA: Okay, but there are also people here to do town business, and that is why we're here. We have done this --

COUNCILWOMAN DALIMONTE: So let's move --

SUPERVISOR DESENA: Oh, okay, I have to be quiet so that we call --

COUNCILWOMAN DALIMONTE: So let's move on.

SUPERVISOR DESENA: Okay, I vote no.

COUNCILWOMAN LURVEY: So extreme circumstances call for extreme measures. This resolution before us tonight is unlike anything the town board has ever voted on previously, and I truly hope that it's unlike any resolution the town board will ever vote on again. The multitude of lies and unethical actions of Congressman George Santos has necessitated this item, and because of the unique circumstances surrounding the issue, I believe that it is essential that we read this resolution in its entirety into the public record. A resolution urging the United States House of Representatives to expel Congressman George Anthony Devolder Santos, whereas Congressman George Anthony Devolder Santos is a member of the United States House of Representatives, serving in the 118th Congress and representing New York's Third Congressional District, which encompasses the entire Town of North Hempstead. And whereas prior to Election Day, 2022, it was known that George Santos spoke at a "Stop the Steal" rally in Washington, D.C. on January 5th, 2021, and claimed, quote, "they did to me what they did to Donald J. Trump, they stole my election," end quote, when referencing his 2020 congressional loss to Congressman Tom Suozzi. And whereas it was also known that George Santos attended a rally at the Ellipse on January 6, 2021, prior to the insurrection at the Capitol Building, and that he later claimed to have written a quote, "nice check," unquote, to support January 6th defendants with their legal fees. And whereas on or about April 1st, 2022, the Daily Beast reported that George Santos had been employed at Harbor City Capital, a company that the Securities and Exchange Commission accused of operating as a Ponzi scheme. And whereas on or about September 26th, 2022, Supervisor DeSena publically endorsed George Santos --

COUNCILMAN WALSH: Here we go, that's what this is all about.

COUNCILWOMAN LURVEY: -- calling him, quote, "a friend and a true leader," end quote. And whereas in October 2022, the North Shore Leader, in its endorsement of George Santos's opponent, called the George Santos a quote, "fabulist, a fake," end quote, and among other things, questioned George Santos's veracity and his campaign finances. And whereas following his election in November 2022 on December 19, 2022, the New York Times published an article exposing unsubstantiated claims made by George Santos, regarding among other things, his education, prior employment, evictions and real estate investments, and disclosure forms. And whereas after the New York Times article was published, Congressman Santos admitted to fabricating material details about his education, work experience and personal life. And whereas in December 2022, North Hempstead Councilmembers Robert Troiano, Peter Zuckerman, Veronica Lurvey and Mariann Dalimonte, supported the call for George Santos to not be seated and resign from Congress. And whereas on January 7th, 2023, honorable Kevin McCarthy was elected Speaker of the House of Representatives, with the vote from George Santos. And whereas on January 11th, 2023, Town Supervisor Jennifer DeSena, alongside other local Republican officials called for Congressman Santos to resign.

COUNCILMAN WALSH: Political.

COUNCILWOMAN LURVEY: And whereas, amid his plethora of lies, a few of Congressman Santos's falsehoods stand out as particularly egregious and hurtful to the North Hempstead community, that the September 11th, 2001 terrorist attack claimed his mother's life, and that his grandparents survived the Holocaust. And whereas the Town of North Hempstead is a Long Island suburb of New York City, which was immeasurably impacted by the 9/11 terrorist attacks,

including the immediate loss of 56 beloved residents. The enduring grief on their families and the protracted illnesses suffered by our heroic first responders. And where whereas the Town of North Hempstead is also a diverse community, consisting of residents from many ethnicities and religious backgrounds, including a large Jewish population. Of those Jewish residents, there are many who had actual relatives survive and/or perish in the Holocaust. And whereas inclusive and our diverse North Hempstead community is a large minority population. And whereas for several years the town has been engaged in the "not in our town" campaign to bring awareness to and stamp out discrimination, hatred, and bullying in all their forms. And whereas Congressman Santos' apparent flashing of a white supremacist symbol in the House chamber is repugnant to North Hempstead residents is exceptionally offensive to our minority community, and is unbecoming of an elected representative. It is also antithetical to the "not in our town" campaign. And whereas a multitude of law enforcement agencies in the federal, state and local level have commenced investigation into Congressman Santos's finances and campaign disclosures, and Congressman Santos is entitled to due process with respect to those allegations. And whereas, irrespective of partisanship and criminal investigation, the residents of the Town of North Hempstead expect that their congressional representative to possess integrity, to be a decent and honest human being, and to effectively serve the public interest in our nation's capital. And whereas the residents of the Town of North Hempstead are not being effectively represented in Congress, following Congressman Santos's purported voluntary resignation from House committee assignments. And whereas the town relies on its congressional representative to advocate for and provide federal resources to the town, including federal funding for the town's award winning Project Independence program, all of which is at risk without effective congressional representation. And whereas after all of his lies and despite his pronouncement, Congressman Santos is incapable of providing quote, "federal level representation without distraction," end quote. And whereas Congressman Santos has failed to live up to the standards that his constituents expect of him. And whereas Congressman Santos has irredeemably breached the public trust, has loss the confidence of his constituency, and is incapable of effectively performing his congressional duties. And whereas Congressman Santos should resign from Congress. And whereas, to date, Congressman Santos has refused to resign from Congress --to resign his office. And whereas pursuant to Article I, Section 5, Clause 2 of the United States Constitution, the House of Representatives has the authority to expel a member with a concurrence of two-thirds. And whereas the town board of the Town of North Hempstead on behalf of its residents urges the United States House of Representatives to expel Congressman Santos from its ranks forthwith. Now therefore, be it resolved that based on all the lies, the breach of the public trust and the inability to effectively govern, the town board of the Town of North Hempstead on behalf of its residents urges the United States House of Representatives to expel Congressman Santos from its ranks forthwith. And be it further resolved that the town board urges the other members of the Long Island Congressional Delegation, Congressman Nick LaLota of the First Congressional District, Congressman Andrew Garbarino of the Second Congressional District and Congressman Anthony D'Esposito of the Fourth Congressional District, to take any such action as may be required to pursue the expulsion of Congressman Santos. And be it further resolved that the town clerk shall send a copy of this resolution to the Speaker of the House, the majority leader, the minority leader, party whips, the Long Island Congressional Delegation, and to the office of Congressman Santos at the addresses listed in the attached distribution list no later than February 9th, 2023, dated Manhasset, New York, February 7th, 2023. I thank you for your patience in listening to me read the resolution and I thank those

who are waiting for items further on on the agenda, but extreme circumstances call for extreme measures. This is a resolution that does not solely call on George Santos to voluntarily resign, a resolution that does that is an empty gesture. We all know now that Mr. Santos will not simply bow out on his own. I believe that our call to action is one that I hope and believe may actually lead to the expulsion of Mr. Santos from Congress once and for all. Thank you.

SUPERVISOR DESENA: I would just like to amend this. This is a resolution to --

COUNCILMAN ADHAMI: I move to strike that from the record then. It was done out of order, why not?

COUNCILWOMAN LURVEY: Then I'll read it again.

COUNCILMAN ADHAMI: You can read it again, I'm sure you'd love to. I don't see how this is such an emergency that it has to be called out of order. We do have two, I believe, BZA applications, I see two gentlemen here with a bunch of posters that have probably spent hundreds of hours, if not, more, thousands of dollars to be here, and their items I'm sure are probably ahead of Item No. 58 and 59. If for some reason 58 and 59 had to be called out of order, and I don't appreciate Councilwoman Lurvey alleging that merely somebody being somewhere makes them guilty of a crime. As a criminal defense attorney, I take a great offense to that, that association is guilt, and someone must prove their innocence. By saying that somebody was at a protest, and that's appalling, this country was based on free speech. Although I don't agree with a lot of people and I don't agree with a lot of things, I defend the right to free speech with my life. I do it every day, in and out of court, but to merely say you're not alleging that anybody went in there, I mean, calling it an ellipse, a bunch of people outside the Capitol; yes, the people that went inside the Capitol, they've been investigated and they've been prosecuted and they are innocent until proven the guilty, they have the right to a defense. But to merely say that people were defending themselves, or defending allegations, and that's disgusting, that's disgusting in my opinion.

SUPERVISOR DESENA: And I want to have this amended to remove my name from it, because this is a resolution asking for action that we send this to Congress and to the speaker, but why include my name in it? That makes it clear that this is just a political attack and a personal attack, so I don't see the purpose of having my name mentioned in it twice. So I would like to amend that statement to remove that.

COUNCILMAN ADHAMI: And ultimately this is just feel-good legislation that has no bite. Sir attorney, does the Town of North Hempstead have any jurisdiction over the Federal Government?

MR. CHIARA: Can we just call the item first? Let her do her mandated job here, too.

CLERK SRIVASTAVA: Item No. 59, a resolution urging the United States House of Representatives to expel Congressman George Anthony Devolder Santos.

SUPERVISOR DESENA: I move to amend the resolution to remove my name from it.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: I'm sorry, she's called the resolution; right, is that correct? And now the supervisor is making an amendment to it and we vote on that first; is that right?

MR. CHIARA: It's the only motion on the floor that's been called.

COUNCILMAN TROIANO: So I understand the Supervisor's point and I can understand she doesn't want her name associated any longer with Mr. Santos, but there are two whereas's that make reference to her, and I think they balance each other out. One acknowledges that she called him a friend and a true leader and the other acknowledges she called for his resignation, so I don't see that there is any particular point of attack towards the Supervisor, because there are two balancing out whereas's that are both backed. I vote no.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: No.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Maybe I can help Councilman Troiano out understanding why, it's because it's political. This was done intentionally, it's been done over and over again, this is about the fourth meeting, it won't be the end. This is an attack on the Supervisor because they didn't want her here from the beginning, and now she's here and they want to make sure she's not here much longer, so every single thing that they can do from now until November they're going to do. They're going to highjack these meetings in an effort to make sure the Supervisor has a short term around here.

CLERK SRIVASTAVA: Councilwoman Lurvey.

SUPERVISOR DESENA: I didn't vote on the amendment to remove my name from this which would be a very nice bipartisan effort if it didn't include a personal attack on me.

COUNCILMAN WALSH: I vote that they should remove the two references to the Supervisor because I think it was done intentionally. And for the same reason why I believe it was done intentional to move this up further because there's somebody here from the press and in case the press goes home because he doesn't want to stick around for three or four hours, they'll make sure they get somebody from the press to cover this, so I believe that's why that was being done also.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: No to the amendment.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: You know, Councilwoman Lurvey, I would like to thank you for reading the entire resolution into the record, because getting a reading of it, the writing of that resolution is a D+ at best. There is a ton of language in there that does not belong in there, it doesn't make sense, there's information that I think is just to trigger people, unrelated. We could have passed a resolution that was better written that calls for him to be removed, which anyway is just feel-good legislation. The town does not have jurisdiction over the Federal Government. I don't know, I'm not gonna give a course in federalism, I don't know if the town attorney would like to at this point, but ultimately this is just feel-good legislation and it has the same effect of all the things that have been done before, calling on Mr. Santos to resign. And the poor drafting of this I do not agree with. I agree with the overall intent, but I don't agree with the poor drafting and I believe it should be changed. Therefore, I vote yes on the Supervisor's motion to amend.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: No to amend.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: And I think the fact that the town board majority refuses to amend this shows even more that this was poor politics, so I vote yes to amend.

CLERK SRIVASTAVA: Marc Sittenreich.

SUPERVISOR DESENA: You didn't have to wait long.

MR. SITTENREICH: I did not have to wait long, thank you. My name is Marc Sittenreich and I'm from Port Washington. This is actually my first time addressing the town council. This will be abundantly clear from what I have to say right now that I have small kids. I viewed the George Santos issue as the Bruno that we have to talk about in the room.

SUPERVISOR DESENA: Can you step a little closer to the microphone? There are people watching on TV, that's why it has to be good.

MR. SITTENREICH: Understood, understood. Another thing about my children is I brought my four-year old daughter to a birthday party last weekend and my four-year old daughter says happy birthday to the birthday girl, and then as we're leaving I say, we'll say happy birthday to the birthday girl again, and she says, no, I already said it, I don't have to say it again. So, supervisor, I understand and I applaud you for calling for George Santos's resignation and I applaud you even further for calling for his expulsion, but this is not the kind of thing that we can say once and sweep it under the rug and be done with it. George Santos committed a fraud against the voters of New York 3. He convinced 140,000 people to vote for him based on an image that was not himself, that was -- virtually everything he said was a lie, it was not embellishment, it was a flat-out lie. This really strikes at the heart of a Democratic government, that the people have the right to a representative of their own choosing. And, you know, as you know, this is virtually unprecedented in U.S. political history, that someone had this extent of fraud and this extent of lies and then later fessed up and said this is not who he is. And Supervisor DeSena, George Santos committed fraud on you, frankly, in seeking your endorsement and lying about his background and I understand it's been said here multiple times you called him a friend and a true leader, and I legitimately do not believe that you would have said that if you understood or knew that he had not gone to the colleges he said he'd gone to or worked for the employers that he said he worked for. I've reviewed the resolutions, and again, I applaud all of you if you're going to go ahead and vote. I understand it's not going to force George Santos to resign, but the longer we have this out in the open and the more we talk it about this, it's an important thing. This, again, I'm going to reiterate from what I said, this is the Bruno that we have to talk about because the Constitution says that a house member can be expelled for misconduct, and if this, again, strikes the heart of Democracy, you know, lying to the residents about who you are, about your background, about what you've done with your life. If this is not misconduct, defrauding an entire congressional district that warrants expulsion, what is? I thank you.

CLERK SRIVASTAVA: Jane Russel.

MS. RUSSEL: Hi, Jane Russel, Manhasset resident. Jen DeSena, thank you for the resolution. Thank you, Veronica Lurvey for your resolution. I will tell you that a number of residents went down today to the capital in order to visit with representative Santos and they were not admitted to his office, he would not speak with them. This is not going anywhere. We are not represented

down there. He keeps ignoring us and he's not going to resign. So I would urge you, all the Republicans on this panel, please use every resource you have with every connection you have within the party, within other electeds, because I've been calling LaLota, D'Esposito, Garbarino this week to see if they would help us and they will not help us, no one will. So I urge all of you, please, use your connections, use your contacts, please have this man removed. Put pressure on McCarthy, two-thirds majority vote and this man is out of our lives and we can move on. We're all tired of coming up here, really. We're all tired of doing this every week. We're done, you're done. Please, use your resources, use your connections and have him removed. Thank you.

CLERK SRIVASTAVA: Thank you. There are no more cards on this.

COUNCILWOMAN LURVEY: No more cards?

CLERK SRIVASTAVA: No more cards on this item.

COUNCILWOMAN DALIMONTE: I would like to just say that I had a constituent already that had an issue, and I didn't have anyone --

MS. REARDON: I had my name on there.

COUNCILWOMAN DALIMONTE: I'll finish and then they can call you. I had a constituent that had an issue and I had to call Senator Schumer and Senator Gillibrand to basically help me. Santos was not there. When we had Suozzi, Suozzi was there. He was a true friend to North Hempstead. Regardless of your party, they all helped. And also with Schumer and Gillibrand, regardless of your party, they helped. We don't have anyone right now in Congress, and I'm happy to report Gillibrand and Schumer actually helped my client, he got his check last week, so I thank them very much for doing that. But they shouldn't have to, they have to worry about the entire state. We do need someone new in the Third District, and we need to keep this pressure on and do what we can as elected officials to make sure that they get him -- that he is removed. I'm sorry.

CLERK SRIVASTAVA: We have a few more cards on this, I guess.

MS. REARDON: Reardon.

SUPERVISOR DESENA: I'm sorry, what's your name?

MS. REARDON: Karen Reardon.

SUPERVISOR DESENA: Where are you from?

MS. REARDON: Manhasset. It's my first time speaking, too, in front of town council.

SUPERVISOR DESENA: Welcome, it's a lot of fun.

MS. REARDON: Apparently, I'm learning. I'm here tonight in support of Resolution 59. I'm asking for the House to expel George Santos and to ask you publicly to ask Senator McCarthy to expel Mr. Santos. I was please to see your statement calling for George Santos' resignation, but frankly that's not enough. The reality is, the voters hands are tied for two years, but you and the other elected officials are our only hope to getting this fraud out of office and to secure representation for our district in Congress. I hope you, as our elected town Supervisor, are prepared to lead publicly on this ethically important issue, and more publicly ask representative McCarthy to call for Mr. Santos' immediate expulsion. Thank you.

SUPERVISOR DESENA: Thank you.

CLERK SRIVASTAVA: We're done with our cards on this item.

COUNCILWOMAN LURVEY: Did you say no more cards?

CLERK SRIVASTAVA: No more cards.

SUPERVISOR DESENA: Did anyone wish to speak?

(No response.)

COUNCILWOMAN LURVEY: Anybody else on the board?

(No response.)

COUNCILWOMAN LURVEY: With my colleagues, Councilmembers Troiano, Zuckerman and Dalimonte, I offer the resolution and move for its adoption.

SUPERVISOR DESENA: Why does it have to be only you guys offering it? I thought we were doing this bipartisan.

COUNCILWOMAN LURVEY: You can vote yes.

SUPERVISOR DESENA: Oh, okay, but why do you only have to announce you?

COUNCILMAN WALSH: Because that was the whole intention.

SUPERVISOR DESENA: Okay.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: As stated before, I have serious issues with the language of the resolution. I do agree with the ultimate result of it, but the way it's written, I can't vote yes on it. I believe it should be rewritten, I would propose that it be rewritten to my colleagues, and therefore I vote no.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: So I'm appalled that the majority councilmembers continue to play politics and seek to be divisive and partisan regarding Congressman Santos. I think it's shocking that when given the opportunity to show a united front on behalf of our nearly 240,000 residents they resort to political attacks, like inexplicably including my name in the resolution.

It's disconcerting that the majority continue to play these political games instead of working together as we fight this ongoing battle to remove this conman from office. I mentioned in my inaugural address last year that I would remove politics from town hall, and that was met with jeers by the majority. But in trying to turn something that shouldn't be a partisan issue into an attempt to score political points for themselves, my point has been proven over and over again. As residents of Congressional District 3, we all continue to be victimized every day by Mr. Santos's deception and treachery, and I call on all of you to stop the political grandstanding and get back to working in the best interest of our residents. Make no mistake, we all were fooled by this conman, so let's work together and stop the embarrassing political games. Our residents deserve better. And with that, I vote aye. Madam clerk, please call the next item. We are striking Item 50.

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. 62 - 2023

A RESOLUTION URGING THE UNITED STATES HOUSE OF REPRESENTATIVES TO EXPEL CONGRESSMAN GEORGE ANTHONY DEVOLDER SANTOS.

WHEREAS, Congressman George Anthony Devolder Santos (“Congressman Santos” or “George Santos”) is a member of the United States House of Representatives, serving in the 118th Congress and representing New York’s 3rd Congressional District, which encompasses the entire Town of North Hempstead; and

WHEREAS, prior to Election Day 2022, it was known that George Santos spoke at a “Stop the Steal” rally in Washington D.C. on January 5, 2021, and claimed “they did to me what they did to Donald J. Trump, they stole my election” when referencing his 2020 congressional loss to Congressman Tom Suozzi; and

WHEREAS, it was also known that George Santos attended a rally at the Ellipse on January 6, 2021 prior to the insurrection at the Capitol Building and that he later claimed to have written a “nice check” to support January 6 defendants with their legal fees; and

WHEREAS, on or about April 1, 2022, the Daily Beast reported that George Santos had been employed at Harbor City Capital, a company that the Securities and Exchange Commission accused of operating as a Ponzi scheme; and

WHEREAS, on or about September 26, 2022, Supervisor Jennifer DeSena publicly endorsed George Santos calling him “a friend and a true leader”; and

WHEREAS, in October 2022, the North Shore Leader, in its endorsement of George Santos’ opponent, called George Santos a “fabulist- a fake” and, among other things, questioned George Santos’ veracity and his campaign finances; and

WHEREAS, following his election in November 2022, on December 19, 2022, the New York Times published an article exposing unsubstantiated claims made by George Santos regarding, among other things, his education, prior employment, evictions and real estate investments, and disclosure forms; and

WHEREAS, after the New York Times article was published, Congressman Santos admitted to fabricating material details about his education, work experience and personal life; and

WHEREAS, in December 2022, North Hempstead Councilmembers Robert Troiano, Peter Zuckerman, Veronica Lurvey, and Mariann Dalimonte supported the call for George Santos to not be seated and resign from Congress; and

WHEREAS, on January 7, 2023, Hon. Kevin McCarthy was elected Speaker of the

House of Representatives with a vote from George Santos; and

WHEREAS, on January 11, 2023 Town Supervisor Jennifer DeSena alongside other local Republican officials called for Congressman Santos to resign; and

WHEREAS, amid his plethora of lies, a few of Congressman Santos' falsehoods stand out as particularly egregious and hurtful to the North Hempstead community: that the September 11, 2001 terrorist attack claimed his mother's life and that his grandparents survived the Holocaust; and

WHEREAS, the Town of North Hempstead is a Long Island suburb of New York City, which was immeasurably impacted by the 9/11 terrorist attacks, including the immediate loss of 56 beloved residents, the enduring grief on their families and the protracted illnesses suffered by our heroic first responders; and

WHEREAS, the Town of North Hempstead is also a diverse community consisting of residents from many ethnicities and religious backgrounds, including a large Jewish population. Of those Jewish residents, there are many who had actual relatives survive and/or perish in the Holocaust; and

WHEREAS, inclusive in our diverse North Hempstead community is a large minority population; and

WHEREAS, for several years, the Town has been engaged in the "Not in Our Town" campaign to bring awareness to and stamp out discrimination, hatred and bullying in all their forms; and

WHEREAS, Congressman Santos' apparent flashing of a white supremacist symbol in the House Chamber is repugnant to North Hempstead residents, is exceptionally offensive to our minority community and is unbecoming of an elected representative—it is also antithetical to the Not in Our Town campaign; and

WHEREAS, a multitude of law enforcement agencies on the federal, state and local level have commenced investigations into Congressman Santos' finances and campaign disclosures—and Congressman Santos is entitled to due process with respect to those allegations; and

WHEREAS, irrespective of partisanship and criminal investigations, the residents of the Town of North Hempstead expect their Congressional representative to possess integrity, to be a decent and honest human being, and to effectively serve the public interest in our Nation's Capital; and

WHEREAS, the residents of the Town of North Hempstead are not being effectively represented in Congress following Congressman Santos' purported voluntary resignation from House committee assignments; and

WHEREAS, the Town relies on its Congressional representative to advocate for and provide federal resources to the Town, including federal funding for the Town's award-winning Project Independence program—all of which is at risk without an effective Congressional

representative; and

WHEREAS, after all of his lies, and despite his pronouncement, Congressman Santos is incapable of providing “federal level representation without distraction”; and

WHEREAS, Congressman Santos has failed to live up to the standards that his constituents expect of him; and

WHEREAS, Congressman Santos has irredeemably breached the public trust, has lost the confidence of his constituency and is incapable of effectively performing his Congressional duties; and

WHEREAS, Congressman Santos should resign from Congress; and

WHEREAS, to date, Congressman Santos has refused to resign his office; and

WHEREAS, pursuant to Article I, Section 5, Clause 2 of the United States Constitution, the House of Representatives has the authority to expel a Member with the concurrence of two-thirds; and

WHEREAS, the Town Board of the Town of North Hempstead, on behalf of its residents, urges the United States House of Representatives to expel Congressman Santos from its ranks forthwith.

NOW, THEREFORE, BE IT

RESOLVED, that based on all of the lies, the breach of the public trust and the inability to effectively govern, the Town Board of the Town of North Hempstead, on behalf of its residents, urges the United States House of Representatives to expel Congressman Santos from its ranks forthwith; and be it further

RESOLVED, that the Town Board urges the other members of the Long Island Congressional Delegation (Congressman Nick LaLota of the 1st Congressional District, Congressman Andrew Garbarino of the 2nd Congressional District and Congressman Anthony D’Esposito of the 4th Congressional District) to take any such action as may be required to pursue the expulsion of Congressman Santos; and be it further

RESOLVED, that Town Clerk shall send a copy of this resolution to the Speaker of the House, the Majority Leader, the Minority Leader, party whips, the Long Island Congressional Delegation and to the Office of Congressman Santos at the addresses listed in the attached distribution list no later than February 9, 2023.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano,

Councilperson Zuckerman, Councilperson Walsh, Supervisor DeSena.

Nays: Councilperson Adhami.

cc: Town Attorney Town Clerk

CLERK SRIVASTAVA: Item No. 1, a public hearing to consider the application of 848 Willis Realty, LLC for a special use permit for the premises located at 848 Willis Avenue, Albertson and designated on the Nassau County land and tax map as Section 9, Block 111, Lots 35 and 36.

COUNCILMAN ZUCKERMAN: Madam Clerk, could you call Item No. 2 in connection with this as well?

CLERK SRIVASTAVA: Item No. 2, a public hearing pursuant to 29A of the town code to consider the application of 848 Willis Realty, LLC for the installation of underground storage tanks and a waiver pursuant to 29A-5 A(l) of the town code for the premises located at 848 Willis Avenue, Albertson, New York and identified on the Nassau County land and tax map as Section 9, Block 111, Lots 35 and 36.

COUNCILMAN ZUCKERMAN: I believe counsel for the applicants is here this evening.

MR. O'BRIEN: Good evening, Supervisor DeSena and Honorable town board members. Kevin O'Brien, 460 -- from O'Brien Law, PC, 462 Sagamore Avenue, East Williston, New York. Before I get going, I just want to A, apologize to the board. I had an unexpected visit to and stay at Northwell Hospital, I received good care.

COUNCILWOMAN DALIMONTE: Glad to see you doing better.

COUNCILMAN ZUCKERMAN: Glad you're here.

MR. O'BRIEN: My apologies for that, but I thank you for your indulgence and for rescheduling us and continuing this. I truly do appreciate that. If I can, just some housekeeping. These are all the affidavits and green cards, and perhaps to make it a little bit easier, maybe -- it is a set of plans that --

COUNCILWOMAN DALIMONTE: Is that this?

MR. O'BRIEN: Yes, there may be seven or eight. While you're distributing them, I just want to mention that I also have here with me this evening Mr. James Galella, a licensed professional engineer on behalf of Catpano Engineering, and they are the design professionals who have prepared the plans which are before the board. This is an application, a two-fold application, and I thank you for calling them at once because it's the tanks and the improvements of the service station, so they really do involve the same set of facts and circumstances, so you certainly might not even want to hear me once, but you certainly don't want to hear me twice. I will try to be brief in my presentation, so if I do go on a little long-winded you could feel free to take out the hook at any particular time that you want and get me out of here. This is an existing gasoline service station. It is located at the southeast corner of Dorset and Willis Avenue in Albertson, and I do feel it necessary, at least to give a brief history on the service station and we'll get into what we're actually -- code requirements that we're looking for, the special permit for self-service operation and a convenience store and any alterations to a gas station in the Town of North Hempstead does require town board approval. With that being said, brief background; existing service station operating over 60 years as a gasoline service station to continually, but what's kind of interesting is around, say, 2014, '15, '16, there was a prior owner of the service station. The service station has had many different brands, it is certainly in need of an upgrade. That particular owner, the principle which his name is Metnerkis (phonetic), I represented him. He was seeking similar relief from this board and from the Zoning Board of Appeals, in connection with an upgrade to the service station, no to the extent of what we're doing here this evening.

Those approvals were granted by the Zoning Board of Appeals and this board, not this specific board as it's currently configured, but this town board had granted those approvals in the past, and they were just about ready to build, they didn't have the county's 239F approval, they didn't have the actual building permits, sold the property, moved back to Turkey, hope he's okay, and so it was bought by my client who is the applicant here this evening. My client who is here this evening really knows this business, operates a lot of service stations throughout the metropolitan area. Initially he was just going to go right into the footsteps of the last approved applications, and then when he got different engineers involved, looked at the structure of the building, looked at the layout and said the building really isn't worth saving, it's gone beyond its useful life, and if we're going to take down the building, we probably should put it in a spot and do a better configuration with respect to the onsite traffic circulation, offsite traffic circulation. So basically, instead of just kind of building around an existing building, the applicant -- it's going to cost him a lot more money to do so but he's going to do it the right way. So he's going to rebuild it, and I'd like to say from the ground up, but it's going to be from the underground up. So the tank aspect of the application is -- there area two existing underground gasoline storage tanks which need to be removed in accordance with the count requirement. On one hand we have to do it, and on the other hand we want to do it, and they're going to meet, exceed the county requirements, the state requirements, the federal requirements. There are two 12,000-gallon tanks and there's a provision in the code that basically says that if you have a 10,000-gallon tank, if you exceed it, you basically need approval or a waiver from this town board. We are seeking that A, the approval to replace the tanks; B, the waiver for the 10,000-gallon tanks that are in there. Technically, as far as the Health Department is concerned, which now has jurisdiction the over this as opposed to the fire marshal, since our tanks are compartmentalized, you have an 8,000 -- so you have one big tank on the outside, so that would be 12,000, but inside it is actually an 8,000 and a 4,000, so the county considers it two actually tanks, but we consider it one, so we're just asking for that waiver with respect to that. And as in the past, it is something that has been commonly granted. And the other physical aspects of what we're trying to do over here is, we had a building which was roughly 1,250-square feet, I think it might have been 1,242, just off a little bit, but we're very close. We're replacing it - -removing the old one, completely replacing that with a brand new one, 1,250-square feet, so we might be off by about 7-square feet or so, something along those lines but still would be compliant. We're removing the pump islands, we're reconfiguring them in a manner which we think is going to be a lot better, easier to get into, easier to get out of. There are currently two curb cuts on Willis Avenue and on Dorset, and from the public standpoint, from the town standpoint, we've dealt with Nassau County Planning Commission for about 18 months working out the details of that, and sometimes you'll always think you're right, you know, you'll think, like, okay, everybody else is crazy, stuff like that. But there are a couple of things I got to give the county credit for, where there was a visibility issue, and the way they did this, they did it in such a manner where we had to change it to comply with their requirements in order for us to get here, and looking back at it, I gotta say they were right, that we did have to make some changes and modifications. So now we have one curb cut on Willis, we have got one on Dorset. They typically like to push the curb cuts further away from the intersection, we've done that. We've got the -- so we're replacing the tanks, we're replacing the pump islands. It's a much better design and layout that the ones previously approved by this board, as well as the Zoning Board of Appeals. As far as the standards go with respect to the Special Use permits, we believe we meet all those, it's an existing station, it's compatible with the uses in the area, it's environmentally, it's going to be far superior to what's

ever there, meets exceeds all town, county, state, federal regulations, and I think that -- oh, and one last thing, and then if there are any interested observers or questions from the board, then I'll be out of your hair, and that is, there were certain recommendations, I think, from Planning with respect to this. And I have to say, I do work in a lot of different towns all throughout the metropolitan area and even some mild upstate areas, and I do have a great deal of respect for your Planning people. You got Planning people with Planning degrees, which is actually a nice thing, and they did make certain recommendations. We went through all the recommendations and the conditions and covenants, should the board act favorably upon the application, we looked at all of them and we agree with and consent to all the proposed conditions that have been proposed. I do also have with me some petitions in support. I think I've got maybe a little less than 250 signatures on that. We have some consense, we met with some of the people as well as -- and I will go on the record also saying that the next door, I met with them, they had some concerns about their wall and we've indicated to them that we will take care of any of those concerns with the wall. If I could submit this. If there are any questions for myself or my design professional, I would be happy to answer them.

COUNCILMAN ZUCKERMAN: So, counsel, I have a question. Can you talk specifically about the number of pumps as opposed to the previous space to the new space?

MR. O'BRIEN: Sure, yes. The other -- well, the station right now is currently configured, and one thing I'm not a hundred percent sure, because if you take a look at -- and I've been there on numerous occasions, there's a pump island that runs parallel to Willis and there's a pump island that runs parallel to Dorset. You can see the pump island running parallel to Dorset, basically it's a short pump island with one multi-product dispenser. The one that is running parallel to Willis is a very long pump island with two multi-product dispensers, and it looks like, but I can't swear to this one, that there might have been a dispenser in the middle. Part of -- if my recollection is correct, part of the other design that was previously approved, when you have these long pump islands -- so let's say you have three dispensers on that, the guy in the middle always gets squeezed, it's really hard to --if you try to pull into that middle spot, there's somebody in front of you it's hard to get around them. So I see that, and I don't know, quite frankly, if that was removed or not, so if you go there today, you will see three and if you go with what we have here, there'd be four. And so that translates into what the traffic engineers would say eight fueling positions, and why eight fueling positions? Because you can fuel on each side of the dispenser or the pump, so if you've got four, you double it, one on each side so that would be a total of eight fueling positions. We believe that it's far superior in the sense that the way it's designed, easier to get in, easier to get out, and since it is a relatively tight site, you don't want people to bunch up or line up outside into the roadway. So by having --if you had three pump islands, you have six fueling positions, one on each side. So here we're going to have four pump islands and dispensers, so you'll have one on each side, so you'll have eight. We believe that by having that, and I'd like to say that all eight positions are going to be full at all times but that's never the case, but what it does is it takes the cars off the roadway and puts them in a spot that makes it easier for them to get in and out. I hope that's not too long-winded an answer.

COUNCILMAN ZUCKERMAN: No, that answered my question. Commissioner Levine, could you discuss the installation of the self-serve pumps as well as the underground tanks?

MR. LEVINE: Right, our code allows for conversion to self-service as long as there is at least one full service pump available between the hours of 7:00 a.m. and 7:00 p.m., also for anybody that has the accessibility sticker, so we don't allow it to be completely self-service.

MR. O'BRIEN: And that's understood and we agree with that.

COUNCILMAN ZUCKERMAN: Thank you, counsel. Madam Clerk, are there any cards from the public on this?

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

COUNCILMAN ZUCKERMAN: Members of the board, Supervisor, do you have any questions for counsel?

SUPERVISOR DESENA: That was a very good presentation, thank you.

COUNCILMAN WALSH: I just have one question, I don't know if you did a traffic study at all, and first of all, I have to tell you that my friend owned the house directly behind there on Dorset, and I don't remember any problems going back 40 years. I'm very familiar with that, I grew up not far from there, but any question is, what percentage of the cars that enter off Willis Avenue do you believe will exit back onto Willis Avenue as opposed to driving down Dorset.

MR. O'BRIEN: Going -- are you trying to say heading northbound?

COUNCILMAN WALSH: No, heading in any direction. When a car enters into the gas station from Willis Avenue, what percentage of those cars will go back on Willis Avenue and drive away as opposed to driving through the neighborhood on Dorset?

MR. O'BRIEN: That's a somewhat educated guess, but you're probably talking about, like, 85 or 90 percent. Occasionally you'll see situations where sometimes, and I've seen sometimes municipalities will try to limit coming up the side street or something like that, and the people complain, they go, it's our block, we should be able to go up to the service station. So we believe -- and typically locations have either a northbound, you know, set of customers or southbound set of customers, and most people, most drivers want to do what's easiest. If something is a difficult absent there being a really substantial difference in price, for \$0.25 a gallon, people might torture themselves. But if it's within five or ten cents, we find that people heading north are going to go in and out, people heading south, probably not gonna use our station, they're probably gonna use the Sunoco up the block or something along those lines. We think it's going to be a minimal amount other than local traffic --

COUNCILMAN WALSH: I agree, I think it's gonna be at least 90 percent, I just wanted you to say that. As far as the timeline, how long would the construction take?

MR. O'BRIEN: That's a great question, okay.

COUNCILMAN WALSH: I don't know about that.

MR. O'BRIEN: It is. The bigger issue, quite frankly is, the actual construction time, you know -- I've seen them go up in as little as 60 days, but that's almost impossible, but you're probably more, like, six-month type of construction. Our biggest problem right now, quite frankly, is getting the underground tanks, so what's happened is -- more than you want to know so I'll be very brief, but the chemicals that they use to make the tanks, they don't allow in the United States, so they're all coming from abroad and supply chain issues, I even hate the term anymore. It can take us from the ordering of the tanks, it has been taking between 12 and 18 months to get the tanks. I just did an application last night in Brookhaven where they got the tanks, my guy has them -- my client has them situated on the property, which I'm not thrilled with because waiting for the approvals, you can't put them in obviously without the approvals, but he goes,

look, I got the tanks, I can't give them up. So we're hoping, quite frankly, to have the tanks probably towards the end of the year and looking at the construction -- we'll finish up the rest with the Building Department and all that to get the building permits. We've been through the county, both Fire Marshal's Office and the Department of Health, but my best estimate from what I've been told is the tanks may -- you know, hopefully we can get them in the fall or something like that.

COUNCILMAN WALSH: Okay, thank you. And you know, I appreciate the applicant willing to put money into this location. I know the location well and I think the building, like you said, has outlived its usefulness and I do appreciate the applicant spending money and redesigning and making that gas station better.

MR. O'BRIEN: Thank you for acknowledging that and he's willing to invest in North Hempstead and that's what we want to see.

COUNCILMAN ZUCKERMAN: Thank you, counsel.

MR. O'BRIEN: Thank you.

COUNCILMAN ZUCKERMAN: Is there anyone else who wishes to be heard on these items?

(No response.)

COUNCILMAN ZUCKERMAN: Seeing that there is no one, I would like to close the public hearing, offer the resolution and move for its adoption as to Item No. 1.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 63 - 2023

A PUBLIC HEARING TO CONSIDER THE APPLICATION OF 848 WILLIS REALTY, LLC FOR A SPECIAL USE PERMIT FOR THE PREMISES LOCATED AT 848 WILLIS AVENUE, ALBERTSON AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 111, LOTS 35 AND 36.

WHEREAS, 848 Willis Avenue, LLC (the "Applicant") is seeking to alter a gasoline service station to operate self-service pump islands and to construct a 1,250 s.f. convenience store on a 0.26-acre site at the property located at 848 Willis Avenue, Albertson, New York, and identified on the Nassau County Land and Tax Map as Section 9, Block 111, Lots 35 and 36 (the "Application"); and

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

WHEREAS, the Town Clerk, pursuant to and in accordance with Town Code, has published notice of a public hearing scheduled for January 24, 2023, which was continued to February 7, 2023 (the "Public Hearing"), as authorized and directed by the Town Board pursuant to Resolution No. 629-2022, adopted on December 15, 2022, to consider the Application; and

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

WHEREAS, pursuant to Resolution No. 10503-22, adopted October 27, 2022, the Nassau County Planning Commission recommended local determination; and

WHEREAS, the Town's Department of Building Safety, Inspection and Enforcement (the "Building Department") issued a notice of disapproval on October 25, 2019 citing the following items: (1) a dumpster enclosure located 10 feet from the rear property line where at least 20 feet is required pursuant to § 70-134; (2) a landscaped area of 10 feet in depth adjoining a residential district where 15 feet in depth is required § 70-203(G); (3) an air compressor which is located in the loading zone and not accessible to motorists in contravention of § 70-203(P)(1)(a); (4) no perimeter landscaping is being provided in contravention of § 70-203(P)(2)(f); (5) a proposed sign which is 50 square feet in area where only 24 square feet is permitted pursuant to § 70-196(K)(4); (6) a proposed canopy sign on the west side and one canopy sign on the north side where no canopy sign is permitted in any use district pursuant to § 70-197(M); (7) Town Board approvals pursuant to § 70-203(P); § 70-203(P)(1); and §

70-203(P)(2); and

WHEREAS, On February 5, 2020, pursuant to Appeal 20887, the Town of North Hempstead Board of Zoning Appeals (“BZA”) granted variances to the above-referenced code sections; and

WHEREAS, the Department of Planning and Environmental Protection (the “Planning Department”) has reviewed the Application and recommends its approval with the following conditions: (1) the permittee shall provide an air compressor capable of inflating automobile tires for the use of motorists and shall do so at no charge to the user thereof; (2) the permittee shall provide at least one full-service pumping station between the hours of 7:00 a.m. and 7:00 p.m., prevailing time; (3) the service island shall be covered by a canopy or similar structure to protect the patrons of the service station from the elements; (4) all fire-suppression and fire-prevention devices shall be installed in accordance with the requirements of, and subject to the approval of, the Nassau County Fire Marshal and such systems shall, to the extent most practicable and functionable, be enclosed within the canopy or similar aesthetically acceptable structure; (5) there shall be no overnight storage of motor vehicles or trailers on the premises; (6) all outdoor lighting shall be directed so as to illuminate only the site and shall not cause any annoyance or interference by substantial transgression of illumination on adjoining properties; (7) the operator of the station shall provide appropriate automobile window cleaning devices for use by patrons at no charge; (8) the operator of the station shall have available for sale to customers motor oil, transmission fluids and windshield cleaning solvents; (9) the operator of the station shall provide full service, and gasoline at self-service price, to all automobiles with handicapped license plates, between the hours of 7:00 a.m. and 7:00 p.m.; (10) the facility shall conform to all zoning requirements except as the Board of Zoning Appeals may, in its discretion, vary or modify (the “Department Conditions”); and

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

WHEREAS, the BZA has established itself as “lead agency” and issued a Negative Declaration concluding that the Application constitutes an “unlisted” action pursuant to Section 617.2 (al) of the SEQRA Regulations; and

WHEREAS, the BZA has further determined that the Action will not result in any significant adverse impacts on the environment based upon the analysis set forth in the Full Environmental Assessment Form (the “FEAF”) for the reasons that the proposed Action will not: (1) result in change to the existing air quality; (2) impair a Critical Environmental Area or historic, architectural or aesthetic resource; (3) not include the removal or destruction of large quantities of flora or fauna nor impact a habitat area; (4) generate a significant amount of traffic; or (5) represent a hazard to human health; and

WHEREAS, this Board has carefully considered the Application, testimony and other relevant evidence at the Public Hearing held on January 24, 2023, which was continued to February 7, 2023, and afforded all interested persons the opportunity to be heard; and

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

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

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

Henry Krukowski, being duly sworn, deposes and says that on the 4th day of January, 2023, he posted the attached Notice of Hearing to consider the application for special use permit submitted by 848 Willis Realty, LLC to operate self-service pump islands and to construct a 1,250 s.f. convenience store on a 0.26-acre site, at the following locations:

Town Clerk Bulletin Board

Albertson Post Office

In front of 848 Willis Avenue

Willis Avenue and Dorset Avenue

Willis Avenue and Ashforo Place



Henry Krukowski

Sworn to me this

5th day of January, 2023



Notary Public

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

Affidavit of Publication

County of Nassau
State of New York,

SS

**LEGAL NOTICE
NOTICE OF HEARING
PLEASE TAKE NO-**
TICE that a public hearing will be held by the Town Board of the Town of North Hempstead on January 24, 2023, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, on the application for special use permit submitted by 848 Willis Realty, LLC to operate self-service pump islands and to construct a 1,250 s.f. convenience store on a 0.26-acre site.

PLEASE TAKE FUR-
THER NOTICE that the property which is the subject of this application is located at 848 Willis Avenue, Albertson, and identified on the Nassau County Land and Tax Map as Section 9, Block 111, Lots 35 and 36.

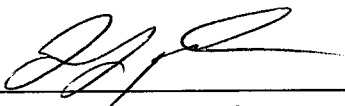
Dated: Manhasset, New York
December 15, 2022

**BY ORDER OF THE
TOWN BOARD OF
THE TOWN OF
NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK
1-11-2023-1T-#237146-ROS**

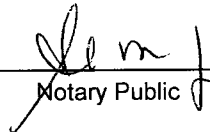
Iris Picone, being duly sworn, deposes and says that she is the principal Clerk of the Publisher of
The ROSLYN NEWS
a weekly newspaper published at Mineola in the county of Nassau, in the State of New York, and that a notice, a printed copy of which is hereunto annexed, has been published in said newspapers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

1 weeks, viz:

January 11, 2023



Sworn to me this 11 day of
January-2023


Notary Public

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

COUNCILMAN ZUCKERMAN: As to Item No. 2, is there anyone else who would like to be heard?

(No response.)

COUNCILMAN ZUCKERMAN: Seeing that there is no one, I would move to close the public hearing, off the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

MR. O'BRIEN: Thank you so very much, and thank you for your indulgence.

COUNCILMAN ZUCKERMAN: Be well.

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

RESOLUTION NO. 64 - 2023

A PUBLIC HEARING PURSUANT TO §29A OF THE TOWN CODE TO CONSIDER THE APPLICATION OF 848 WILLIS REALTY, LLC FOR THE INSTALLATION OF UNDERGROUND STORAGE TANKS AND A WAIVER PURSUANT TO §29A-5 A(1) OF THE TOWN CODE FOR THE PREMISES LOCATED AT 848 WILLIS AVENUE, ALBERTSON, NEW YORK AND IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 111, LOTS 35 AND 36.

WHEREAS, 848 Willis Avenue, LLC, 462 Sagamore Avenue, East Williston, New York 11596 (the "Applicant") has applied (the "Application" or "Action") for a permit (the "Underground Storage Permit") pursuant to Section 29A-4 of the Code of the Town of North Hempstead (the "Town Code") to install two 12,000 gallon underground split diesel and gasoline storage tanks (the "Tanks"), at an existing service station on real property located at 848 Willis Avenue in Albertson, New York, identified on the Nassau County Land and Tax Map as Section 9, Block 111, Lots 35 and 36 (the "Premises"); and

WHEREAS, the Tanks each exceed the 10,000 gallon threshold set forth under Town Code §29A-5 A; and

WHEREAS, Town Code §29A-5 B permits the Town Board (the "Board") of the Town of North Hempstead (the "Town") to waive the provisions of Town Code §29A-5 A in a specific case for good and valid reasons upon the recommendation of the Town Department of Building Safety, Inspection and Enforcement (the "Waiver"); and

WHEREAS, pursuant to Town Code §29A-6 the Applicant has requested that the Town Board grant the Waiver so that the Tanks may be installed underground at the Premises; and

WHEREAS, it has been determined that the Application is subject to consideration by the Board at a public hearing under Town Code §29A-8 for the issuance of the Underground Storage Permit; and

WHEREAS, all necessary reports, recommendations, and comments on the Project have been filed with this Board by the Commissioner of Building, Safety, Inspection and Enforcement (the "Building Commissioner") and the Commissioner of Planning and Environmental Protection (the "Planning Commissioner") of the Town pursuant to Town Code §29A-5 B; and

WHEREAS, the Town Clerk, pursuant to and in accordance with Town Code

§29A-8 A, has published notice of a public hearing scheduled for January 24, 2023, which was continued to February 7, 2023 (the “Public Hearing”), as authorized and directed by the Town Board pursuant to Resolution No. 630-2022, adopted on December 15, 2022; and

WHEREAS, the Applicant, in the manner required by Town Code §29A-8 A, has furnished proof of service of notice of the Public Hearing to the affected property owners within a 200-foot radius of the Premises, and filed an affidavit as to the mailing of such notices as required thereunder; and

WHEREAS, the Building Commissioner has reviewed the Application and recommends the Waiver as it relates to the installation of the Tanks at the Premises for the following good and valid reason:

(i) the new Tanks will meet all current environmental safety regulations which will safeguard the environment and help protect ground water; 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 (b) of the Official Compilation of Codes, Rules, and Regulations of the State of New York (“SEQRA Regulations”); and

WHEREAS, the Town of North Hempstead Board of Zoning Appeals (“BZA”) has established itself as “lead agency” for this Application and issued a Negative Declaration indicating that the Action constitutes an “unlisted” action pursuant to Section 617.2 (al) of the SEQRA Regulations, which will not result in any significant adverse impacts on the environment based upon the analysis set forth in the FEA; and

WHEREAS, the Board wishes to conclude that the Action constitutes an “unlisted action” and not an excluded or exempt action as defined in Section 617.2 (p) or (q) of the SEQRA regulations and not included in statewide or individual agency lists of Type I or Type II actions, and 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 January 24, 2023, which was continued to February 7, 2023, at Town Hall, 220 Plandome Road, Manhasset, New York, 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 recognizes that the BZA has designated itself “lead agency” under the SEQRA Regulations for the Action; and be it further

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

RESOLVED that this Board finds that the installation of the new tanks is consistent with the spirit and intent of Town Code §29A-5 B; and be it further

RESOLVED that, pursuant to Town Code §29A-5 A, the Application is hereby granted and the Underground Storage Permit is hereby approved; and be it further

RESOLVED that a copy of this resolution shall be filed with the Town Clerk and the Building Commissioner, pursuant to Town Code §29A-4 B, is hereby authorized and directed to issue a building permit: (1) upon compliance with the application requirements as set forth in the Town Code; (2) upon the condition that the permit, as it relates to the installation of the Tanks, shall expire on January 24, 2024; and (3) upon any other conditions or requirements imposed by any other governmental entity having jurisdiction over the Premises, except as herein above set forth, and to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

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

Henry Krukowski, being duly sworn, deposes and says that on the 4th day of January, 2023, he posted the attached Notice of Hearing to consider the application of 848 Willis Realty LLC pursuant to Section 29A-4 of the Code of the Town of North Hempstead to remove two (2) existing underground fuel storage tanks and install two (2) new 12,000 gallon underground double-walled fiberglass gasoline storage tanks, and to hear all interested persons concerning the same, at the following locations:

Town Clerk Bulletin Board

Albertson Post Office

In front of 848 Willis Avenue

Willis Avenue and Dorset Avenue

Willis Avenue and Ashforo Place


Henry Krukowski

Sworn to me this

5th day of January, 2023


Notary Public

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

Affidavit of Publication

County of Nassau SS
State of New York,

NOTARY PUBLIC
STATE OF NEW YORK

**LEGAL NOTICE
NOTICE OF HEARING
PLEASE TAKE NO-**
TICE that a public hearing
will be held by the Town
Board of the Town of North

Hempstead on the 24th day
of January, 2023 at 7:00 p.m.
in Town Hall, 220 Plandome
Road, Manhasset, New York,
to consider the application
of 848 Willis Realty LLC
pursuant to Section 29A-4
of the Code of the Town of
North Hempstead to remove
two (2) existing underground
fuel storage tanks and install
two (2) new 12,000 gallon
underground double-walled
fiberglass gasoline storage
tanks, and to hear all interested
persons concerning the same.


PLEASE TAKE FUR-
THE NOTICE that the real
property that is the subject of
this application is located at
848 Willis Avenue, Albertson,
New York and designated on
the Nassau County Land and
Tax Map as Section 9, Block
111, Lots 35 and 36.

Dated: Manhasset, New York
December 15, 2022

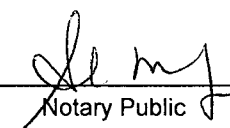
**BY ORDER OF THE
TOWN BOARD OF
THE TOWN OF
NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK
1-11-2023-1T-#237147-ROS**

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

1 weeks, viz: January 11, 2023



Sworn to me this 11 day of
January-2023



Notary Public

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

CLERK SRIVASTAVA: Item No. 3, a public hearing to consider the adoption of a local law amending Chapter 2 of the town code entitled "Administration and Enforcement."

SUPERVISOR DESENA: I think we are continuing this until March 14th. I move to continue this item until March 14th, 2023.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

COUNCILWOMAN LURVEY: There is also going to be continued to March 14th, 2023, so I move to continue this public hearing to March 14th, 2023.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item No. 5, a public hearing to consider the rescission of an ordinance affecting Lindberg Boulevard in Carle Place, New York.

SUPERVISOR DESENA: Councilman Troiano, is this yours?

COUNCILMAN TROIANO: Would anybody like to be heard about this item?

(No response.)

COUNCILMAN TROIANO: Do we have any cards?

CLERK SRIVASTAVA: No, no cards.

COUNCILMAN TROIANO: At our last meeting, one of the residents from Lindberg appeared to express some concern about this rescission of the one hour parking restriction. I then asked for this resolution to be continued until this meeting to give me time to meet with that resident. We had the opportunity to meet by telephone, along with our traffic engineer, Vishak Thomas, and what the resident disagreed, with, or was concerned with was that there is a two-block portion of Lindberg, which is approximately five blocks long, there is two blocks where parking is restricted entirely during the day, maybe even 24 hours, and there's two other blocks where parking is restricted for one hour, no longer than one hour each day. The residents who lived on the dead end portion, I know there that there's some Carle Place residents who are nodding knowingly. The residents who lived on the dead end portion of Lindberg are the ones that are concerned with the removal of this restriction, which is kind of funny because the signs that demark the restrictions for one have haven't been there for many, many years, so I'm not sure it would have made any difference, but it's the residents on the other block on Lindberg that wanted the one hour restriction removed. So we have reached an accommodation that we would remove the one hour signs from the part of Lindberg where the residents objected to them, and we are going to install the signs on the dead end portion, where they should have been for many, many years but were taken down and never replaced. So that requires, though, that we redo the resolution to reflect what's actually going to go on here, so because of all that, I'd like to make a motion to withdraw this resolution.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Am I not doing that right, counsel?

MR. CHIARA: No, I think we continue without a date.

COUNCILMAN TROIANO: Oh, really?

COUNCILMAN WALSH: What did he say?

SUPERVISOR DESENA: Continue it without a date.

COUNCILMAN TROIANO: So like he said, I'd like to make a motion to continue without a date.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item No. 6, a public hearing to consider the adoption of a local law amending Chapter 2 of the town code entitled "Administration and Enforcement."

COUNCILMAN ZUCKERMAN: The purpose of the local law is to extend the suspension of Section 2-9 and subject to 7 of the town code with respect to ten permits through December 31, 2023. This is a public hearing to extend the timeframe to allow temporary outdoor dining and other temporary outdoor uses. Over the last few months, my office has received correspondence from many residents in my district and elsewhere, encouraging the town board to adopt this local law extending the allowance of tents for up to six months, which is the maximum length of temporary structure permits allowed by the state. Madam Clerk, are there any cards?

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

COUNCILMAN ZUCKERMAN: Seeing that there is no one, I would like to offer the resolution -- close the public hearing, offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Yeah, I believe we should do everything we can do to help restaurants and small businesses and I think it's very important. They're still trying to come back, you know, from all the problems with COVID, and I vote yes.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: I vote Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 65 - 2023

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 the Town Code by the adoption of a Local Law amending Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to extend the suspension of Section 2-9 N (7) of the Town Code with respect to tent permits through December 31, 2023; and

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

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 7th day of February, 2023, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board carefully considered the proposed Local Law during the aforesaid seven-day period, conducted said hearing on February 7, 2023, with respect to said Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, in accordance with the State Environmental Quality Review Act and the Act's implementing regulations (the "SEQRA Regulations") the Department of Planning and Environmental Protection has recommended that the adoption of the Local Law be determined to be a Type II Action pursuant to Section 617.5(c)(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 said proposed Local Law, to be effective immediately upon filing with the Secretary of State of the State of New York (the "Secretary of State").

NOW, THEREFORE, BE IT

RESOLVED that the Town Board determines that the adoption of the Local Law is a Type II Action pursuant to Section 617.5(c)(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. 1 of 2023 be and it hereby is adopted, which Local Law reads as follows:

TOWN OF NORTH HEMPSTEAD

LOCAL LAW NO. 1 OF 2023

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" in order to extend the suspension of section 2-9 N (7) of the Town Code with respect to tent permits through December 31, 2023.

Section 2.

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

§ 2-9 Permit required; application.

N. Minor structures; temporary buildings; tents. Temporary one-story frame buildings on lots whereon buildings are in the course of erection or on adjoining vacant lots, or sales or operating offices in connection with the development of subdivision of property, or platforms, stands, election booths and circus or exhibition tents, intended for temporary use only, may be erected upon permit issued by the Commissioner of Buildings, but not otherwise; but no such permit shall authorize the maintenance of such temporary building or other structure for a period exceeding six months from the date of said permit, unless said permit be renewed by the Commissioner of Buildings from time to time for consecutive periods not exceeding six months. Tents are permitted on a temporary basis under the following conditions.

- (1) The purpose for such tent is a permitted use in the zoning district.
- (2) The permit applicant submits plans describing the tent, its location on the property and provisions for vehicular parking.

- (3) The tent has such provisions for public health and safety as may be required by the circumstances.
- (4) The Nassau County Fire Marshal has approved the tent.
- (5) The permit applicant submits an insurance certificate in the minimum amount of \$250,000 for bodily injury, naming the Town of North Hempstead as an additional insured for the duration of the tent.
- (6) The permit applicant submits a consent to removal by the Town and a bond or cash deposit in an amount determined by the Commissioner of Buildings to cover the cost of removal of the tent, if the applicant fails to remove it upon expiration of the permit.
- (7) A permit may be approved for a maximum of 15 days with an extension, subject to approval of the Commissioner of Buildings, for an additional 15 days.

(a) This subsection shall be and is suspended, upon the effective date hereof and continuing through December 31, 2023^[2], at which time this subsection shall revert to full force and effect. [Added 8-13-2020 by L.L. No. 6-2020; amended 4-22-2021 by L.L. No. 7-2021; 11-18-2021 by L.L. No. 23-2021; 3-31-2022 by L.L. No. 4-2022]

Section 3.

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

and; be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on February 7, 2023, Local Law No. 1 of 2023 was adopted. The local law amends Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to extend the suspension of section 2-9 N (7) of the Town Code with respect to tent permits through December 31, 2023.

Dated: Manhasset, New York

February 7, 2023

BY ORDER OF THE TOWN BOARD OF

**THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA**

TOWN CLERK

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney

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

Henry Krukowski, being duly sworn, deposes and says that on the 25th day of January, 2023, he posted the attached Notice of Hearing to consider the adoption of a Local Law amending Chapter 2 of the Town Code entitled “Administration and Enforcement” in order to extend the suspension of Section 2-9(N)(7) of the Town Code with respect to tent permits until December 31, 2023, 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

(Handwritten Signature)
_____ Henry Krukowski

Sworn to me this
26th day of January, 2023

(Handwritten Signature)
_____ Notary Public

DONNA R. CURCI
NOTARY PUBLIC-STATE OF NEW YORK
No. DICU6119852
Qualified in Nassau County
My Commission Expires December 06, 2024

NEWSDAY AFFIDAVIT OF PUBLICATION

TOWN OF NORTH HEMPSTEAD
PLANNING & ECONOMIC DEVELOPMENT
210 PLANDOME ROAD
MANHASSET, NY 11030-2326
STATE OF NEW YORK)

Legal Notice No. 0021769579

: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:

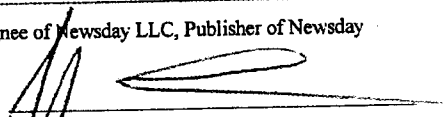
Friday January 27, 2023 Nassau

By: Ciara Woodin

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
30 Day of January, 2023.


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 # 21769579

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 7th day of February, 2023, 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 extend the suspension of Section 2-9(N)(7) of the Town Code with respect to tent permits until December 31, 2023.

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

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

Dated: Manhasset, New York
January 24, 2023

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

NEWSDAY PROOF

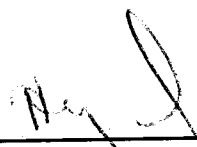
Ad Number: 0021769579

Advertiser: TOWN OF NORTH HEMPSTEAD

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

Henry Krukowski, being duly sworn, deposes and says that on the 8^h day of February, 2023, he posted the attached Notice of Adoption of a Local Law amending Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to extend the suspension of section 2-9 N (7) of the Town Code with respect to tent permits through December 31, 2023, at the following locations:

Town Clerk Bulletin Board


Henry Krukowski

Sworn to me this

8th day of February, 2023


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 HEMPSTEAD
220 PLANDOME RD.
MANHASSET, NY 11030-2327

STATE OF NEW YORK)

Legal Notice No.

0021772203

: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:

Friday

February 10, 2023

Nassau

By: _____

Ciara Woodin

Print Name: _____
Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
10 Day of February, 2023.

Sarah Perez

Notary Public

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

Ad Content

Legal Notice # 21772203
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 February 7, 2023, Local Law No.1 of 2023 was adopted. The local law amends Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to extend the suspension of section 2-9 N (7) of the Town Code with respect to tent permits through December 31, 2023.
Dated: Manhasset, New York
February 7, 2023
BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021772203

Advertiser: TOWN OF NORTH HEMPSTEAD

CLERK SRIVASTAVA: Item No. 7, a public hearing to consider the adoption of a local law amending Chapter 2 of the town code entitled "Administration and Enforcement."

COUNCILWOMAN LURVEY: The purpose of the proposed local law is to authorize expedited review for solar installations and electric vehicle charging stations. Are there any cards here, Madam Clerk.

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

COUNCILWOMAN LURVEY: Anybody wish to be heard?

(No response.)

COUNCILWOMAN LURVEY: This new law is a positive step forward in our journey toward a more sustainable and resilient future. It is imperative that North Hempstead empowers its residents to go green and embrace clean energy solutions, and I'm proud that we are on the forefront of this important change. I would like to close the public hearing, offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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. 66 - 2023

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 the Town Code by the adoption of a Local Law amending Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to promote and encourage the use of solar panels and electric vehicles by creating an expedited permitting process for solar panel installation and electric vehicle charging stations; and

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

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 7th day of February, 2023, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board carefully considered the proposed Local Law during the aforesaid seven-day period, conducted said hearing on February 7, 2023, with respect to said Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, in accordance with the State Environmental Quality Review Act and the Act's implementing regulations (the "SEQRA Regulations") the Department of Planning and Environmental Protection has recommended that the adoption of the Local Law be determined to be a Type II Action pursuant to Section 617.5(c)(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 said proposed Local Law, to be effective immediately upon filing with the Secretary of State of the State of New York (the "Secretary of State").

NOW, THEREFORE, BE IT

RESOLVED that the Town Board determines that the adoption of the Local Law is a Type II Action pursuant to Section 617.5(c)(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. 2 of 2023 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 2 OF 2023**

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" in order to promote and encourage the use of solar panels and electric vehicles by creating an expedited permitting process for solar panel installation and electric vehicle charging stations.

Section 2.

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

§ 2-10.2 Expedited permit application review for solar panels and electric vehicle charging stations.

- A. All building permit applications for the installation of solar energy panels and related equipment, including battery backups, shall be expedited by the Building Department.**
- B. All building permit applications for the installation of electric vehicle charging stations shall be expedited by the Building Department.**
- C. Expedited permit application under this section shall be reviewed by the Building Department within 14 business days of the filing of a completed application.**

Section 3.

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

and; be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on February 7, 2023, Local Law No. 2 of 2023 was adopted. The local law amends Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to promote and encourage the use of solar panels and electric vehicles by creating an expedited permitting process for solar panel installation and electric vehicle charging stations.

Dated: Manhasset, New York

February 7, 2023

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

TOWN CLERK

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney

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

Henry Krukowski, being duly sworn, deposes and says that on the 25th day of January, 2023, he posted the attached Notice of Hearing to consider the adoption of a Local Law amending Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to authorize expedited review for solar installations and electric vehicle charging stations, 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

26th day of January, 2023



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 HEMPSTEAD
PLANNING & ECONOMIC DEVELOPMENT
210 PLANDOME ROAD
MANHASSET, NY 11030-2326
STATE OF NEW YORK)

Legal Notice No. 0021769582

: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:

Friday January 27, 2023 Nassau

By: Ciara Woodin

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
30 Day of January, 2023.

Tyshaw Harrison
Notary Public

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

This remote notarial act involved the use of communication technology.

Ad Content

Legal Notice # Z1769582
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 7th day of February, 2023, 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 authorize expedited review for solar installations and electric vehicle charging stations.
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
January 24, 2023
BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK

NEWSDAY PROOF


Ad Number: 0021769582

Advertiser: TOWN OF NORTH HEMPSTEAD

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

Henry Krukowski, being duly sworn, deposes and says that on the 8^h day of February, 2023, he posted the attached Notice of Adoption of a Local Law amending Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to promote and encourage the use of solar panels and electric vehicles by creating an expedited permitting process for solar panel installation and electric vehicle charging stations, at the following locations:

Town Clerk Bulletin Board



Henry Krukowski

Sworn to me this

8th day of February, 2023



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 HEMPSTEAD
220 PLANDOME RD.
MANHASSET, NY 11030-2327

STATE OF NEW YORK)

Legal Notice No.

0021772206

: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:

Friday

February 10, 2023

Nassau

By: Ciara Woodin

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
10 Day of February, 2023.

Sarah Perez
Notary Public

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

Ad Content

Legal Notice # 21772206
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 February 7, 2023, Local Law No. 2 of 2023 was adopted. The local law amends Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to promote and encourage the use of solar panels and electric vehicles by creating an expedited permitting process for solar panel installation and electric vehicle charging stations.
Date: Manhasset, New York
February 7, 2023
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021772206

Advertiser: TOWN OF NORTH HEMPSTEAD

CLERK SRIVASTAVA: Item No. 8, a public hearing to consider the adoption of a local law amending Chapter 24 of the town code entitled "Governmental Operations."

COUNCIL WOMAN LURVEY: So the purpose of the local law is to add a new Article, Article 14, to require a report from the Supervisor pursuant to town law regarding the Supervisor's, quote, "complete and thorough review" of the building department's operation, as referenced in her July 11th, 2022, media advisory. Is there anybody here who –

CLERK SRIVASTAVA: We have a card on this. Ronald Rochester.

MR. ROCHESTER: Hello, my name is Ronald Rochester, I'm from Port Washington, New York. In reference to this, I would like to start with the fact that there's been a cloud over the Building Department since 2007, where we had some prior employees who were arrested and convicted. I heard some comments and references that the current employees are still underneath that cloud because the Building Department is considered to be a problem, and whether or not it's actually the Building Department or something else is what we need to determine. I think part of the problem here is that the town board, and stop here for a moment but I've reviewed certain things, that our town board is responsible for fiscal and operational oversight of the departments within the town, and if anybody has read our state comptrollers item from 2016 regarding the local government management guide, you would see that he states -- I'm paraphrasing the fact that our local boards have responsible for that oversight, and that includes audits and other oversights of the departments within the town. From what I can see, and I've looked up some of these items, the comptrollers department has had three audits within the town since 2015. None of them have to do with Building Department. Whether or not -- I don't know because I could not find whether or not there has been oversight or outside auditors who have reviewed the Building Department during any of the time from 2017. I think that the board should have -- should be doing audits, if, not, oversight of the Building Department from 2017. I'm, as a former internal/external and criminal investigator to the government, I've been involved with audits of public facilities, or governmental agencies and criminal investigations of government, employees and agencies, and audits and oversight reviews of those agencies are done many times on an annual basis. When you've had a criminality within a department, I would say that that should have been done on an annual basis until we determine that there was no criminality or problems within that department. This cloud will remain on top of the employees here who don't deserve that, and we need to -- I think there's no problem referencing -- personally, I think it was the board's responsibility to do that and ask for that review or ask for the comptroller's department to do that review. I don't see that we've had anything from outside auditors; I don't know who your outside auditors are or if you had somebody come in and do that, but in any case, you have Nassau County and you have the state comptroller's department who could have been called in to do that audit. The Supervisor has gone and made the statement to now ask the county to come in and do this audit that should have been done a long time ago. I think that that is absolutely the right when it hasn't been done, that the Supervisor now has to take over and ask for something that should have been done many years ago.

SUPERVISOR DESENA: Thank you.

MR. ROCHESTER: You're welcome.

CLERK SRIVASTAVA: TJ Costello.

MR. COSTELLO: Good evening, my name is TJ Costello, I'm a local practicing architect in

town. I've been doing to this for 28 years and I meet my colleagues for coffee at the deli and we talk and I unfortunately drew the short straw and I'm going to share some of the comments that no one else wanted to come and share. But before I get into some detail, could I get a little clarification, please? I don't know if -- the air conditioner, I couldn't hear; what was the resolution of the purpose?

COUNCILWOMAN LURVEY: The purpose is to require the backup, a report from the Supervisor. When Councilwoman Dalimonte and I joined the Supervisor in July of last year to support the audit that she had called on Nassau County Comptroller Elaine Philips to do of the Building Department, I stated that I was looking forward to finding out what this audit was going to uncover, because as a town board, it's incumbent upon us to seek to improve the Building Department. I also said that I looked forward to hearing the findings and the recommendations that resulted from her thorough and complete review of the Building Department over the past six months.

MR. COSTELLO: Is it ongoing still?

SUPERVISOR DESENA: The audit is on going.

COUNCILWOMAN LURVEY: The audit is ongoing, yes.

MR. COSTELLO: Okay, so --

COUNCILWOMAN LURVEY: I'm wondering as the town board, I think --

COUNCILMAN TROIANO: I think there's some confusion. I think that Mr. Costello is thinking that this reso has to do with the audit, it doesn't, it has nothing to do with the audit. Mr. Rochester's comments weren't to actually focus on what this reso is about. What this reso is about is the statement by the Supervisor that she had undertaken a complete and thorough review. We would just like, as council people, I think some of us would like, anyway, to see that complete and thorough review.

MR. COSTELLO: Sure, I think we all would.

COUNCILMAN TROIANO: We haven't been able to see it, that's what this is about.

MR. COSTELLO: Oh, okay, is it not seen because it's incomplete? Is that --

COUNCILWOMAN LURVEY: We just ask for it.

COUNCILMAN TROIANO: What she stated was a complete and thorough review had been done, not that it was in process, but it had been done.

MR. COSTELLO: I think that the request had been done and it's been requested so it's in process.

COUNCILMAN TROIANO: No, no, no --

COUNCILWOMAN DALIMONTE: You're not understanding.

COUNCILWOMAN LURVEY: She said --

COUNCILMAN TROIANO: You cannot turn this around.

MR. COSTELLO: No, no, that's -- I'm asking.

COUNCILMAN TROIANO: The Supervisor said she had done a complete and thorough

review, not that she has requested one, but she had done that.

COUNCILWOMAN DALIMONTE: And that's what caused --

COUNCILMAN ZUCKERMAN: And we requested a copy of that document.

SUPERVISOR DESENA: There is no document.

COUNCILMAN TROIANO: That's the problem.

SUPERVISOR DESENA: No, I've said the repeatedly. I've said that at many public hearings in response to comments, in response to you. I did not create a report, there is no document.

COUNCILMAN WALSH: So what this is again is another political exercise.

COUNCILWOMAN LURVEY: No, no, the town board --

MR. COSTELLO: The reason I asked is because I was unclear. I am coming tonight to perhaps offer ideas and thoughts about things that can be done for improvement.

COUNCILWOMAN LURVEY: Absolutely, so we're on the same page.

MR. COSTELLO: I'd like to do that, I wasn't sure that this was calling into question that it ought to be done because I agree it ought to be done. I don't want to overspeak or underspeak.

COUNCILMAN TROIANO: It's not that, I think we'd all like to hear what your comments are, but really your comments now are supposed to be directed at this reso.

MR. COSTELLO: Okay, so the resolution, just one more time is --

COUNCILWOMAN LURVEY: The resolution calls for the information that the Supervisor uncovered in her six months of review prior to requesting the Nassau County comptroller to perform an outside audit of the Building Department.

COUNCILWOMAN DALIMONTE: So what we uncovered cause her to call for this audit and there have been people up here on the dais and residents have actually come and asked for the report. So they want to see what the report is and someone came here because they FOILED it, they want a copy of the report that asked for the audit. And we haven't seen it but we just found out there is no report.

SUPERVISOR DESENA: You didn't just find out, you can go back and look at the records, you can -- please, you can look at the records. I have stated I did not create a report. A review includes conversations, hearing from constituents, speaking with architects such as yourself, and many conversations, and frankly, dealings with this town board who did not want to consider some preliminary reforms that I have proposed. So after six months, I asked for an audit. I think there is concern in the audience, perhaps that you are expressing, that this board doesn't support the audit and -- so, why are we asking the Supervisor to create a report for something that the whole community has asked for for many years?

COUNCILMAN TROIANO: I think that we can all agree that a complete and thorough review is not a conversation with somebody. A complete, complete and thorough review would mean that -- complete. It's documented, it's written down.

SUPERVISOR DESENA: No, no, it does not mean that.

COUNCILMAN TROIANO: A permanent record is made, that's what complete means. Thorough would not suggest this a casual conversation by the water cooler. Thorough means

you called in Building Department people, interviewed them, maybe talked to architects like you in a rigorous, serious environment, not just walking down the street. Complete and thorough. I would expect, and you make a big announcement about that, press release, press conference that I would expect, I think you have the expectation, everybody here has the expectation that that and was a documented report and we'd all like to see it, and to now say and acknowledge -- to me this is earth shattering.

COUNCILMAN WALSH: Earth shattering.

SUPERVISOR DESENA: Earth shattering. I've said it many times.

COUNCILMAN TROIANO: There is no report, took that out. There is no report. That should be offensive, and that I think I'd much rather hear your comments about that than I would about at this night, hearing what you and your colleagues say about what could be done in the Building Department, I'd like to hear that. But tonight we're talking about that reso and the statement that a complete and thorough review had been done. And to hear now, and I've heard it before, she's right, to hear now that there is no report is offensive.

COUNCILMAN ADHAMI: Sir, I'd like to hear what you have to say --

SUPERVISOR DESENA: Thank you for your opinion.

COUNCILMAN TROIANO: That is my opinion, no doubt.

COUNCILMAN ADHAMI: -- I don't believe Councilman Troiano should direct you as to what to speak on, other people get up here and they speak on various items that are related --

COUNCILMAN TROIANO: We do have rules and procedures, Mr. Costello.

COUNCILMAN WALSH: You're cutting him off again. Let the man speak.

COUNCILWOMAN LURVEY: There are three people --

COUNCILMAN ADHAMI: I would just ask the gentleman to speak, that's it.

MR. COSTELLO: I asked for clarification because -- whether past tense, future tense, I didn't understand the resolution, I frankly did not.

COUNCILMAN WALSH: And more often than not, this is an open mic night down here, this thing is turning into people say whatever they want, so for you to be directed as to what to say is out of line. You can say whatever you want.

MR. COSTELLO: Being in the industry and around and I am unaware that our report is final, I would love to see if it was, and I don't think it's final; correct?

COUNCILMAN WALSH: No.

SUPERVISOR DESENA: The audit is not final.

COUNCILMAN TROIANO: This is not about the audit, this is not about the audit. Please don't drag it, please don't continue to bring us back to the audit --

COUNCILMAN ADHAMI: Councilman Troiano, let the gentleman speak.

COUNCILMAN TROIANO: -- This is not about the audit --

COUNCILMAN WALSH: This is about, attacking the Supervisor.

COUNCILMAN TROIANO: -- and Mr. Costello, no matter how many time you say the audit, is not gonna change the facts. I've known you too long and I know that -- I've known you too long to think that you can't --to believe that you can't understand that this is not about the audit.

COUNCILMAN WALSH: I don't know you at all, but this about is attacking the Supervisor, again, you do it all the time.

COUNCILMAN TROIANO: You and I are having a conversation.

MR. COSTELLO: It's about the statement that's been incorrect about it.

COUNCILMAN TROIANO: It's about asking for the report -- the review that was done, that's what it is, and I think as a councilperson, I have a right to see that.

MR. COSTELLO: I'd love to see it.

COUNCILMAN TROIANO: There you go. That's all we're asking.

MR. COSTELLO: But there's no "see" to see, there's no "there" to see.

COUNCILMAN TROIANO: Maybe that's it, maybe it's just the acknowledgments by the Supervisor in a -- that there is no report, that no report was ever done, completed --

COUNCILMAN ADHAMI: Councilman Troiano, can Mr. Costello speak?

MR. COSTELLO: If it's incomplete, if there isn't one, I would like to offer some thoughts about ways to improve the processes. I think that it's a good use of expenditure to do this sort of research. In my own office I'd love to have someone come in and tell me how I could be more efficient, more profitable, we can all benefit from that sort of thing. Over the years, I've collected sort of a list and trying to codify the process, and in Town of North Hempstead to do a fairly typical application, it requires 21 steps, and 28 steps if it's a BZA, and if are to count all of the necessary forms, from the inception of filling out a form to getting your Certificate of Occupancy, it can be as many as 77 pieces of paper one has to fill out. So if there had been five thousand two hundred and something application this year alone filled out, if efficiencies sake alone or streamlining the process could strip out one step, let's call that one hours worth of work at some fictitious rate of \$100 and hour, let's say, you could save one hour, \$100 per application times five thousand applications that are processed, someone help me with the math, that's half a million dollars. Saving one hour. So -- or -- and that's just -- on my end, I have to have a staff person on staff for almost 20 hours a week just doing that. That's money out of my pocket that I don't have to spend in Flower Hill, in Brookville, in Hamptons, in Plandome. So it's a tedious, tedious Building Department to work with. I've been doing this for 27 years. It's -- it can use efficiency. That's what I was hoping to talk about today. I didn't know as a question or not question, but a review would be a very, very welcomed event.

COUNCILWOMAN LURVEY: Mr. Costello, I think I would love if the review of the Building Department and the operations of the Building Department included discussions with people such as you. But the review, you know, is being done by the Nassau County comptroller and I don't know that they're doing anything like that. But I think that people like you and those who you had coffee with who put you in this unenviable position of, you know, being talked at by four people at once, which you're handling yourself very well, you are the ones who know best what the problems are.

MR. COSTELLO: And to round it out, there have been round table discussions starting from

Judy on up -- I mean there's always outreach and so, you know, we're available, you know, and happy to participate. It should be homeowners, it should be landlords, it should be business owners, it should be contractors. I didn't get to the contractors, contractors have another nine forms that they have to fill out and there's definitely things we can do to streamline it.

COUNCILWOMAN DALIMONTE: Mr. Costello in April of last year, I called on the Supervisor to set up a task force, then I also did it in July. That to me, now that the audit is taking place, we can't have that task force because it's -- the audit is taking place by the Nassau County comptroller. I do agree with you, there should have been two task forces set up. What about our code, let's look at everything in our code. And by the way, the commissioner of the Building Department agrees with me on having these two task forces, and his department would welcome them. One would be on our code and one would be on the procedure that you just brought up that they have to go through 29 steps, which is crazy. There's always reasons behind it, but let's find out those reasons. Maybe we can merge three of those steps into one. Just so you know, I did call on that and many architects have -- I received so many e-mails about that, that they wanted to be on it. I agree, real estate agents, contractors, electricians, plumbers, architects, attorneys. We come together and we have that task force. And we have two, one, as I said on the code, and one on the procedure, and I wanted to do that. The audit started -- there was a call on the audit in July -- so we cannot do that. Until this audit is over, we cannot do -- so we're really, right now, just in a holding pattern.

MR. COSTELLO: There's a conflict to do both simultaneously --

SUPERVISOR DESENA: Doesn't really make sense, councilwoman. You are perfectly free to speak with architects and speak with contractors. That has nothing to do with what the county comptroller is looking at in operation inside the Building Department, which, by the way, Councilwoman Lurvey just discredited for some reason that the county comptroller is not doing a good job, but that

COUNCILWOMAN LURVEY: What did I say?

COUNCILWOMAN DALIMONTE: I didn't think you said that.

SUPERVISOR DESENA: Yes, you did. You'll have to look at it again. You did not think that the county comptroller could do the right job of conducting the audit.

MR. COSTELLO: Is there some town procedure that prevents things from happening in tandem? Is it, like, a gag order where you can't do something while something else is going on? Because I could help put a committee together really quickly.

COUNCILWOMAN DALIMONTE: We wanted to give a raise to a couple of people in the Building Department, and correct me if I'm wrong, didn't we hear that the Deputy Supervisor said that we should not be doing that while an audit is taking place? So if we can't give a raise, how are we gonna have a task force?

SUPERVISOR DESENA: It's always questionable when you give raises to people; what is the reason, are they giving certain testimony --

MR. COSTELLO: That sort of makes sense that -- doesn't make sense that it's a conflict. I'd be happy to engage it in tandem, parallel --

SUPERVISOR DESENA: It's very interesting that you suggest giving a raise to people because, you know, favoritism and selective raises is something that many people question about

this town, about the way it's operated.

COUNCILWOMAN LURVEY: Is it really? I've never heard that.

COUNCILWOMAN DALIMONTE: Actually I didn't put it on the resolution.

MR. COSTELLO: I've got a lot of things I could recommend but I think it's probably not the --

COUNCILMAN TROIANO: Mr. Costello, there is absolutely no reason that you couldn't have the comptroller's team do an audit and simultaneously do a task force, if you will, of experts who may have some input about the operations of the Building Department. I do want to say that the comptroller is doing an operational, and I don't know that the Nassau County comptrollers have any particular knowledge or expertise about the Building Department.

SUPERVISOR DESENA: Again, discrediting this audit. I can't understand why. After 15 years of waiting for an audit, you're already discrediting it.

COUNCILMAN TROIANO: I've heard a lot me supposedly cutting people off, or Councilman Zuckerman. I was making a comment. I would like to -- I'm not against the audit, what I would like is to have the comptroller do an expanded audit that would include what you'd like, because I think then it would have even more values. It wasn't the criticism of the audit other than to say they should do more. They should talk to people like you because I don't believe, Supervisor, that a comptroller that normally does financial audits, now they're being asked to do an operational audit of a Building Department where it's hard to see where they could have generated the expertise. So I'd like them --and even if they do have expertise, having inputs from people like you would make it that much more meaningful.

MR. COSTELLO: Sure, sounds good. I think fresh eyes from an organization that doesn't know everything is good in a way because you ask a lot of questions when you don't know, so sometimes it's good to bring in a third party that doesn't know it and they have to explain the why behind everything, and then they'll get to the efficiency; well, couldn't you do better if? Anyway, I think that that would be helpful, and a good, thorough review would be a 360-degree review. So I'm sure they get to a point and say, "why do you do that, maybe that's wasteful. Oh, because that." So when that part comes in, I'll be happy to help you round up a crew.

SUPERVISOR DESENA: It's also an independent review, which is the better thing about it than having the town board create a task force with people who they pick to be on it. Really loses the independence that we've gotten from the county comptroller's office.

MR. COSTELLO: Does anybody have questions of me?

COUNCILWOMAN LURVEY: Yeah, yeah, yeah. So maybe there is a way forward to continue talking with you and others like you while the audit is ongoing, and that actually -- that brings us back full circle to the resolution. When I'm calling on the Supervisor to explain and give the information that she found out in her six months of what she called a "complete and thorough review," the reason for that is so that I could know, what problems did she identify? What issues need to be solved? What problems do we need to start to address as a board? And so it goes hand in hand with having conversations with people like you. We don't have to put everything on hold; right?

MR. COSTELLO: I would hope not.

COUNCILWOMAN LURVEY: While the audit is ongoing.

COUNCILMAN WALSH: This has been going on for 15 years or so, you know, and people come to me before I ever got here, when I worked in Mineola telling me thank God we're going to the Building Department in Mineola because we have a lot of trouble when we go to places I won't mention, areas in the Town of North Hempstead. This has been going on a long time, you know. Now all of a sudden we want to have -- we're trying to put together a task force. Where was the task force two years ago, five years ago, eight years ago? This has been going on a long time. We have a comptroller taking a look at this and thank God.

SUPERVISOR DESENA: Why don't I ask what you've all done for the past two, three, four, eight years and ask for your work product --

COUNCILWOMAN LURVEY: Sure, sure.

SUPERVISOR DESENA: -- and what you've done about the Building Department.

COUNCILMAN TROIANO: I don't think any of us announced that we had done a complete and thorough review, that's the difference.

SUPERVISOR DESENA: Reforming the Building Department is something I campaigned on, so it's something that was discussed extensively. I could have come in on day one and say, we need a review of -- we need an audit of the Building Department. So to now say that I have to create this report, that I have to give to you, it's just --

COUNCILMAN ZUCKERMAN: You said you did.

SUPERVISOR DESENA: Excuse me, I never said I created a report. I've answered this questions so many times. What I've said is that reviewing, which involves speaking to the people in the Building Department, which is something I did of every department after I started, that is what I did.

COUNCILMAN TROIANO: How would you define what a complete and thorough review looks like?

SUPERVISOR DESENA: I'm not going to define it, it's silly. This is silly. What you've created here -- and by the way, who wrote this request? Who wrote this --

COUNCILWOMAN LURVEY: Our Staff.

SUPERVISOR DESENA: Which staff wrote this? Mr. Chiara, did you write this request for a report?

COUNCILWOMAN LURVEY: You know he didn't.

SUPERVISOR DESENA: May I please ask him? Mr. Chiara, did you write this?

MR. CHIARA: The town attorneys office did.

SUPERVISOR DESENA: No one from your office wrote this?

MR. CHIARA: No.

SUPERVISOR DESENA: Thank you.

COUNCILWOMAN LURVEY: To your point that you campaigned on it, your opponent also campaigned on it and I'll say that the campaign is over. We're in government now and we need to legislate and govern based on facts, so this resolution is about getting the facts .

SUPERVISOR DESENA: This resolution is about criticizing me, this does nothing to serve the public.

COUNCILWOMAN LURVEY: It's about getting the facts. And you also asked, what have I done? So, perhaps the greatest upgrade that we did over the past few years was launching Citizen Serve software platform, which was launched fully in November 2020. It was implemented during COVID.

SUPERVISOR DESENA: Yes, you put out a press release about it two weeks ago, which is interesting timing.

COUNCILWOMAN LURVEY: So you knew what I had done.

SUPERVISOR DESENA: But I'm not sure where you got that information because I didn't get that information from the Building Department, so you're getting different information from me.

COUNCILWOMAN LURVEY: I asked for it, I asked for it, Supervisor.

SUPERVISOR DESENA: I did too.

MR. COSTELLO: Thank you very much.

SUPERVISOR DESENA: Thank you, Mr. Costello.

COUNCILMAN WALSH: Thank you, Mr. Costello.

SUPERVISOR DESENA: Are there any other questions or comments?

(No response.)

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

MR. MCDONOUGH: Tom McDonough, President, CSEA 7555. Lot of bickering going on, lot of finger pointing going on. We need to stop and start thinking about the employees of the town, the employees of the Building Department. I'll ask all of you, right now, I made a comment in the newspaper last week, nobody should open their mouth, say another word until the audit is over. I'm asking all seven of you, if you will commit to that and not make one more comment until this audit is over. Give it a fair shot.

COUNCILMAN TROIANO: Are you done talking, I don't want to cut you off? Again there is an attempt here to draw attention from what this reso is, which is about the Supervisor's complete and thorough review --

MR. MCDONOUGH: I know what it is, I know what it is.

COUNCILMAN TROIANO: I've not said --we're not talking about the audit, okay, so please don't distract from what this reso is about. It's not about the audit. It's about the complete and thorough review that I think you would want to see as well.

MR. MCDONOUGH: It's about the documentation that was used for the decision.

COUNCILMAN TROIANO: No, no, no, it's about --

MR. MCDONOUGH: Yes, it is. It's about the documentation that was reviewed prior to the request for the audit. I know it for a fact because I have it.

COUNCILMAN TROIANO: Can I tell you -- you have what ?

MR. MCDONOUGH: I have -- the FOIL that I FOILed, asking for all documentation that pertained to that. I have that.

COUNCILMAN TROIANO: Do you have the complete and thorough review?

MR. MCDONOUGH: Whatever documentation was used for it.

COUNCILMAN TROIANO: I don't know --do you know -- this is interesting, Mr. McDonough, do you know that you've got the complete and thorough review --

MR. MCDONOUGH: I'm just saying, I have the documentation.

COUNCILMAN TROIANO: You have documents, but you don't have the complete and thorough review.

MR. MCDONOUGH: I have the documentation that I requested.

COUNCILMAN TROIANO: You have documents. They may or may not be part of the complete and thorough review.

COUNCILWOMAN LURVEY: So you have it and the town board members who are responsible for legislating and governing and setting finances don't have it.

COUNCILMAN ADHAMI: You could have FOILed it.

COUNCILWOMAN LURVEY: I could have FOILed it? Why would I FOIL it, I'm a town board member.

MR. MCDONOUGH: That's the other thing that needs to be understood, that's the other thing that needs to be understood, is that any time that I need something, I have to FOIL it. Anytime that the DA wanted something back in 2000 -- and it started in 2005, just so we're all clear, from 2005 until 2007, or even past that, they need to subpoena it. Everything's document is documentation. There is a paper trail. Some of the instance of this audit has been bypassed on some of that documentation, that shouldn't be happening at all. They need to fill out the FOILs, they need to fill out the subpoenas, they need to fill out the paperwork.

COUNCILWOMAN LURVEY: You mean Nassau County?

MR. MCDONOUGH: Absolutely, 100 percent. The DA's office did --

COUNCILMAN TROIANO: But Mr. McDonough, you recognize --

MR. MCDONOUGH: Any defense lawyer did.

COUNCILMAN TROIANO: Mr. McDonough, you realize that we are part of the government

MR. MCDONOUGH: I understand that.

COUNCILMAN TROIANO: So we are not an outside agency like the DA --

MR. MCDONOUGH: I understand that.

COUNCILMAN TROIANO: -- that makes a difference; right? And again, we don't know what you FOILed, we don't know what you have. What we're asking for, again, is the complete and thorough review. I don't know that you have that, I'd like to see it.

COUNCILMAN ADHAMI: You can FOIL what Mr. McDonough FOILed.

COUNCILMAN TROIANO: I shouldn't have to FOIL it, Mr. Adhami, I'm councilman.

COUNCILMAN ADHAMI: Nothing is preventing you, you haven't done it. It's an avenue that's available to you that you refuse to use.

COUNCILMAN TROIANO: It may be an avenue, it doesn't mean I have to use that. I'm a Councilman. I represent a section of this community, and I have a right to see the work product of the Supervisor without having to FOIL it.

SUPERVISOR DESENA: You're characterizing something, you don't even know what you're talking about.

COUNCILMAN TROIANO: Okay, that's pretty insulting. All I'm doing -- Supervisor, all I'm doing is I'm using your words you completed -- you said you did a complete and thorough review, fine. Let's see it. If I don't know what I'm talking about, fine. I think the answer is --

MR. MCDONOUGH: I'm going to carry a stopwatch next time --

COUNCILMAN TROIANO: Please don't cut me off, Mr. McDonough, I'm talking now.

MR. MCDONOUGH: -- really accomplishing business, because you know what, there's a lot more bickering going on up there than there is business going on up there --

COUNCILMAN WALSH: Absolutely.

MR. MCDONOUGH: And we're all taxpayers. I voted for some of you people.

COUNCILMAN WALSH: I agree --

COUNCILMAN TROIANO: Mr. McDonough --

COUNCILMAN WALSH: And this guy will never stop, he won't even let you make your point.

MR. MCDONOUGH: It's everybody up there, Dennis, it's everybody up there, Councilman. Everybody argues, that's all you do, every meeting. You're all arguing. I got gotta say, the quietest person on that dais is David.

COUNCILMAN TROIANO: Okay.

COUNCILWOMAN LURVEY: Anybody else wishes to be heard?

(No response.)

COUNCILWOMAN LURVEY: Seeing no one, I would like to close the public hearing, offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: No.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: No.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: I'm going to vote no. Obviously, since you're voting yes, I'm going to comply. I will create the report that you have asked for in this paper, this very detailed report. If you would like to tie up my staff creating a report for political purposes, I'll comply.

COUNCILWOMAN DALIMONTE: It's not political.

COUNCILMAN WALSH: This is absolutely political.

COUNCILMAN TROIANO: I'm not asking for you to create a report, I want the report you already created.

SUPERVISOR DESENA: As I said multiple times, I did not create a report, I had --

COUNCILMAN ZUCKERMAN: You said you already created a report.

SUPERVISOR DESENA: No, I did not. Councilman Zuckerman, show me where I said that. I have answered many questions in this town boardroom about it.

COUNCILMAN TROIANO: I just don't understand why Councilman Adhami and Councilman Walsh aren't also interested in seeing the complete and thorough review.

COUNCILMAN WALSH: I didn't say that, now you're putting words in my mouth. I didn't say that.

COUNCILMAN TROIANO: You voted no.

COUNCILMAN WALSH: What I want to see is an audit of the Building Department, not listen to you being political and continuing to attack the Supervisor like you have been doing since I walked in the door here.

COUNCILMAN TROIANO: I think saying that you've completed a complete and thorough review when you haven't is being political.

COUNCILMAN WALSH: That's 18 times you said that, we heard that already.

SUPERVISOR DESENA: I think that everybody in this boardroom and everyone in the Town of North Hempstead would like to see an impartial, independent audit of the Building Department so that we can streamline it, reform it for our public, and I wish we could all look united in seeking that.

COUNCILWOMAN LURVEY: Connecting the audit to this resolution is disingenuous and makes no sense. It's just a way to draw attention away from the fact that the Supervisor put out a press release that said she did a complete and full audit --

COUNCILMAN ADHAMI: We all voted at this point, can we go on to the next item?

SUPERVISOR DESENA: You complain every time I talk to the press, but in case no one noticed, it's always four against three in here, and if I want the people to hear what's going on

and what I would like to accomplish, I must speak to the press, so I wish you wouldn't complain every time I speak to the press. It's the only way to communicate what I'm trying to do. If you had asked me, if you had asked me, I could have explained. Instead, you produced this very detailed --

COUNCILWOMAN LURVEY: July 11th, 2022. "Dear Supervisor DeSena, earlier today in your media announcement you referred to a complete and thorough review of the Building Department operations that you conducted over the last six months. In the interest of transparency, I am requesting that you please provide your colleagues on the town board with all details and documents associated with the review along with any analysis and recommendations that have been since provided by any town employee. In the spirit of cooperation and collaboration, sharing all the documentation and results of this complete and thorough review would be greatly appreciated. I hope that you will agree that only through a tangible, factual and methodical analysis can we properly devise comprehensive solutions, for the future of the town's Building Department." July 11th, 2022.

SUPERVISOR DESENA: And I answered your question, yes, that that did not exist, so now I obviously -- I vote no.

COUNCILMAN WALSH: We just wasted a half an hour on a political event here, because that's what's going on. We just wasted a half an hour, so maybe we can get on because the people are waiting here.

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. 67 - 2023

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 24 OF THE TOWN CODE ENTITLED "GOVERNMENTAL OPERATIONS."

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend the Town Code by the adoption of a Local Law amending Chapter 24 of the Town Code entitled "Governmental Operations" in order to add a new article, Article XIV, to require a report from the Supervisor pursuant to Town Law regarding the Supervisor's "complete and thorough review" of the Building Department's operations, as referenced in the Supervisor's July 11, 2022 media advisory; and

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

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 7th day of February, 2023, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board carefully considered the proposed Local Law during the aforesaid seven-day period, conducted said hearing on February 7, 2023, with respect to said Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, in accordance with the State Environmental Quality Review Act and the Act's implementing regulations (the "SEQRA Regulations") the Department of Planning and Environmental Protection has recommended that the adoption of the Local Law be determined to be a Type II Action pursuant to Section 617.5(c)(25) 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 said proposed Local Law, to be effective immediately upon filing with the Secretary of State of the State of New York (the "Secretary of State").

NOW, THEREFORE, BE IT

RESOLVED that the Town Board determines that the adoption of the Local Law is a Type II Action pursuant to Section 617.5(c)(25) 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. 3 of 2023 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 3 OF 2023**

A LOCAL LAW AMENDING CHAPTER 24 OF THE TOWN CODE

ENTITLED "GOVERNMENTAL OPERATIONS"

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 24 of the Town Code entitled "Governmental Operations" in order to require a report from the Supervisor pursuant to Town Law regarding the Supervisor's "complete and thorough review" of the Building Department's operations, as referenced in the Supervisor's July 11, 2022 media advisory.

Section 2.

Chapter 24 of the Code of the Town of North Hempstead is amended as follows:

ARTICLE XIV Reports from the Supervisor

§ 24-103 through § 24-109. (Reserved)

§ 24-110 Legislative intent.

It is the intent of this local law to maintain a well-informed Town Board to assist them in their legislative, appropriating, governing and policy determining functions, by requiring the Supervisor to provide the Town Board with reports concerning the conduct of the official business of the town and the performance by town officers and employees of their functions, powers and duties.

§ 24-111 Authority.

This local law is adopted pursuant to New York State Town Law Section 51(3), which authorizes the Town Board to require "reports from the supervisor concerning the conduct of the official business of the town and the performance by town officers and employees of their functions, powers and duties".

§ 24-112 Report for 6-month Review of the Building Department.

- A. On July 11, 2022, in reference to the Town's Building Department, the Supervisor's office issued a media advisory stating that "a complete and thorough review of operations" had been undertaken during the past 6 months.
- B. Pursuant to this local law, the Supervisor shall provide the Town Board with a report detailing the Supervisor's "complete and thorough review" of the Building Department's operations, as referenced in the July 11, 2022 media advisory;
- C. The Supervisor's report shall include the following information:
- 1) A statement detailing the scope and extent of the "complete and thorough review" of Building Department operations performed by the Supervisor for the 6-month time period prior to July 11, 2022.
 - 2) An Executive Summary providing an overview of the "complete and thorough review".
 - 3) Summaries and documents concerning interviews with staff, including names of interviewees, interviewer and observers in attendance, dates of interviews, and discussion points from each interview.
 - 4) All departmental processes and systems reviewed.
 - 5) All documents exchanged between the Supervisor and/or her office and any other Town department or governmental entity related to the "complete and thorough review" of the Building Department operations. If any document is not provided, the report shall identify the document and specify the basis for not providing it.
 - 6) A detailed accounting of observations, analysis, findings, conclusions, recommendations or identified concerns regarding the following:
 - (a) Permit review times;
 - (b) Delays in permit issuance associated with omissions of design professionals;
 - (c) Allocation of resources;
 - (d) Communication between departments;
 - (e) Customer relations;
 - (f) Operating procedures;
 - (g) Payment of fees; and
 - (h) Other issues affecting the operations of the department.
- D. The Supervisor shall provide the report to the Town Board not later than 10 business days following the effective date of this local law.

Section 3.

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

and; be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on February 7, 2023, Local Law No. 3 of 2023 was adopted. The local law amends Chapter 24 of the Town Code entitled "Governmental Operations" in order to add a new article, Article XIV, to require a report from the Supervisor pursuant to Town Law regarding the Supervisor's "complete and thorough review" of the Building Department's operations, as referenced in the Supervisor's July 11, 2022 media advisory.

Dated: Manhasset, New York

February 7, 2023

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

TOWN CLERK

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Zuckerman.

Nays: Councilperson Adhami, Councilperson Walsh, Supervisor DeSena.

cc: Town Attorney

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


Henry Krukowski, being duly sworn, deposes and says that on the 25th day of January, 2023, he posted the attached Notice of Hearing to consider the adoption of a Local Law amending Chapter 24 of the Town Code entitled “Governmental Operations” in order to add a new article, Article XIV, to require a report from the Supervisor pursuant to Town Law regarding the Supervisor’s “complete and thorough review” of the Building Department’s operations, as referenced in the Supervisor’s July 11, 2022 media advisory, 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
26th day of January, 2023



Notary Public

DONNA R. EURSI
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 HEMPSTEAD
PLANNING & ECONOMIC DEVELOPMENT
210 PLANDOME ROAD
MANHASSET, NY 11030-2326
STATE OF NEW YORK)

Legal Notice No. 0021769583

: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:

Friday January 27, 2023 Nassau

By: Ciara Woodin

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
30 Day of January, 2023.

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 # 21769583

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 7th day of February, 2023, 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 24 of the Town Code entitled "Governmental Operations" in order to add a new article, Article XIV, to require a report from the Supervisor pursuant to Town Law regarding the Supervisor's "complete and thorough review" of the Building Department's operations, as referenced in the Supervisor's July 11, 2022 media advisory. 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
January 24, 2023
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK

NEWSDAY PROOF

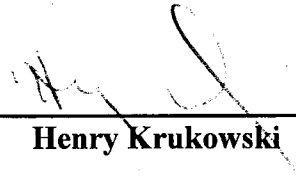
Ad Number: 0021769583

Advertiser: TOWN OF NORTH HEMPSTEAD

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

Henry Krukowski, being duly sworn, deposes and says that on the 8^h
day of February, 2023, he posted the attached Notice of Adoption of a Local Law amending
Chapter 24 of the Town Code entitled “Governmental Operations” in order to add a new
article, Article XIV, to require a report from the Supervisor pursuant to Town Law
regarding the Supervisor’s “complete and thorough review” of the Building Department’s
operations, as referenced in the Supervisor’s July 11, 2022 media advisory, at the following
locations:

Town Clerk Bulletin Board



Henry Krukowski

Sworn to me this

8th day of February, 2023



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 HEMPSTEAD
220 PLANDOME RD.
MANHASSET, NY 11030-2327

STATE OF NEW YORK)

Legal Notice No.

0021772214

: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:

Friday

February 10, 2023

Nassau

By: Ciara Woodin

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
10 Day of February, 2023.

Sarah Perez
Notary Public

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

Ad Content

Legal Notice # 21772214
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 February 7, 2023, Local Law No. 3 of 2023 was adopted. The local law amends Chapter 24 of the Town Code entitled "Governmental Operations" in order to add a new article, Article XIV, to require a report from the Supervisor pursuant to Town Law regarding the Supervisor's "complete and thorough review" of the Building Department's operations, as referenced in the Supervisor's July 11, 2022 media advisory.
Dated: Manhasset, New York
February 7, 2023
**BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK**

NEWSDAY PROOF

Ad Number: 0021772214

Advertiser: TOWN OF NORTH HEMPSTEAD

CLERK SRIVASTAVA: Item No. 9, a public hearing to consider the adoption of a local law amending Chapter 48 of the town code entitled "sidewalks."

COUNCILWOMAN DALIMONTE: Do we have any cards on this item?

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

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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. 68 - 2023

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 48 OF THE TOWN CODE ENTITLED "SIDEWALKS."

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend the Town Code by the adoption of a Local Law amending Chapter 48 of the Town Code entitled "Sidewalks" in order to extend the suspension of the Town Code provisions limiting the number of sidewalk sale permits that may be issued for any given location during a 12 month period and temporarily waive the fees for a sidewalk sale permit through December 31, 2023; and

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

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 7th day of February, 2023, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board carefully considered the proposed Local Law during the aforesaid seven-day period, conducted said hearing on February 7, 2023, with respect to said Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, in accordance with the State Environmental Quality Review Act and the Act's implementing regulations (the "SEQRA Regulations") the Department of Planning and Environmental Protection has recommended that the adoption of the Local Law be determined to be a Type II Action pursuant to Section 617.5(c)(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 said proposed Local Law, to be effective immediately upon filing with the Secretary of State of the State of New York (the "Secretary of State").

NOW, THEREFORE, BE IT

RESOLVED that the Town Board determines that the adoption of the Local Law is a Type II Action pursuant to Section 617.5(c)(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. 4 of 2023 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 4 OF 2023**

A LOCAL LAW AMENDING CHAPTER 48 OF THE TOWN CODE

ENTITLED "SIDEWALKS"

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 48 of the Town Code entitled "Sidewalks" in order to extend the suspension of the Town Code provisions limiting the number of sidewalk sale permits that may be issued for any given location during a 12 month period and temporarily waive the fees for a sidewalk sale permit through December 31, 2023.

Section 2.

Chapter 48 of the Town Code is hereby amended as follows:

§48-11 Obstructing walks; sidewalk sales.

A. No person, firm, association or corporation who is owner, occupant or lessee of any premises abutting on any street, road, highway or parkway in the unincorporated area of the Town of North Hempstead, Nassau County, New York, shall place, keep, permit or suffer to be kept on any sidewalk in front of, adjoining or adjacent to such premises any goods, wares, merchandise, boxes, barrels, display signs or material things of any kind or description or in any manner obstruct any such sidewalk or in any manner obstruct or interfere with the use of any such sidewalk without first obtaining a permit from the Town Clerk under this section; provided, however, that nothing contained in this section shall prevent persons from placing goods, wares, merchandise or household furniture on the sidewalk temporarily while loading or unloading the same, provided that it be done without unnecessary delay and provided that such goods, wares or merchandise are not allowed or permitted to remain on such sidewalk within the prohibited area for a period longer than one hour.

B. Applications for a permit to conduct a sidewalk sale shall be submitted to the Town Clerk,

and no person shall conduct a sidewalk sale without having first obtained such permit from the Town Clerk. The Town Clerk shall issue a permit for a sidewalk sale only to a chamber of commerce, Business Improvement District or to the majority of the merchants on a street wishing to participate in a sidewalk sale. A sidewalk sale permit shall not be issued to an individual merchant. Such application shall be submitted to the Town Clerk not less than 30 days nor more than 180 days prior to the first day of such sale.

C. The sidewalk sale permit shall be issued in the name of the sponsoring organization or in the name of all of the merchants who applied therefor and shall contain the date(s) and times of the sale. No permit shall be valid for more than three consecutive days. No more than five sidewalk sale permits may be issued for any location within any twelve-month period.

(1) The limitations on duration and number of permits in this subsection shall be and are suspended, upon the effective date hereof and continuing through December 31, 2023~~[2]~~, at which time this subsection shall revert in its entirety to full force and effect.
[Added 9-3-2020 by L.L. No. 8-2020; amended 4-22-2021 by L.L. No. 9-2021; 11-18-2021 by L.L. No. 25-2021; 3-31-2022 by L.L. No. 5-2022]

D. A sidewalk sale permit shall be subject to the following provisions:

(1) No sale shall be conducted between the hours of 7:00 p.m. and 8:00 a.m. the following day, and no merchandise, booths, tables or display cases shall be left on the site of the sale between such hours, even if the sale may continue the following day;

(2) No person shall erect booths, tables or display merchandise in such a manner so as to block pedestrian or vehicular traffic;

(3) There must be a minimum of two feet of clear sidewalk space between any merchandise, booth, table or display case and the street at all times;

(4) The applicant shall be responsible to ensure that any litter generated as a result of the sidewalk sale is properly removed;

(5) The applicant shall comply with such other conditions as the Town Clerk may require as necessary for public safety or to protect public improvements, including but not limited to the posting of no-parking signs, traffic cones or barricades; and

(6) No participant in a sidewalk sale shall cause or permit any loud or offensive noise from his person or from any device, instruments or equipment for the purpose of attracting attention to any goods or services for sale or distribution.

E. The fee for a sidewalk sale permit shall be \$100, plus \$25 for each additional day after the first day allowed by the permit.

(1) The fees set forth in this subsection shall be and are suspended, upon the effective date hereof and continuing through December 31, 2023~~[2]~~, at which time this subsection shall revert in its entirety to full force and effect.
[Added 9-3-2020 by L.L. No. 8-2020; amended 4-22-2021 by L.L. No. 9-2021; 11-18-2021 by L.L. No. 25-2021; 3-31-2022 by L.L. No. 5-2022]

F. No motor vehicle shall park, stop or stand upon or otherwise obstruct any sidewalk, driveway apron or handicapped access ramp within the unincorporated area of the Town of North Hempstead.

Section 3.

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

and; be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on February 7, 2023, Local Law No. 4 of 2023 was adopted. The local law amends Chapter 48 of the Town Code entitled "Sidewalks" in order to extend the suspension of the Town Code provisions limiting the number of sidewalk sale permits that may be issued for any given location during a 12 month period and temporarily waive the fees for a sidewalk sale permit through December 31, 2023.

Dated: Manhasset, New York

February 7, 2023

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

TOWN CLERK

Dated: Manhasset, New York

February 7, 2023

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

NEWSDAY AFFIDAVIT OF PUBLICATION

TOWN OF NORTH HEMPSTEAD
PLANNING & ECONOMIC DEVELOPMENT
210 PLANDOME ROAD
MANHASSET, NY 11030-2326
STATE OF NEW YORK)

Legal Notice No. 0021769585

: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:

Friday January 27, 2023 Nassau

By: Ciara Woodin

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
30 Day of January, 2023.

Tyshawn Harrison
Notary Public

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

This remote notarial act involved the use of communication technology.

Ad Content

Legal Notice # 21769585
NOTICE OF HEARING
PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on February 7, 2023 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 4B of the Town Code entitled "Sidewalks" in order to extend the suspension of the Town Code provisions limiting the number of sidewalk sale permits that may be issued for any given location during a 12 month period and temporarily waive the fees for a sidewalk sale permit until December 31, 2023.
PLEASE TAKE FURTHER NOTICE that all interested persons shall have an opportunity to be heard concerning the Local Law at the public hearing.
PLEASE TAKE FURTHER NOTICE that the full text of the proposed Local Law will be available on the Town's website and on file in the Office of the Town Clerk prior to the hearing and may be examined during regular business hours.
Dated: Manhasset, New York
January 24, 2023
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021769585

Advertiser: TOWN OF NORTH HEMPSTEAD

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

Henry Krukowski, being duly sworn, deposes and says that on the 8th day of February, 2023, he posted the attached Notice of Adoption of a Local Law amending Chapter 48 of the Town Code entitled "Sidewalks" in order to extend the suspension of the Town Code provisions limiting the number of sidewalk sale permits that may be issued for any given location during a 12 month period and temporarily waive the fees for a sidewalk sale permit through December 31, 2023, at the following locations:

Town Clerk Bulletin Board



Henry Krukowski

Sworn to me this

8th day of February, 2023



Notary Public

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

NEWSDAY AFFIDAVIT OF PUBLICATION

TOWN OF NORTH HEMPSTEAD
220 PLANDOME RD.
MANHASSET, NY 11030-2327

STATE OF NEW YORK)

Legal Notice No.

0021772217

: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:

Friday

February 10, 2023

Nassau

By: Ciara Woodin

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
10 Day of February, 2023.

Sarah Perez
Notary Public

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

Ad Content

Legal Notice # 21772217
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 February 7, 2023, Local Law No. 4 of 2023 was adopted. The local law amends Chapter 48 of the Town Code entitled "Sidewalks" in order to extend the suspension of the Town Code provisions limiting the number of sidewalk sale permits that may be issued for any given location during a 12 month period and temporarily waive the fees for a sidewalk sale permit through December 31, 2023.
Dated: Manhasset, New York
February 7, 2023
**BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK**

NEWSDAY PROOF

Ad Number: 0021772217

Advertiser: TOWN OF NORTH HEMPSTEAD

CLERK SRIVASTAVA: Item No. 10, a public hearing to consider the adoption of a local law amending Chapter 70 of the town code entitled "zoning."

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

CLERK SRIVASTAVA: Yes, we have public comments for the record.

COUNCILWOMAN DALIMONTE: Do you have a card?

CLERK SRIVASTAVA: No, we don't have.

COUNCILWOMAN DALIMONTE: Oh, for the record.

CLERK SRIVASTAVA: For the record, yes. We don't have cards on this here.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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. 69 - 2023

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 further assist those establishments affected by the COVID-19 pandemic by extending the timeframe to continue allowing temporary outdoor seating and other temporary outdoor uses until December 31, 2023; 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 February 7, 2023, 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 February 7, 2023, 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. 5 of 2023 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 5 OF 2023**

**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 Town of North Hempstead to amend Chapter 70 of the Town Code entitled "Zoning" in order to further assist those establishments affected by the COVID-19 pandemic by extending the timeframe to continue allowing temporary outdoor seating and other temporary outdoor uses until December 31, 2023.

Section 2.

Section 70-103.1 of the Town Code of the Town of North Hempstead is hereby amended to read as follows:

§ 70-103.1 COVID-19 outdoor accommodations; temporary suspension of off-street parking requirements for certain restaurants and food service establishments.
[Added 6-18-2020 by L.L. No. 5-2020]

A. Purpose. The provisions of this section are designed to temporarily allow restaurants and food service establishments an additional way to expand their operations outdoors during, and as a result of, the COVID-19 pandemic; and to protect the public health, safety, and general welfare of the community. [Amended 11-18-2021 by L.L. No. 26-2021]

B. Notwithstanding any provision in Chapter 70 of the Town Code to the contrary, restaurants and food service establishments may expand their seating areas by up to 50% of the previously approved floor area devoted to seating without providing additional parking spaces, subject to compliance with the provisions of this section.

C. No restaurant or food service establishment shall temporarily expand seating capacity under § 70-103.1 of the Town Code without first filing with the Building

Commissioner an application for such temporary expanded seating capacity and obtaining a permit. To obtain a permit under this section, an applicant shall not be required to seek an amended site plan approval from the Town Board or an amended conditional use permit from the Zoning Board of Appeals.

D. Temporary expanded seating capacity areas are not required to be located within the original confines of the establishment, but must comply with applicable public assembly, accessibility and fire safety regulations.

E. Subject to the provisions of this section, temporary expanded seating capacity areas may be established entirely within the property boundaries, upon a sidewalk, within a parking lane, within a parking lot, or in a courtyard. An eligible restaurant or food service establishment may utilize one or more of the aforementioned locations as a temporary expanded seating area. This section of the Town Code only permits temporary expanded seating capacity areas in the locations referenced herein. Nothing in this section shall be construed to permit outdoor dining and service of beverages, including alcohol, in any other area, including rooftops and roofs. [Amended 8-13-2020 by L.L. No. 7-2020]

F. A permit for a temporary expanded seating capacity area shall only be authorized where it is determined that the use will not create a hazard, a sight distance obstruction for motor vehicle operators, nor unduly impede pedestrian traffic. The Building Commissioner shall determine when a hazardous condition exists.

G. Application for permit.

(1) Such application shall be made to the Building Commissioner on a form provided by him and shall contain a sworn statement that provides the following information:

(a) A site plan showing the location of service and arrangement of tables and chairs:

(b) The required certificate of insurance, if applicable;

(c) Where applicable, a permit from the New York State Liquor Authority;

(d) A statement affirming that the applicant shall comply with all requirements set forth in this section; and

(e) A copy of this section signed by the applicant as recognition and acceptance of all of its terms.

(2) The Building Commissioner may require an applicant to provide such other information as may reasonably be required to establish compliance with the provisions of this section and other applicable building codes, ordinances and regulations.

H. Upon submission of a completed application, and a determination of compliance by the Building Department following a review of the application, the Building Commissioner shall issue a permit for a temporary expanded seating capacity area in one or more of the locations authorized in this section.

I. The following regulations are applicable to all temporary expanded seating capacity areas:

(1) Where necessary, wind screens shall be provided to contain any loose objects that may otherwise be carried off site by the wind.

(2) All food and beverages shall be dispensed from the interior of the establishment. There shall be no outdoor bar or service counter.

(3) Alcohol may only be served in conjunction with food that is otherwise available for purchase without alcohol. All businesses serving alcoholic beverages must be in compliance with all state laws and regulations, including those of the New York State Liquor Authority. Copies of permits shall be provided to the Town prior to service of alcoholic beverages.

(4) Except within a mixed-use zoning district or approved mixed-use development, no temporary expanded seating capacity area shall be established within 50 feet of a residential property.

(5) Where necessary, sun shade may be provided either by individual umbrellas or an area-wide canopy.

(6) Restaurants and food service establishments shall take all reasonable steps to control littering and shall dispose of all trash as otherwise required and shall keep the sidewalk, parking lot area, or other areas used for outdoor seating clean and free of litter, debris and putrescible waste.

(7) Putrescible waste must be contained in a refrigerated compartment within the interior of the restaurant or food service establishment for future disposal.

(8) Restaurants and food service establishments with temporary expanded seating capacity areas shall take all steps necessary to maintain safety and to immediately remedy any unsafe situation.

(9) A Town Building Inspector or Code Enforcement Officer may temporarily suspend a permit for a temporary expanded seating capacity area, at any time, due to violations of this section, threats to public safety, disorderly conduct, noise, disruption of other business operations or violations of other Town codes or other laws or regulations. The Building Inspector or Code Enforcement Officer may choose, but is not obligated, to reinstate a temporary expanded seating capacity area permit if he or she is

satisfied that all violations have been remedied. An affected restaurant or food service establishment may appeal a decision to suspend a temporary expanded seating capacity area permit to the Town Board, which shall conduct an evidentiary hearing to determine whether to reinstate the permit or continue the suspension for a stated period of time.

(10) Applicants shall provide a site plan for the premises for which the permit is requested showing all structures thereon, a sketch showing the proposed number of tables and chairs and the area to be used for temporary expanded seating capacity with a proposed seating plan for same.

(11) Service at any temporary expanded seating capacity area shall be permitted no later than 10:00 p.m. on Sunday through Thursday and 11:00 p.m. on Friday and Saturday. Tables and chairs and menu signs must be removed from the sidewalk no later than 10:30 p.m. on Sunday through Thursday and 11:30 p.m. on Friday and Saturday. Tables and chairs and menu signs cannot be set up earlier than 1/2 hour before service begins.

(12) Smoking or vaping is not permitted in any outdoor dining areas.

(13) The premises on which the temporary expanded seating capacity service is to be offered must have a valid certificate of occupancy and a public assembly license or place of assembly license, as applicable.

(14) There shall be no sound amplification or public address system permitted in any temporary expanded seating capacity area. The installation, use or maintenance of radios, speakers, televisions or like apparatus and live entertainment shall be prohibited in any temporary expanded seating capacity areas.

(15) Definitions. For the purposes of this section, the following words and phrases are defined as follows: [Added 8-13-2020 by L.L. No. 7-2020]

BARRIER

An object, natural or man-made, other than a bollard, which is used to obstruct the passage of motor vehicles and separate pedestrian and vehicular traffic. Natural objects may include large trees or boulders.

BOLLARD-

A vertical post designed and used to obstruct the passage of motor vehicles and separate pedestrian and vehicular traffic.

PLATFORM

A flooring material, usually constructed of a wood or composite decking materials, which is flush mounted to the roadway surface so that tables and chairs are not placed directly onto the pavement.

VEHICLE IMPACT PROTECTION DEVICE

A device that is designed, engineered, and sited so as to effectively separate areas of pedestrian and vehicular travel and prevent automobiles from encroaching into areas which are solely intended for pedestrian use and travel; vehicle impact protection devices shall be comprised of bollards or barriers,

J. Outdoor sidewalk seating.

(1) Notwithstanding the provisions of Chapter 48 of the Town Code to the contrary, the Building Department may issue a temporary expanded seating capacity area permit for outdoor sidewalk seating in conjunction with a restaurant or food service establishment, subject to compliance with this § 70-103.1.

(2) The applicant shall provide for a pedestrian access area on the public sidewalk, measured from the inside of the curb where it meets the sidewalk, of at least 60 inches' clearance; tables and chairs and other objects, such as menu signs, shall be kept out of the pedestrian access area. Clearance for the pedestrian access area must be around obstacles such as signs, benches, garbage cans, accessibility ramps, driveway access and other impediments. Employees may temporarily be within the pedestrian access area while performing their duties, such as serving, but may not place objects, such as tray stands, in the pedestrian access area. However, employees shall at all times yield to pedestrians within the pedestrian access area.

(a) Notwithstanding the above, on a Town roadway with an existing parking lane, an applicant may utilize the parking lane as a pedestrian walkway, provided that the applicant provides a vehicle impact protection device or steel barricade on all three sides of the parking lane and provides ramp access for ADA compliance, which can be made of nonpermanent materials. [Added 8-13-2020 by L.L. No. 7-2020]

(3) The applicant shall provide a certificate of insurance with liability limits of at least \$2,000,000 per occurrence and which names the Town of North Hempstead as an additional insured who will be notified by the insurance company or agent in the event of a lapse of coverage. This insurance is required to remain in effect for the duration of the outdoor sidewalk seating activities and to cover claims arising out of said activities. The Town must be notified in the event of any threatened or actual lapse in insurance coverage. Any such lapse in coverage shall automatically revoke the permit authorizing a temporary expanded seating area for outdoor sidewalk seating. In any event, the applicant shall be liable for all claims arising out of the operation of a temporary expanded seating area for outdoor sidewalk seating and shall defend, indemnify and hold the Town harmless from and against any such claims.

(4) Notwithstanding the provisions of § 70-197, permittees under this section may display menu signs only within the time frames set forth in § 70-103.1(11) and only as authorized by the Building Department. The Building Department is hereby authorized and directed to establish a preapproved menu sign form, including size and display specifications, which permittees may display without obtaining a sign permit.

(5) Sidewalk service may be provided in front of up to two adjoining businesses, i.e., one on either side of the permittees' premises, with the permission of those businesses and their landlords. Permission shall be given in writing, a copy of which shall be given to the Building Department before sidewalk service in front of an adjoining premises is provided. Permission may be withdrawn by the adjoining business or landlord at any time. The business or landlord withdrawing permission shall notify the Town, in writing, within two business days of the withdrawal. Any adjoining business and landlord that gives such permission shall be covered by the permittees' insurance in the same way the Town is and at no less a coverage level. Confirmation of such coverage and notice of any lapse, etc., shall be provided to the Town in the same manner as such notice is made to the Town regarding coverage extended to the Town. Copies of all such notices shall also be given to the permitting businesses and landlords.

(6) Notwithstanding any provisions of this section, outdoor sidewalk seating shall be in all respects compliant with all applicable provisions of the Americans with Disability Act of 1990, as amended from time to time.

K. Outdoor parking lane seating. [Added 8-13-2020 by L.L. No. 7-2020]

(1) Notwithstanding any traffic ordinance or local law to the contrary, the Building Department may issue a temporary expanded seating capacity area permit for outdoor parking lane seating in conjunction with a restaurant or food service establishment, subject to compliance with this § 70-103.1.

(2) The applicant shall comply with the following:

(a) Provide a vehicle impact protection device on all three sides of the seating perimeter located in the roadway to separate seating from the travel lane. The vehicle impact protection device must be at least 18 inches in width and 30 inches to 36 inches in height (excluding plantings) on all three sides. All vehicle impact protection devices shall be engineered and determined to be in compliance with ASTM Publication F3016.

(b) Parking lane seating may not exceed the length of the business frontage, except as authorized herein.

(c) Ensure visibility of patrons and vehicle impact protection devices at night by clearly marking such devices with yellow high-intensity retro-reflective tape or reflectors.

(d) Provide ramp access for ADA compliance, which can be made of nonpermanent materials.

(e) Seating or vehicle impact protection devices shall not be located within 15 feet of a fire hydrant, or within eight feet of a crosswalk, or within a No Stopping Anytime

or No Standing Anytime zone, bike lane, bus lane/stop, or taxi stand.

(f) No outdoor lighting shall be installed in a manner that will impair passing traffic.

(g) Tables and chairs must be removed or secured in place when not in operation.

(h) All applicable building and fire codes shall be complied with.

(i) Notwithstanding any provision of this code to the contrary, no liquid petroleum gas heating device shall be located within the outdoor parking lane seating area. [Added 11-19-2020 by L.L. No. 17-2020]

(3) The applicant may comply with the following:

(a) Vehicle impact protection devices may be left in place within a metered zone, alternate side parking, or No Parking Anytime zone, provided that tables and chairs are removed or secured when not in operation.

(b) Where seating is authorized along a curb, install a platform behind the required vehicle impact protection devices to flush height with curb to facilitate ADA compliance, prevent the curb from becoming a tripping hazard, and allow drainage to underpass seating. Such platforms shall not block rain water drainage getting to the curb or flowing along the curb. Such platforms shall not obstruct access to or ventilation of utility covers. Installation of any platform within a parking lane shall be in compliance with the New York State Building Code relative to structural strength, fire safety, means of egress, accessibility, light, ventilation, and sanitary requirements.

(4) The applicant shall provide a certificate of insurance with liability limits of at least \$2,000,000 per occurrence and which names the Town of North Hempstead as an additional insured who will be notified by the insurance company or agent in the event of a lapse of coverage. This insurance is required to remain in effect for the duration of the outdoor parking lane seating activities and to cover claims arising out of said activities. The Town must be notified in the event of any threatened or actual lapse in insurance coverage. Any such lapse in coverage shall automatically revoke the permit authorizing a temporary expanded seating area for outdoor parking lane seating. In any event, the applicant shall be liable for all claims arising out of the operation of a temporary expanded seating area for outdoor parking lane seating and shall defend, indemnify and hold the Town harmless from and against any such claims.

(5) Notwithstanding the provisions of § 70-197, permittees under this section may display menu signs only within the time frames set forth in § 70-103.11(11) and only as authorized by the Building Department. The Building Department is hereby authorized and directed to establish a preapproved menu sign form, including size and display specifications, which permittees may display without obtaining a sign permit.

(6) Parking lane seating service may be provided in front of up to two adjoining businesses, i.e., one on either side of the permittees' premises, with the permission of those businesses and their landlords. Permission shall be given in writing, a copy of which shall be given to the Building Department before parking lane seating service in front of an adjoining premises is provided. Permission may be withdrawn by the adjoining business or landlord at any time. The business or landlord withdrawing permission shall notify the Town, in writing, within two business days of the withdrawal. Any adjoining business and landlord that gives such permission shall be covered by the permittees' insurance in the same way the Town is and at no less a coverage level. Confirmation of such coverage and notice of any lapse, etc., shall be provided to the Town in the same manner as such notice is made to the Town regarding coverage extended to the Town. Copies of all such notices shall also be given to the permitting businesses and landlords.

(7) Notwithstanding any provisions of this section, outdoor parking lane seating shall be in all respects compliant with all applicable provisions of the Americans with Disability Act of 1990, as amended from time to time.

L. Outdoor seating in parking lot areas.

(1) Outdoor seating within parking lots shall conform to the following:

(a) Seating areas must be protected by a barricade, bollard or other vehicle impact protection device. A minimum distance of eight feet must be maintained between the seating area and the closest vehicular parking stall or access lane.

(b) Paved surfaces in parking lot areas must be kept in a clean and sanitary condition.

(2) (Reserved)

(3) Vehicle impact protection devices required.

(a) Vehicle impact protection devices shall be required to protect a temporary expanded seating capacity area located within a parking lot.

(b) Performance standard. All vehicle impact protection devices shall be engineered and determined to be in compliance with ASTM Publication F3016.

(c) Location.

[1] Vehicle impact protection devices shall be located:

[a] Between any area designated for parking spaces and the beginning of the adjacent, converted parking area to be used as the outdoor seating area; and

[b] To the extent practicable, between the means of egress from the restaurant or food service establishment and the designated outdoor seating area.

[2] Barriers and bollards may be offset and staggered in terms of relative distance to provide protection.

(4) No temporary expanded seating capacity area located within a parking lot shall occupy, encroach or impede into any New York State required accessible spaces or fire lanes.

(5) All platforms and ground coverings shall provide for accessibility. Notwithstanding any provisions of this section, outdoor parking lot seating shall be in all respects compliant with all applicable provisions of the Americans with Disability Act of 1990, as amended from time to time. Ramps and wheelchair edge protection shall be provided where required.

(6) Installation of any platform within a parking area shall be in compliance with the New York State Building Code relative to structural strength, fire safety, means of egress, accessibility, light, ventilation, and sanitary requirements.

(7) The Town may request a parking analysis to ensure that adequate parking for the location is provided.

M. Outdoor seating in courtyard areas or within property boundaries.

(1) Courtyard areas and locations within the boundaries of the property may be used as a temporary expanded seating capacity area, provided the written permission of the owner of the property on which tables and chairs are placed is obtained and the requirements of this section are complied with and an unobstructed pedestrian access area of at least 60 inches is maintained and there is no obstruction of ingress and egress points.

(2) All platforms and ground coverings shall provide for accessibility. Notwithstanding any provisions of this section, outdoor courtyard seating shall be in all respects compliant with all applicable provisions of the Americans with Disability Act of 1990, as amended from time to time. Ramps and wheelchair edge protection shall be provided where required.

N. Canopies and tents; table umbrellas.

(1) Installation of a canopy or tent shall be in compliance with the New York State Fire Code and the Nassau County Fire Ordinance. Proof of approval from the Nassau County Fire Marshal shall be provided to the Building Department prior to issuance of a permit under this section.

(2) Installation of individual table umbrellas shall be in compliance with the New York State Fire Code.

(3) In accordance with the New York State Fire Code, temporary tents or canopies shall not be erected for a period of more than 180 days within a twelve-month period on a single premises. [Added 11-19-2020 by L.L. No. 17-2020]

(4) A separate temporary tent permit shall be required prior to the installation or erection of a tent or canopy in accordance with § 2-9N of the Town Code. [Added 11-19-2020 by L.L. No. 17-2020]

O. Outdoor heaters. The use of liquefied petroleum gas (propane) or any other outdoor heating equipment, and the storage of liquid petroleum gas containers, shall be in compliance with the New York State Fire Code and the Nassau County Fire Ordinance. The New York State Fire Code and the Nassau County Fire Ordinance requirements related to temporary outdoor heating shall be set forth in the permit application provided by the Building Department. Proof of approval from the Nassau County Fire Marshal shall be provided to the Building Department prior to issuance of a permit under this section. [Added 11-19-2020 by L.L. No. 17-2020]

P. Permit revocation. The Building Commissioner shall have the authority to revoke any permits issued pursuant to this section in the following instances:

(1) Where he finds that there has been any false statement or misrepresentation as to a material fact in the application, plans or specifications on which the building permit was based.

(2) Where he finds that the permit was issued in error and should not have been issued in accordance with the applicable law.

(3) Where he finds that the expanded seating capacity authorized under the permit is not executed in accordance with the provisions of the application, plans or specifications.

(4) Where the person to whom a permit has been issued fails or refuses to comply with a stop order issued by the Building Commissioner.

Q. Any temporary expanded seating capacity area permit issued under this section shall terminate on December 31, 2023^[2]. All items located within the temporary expanded seating capacity area shall be removed no later than 10 days from the aforementioned termination date [Amended 11-19-2020 by L.L. No. 17-2020; 4-22-2021 by L.L. No. 6-2021; 11-18-2021 by L.L. No. 26-2021; 3-31-2022 by L.L. No. 6-2022]

Section 3.

Section 70-103.2 of the Town Code of the Town of North Hempstead is hereby amended to read as follows:

§ 70-103.2 COVID-19 outdoor accommodations; temporary suspension of off-street parking requirements for certain uses.

[Added 9-24-2020 by L.L. No. 13-2020]

A. Purpose. The provisions of this section are designed to temporarily allow certain places of public assembly or places of assembly uses (exclusive of restaurant uses), including gyms, fitness centers and religious institutions, and certain personal service uses, including barbershops, hair salons, personal care services, and similar uses, an additional way to expand their operations outdoors during, and as a result of, the COVID-19 pandemic; and to protect the public health, safety, and general welfare of the community. [Amended 11-18-2021 by L.L. No. 26-2021]

B. Notwithstanding any provision in Chapter 70 of the Town Code to the contrary, the uses described in § 70-103.2A may expand their operating areas by up to 50% of the previously approved floor area devoted to such use without providing additional parking spaces, subject to compliance with the provisions of this section.

C. No use described in § 70-103.2A shall temporarily expand its capacity outdoors under § 70-103.2 of the Town Code without first filing with the Building Commissioner an application for such temporary expanded outdoor use and obtaining a permit. To obtain a permit under this section, an applicant shall not be required to seek an amended site plan approval from the Town Board or an amended conditional use permit from the Zoning Board of Appeals.

D. Temporary expanded outdoor use areas are not required to be located within the original confines of the establishment, but must comply with applicable public assembly, accessibility and fire safety regulations.

E. Subject to the provisions of this section, temporary expanded outdoor use areas may be established entirely within the property boundaries, within a parking lot, or in a courtyard. An eligible business may utilize one or more of the aforementioned locations as a temporary expanded outdoor use area. This section of the Town Code only permits temporary expanded outdoor use areas in the locations referenced herein.

F. A permit for a temporary expanded outdoor use area shall only be authorized where it is determined that the use will not create a hazard, a sight distance obstruction for motor vehicle operators, nor unduly impede pedestrian traffic. The Building Commissioner shall determine when a hazardous condition exists.

G. Application for permit.

(1) Such application shall be made to the Building Commissioner on a form provided by him and shall contain a sworn statement that provides the following information:

- (a) A site plan showing the location of the use or service area;
- (b) The required certificate of insurance, if applicable;
- (c) A statement affirming that the applicant shall comply with all requirements set forth in

this section; and

(d) A copy of this section signed by the applicant as recognition and acceptance of all of its terms.

(2) The Building Commissioner may require an applicant to provide such other information as may reasonably be required to establish compliance with the provisions of this section and other applicable building codes, ordinances and regulations.

H. Upon submission of a completed application, and a determination of compliance by the Building Department following a review of the application, the Building Commissioner shall issue a permit for a temporary expanded outdoor use area in one or more of the locations authorized in this section.

I. The following regulations are applicable to all temporary expanded outdoor use areas:

(1) Except within a mixed-use zoning district or approved mixed-use development, no temporary expanded outdoor use area shall be established within 50 feet of a residential property.

(2) Where necessary, sun shade may be provided either by individual umbrellas or an area-wide canopy.

(3) Businesses shall take all reasonable steps to control littering and shall dispose of all trash as otherwise required and shall keep the sidewalk, parking lot area, or other areas clean and free of litter, debris and putrescible waste.

(4) Businesses with temporary expanded outdoor use areas shall take all steps necessary to maintain safety and to immediately remedy any unsafe situation. It is the permit holder's responsibility to be aware of severe weather and remove or secure any temporary objects.

(5) A Town Building Inspector or Code Enforcement Officer may temporarily suspend a permit for a temporary expanded outdoor use area, at any time, due to violations of this section, threats to public safety, disorderly conduct, noise, disruption of other business operations or violations of other Town codes or other laws or regulations. The Building Inspector or Code Enforcement Officer may choose, but is not obligated, to reinstate a temporary expanded outdoor use area permit if he or she is satisfied that all violations have been remedied. An affected business may appeal a decision to suspend a temporary expanded outdoor use area permit to the Town Board, which shall conduct an evidentiary hearing to determine whether to reinstate the permit or continue the suspension for a stated period of time.

(6) Applicants shall provide a site plan for the premises for which the permit is requested showing all structures thereon and a sketch showing the proposed area of use.

(7) Use of any temporary expanded outdoor use area shall be permitted on weekdays and Saturdays between the hours of 7:00 a.m. and 9:00 p.m., and on Sundays between the hours of 8:00 a.m. and 8:00 p.m.

(8) Outdoor lighting shall be installed in accordance with Chapter 70 of the Town Code.

(9) The premises on which the temporary expanded outdoor use area is to be offered must have a valid certificate of occupancy and a public assembly license or place of assembly license, as applicable.

(10) There shall be no sound amplification or public address system permitted in any temporary expanded outdoor use area. The installation, use or maintenance of radios, speakers, televisions or like apparatus and live entertainment shall be prohibited in any temporary expanded outdoor use area.

(11) Definitions. For the purposes of this section, the following words and phrases are defined as follows:

BARRIER

An object, natural or man-made, other than a bollard, which is used to obstruct the passage of motor vehicles and separate pedestrian and vehicular traffic. Natural objects may include large trees or boulders.

BOLLARD

A vertical post designed and used to obstruct the passage of motor vehicles and separate pedestrian and vehicular traffic.

PLATFORM

A flooring material, usually constructed of wood or composite decking materials, which is flush mounted to the roadway surface so that tables and chairs are not placed directly onto the pavement.

VEHICLE IMPACT PROTECTION DEVICE

A device that is designed, engineered, and sited so as to effectively separate areas of pedestrian and vehicular travel and prevent automobiles from encroaching into areas which are solely intended for pedestrian use and travel; vehicle impact protection devices shall be comprised of bollards or barriers.

J. Use of parking lot areas.

(1) Temporary expanded outdoor use areas within parking lots shall conform to the following:

(a) Such areas must be protected by a barricade, bollard or other vehicle impact protection device. A minimum distance of eight feet must be maintained between the area of use and the closest vehicular parking stall or access lane.

(b) Paved surfaces in parking lot areas must be kept in a clean and sanitary condition.

(2) Vehicle impact protection devices required.

(a) Vehicle impact protection devices shall be required to protect a temporary expanded outdoor use area located within a parking lot.

(b) Performance standard. All vehicle impact protection devices shall be engineered and determined to be in compliance with ASTM Publication F3016.

(c) Location. Vehicle impact protection devices shall be located between any area designated for parking spaces and the beginning of the adjacent, converted parking area to be used as the outdoor use area. Barriers and bollards may be offset and staggered in terms of relative distance to provide protection.

(d) Barricades, bollards or other vehicle impact protection devices shall be equipped with reflectorized tape or other reflector devices adequate to warn others of its presence during night hours.

(3) No temporary expanded outdoor use area located within a parking lot shall occupy, encroach or impede into any New York State required accessible spaces or fire lanes.

(4) All platforms and ground coverings shall provide for accessibility. Notwithstanding any provisions of this section, outdoor parking lot uses shall be in all respects compliant with all applicable provisions of the Americans with Disability Act of 1990, as amended from time to time. Ramps and wheelchair edge protection shall be provided where required.

(5) Installation of any platform within a parking area shall be in compliance with the New York State Building Code relative to structural strength, fire safety, means of egress, accessibility, light, ventilation, and sanitary requirements.

(6) The Town may request a parking analysis to ensure that adequate parking for the location is provided.

K. Outdoor uses in courtyard areas or within property boundaries.

(1) Courtyard areas and locations within the boundaries of the property may be used as a temporary expanded outdoor use area, provided the written permission of the owner of the property on which the use is to be conducted is obtained and the requirements of this section are complied with and an unobstructed pedestrian access area of at least 60 inches is maintained and there is no obstruction of ingress and egress points.

(2) All platforms and ground coverings shall provide for accessibility. Notwithstanding any provisions of this section, outdoor courtyard use areas shall be in all respects compliant with all applicable provisions of the Americans with Disability Act of 1990, as amended from time to time. Ramps and wheelchair edge protection shall be

provided where required.

L. Canopies and tents; table umbrellas.

(1) Installation of a canopy or tent shall be in compliance with the New York State Fire Code and the Nassau County Fire Ordinance. Proof of approval from the Nassau County Fire Marshal shall be provided to the Building Department prior to issuance of a permit under this section.

(2) Installation of individual table umbrellas shall be in compliance with the New York State Fire Code.

(3) In accordance with the New York State Fire Code, temporary tents or canopies shall not be erected for a period of more than 180 days within a twelve-month period on a single premises. [Added 11-19-2020 by L.L. No. 17-2020]

(4) A separate temporary tent permit shall be required prior to the installation or erection of a tent or canopy in accordance with § 2-9N of the Town Code. [Added 11-19-2020 by L.L. No. 17-2020]

M. Outdoor heaters. The use of liquefied petroleum gas (propane) or any other outdoor heating equipment, and the storage of liquid petroleum gas containers shall be in compliance with the New York State Fire Code and the Nassau County Fire Ordinance. The New York State Fire Code and the Nassau County Fire Ordinance requirements related to temporary outdoor heating shall be set forth in the permit application provided by the Building Department. Proof of approval from the Nassau County Fire Marshal shall be provided to the Building Department prior to issuance of a permit under this section. [Added 11-19-2020 by L.L. No. 17-2020]

N. Permit revocation. The Building Commissioner shall have the authority to revoke any permits issued pursuant to this section in the following instances:

(1) Where he finds that there has been any false statement or misrepresentation as to a material fact in the application, plans or specifications on which the building permit was based.

(2) Where he finds that the permit was issued in error and should not have been issued in accordance with the applicable law.

(3) Where he finds that the expanded outdoor use area authorized under the permit is not executed in accordance with the provisions of the application, plans or specifications.

(4) Where the person to whom a permit has been issued fails or refuses to comply with a stop order issued by the Building Commissioner.

O. Any temporary expanded outdoor use area permit issued under this section shall terminate on December 31, 2023[2]. All items located within the temporary expanded outdoor use area shall be removed no later than 10 days from the aforementioned termination date. [Amended 4-22-2021 by L.L. No. 6-2021; 11-18-2021 by L.L. No. 26-2021; 3-31-2022 by L.L. No. 6-2022]

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 February 7, 2023, Local Law No. 5 of 2023 was adopted. The Local Law amends Chapter 70 of the Town Code entitled "Zoning" in order to further assist those establishments affected by the COVID-19 pandemic by extending the timeframe to continue allowing temporary outdoor seating and other temporary outdoor uses until December 31, 2023.

Dated: Manhasset, New York

February 7, 2023

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

Dated: Manhasset, New York

February 7, 2023

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 25th day of January, 2023, 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 further assist those establishments affected by the COVID-19 pandemic by extending the time to continue allowing temporary outdoor seating and other temporary outdoor uses until December 31, 2023, 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

26th day of January, 2023



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 HEMPSTEAD
PLANNING & ECONOMIC DEVELOPMENT
210 PLANDOME ROAD
MANHASSET, NY 11030-2326
STATE OF NEW YORK)

Legal Notice No.

0021769587

: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:

Friday

January 27, 2023

Nassau

By: Ciara Woodin

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
30 Day of January, 2023.

Tyshawn Harrison
Notary Public

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

This remote notarial act involved the use of communication technology.

Ad Content

Legal Notice # 21769587
NOTICE OF HEARING
PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead, on February 7, 2023, 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 further assist those establishments affected by the COVID-19 pandemic by extending the time to continue allowing temporary outdoor seating and other temporary outdoor uses until December 31, 2023.
PLEASE TAKE FURTHER NOTICE that all interested persons shall have an opportunity to be heard concerning the Local Law at the time and place advertised.
PLEASE TAKE FURTHER NOTICE that the full text of the proposed Local Law will be posted on the Town's website and be on file in the Office of the Town Clerk prior to the hearing and may be examined during regular business hours.
Dated: Manhasset, New York
January 24, 2023
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021769587

Advertiser: TOWN OF NORTH HEMPSTEAD

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

Henry Krukowski, being duly sworn, deposes and says that on the 8^h day of February, 2023, he posted the attached Notice of Adoption of a Local Law amending Chapter 70 of the Town Code entitled “Zoning” in order to further assist those establishments affected by the COVID-19 pandemic by extending the timeframe to continue allowing temporary outdoor seating and other temporary outdoor uses until December 31, 2023, at the following locations:


Town Clerk Bulletin Board



Henry Krukowski

Sworn to me this

8th day of February, 2023



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 HEMPSTEAD
220 PLANDOME RD.
MANHASSET, NY 11030-2327

STATE OF NEW YORK)

Legal Notice No.

0021772223

: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:

Friday

February 10, 2023

Nassau

By: Ciara Woodin

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
10 Day of February, 2023.

Sarah Perez
Notary Public

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

Ad Content

Legal Notice # 21772223
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 February 7, 2023, Local Law No. 5 of 2023 was adopted. The Local Law amends Chapter 70 of the Town Code entitled "Zoning" in order to further assist those establishments affected by the COVID-19 pandemic by extending the timeframe to continue allowing temporary outdoor seating and other temporary outdoor uses until December 31, 2023.
Dated: Manhasset, New York
February 7, 2023
BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021772223

Advertiser: TOWN OF NORTH HEMPSTEAD

CLERK SRIVASTAVA: Item No. 11, a public hearing to consider the adoption of ordinances affecting 3rd Avenue in Westbury, New York.

COUNCILMAN TROIANO: Do we have any cards?

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

COUNCILMAN TROIANO: Would anybody in the audience like to be heard about this matter?

(No response.)

COUNCILMAN TROIANO: Seeing no one, I would like to close the public hearing, offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

ORDINANCE NO. 4 - 2023

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF ORDINANCES AFFECTING 3RD AVENUE IN WESTBURY, NEW YORK.

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

ORDINANCE NO. T.O. 4 - 2023

WESTBURY, NEW YORK

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

PROPOSAL:

ADOPT:

- 1. 3RD AVENUE – EAST SIDE – RESERVED PARKING – PERMIT REQUIRED
From a point 30 feet north from the north curbline of 6th street, north, for a distance of 30 feet.
- 2. 3RD AVENUE – EAST SIDE – NO STOPPING HERE TO CORNER
From the north curb line of 6th street, north, for a distance of 30 feet.

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

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

**RAGINI SRIVASTVA
TOWN CLERK**

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

Henry Krukowski, being duly sworn, deposes and says that on the 25th day of January, 2023, he posted the attached Notice of Hearing to consider the adoption of ordinances affecting 3rd Avenue, Westbury, New York, at the following locations:

Town Clerk Bulletin Board

Westbury Post Office

3rd Ave & 8th St

3rd Ave, 100 feet north of 6th St

3rd Ave, 100 feet south of 6th St


Henry Krukowski

Sworn to me this

26th day of January, 2023


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 HEMPSTEAD
PLANNING & ECONOMIC DEVELOPMENT
210 PLANDOME ROAD
MANHASSET, NY 11030-2326
STATE OF NEW YORK)

Legal Notice No. 0021769590

: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:

Friday January 27, 2023 Nassau

By: Clara Woodin

Print Name: Clara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
30 Day of January, 2023.

Tyshawn Harrison
Notary Public

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

This remote notarial act involved the use of communication technology.

Ad Content

Legal Notice # 21769590

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 7th day of February, 2023, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:
**3RD AVENUE, WESTBURY,
NEW YORK**

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

Adopt:

1. 3RD AVENUE - EAST SIDE - RESERVED PARKING - PERMIT REQUIRED

From a point 30 feet north from the north curbline of 6th street, north, for a distance of 30 feet.

2. 3RD AVENUE - EAST SIDE - NO STOPPING HERE TO CORNER From the north curb line of 6th street, north, for a distance of 30 feet.

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

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

Section 4. This ordinance shall take effect ten days from the date of its publication and posting pursuant to Section 153 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: January 24, 2023

Manhasset, New York

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

NEWSDAY PROOF

Ad Number: 0021769590

Advertiser: TOWN OF NORTH HEMPSTEAD

Affidavit of Publication

County of Nassau SS
State of New York,

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

ORDINANCE NO.
T.O. 4 - 2023

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

PROPOSAL

Adopt:

1. 3RD AVENUE - EAST SIDE - RESERVED PARKING - PERMIT REQUIRED
From a point 30 feet north from the north curblines of 6th street, north, for a distance of 30 feet.

2. 3RD AVENUE - EAST SIDE - NO STOPPING HERE TO CORNER
From the north curb line of 6th street, north, for a distance of 30 feet.

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

Section 3. PENALTIES: "A violation of this ordinance shall be punishable by a fine, or when applicable, by imprisonment, not in the excess of the amount set forth in the Vehicle and Traffic

Law of the State of New York, or by both such fine and imprisonment, plus any surcharge payable to other governmental entities, and late payment, if applicable.

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

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

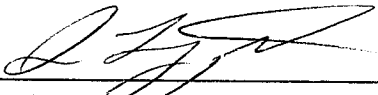
Dated: February 7, 2023
Manhasset, New York

BY ORDER OF THE
TOWN BOARD OF
THE TOWN OF
NORTH HEMPSTEAD
RAGINI SRIVASTVA
TOWN CLERK
2-15-2023-1T-#238691-NIN/
NHP

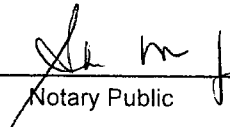
Iris Picone, being duly sworn, deposes and says that she is the principal Clerk of the Publisher of
The NASSAU ILLUSTRATED NEWS
a weekly newspaper published at Mineola in the county of Nassau, in the State of New York, and that a notice, a printed copy of which is hereunto annexed, has been published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

1 weeks, viz:

February 15, 2023



Sworn to me this 15 day of
February-2023



Notary Public

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

CLERK SRIVASTAVA: Item No. 12, a public hearing to consider the rescission and adoption of ordinances affecting Neulist Avenue, Port Washington, New York.

COUNCILWOMAN DALIMONTE: Do we have any cards on this item?

CLERK SRIVASTAVA: No.

COUNCILWOMAN DALIMONTE: I see the owner of Port Liquor is here, would you like to speak? No? Okay. I would like to close the public hearing, offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye, and thank you.

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:

ORDINANCE NO. 5 - 2023

A PUBLIC HEARING TO CONSIDER THE RECISSION AND ADOPTION OF ORDINANCES AFFECTING NEULIST AVENUE, PORT WASHINGTON, NEW YORK.

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

ORDINANCE NO. T.O. 5 - 2023

PORT WASHINGTON, NEW YORK

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

PROPOSAL:

RESCIND:

1. T.O. #8-1994

Adopted March 01, 1994

NEULIST AVENUE – NORTH SIDE – NO STOPPING ANY TIME

From the west curbline of Port Washington Boulevard, west for a distance of 81 feet.

ADOPT:

1. NEULIST AVENUE – NORTH SIDE – NO STOPPING HERE TO CORNER

From the west curbline of Port Washington Boulevard, west, for a distance of 30 feet.

2. NEULIST AVENUE – NORTH SIDE – 15-MINUTE PARKING

From a point 30 feet from the west curbline of Port Washington Boulevard, west, for a distance of 53 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

February 7, 2023

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

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

Henry Krukowski, being duly sworn, deposes and says that on the 25th day of January, 2023, he posted the attached Notice of Hearing to consider the adoption of ordinances affecting Neulist Avenue, Port Washington, New York, at the following locations:

- Town Clerk Bulletin Board
- Port Washington Post Office
- Neulist Ave & Port Washington Blvd
- Neulist Ave, 50 feet west of Port Washington Blvd
- Neulist Ave, 100 feet west of Port Washington Blvd


Henry Krukowski

Sworn to me this
26th day of January, 2023


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 HEMPSTEAD
PLANNING & ECONOMIC DEVELOPMENT
210 PLANDOME ROAD
MANHASSET, NY 11030-2326
STATE OF NEW YORK)

Legal Notice No.

0021769592

: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:

Friday

January 27, 2023

Nassau

By: Ciara Woodin

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
30 Day of January, 2023.

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 # 21769592
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 7th day of February, 2023, at 7:00 o'clock in the evening for the purpose of considering the rescission and adoption of the following ordinance:

NEULIST AVENUE, PORT WASHINGTON, NEW YORK

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

**PROPOSAL
RESCIND:**

L. T.O. #8-1994

Adopted March 01, 1994

NEULIST AVENUE - NORTH SIDE - NO STOPPING ANY TIME

From the west curbline of Port Washington Boulevard, west for a distance of 81 feet.

ADOPT:

1. NEULIST AVENUE - NORTH SIDE - NO STOPPING HERE TO CORNER

From the west curbline of Port Washington Boulevard, west, for a distance of 30 feet.

2. NEULIST AVENUE - NORTH SIDE - 15-MINUTE PARKING

From a point 30 feet from the west curbline of Port Washington Boulevard, west, for a distance of 53 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: January 24, 2023

Manhasset, New York

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

NEWSDAY PROOF

Ad Number: 0021769592

Advertiser: TOWN OF NORTH HEMPSTEAD

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.
5-2023
PORT WASHINGTON,
NEW YORK

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

PROPOSAL:
RESCIND:

1. T.O. #8-1994
Adopted March 01, 1994.

NEULIST AVENUE - NORTH SIDE - NO STOPPING ANY TIME

From the west curbline of Port Washington Boulevard, west for a distance of 81 feet.

ADOPT:

1. **NEULIST AVENUE - NORTH SIDE - NO STOPPING HERE TO CORNER**

From the west curbline of Port Washington Boulevard, west, for a distance of 30 feet.

2. **NEULIST AVENUE - NORTH SIDE - 15-MINUTE PARKING**

From a point 30 feet from the west curbline of Port Washington Boulevard, west, for a distance of 53 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: February 7, 2023

Manhasset, New York

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

2-15-2023-1T-#238692-
PORT

Affidavit of Publication

County of Nassau
State of New York,

SS

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

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

1 weeks, viz:

February 15, 2023

Sworn to me this 15 day of
February-2023

Notary Public

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

CLERK SRIVASTAVA: Item No. 13, a resolution setting a date for a public hearing to consider the adoption of a local law amending Chapter 7 of the town code entitled "Building Code".

COUNCILWOMAN LURVEY: I offer the resolution and set the hearing date for March 14th, 2023.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 70 - 2023

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 7 OF THE TOWN CODE ENTITLED "BUILDING CODE".

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

WHEREAS, this Board wishes to set a date for a public hearing to consider the adoption of a Local Law amending Chapter 7 of the Town Code entitled "Building Code" in order to correct the Part of the New York Code, Rules and Regulations containing the Uniform Code: Minimum Standards for Administration and Enforcement.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 14th day of March, 2023, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, for the purpose of considering the adoption of a Local Law amending Chapter 7 of the Town Code entitled "Building Code" in order to correct the Part of the New York Code, Rules and Regulations containing the Uniform Code: Minimum Standards for Administration and Enforcement; 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 14th day of March, 2023, 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 7 of the Town Code entitled "Building Code" in order to correct the Part of the New York Code, Rules and Regulations containing the Uniform Code: Minimum Standards for Administration and Enforcement.

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

February 7, 2023

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Town Clerk

CLERK SRIVASTAVA: Item No. 14, a resolution setting a date for a public hearing to consider the adoption of a local law establishing Chapter 9A of the town code entitled "Building and Safety: Operating Permits".

COUNCILWOMAN LURVEY: I offer the resolution and set the hearing date for March 14th, 2023.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 71 - 2023

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW ESTABLISHING CHAPTER 9A OF THE TOWN CODE ENTITLED "BUILDING AND SAFETY: OPERATING PERMITS".

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 establishing Chapter 9A of the Town Code entitled "Building and Safety: Operating Permits" in order to establish minimum standards for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and the New York State Energy Conservation Construction Code by requiring that operating permits be obtained for the conduct of certain activities or the operation of certain facilities within the Town.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on March 14, 2023, 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 the Local Law establishing Chapter 9A of the Town Code entitled "Building and Safety: Operating Permits" in order to establish minimum standards for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and the New York State Energy Conservation Construction Code by requiring that operating permits be obtained for the conduct of certain activities or the operation of certain facilities within the Town; 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 March 14, 2023, 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 establishing Chapter 9A of the Town Code entitled "Building and Safety: Operating Permits" in order to establish minimum standards for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and the New York State Energy Conservation Construction Code by requiring that operating permits be obtained for the conduct of certain activities or the operation of certain facilities within the Town.

PLEASE TAKE FURTHER NOTICE that all interested persons shall have an opportunity

to be heard concerning the Local Law at the time and place advertised.

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

Dated: Manhasset, New York

February 7, 2023

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Town Clerk

CLERK SRIVASTAVA: Item No. 15, a resolution setting a date for a public hearing to consider the execution of contracts with various fire companies for fire protection services to be furnished in fire protection districts.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 72 - 2023

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE EXECUTION OF CONTRACTS WITH VARIOUS FIRE COMPANIES FOR FIRE PROTECTION SERVICES TO BE FURNISHED IN FIRE PROTECTION DISTRICTS.

WHEREAS, it is necessary that fire protection contracts between the Town of North Hempstead (the "Town") and various fire companies within the Town be executed in order that fire protection may be continued in the various unincorporated areas of the Town; and

WHEREAS, it is a requirement of law that a public hearing be held by this Board to consider the proposed contracts.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 14th day of March, 2023, for the purpose of considering fire protection contracts with the various fire companies furnishing such protection in the unincorporated areas of the Town; and be it further

RESOLVED that the Town Clerk be and is hereby authorized and directed to publish a Notice of Hearing, which Notice shall be in 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 14th day of March 2023 at 7:00 P.M. at Town Hall, 220 Plandome Road, Manhasset, New York, to consider authorizing the execution of fire protection contracts for the year 2023 with the following fire companies at the cost listed in this notice, and to hear all interested persons on the proposed fire protection contracts:

Albertson H.& L., E. & H. Co. No. 1	\$1,168,800.00
Service Award Program	\$178,659.00
Carle Place H. & L. & H. Co. No. 1	\$1,600,800.00
Service Award Program	\$154,000.00
Floral Park Centre Fire Co. No. 1	\$149,100.00
Service Award Program	\$36,500.00
Glenwood H. & L., E. & H. Co., Inc.	\$365,540.00
Service Award Program	\$74,250.00
Alert E., H., L. & H. Co. No. 1, Inc.	\$171,360.00
Service Award Program	\$12,000.00

Vigilant E. H. & L. Co., Inc.	\$432,385.00
Service Award Program	\$0.00
Roslyn Fire Companies	
Roslyn Highlands H. & L., E. & H. Co., Inc.	\$522,399.00
Rescue H. & L. Co. No. 1 of Roslyn, Inc.	\$534,390.00
Service Award Program	\$57,000.00

The contract amount shall be the lesser of either the amounts as set forth above or the final budget as submitted by the Fire Protection Company, which amounts are to be paid by the Town. The proposed term for the contracts is one (1) year, commencing as of January 1, 2023 and expiring on December 31, 2023.

Dated: Manhasset, New York

February 7, 2023

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

Dated: Manhasset, New York

February 7, 2023

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

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item No. 16, a resolution setting a date for a public hearing to consider the approval of a contract with Port Washington Fire Department for fire protection services to be furnished within the Port Washington fire protection district.

COUNCILWOMAN DALIMONTE: I offer the resolution and set the hearing date for March 14th, 2023.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 73 - 2023

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPROVAL OF A CONTRACT WITH PORT WASHINGTON FIRE DEPARTMENT FOR FIRE PROTECTION SERVICES TO BE FURNISHED WITHIN THE PORT WASHINGTON FIRE PROTECTION DISTRICT.

WHEREAS, it is necessary that fire protection contracts between the Town of North Hempstead (the "Town") and various fire companies within the Town be executed in order that fire protection may be continued in the various unincorporated areas of the Town; and

WHEREAS, it is a requirement of law that a public hearing be held by this Board to consider a proposed contract with the Port Washington Fire Department, Inc. to provide fire protection services within the Port Washington Fire Protection District (including the provision of Length of Service Award Program payments), and further to permit the Department to engage in cost recovery through charging fees for emergency medical services and to establish such fees for emergency medical services within the District.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 14th day of March, 2023, for the purpose of considering a fire protection contract with the Port Washington Fire Department, Inc. to provide fire protection services within the Port Washington Fire Protection District (including the provision of Length of Service Award Program payments), and further to permit the Department to engage in cost recovery through charging fees for emergency medical services and to establish such fees for emergency medical services within the District; and be it further

RESOLVED that the Town Clerk be and is hereby authorized and directed to publish a Notice of Hearing, which Notice shall be in 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 14th day of March 2023 at 7:00 P.M. at Town Hall, 220 Plandome Road, Manhasset, New York, to consider authorizing the execution a fire protection contract with the Port Washington Fire Department, Inc. to provide fire protection services within the Port Washington Fire Protection District (including the provision of Length of Service Award Program payments), as follows:

Port Washington Fire Department, Inc.
Service Award Program

\$2,082,545.00
\$233,726.00

, and further to permit the Department to engage in cost recovery through charging fees for emergency medical services and to establish such fees for emergency medical services within the District. The contract amount shall be the lesser of either the amounts as set forth above or the final budget as submitted by the Fire Protection Company, which amounts are to be paid by the Town. The proposed term for the contracts is one (1) year, commencing as of January 1, 2023 and expiring on December 31, 2023.

Dated: Manhasset, New York

February 7, 2023

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

Dated: Manhasset, New York

February 7, 2023

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

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item No. 17, a resolution setting a date for a public hearing to consider the rescission of ordinances affecting Dayton Street in New Cassel, New York.

CLERK SRIVASTAVA: I offer the resolution, setting a hearing date for March 14th, 2023.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 74 - 2023

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE RESCISSION OF ORDINANCES AFFECTING DAYTON STREET IN NEW CASSEL, NEW YORK.

WHEREAS, a recommendation has been made for the rescission of ordinances affecting Dayton Street, New Cassel, New York.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by the Town Board of the Town of North Hempstead on the 14th day of March 2023, at 7:00 o'clock in the evening for the purpose of considering the rescission of the following ordinances:

PROPOSAL:

RESCIND:

1. T.O. #40-1976

Adopted September 14, 1976

DAYTON STREET – WEST SIDE – ONE HOUR PARKING 9 A.M. TO 5 P.M. EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS

Starting at a point 196 feet north of the north curblineline of Old Country Road, north to the south curblineline of Oliver Street.

2. T.O. #17-1976

Adopted March 13, 1976

DAYTON STREET – EAST SIDE – ONE HOUR PARKING 9:00 A.M. TO 5:00 P.M. EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS

From a point 124 feet north of the north curblineline of Old Country Road, north to the south curblineline of Oliver Street.

RESOLVED that such ordinance when adopted will rescind all ordinances or regulations heretofore adopted in conflict therewith, and be it further

RESOLVED that the Town Clerk be and hereby is directed to affect the required publishing and posting of the hearing.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Public Safety Comptroller Traffic Safety

CLERK SRIVASTAVA: Item No. 18, a resolution authorizing the town board to accept gifts to the town pursuant to town law Section 64.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 75 - 2023

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

WHEREAS, Capital One has generously offered, as a gift, \$500 for youth programs and special events at the Yes We Can Center; and

WHEREAS, Laura Sweeney has generously offered, as a gift, \$2,500 for the purchase of a commemorative bench in memory of Henry Downing at Town Dock; and

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

NOW, THEREFORE, BE IT

RESOLVED that this Board hereby gratefully accepts the Gifts.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Parks and Recreation

CLERK SRIVASTAVA: Item No. 19, a resolution authorizing supplemental budget appropriations pursuant to town law Section 112.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 76 - 2023

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 2023 (the “Supplemental Appropriations”) as follows:

1. \$500 to be recorded to revenue line A.3820 with the offsetting expense to be recorded to expense code A.05.7141.4890 for youth programs and special events at the “Yes We Can” Community Center; and

2. \$2,500 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 2023 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

February 7, 2023

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 No. 20, a resolution authorizing the preparation and submission of a grant application to the New York State's Department of Environmental Conservation's Household Hazardous Waste Grant Program and the taking of related action.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 77 - 2023

A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE'S DEPARTMENT OF ENVIRONMENTAL CONSERVATION'S HOUSEHOLD HAZARDOUS WASTE GRANT PROGRAM AND THE TAKING OF RELATED ACTION.

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the Commissioner (the "Commissioner") of the Town of North Hempstead Department of Solid Waste Management (the "Department") is desirous of continuing the Town's initiative of helping Town residents to dispose of household hazardous waste in an environmentally friendly manner (the "STOP Project"); and

WHEREAS, the Grants Coordinator has recommended that the Town submit a grant application to the New York State Department of Environmental Conservation (the "Grant") to advance the STOP Project; and

WHEREAS, the Grant, in the amount of \$83,999.98, subject to an equal match, for the STOP Project will cover the costs incurred by the Town for STOP events held in 2022; and

WHEREAS, the Grants Coordinator has requested that this Board authorize the preparation and submission of the application for the Grant to assist the Town with the STOP 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 STOP Project; and be it further

RESOLVED that the Supervisor or her designee be and hereby is authorized 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

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

CLERK SRIVASTAVA: Item No. 21, a resolution authorizing the award of a bid for the rehabilitation of Port Washington Parking District Parking lot 2, DPW Project No. 21-01.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 78 - 2023

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE REHABILITATION OF PORT WASHINGTON PARKING DISTRICT PARKING LOT 2, DPW PROJECT NO. 21-01.

WHEREAS, the Town Clerk solicited bids for Rehabilitation of Parking Lot 2, Port Washington Parking District, DPW Project No. 21-01 (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
Aventura Construction Corp. 1101 Waverly Avenue Holtsville, NY 11742	\$1,155,170.00
Galvin Bros. Inc. 149 Steamboat Road Great Neck, NY 11024	\$1,385,850.00
G&M Earth Moving, Inc. 345 Ellsworth Street Holbrook, NY 11741	\$931,000.00
Graci Paving Associates, Inc. 4250 Sunrise Highway, Suite 201 Massapequa, NY 11758	\$983,315.00
J. Anthony Enterprises 175 Engineers Road Hauppauge, NY 11788	\$992,210.00
John McGowan & Sons	

323 Glen Cove Avenue Sea Cliff, NY 11579	\$883,210.00
Posillico Civil, Inc. 1750 New Highway Farmingdale, NY 11735	\$1,216,860.00
Pratt Brothers 333 Marcus Blvd. Hauppauge, NY 11788	\$988,411.00
Roadwork Ahead 2186 Kirby Lane Syosset, NY 11791	\$839,132.50
United Paving Corp. 6316 Northern Blvd. East Norwich, NY 11732	\$767,590.00

WHEREAS, after a review of the bids, the Acting Commissioner of the Town's Department of Public Works (the "Acting Commissioner") has recommended that the contract for the Project be awarded to United Paving Corp., 6316 Northern Blvd, East Norwich, NY 11732 (the "Contractor") as the lowest responsible bidder at its bid price of Seven Hundred Sixty-Seven Thousand Five Hundred Ninety and 00/100 Dollars (\$767,590.00); and

WHEREAS, the Town Board desires to authorize the award of a contract to the Contractor as recommended by this Acting 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 bid price of Seven Hundred Sixty-Seven Thousand Five Hundred Ninety and 00/100 Dollars (\$767,590.00), 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

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller DPW

CLERK SRIVASTAVA: Item No. 22, a resolution authorizing an award of a bid for electrical services.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 79 - 2023

A RESOLUTION AUTHORIZING AN AWARD OF A BID FOR ELECTRICAL SERVICES (TNH297-2023).

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

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

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

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

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York

February 7, 2023

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

TNH297-2023 Electrical Services				Denis O'Regan Electric, Inc. 5 Helen Place Glen Cove, NY 11542 516-671-2465 Denis Oregan DenisOregonElectric@outlook.com	
No.	DESCRIPTION	UNIT	ESTIMATED NUMBER PER YEAR*	UNIT PRICE	TOTAL PRICE
A.	Project Fee				
1	FLAT FEE FOR PROJECT ESTIMATE (if applicable)^	EACH	10	\$175.00	\$1,750.00
B.	LABOR RATES				
2	ELECTRICIAN	HOURLY	100	\$105.00	\$10,500.00
3	LABORER	HOURLY	40	\$100.00	\$4,000.00
4	ELECTRICIAN APPRENTICE	HOURLY	100	\$65.00	\$6,500.00
5	LABORER APPRENTICE	HOURLY	40	\$65.00	\$2,600.00
6	ELECTRICIAN – Overtime rate	HOURLY	15	\$155.00	\$2,325.00
7	LABORER – Overtime rate	HOURLY	10	\$125.00	\$1,250.00
8	ELECTRICIAN APPRENTICE – Overtime rate	HOURLY	15	\$90.00	\$1,350.00
9	LABORER APPRENTICE – Overtime rate	HOURLY	10	\$90.00	\$900.00
	TOTAL SECTION A				\$31,175.00
C.	EQUIPMENT RENTALS				
10	EQUIPMENT RENTAL - BUCKET TRUCK	HOURLY	8	\$140.00	\$1,120.00
11	EQUIPMENT RENTAL - BUCKET TRUCK - WITH OPERATOR	HOURLY	24	\$260.00	\$6,240.00
12	EQUIPMENT RENTAL - DUMP TRUCK	HOURLY	8	\$140.00	\$1,120.00
13	EQUIPMENT RENTAL - DUMP TRUCK - WITH OPERATOR	HOURLY	24	\$260.00	\$6,240.00
14	EQUIPMENT RENTAL - 12-20 HP TRENCHING MACHINE	HOURLY	8	\$125.00	\$1,000.00
15	EQUIPMENT RENTAL - 12-20 HP TRENCHING MACHINE - WITH OPERATOR	HOURLY	24	\$250.00	\$6,000.00
15	EQUIPMENT RENTAL - 40 HP TRENCHING MACHINE	HOURLY	8	\$125.00	\$1,000.00
16	EQUIPMENT RENTAL - 40 HP TRENCHING MACHINE - WITH OPERATOR	HOURLY	24	\$300.00	\$7,200.00
17	EQUIPMENT RENTAL - 70 HP TRENCHING MACHINE	HOURLY	8	\$400.00	\$3,200.00
18	EQUIPMENT RENTAL - 70 HP TRENCHING MACHINE - WITH OPERATOR	HOURLY	24	\$540.00	\$12,960.00
19	EQUIPMENT RENTAL - BACKHOE WITH 18" BUCKET	HOURLY	8	\$180.00	\$1,440.00
20	EQUIPMENT RENTAL - BACKHOE WITH 18" BUCKET - WITH OPERATOR	HOURLY	24	\$315.00	\$7,560.00
21	EQUIPMENT RENTAL - BACKHOE WITH 30" BUCKET	HOURLY	8	\$180.00	\$1,440.00

TNH297-2023 Electrical Services				Denis O'Regan Electric, Inc.	
				5 Helen Place	
				Glen Cove, NY 11542	
				516-671-2465	
				Denis Oregan DenisOregonElectric@outlook.com	
No.	DESCRIPTION	UNIT	ESTIMATED NUMBER PER YEAR*	UNIT PRICE	TOTAL PRICE
22	EQUIPMENT RENTAL - BACKHOE WITH 30" BUCKET - WITH OPERATOR	HOURLY	24	\$345.00	\$8,280.00
23	EQUIPMENT RENTAL - AIR COMPRESSOR (250 CFM)	HOURLY	8	\$125.00	\$1,000.00
24	EQUIPMENT RENTAL - AIR COMPRESSOR (250 CFM) - WITH OPERATOR	HOURLY	24	\$300.00	\$7,200.00
25	EQUIPMENT RENTAL - MUD PUMP 8" PORT SIZE	HOURLY	8	\$350.00	\$2,800.00
26	EQUIPMENT RENTAL - MUD PUMP 8" PORT SIZE - WITH OPERATOR	HOURLY	24	\$500.00	\$12,000.00
27	EQUIPMENT RENTAL - CENTRIFUGAL PUMP 4" PORT SIZE	HOURLY	8	\$125.00	\$1,000.00
28	EQUIPMENT RENTAL - CENTRIFUGAL PUMP 4" PORT SIZE - WITH OPERATOR	HOURLY	24	\$300.00	\$7,200.00
29	EQUIPMENT RENTAL - DEWATERING PUMP 8" PORT SIZE	HOURLY	8	\$200.00	\$1,600.00
30	EQUIPMENT RENTAL - DEWATERING PUMP 8" PORT SIZE WITH OPERATOR	HOURLY	24	\$340.00	\$8,160.00
31	EQUIPMENT RENTAL - DEWATERING PUMP 10" PORT SIZE	HOURLY	8	\$200.00	\$1,600.00
31	EQUIPMENT RENTAL - DEWATERING PUMP 10" PORT SIZE- WITH OPERATOR	HOURLY	24	\$340.00	\$8,160.00
	TOTAL SECTION B				\$115,520.00
D.	MISCELLANEOUS				
32	FLAT FEE FOR PROJECT ESTIMATE (if applicable)^	EACH	10	\$175.00	\$1,750.00
33	PARTS AND EQUIPMENT	EACH		15% above Certified cost	
34	SUBCONTRACTOR**	EACH		10% above certified invoice	
33	UNLISTED EQUIPMENT RENTALS (with or without operator)^	EACH		10% above certified invoice	
	TOTAL BID PRICE – SECTION A PLUS SECTION B PLUS SECTION C			\$146,695.00	

*Lines 1-A and 32D are duplicate and included once in the total.

<p style="text-align: center;">TNH0297-2023-Electrical Services</p>	
<p style="text-align: center;">Winning Vendor</p>	<p style="text-align: center;">Items Won</p>
<p>Denis O'Regan Electric, Inc.</p>	<p>All Items</p>
<p>5 Helen Place</p>	
<p>Glen Cove, NY 11542</p>	
<p>516-671-2465</p>	
<p>Denis Oregan</p>	
<p>DenisOregonElectric@outlook.com</p>	

CLERK SRIVASTAVA: Item No. 23, a resolution authorizing the execution of an agreement with Liro Architects and Planners, P.C. for professional engineering services related to renovations of the first floor restrooms located at Town Hall II, DPW Project No. 23-04.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 80 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH LIRO ARCHITECTS AND PLANNERS, P.C. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO RENOVATIONS OF THE FIRST FLOOR RESTROOMS LOCATED AT TOWN HALL II, DPW PROJECT NO. 23-04.

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 services including design and construction, permitting and construction assistance related to the renovations of the first floor restrooms located at Town Hall II, 210 Plandome Road, Manhasset, New York, DPW Project No. 23-04 (the "Services"); and

WHEREAS, the Acting Commissioner of the Department (the "Acting Commissioner") has recommended that the Town enter into an agreement with LiRo Architects and Planners, P.C., a LiRo Group Company, 235 E. Jericho Turnpike, Mineola, New York 11501 to provide the Services in consideration of an amount not to exceed Nineteen Thousand Eight Hundred Fifty and 00/100 Dollars (\$19,850.00) (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 a duly executed Agreement and certified claims therefor.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

CLERK SRIVASTAVA: Item No. 24, a resolution authorizing the execution of an agreement with Oasis Children's Services, LLC for the use of the parking fields at Manorhaven Beach Park, Port Washington and Michael J. Tully Park, New Hyde Park.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 81 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH OASIS CHILDREN'S SERVICES, LLC FOR THE USE OF THE PARKING FIELDS AT MANORHAVEN BEACH PARK, PORT WASHINGTON AND MICHAEL J. TULLY PARK, NEW HYDE PARK.

WHEREAS, Oasis Children's Services, LLC, 20 Jay Street, Suite 802, Brooklyn, New York 11201 ("Oasis") has requested that the Town allow it to use approximately twenty (20) parking spaces per day at Manorhaven Beach Park and Michael J. Tully Park from June 26, 2023 through August 18, 2023 for parking for staff of Oasis and allowing buses to pick up and drop off campers (the "License") in consideration of payment to the Town of Two Hundred Fifty and 00/100 Dollars (\$250.00) per bus for the term of the License (the "Fee"); and

WHEREAS, the Town of North Hempstead's Department of Parks and Recreation has recommended granting the License; and

WHEREAS, the Board wishes to grant the License and to authorize the Town to execute an agreement with Oasis granting the License in exchange for the Fee (the "Agreement").

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Parks

CLERK SRIVASTAVA: Item No. 25, a resolution authorizing the execution of an agreement with Solar Glass, Inc. for glass repair at Michael J. Tully Park, New Hyde Park.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 82 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH SOLAR GLASS, INC. FOR GLASS REPAIR AT MICHAEL J. TULLY PARK, NEW HYDE PARK.

WHEREAS, the Town of North Hempstead (the "Town") requires the services of a contractor to repair a window at Michael J. Tully Park in New Hyde Park (the "Services"); and

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

WHEREAS, Solar Glass, Inc., 4030 Austin Boulevard, Island Park, New York 11558 ("the Contractor") submitted the lowest quote, proposing to perform the Services in consideration of an amount not to exceed Six Thousand Eighty-Eight and 60/100 Dollars (\$6,088.60) (the "Contract Amount"); and

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

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Admin Services Comptroller Purchasing

CLERK SRIVASTAVA: Item No. 26, a resolution authorizing a permit agreement with the County of Nassau to use and occupy county owned property.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 83 - 2023

A RESOLUTION AUTHORIZING A PERMIT AGREEMENT WITH THE COUNTY OF NASSAU TO USE AND OCCUPY COUNTY OWNED PROPERTY.

WHEREAS, the Town of North Hempstead (the "Town") is currently pursuing a project to manage the Canada Geese population throughout the Town (the "Project"); and

WHEREAS, in order to complete the Project the Town requires access to certain premises owned by the County of Nassau (the "County") located in the Town and adjacent to Town parks, all as shown on the attached exhibit (together, the "Premises"); and

WHEREAS, the County has requested that the Town execute a permit agreement with the County to allow the Town to use and occupy the Premises, at no charge to the Town, in order to complete the Project (the "Agreement"); and

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

NOW, THEREFORE, BE IT

RESOLVED that the execution of the Agreement be and hereby is authorized;

and be it further

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Parks Department

9	348	974A	ROSLYN ROAD	CHARLES STREET
8	266	6	OLD COURT HOUSE	MONTEREY DRIVE
8	286	5	MARCUS AVE.	MEADOW FARM ROAD
8	21114	7H&681&684B	DENTON AVE.	HILLSIDE AVE.
3	F01	31	WEBSTER AVENUE	BROOKWOLD DRIVE
9	522	39	HERRICKS ROAD	WILSON BOULEVARD
7	157	13	DOGWOOD ROAD	PARKVIEW DRIVE
7	318	25	WILLIS AVE.	YALE ST.
11	504	7	UNION AVE	WANTAGH ST. PKWY
9	550	35	DENTON AVE.	JERICO TPKE.
7	209	6&34	ALBERTSON AVE.	I.U. WILLETS RD.
9	120	20	ROSLYN RD	HILLDALE RD
7	311	21	YALE ST	WILLIS AVE
9	657	63	WILLIS AVENUE	OLD MOTOR PKWY.
8	G	952	MARCUS AVE	NEW HYDE PARK RD
7	221	22	SHEPHERD LANE	SNAPDRAGON LANE

CLERK SRIVASTAVA: Item No. 27, a resolution authorizing the execution of an agreement with Griffin Greenhouse Supplies Inc. for repair of the greenhouse control systems at Clark Gardens.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 84 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH GRIFFIN GREENHOUSE SUPPLIES INC. FOR REPAIR OF THE GREENHOUSE CONTROL SYSTEMS AT CLARK GARDENS.

WHEREAS, the Department of Parks and Recreation (the "Department") requires the repair of the climate control system at Clark Gardens (the "Services"); and

WHEREAS, the Director of Purchasing (the "Director") has recommended that the Town enter into an agreement with Griffin Greenhouse Supplies, Inc., 2165 Montauk Highway Brookhaven, New York 11719 (the "Contractor") to perform the Services in consideration of an amount not to exceed Six Thousand Seven Hundred Thirty-Six and 00/100 Dollars (\$6,736.00) (the "Agreement"); and

WHEREAS, it has been determined that the Contractor is the sole source available to the Town for the Services, in accordance with the Town's Procurement Policy; and

WHEREAS, the Director has requested that this Board authorize the Agreement.

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

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 Parks and Recreation

CLERK SRIVASTAVA: Item No. 28, a resolution authorizing the execution of an agreement with Unitemp Inc. For HVAC system maintenance at Manorhaven Beach Park, Port Washington.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 85 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH UNITEMP INC. FOR HVAC SYSTEM MAINTENANCE AT MANORHAVEN BEACH PARK, PORT WASHINGTON.

WHEREAS, the Department of Parks and Recreation (the "Department") requires HVAC system maintenance at Manorhaven Beach Park (the "Services"); and

WHEREAS, the Director of Purchasing (the "Director") has recommended that the Town enter into an agreement with Unitemp Inc. (the "Contractor") to provide the Services in consideration of the following amounts:

<u>Year</u>	<u>Amount</u>
1	\$4,908.00 per visit
2	\$5,030.00 per visit
3	\$5,155.00 per visit
4	\$5,283.00 per visit
5	\$5,415.00 per visit

(the "Agreement"); and

WHEREAS, staff of the Town have determined that the Contractor is a sole source for the Services in accordance with the Town's Procurement Policy; 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

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item No. 29, a resolution authorizing the execution of an agreement with Sunbelt Rentals for the rental of a scissor lift for the Parks Department.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 86 -2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH SUNBELT RENTALS FOR THE RENTAL OF A SCISSOR LIFT FOR THE PARKS DEPARTMENT.

WHEREAS, the Town of North Hempstead (the "Town") requires the rental of a scissor lift for the replacement of lights at the "Yes We Can" Community Center, New Cassel, New York (the "Rental"); and

WHEREAS, the Director of Purchasing (the "Director") solicited two (2) quotes for the Rental, in accordance with the Town's Procurement Policy; and

WHEREAS, Sunbelt Rentals, Inc., 150 Nassau Avenue, Islip, New York 11751 ("the Contractor") submitted the lowest quote, proposing to provide the Rental in consideration of an amount not to exceed One Thousand Two Hundred Seventy-Four and 30/100 Dollars (\$1,274.30) (the "Contract Amount"); and

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

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Admin Services Comptroller Purchasing

CLERK SRIVASTAVA: Item No. 30, a resolution authorizing the execution of agreements with various firms for legal services related to labor and employment matters. We have a card on this. Tom McDonough.

SUPERVISOR DESENA: Tom McDonough?

MR. MCDONOUGH: Which one are we on again?

CLERK SRIVASTAVA: Item 30.

SUPERVISOR DESENA: Agreements with various firms for legal services, labor and employment.

MR. MCDONOUGH: Tom McDonough, CSEA. Can I ask why we're hiring five different firms to handle employee problems?

SUPERVISOR DESENA: Mr. Chiara, would you like to explain?

MR. MCDONOUGH: I don't know if I can ask that.

MR. CHIARA: You can generally ask, yeah, we put out an RFP and we awarded to a series of firms. We often have conflicts when it comes to some employment matters and we need to make sure that we have enough firms to deal with that. As I'm sure you also know, that we are in the middle of collective bargaining and we need counsel for that, and you also need counsel for other things besides collective bargaining, so there's multiple employment matters going on.

MR. MCDONOUGH: I just saw multiple and I was kind of -- a little intrigued on how come we were hiring so many different ones, but thank you. I appreciate that answer.

COUNCILMAN WALSH: So you are not opposed to this?

MR. MCDONOUGH: I could be opposed to it, but you think that would work?

COUNCILMAN WALSH: I'm just asking. Thank you.

MR. MCDONOUGH: Thank you.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 87 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENTS WITH VARIOUS FIRMS FOR LEGAL SERVICES RELATED TO LABOR AND EMPLOYMENT MATTERS.

WHEREAS, the Town of North Hempstead requires the services of legal counsel in labor and employment matters (the "Services"); and

WHEREAS, the Director of Purchasing (the "Director") issued a Request for Proposals (the "RFP") for the Services, in accordance with the Town's Procurement Policy; and

WHEREAS, following the review, analysis and scoring of the proposals submitted in response to the RFP, the Office of the Town Attorney has recommended the Bond, Schoeneck & King PLLC, Ingerman Smith LLP, Lamb & Barnosky LLP and Harris Beach PLLC provide the Services, at the direction of the Town Attorney, for a term of five (5) years with the option to renew for two (2) additional two (2) year terms at the rates shown in the proposals submitted by the aforementioned firms (the "Agreements"); and

WHEREAS, the Director has requested that this Board authorize the Agreements.

NOW, THEREFORE, BE IT

RESOLVED that the Agreements be and hereby are 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 Agreements, copies of which Agreements 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 Agreements 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 Agreements and certified claims therefor.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

DeSena.

Nays: None.

cc: Town Attorney Comptroller Parks

CLERK SRIVASTAVA: Item No. 31, a resolution authorizing the execution of an agreement with Nelson, Pope & Voorhis, LLC for rain garden and native garden educational workshops.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 88 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH NELSON, POPE & VOORHIS, LLC FOR RAIN GARDEN AND NATIVE GARDEN EDUCATIONAL WORKSHOPS.

WHEREAS, the Commissioner of the Department of Planning and Environmental Protection (the "Commissioner") for the Town of North Hempstead (the "Town") has recommended that this Board authorize the retention of a firm to prepare and present educational workshops on rain and native gardens and provide training for municipal employees on sustainable landscaping practices (the "Services"); and

WHEREAS, the Commissioner has recommended the retention of Nelson, Pope & Voorhis, LLC, 572 Walt Whitman Road, Melville, New York 11747 to provide the Services in consideration of an amount not to exceed One Thousand Five Hundred and 00/100 Dollars (\$1,500.00) for the rain and native garden workshops and an amount not to exceed Three Thousand Three Hundred and 00/100 Dollars (\$3,300.00) for the sustainable landscaping training (the "Agreement"); and

WHEREAS, the 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

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

DeSena.

Nays: None.

CLERK SRIVASTAVA: Item No. 32, a resolution authorizing the execution of an agreement with Penflex, Inc. for actuarial and administrative services for the Albertson Hook & Ladder, Engine & Hose Company #1 and Floral Park Centre Fire Co. Length of Service Award Programs.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 89 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PENFLEX, INC. FOR ACTUARIAL AND ADMINISTRATIVE SERVICES FOR THE ALBERTSON HOOK & LADDER, ENGINE & HOSE COMPANY #1 AND FLORAL PARK CENTRE FIRE CO. LENGTH OF SERVICE AWARD PROGRAMS.

WHEREAS, the Town of North Hempstead (the "Town") is the sole sponsor of the Albertson Hook & Ladder, Engine & Hose Company #1 ("Albertson") and the Floral Park Centre Fire Co. ("Floral Park") Length of Service Award Programs (the "LOSAP Programs"); and

WHEREAS, the LOSAP Programs were established pursuant to Article 11-A of the General Municipal Law; and

WHEREAS, Penflex Actuarial Services, LLC. ("Penflex"), 50 Century Hill Dr., Suite 3, Latham, NY 12110 provides actuarial and administrative services (the "Services") for various fire departments' Length of Service Award Programs including the LOSAP Programs for Albertson and Floral Park; and

WHEREAS, the Comptroller's Office has recommended that the Town enter into an agreement with Penflex to perform the Services for the LOSAP Programs for a term retroactively commencing on November 1, 2022 and terminating on October 31, 2023 in consideration of a total annual cost of Six Thousand and 00/100 Dollars (\$6,000.00) for the Albertson LOSAP Program and a total annual cost of Six Thousand and 00/100 Dollars (\$6,000.00) for the Floral Park LOSAP Program (collectively the "Agreements"); and

WHEREAS, the Town Board wishes to authorize the execution of the Agreements.

NOW, THEREFORE, BE IT

RESOLVED that the Agreements be and are hereby authorized; and be it further

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

therefore.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

CLERK SRIVASTAVA: Item No. 33, a resolution authorizing the execution of an agreement with Paumanok-Port Washington Lodge #855 F&A M. for the use of a Port Washington Public Parking District parking lot for a car show.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 90 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PAUMANOK-PORT WASHINGTON LODGE #855 F. & A. M. FOR THE USE OF A PORT WASHINGTON PUBLIC PARKING DISTRICT PARKING LOT FOR A CAR SHOW.

WHEREAS, the Port Washington Public Parking District (the "District") owns certain real property known as Lot 1 located adjacent to Main Street and South Bayles Avenue in Port Washington, New York (the "Premises"); and

WHEREAS, Paumanok-Port Washington Lodge #855 F. & A.M., P.O. Box 867, Port Washington, New York 11050 (the "Licensee") has requested that the Town, on behalf of the District, allow it to use a portion of the Premises consisting of the first two (2) rows of parking spaces to hold a car show on June 17, 2023 between 8:30 am and 3:30 pm, with a rain date of June 18, 2023, in consideration of payment to the Town in an amount not to exceed Four Hundred and 00/100 Dollars (\$400.00) and the Licensee being responsible for placing litter receptacles and collecting garbage at the Premises (the "Use"); and

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

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

NOW, THEREFORE, BE IT

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

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Public Safety

CLERK SRIVASTAVA: Item No. 34, a resolution authorizing the use of an agreement between the Town of Huntington and various vendors for the purchase of uniforms.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 91 - 2023

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE TOWN OF HUNTINGTON AND VARIOUS VENDORS FOR THE PURCHASE OF UNIFORMS.

WHEREAS, the Town of North Hempstead (the "Town") requires the purchase of uniforms (the "Purchases"); and

WHEREAS, the Town of Huntington awarded bid #TOH 22-12R-063 entitled "Uniforms" to various vendors (the "Contractors"); and

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

WHEREAS, the Board wishes to authorize the use of the Agreement for the duration of the Agreement, inclusive of any extensions (the "Agreement"); and

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Admin Services Comptroller

CLERK SRIVASTAVA: Item No. 35, a resolution authorizing the execution of an agreement with Westbury Union Free School District to host a 2023 Black History Month event at Westbury Middle School.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 92 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH WESTBURY UNION FREE SCHOOL DISTRICT TO HOST A 2023 BLACK HISTORY MONTH EVENT AT WESTBURY MIDDLE SCHOOL.

WHEREAS, the Town of North Hempstead (the "Town") requires the use of the auditorium at Westbury Middle School, 455 Rockland Street, Westbury, New York (the "Premises") for a Black History Month celebration on February 15, 2023 (the "Event"); and

WHEREAS, the Westbury Union Free School District has required that the Town execute an indemnification agreement (the "Agreement") in favor of the District for the use of the Premises for the Event; and

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

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Parks Department

CLERK SRIVASTAVA: Item No. 36, a resolution authorizing the execution of an amendment to an agreement with Cashin Associates, P.C. for engineering services for the replacement of the roof at the building of the Department of Public Works, New Hyde Park, DPW Project No. 18-09.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 93 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH CASHIN ASSOCIATES, P.C. FOR ENGINEERING SERVICES FOR THE REPLACEMENT OF THE ROOF AT THE BUILDING OF THE DEPARTMENT OF PUBLIC WORKS, NEW HYDE PARK, DPW PROJECT NO. 18-09.

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town entered into an agreement with Cashin Associates, P.C. 1200 Veterans Memorial Highway, Hauppauge, New York 11788 for professional engineering services related to Replacement of Roof at the Building of The Department of Public Works, New Hyde Park, DPW Project No. 18-09 (the "Original Agreement"); and

WHEREAS, the Acting Commissioner of the Department of Public Works has recommended that the Town amend the Original Agreement in include a wage rate increase for construction administration/inspection fees and additional engineering services in connection with the redesigning of the project as a result of supply chain issues and the issuance of updated project bid documents, thereby increasing the contract amount under the Original Agreement by an amount not to exceed Thirteen Thousand Two Hundred Fifty and 00/100 Dollars (\$13,250.00) (the "Amendment"); and

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

NOW, THEREFORE, BE IT

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

RESOLVED the Supervisor 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

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item No. 37, a resolution authorizing the assignment of an agreement for engineering services in connection with the Stepping Stones Lighthouse to GEI Consultants, Inc., P.C. and further authorizing the execution of an amendment to the agreement.

COUNCILWOMAN LURVEY: I offer the resolution and move for its adoption --

MALE VOICE: I wanted to say something.

CLERK SRIVASTAVA: Do we have a card on this?

MALE VOICE: Do I -- why did he leave? I want to speak to him too; right? All right.

COUNCILWOMAN DALIMONTE: He just went to the restroom, he'll be able to hear you.

MALE VOICE: Okay.

SUPERVISOR DESENA: Is there a speaker in there?

COUNCILWOMAN DALIMONTE: No, but you do hear.

COUNCILMAN WALSH: I'm not sure where he went but there is a speaker in there.

COUNCILWOMAN DALIMONTE: We can't hear him, which is a good thing.

MALE VOICE: The Stepping Stones Lighthouse, I don't know why the town still is going through with using public funds to fund this when we all know that it was a more private sort of venture for Great Neck, and for good reason, right, because I can't go to Stepping Stone Park and see the lighthouse. That's not fair, and that's not fair to probably 90 percent of North Hempstead. And then further -- and this should be the ending argument right here, Stepping Stone lighthouse is not in the waters of North Hempstead, it's in the waters of Queens, of New York City. That doesn't make sense, still. We can question the legality of that very much. Please make me proud and do the right thing, because this is not the right thing, to use public funds to pay for this private, more private sort of venture, whatever it is. And Mr. Zuckerman, just for example --

COUNCILMAN ZUCKERMAN: Yes, sir?

MALE VOICE: I speak -- half my live was actually lived in East Williston, I'm from Mineola, and everyone I've spoken to in East Williston, they say no to this lighthouse. Anyone I speak to about this lighthouse, they did not agree about funding it. So I hope you guys are going to listen to the residents of North Hempstead and don't continue using public funds to do this. This is supposed to be Great Neck Historical Society, or whatever it is, but we know, so do the right thing. Do you guys have any questions for me?

COUNCILWOMAN LURVEY: No, no questions, but I will answer. Thank you for coming and addressing us. The Stepping Stones -- the capital plan, which I happen to have here, was adopted not long ago unanimously by the town board, and the Stepping Stone Lighthouse was included in the capital plan; improvements to finish the work that had been done on the dock and the pier, and there's been money allocated. There's -- we have about \$450,000 of cash on hand, \$365,000 of grants, and this is just -- what we're doing now is not to engage. I think there needs to be a visioning process after this part of the project is over. There's nothing in the capital plan after this phase. I think, like you said, this is meant to be -- always was my understanding, I wasn't here at the beginning, but it was meant to be a venture of public funds and a lot of private funds and grant funding.

MALE VOICE: A lot, let's say a lot, and let's emphasize a lot.

COUNCILMAN WALSH: Yeah, I wonder if I could comment. I believe that since around 2015, or whenever this thing got started, the Town of North Hempstead residents have spent \$450,000 to get eight pylons out there, and you can see it from the bridge I'm told -- if you have a low car you can't. You can see it if you happen to own a house on the water or you can see it if you happen to be permitted to go into Stepping Stone Park. Nobody in my district can go see this. I can't go see it. It was given to the town for a dollar from the Federal Government, the Federal Government should have kept it, and from the very beginning it was said that this is going to be done with private money, and \$450,000 of the taxpayer's money is not a good way to spend the taxpayer's money.

MALE VOICE: Ridiculous. \$450,000, who can explain that; seriously? Who can explain that? Someone give me justification.

COUNCILMAN WALSH: I can't.

MALE VOICE: Nobody can.

COUNCILWOMAN LURVEY: We weren't here when the town took over stewardship of the lighthouse, so we can't explain what went into that decision-making process. Over the years, money has been put in to keep the lighthouse from falling completely apart, including money from the Great Neck Historical Society and grants from Jack Martins, and grants from --you know, I can't even remember off the top of my head right now who we got grants from. So money has been spent to keep it from completely falling apart because we are the stewards of it right now, and that is just a fact. The capital plan now authorizes this phase to be finished. What we're seeing right now is just a change in the party that's going to be doing the construction because they were taken over in a merger.

MALE VOICE: Okay.

COUNCILMAN WALSH: And I think we all know that capital plans have things put in there -- I wouldn't have voted for it, I didn't want to vote for it --

MALE VOICE: Right.

COUNCILMAN WALSH: But I'd be voting against the other parks and other things that need to be done, Tully Park, so they stick this in here, and again, I think this is a complete, complete waste of the people's money. Give it back to the Federal Government, they sold it to us for a dollar, we should give them \$100 and give it back to them. This is something I will always vote against because people in my district will never get the pleasure of seeing this --

MALE VOICE: Exactly, and I hope it's not just, I hope it's not just Councilman Walsh, I hope it's Troiano, Councilman Zuckerman, Councilman Adhami, Councilwoman Dalimonte. I hope you guys represent the people that you guys have been voted to represent.

COUNCILWOMAN LURVEY: What about working on a project, because there is no right now a long-term vision for this project. What about working --

SUPERVISOR DESENA: I think the vision should come first.

COUNCILWOMAN LURVEY: Yeah, SO what about -- but -- let's put that aside, but we're in the middle of a phase that we have the pylons in there --

MALE VOICE: It doesn't matter.

COUNCILWOMAN LURVEY: Wait, wait, I have been advised by town staff who are intimately involved with this project that we will be likely on the hook for taking those pylons out. So why not finish this project, finish this phase --

MALE VOICE: Likely, okay, can you prove that?

COUNCILWOMAN LURVEY: -- and make it easy? Can I prove it?

MALE VOICE: Yeah, you're asking --you're saying that as --

SUPERVISOR DESENA: I think you'd probably need a legal opinion on that before that's the basis for us spending all this money.

COUNCILMAN WALSH: And that's \$50,000 a pylon, by the way, just in case you want to do the math.

MALE VOICE: It really --it doesn't make sense, and I speak to any kind of person, they say, why, why, why, why?

COUNCILMAN ZUCKERMAN: Fifty-six.

MALE VOICE: Oh, \$56,000.

COUNCILMAN WALSH: I'm sorry, I made a mistake --

MALE VOICE: A whole BMW, a whole house so far and we're going to continue --

COUNCILMAN WALSH: Eight pylons, \$450, 000.

COUNCILWOMAN LURVEY: This resolution is for \$6,800.

SUPERVISOR DESENA: I think his point is it's \$6,800 going on top of \$400,000, you know, and on top of what next? We don't know, we don't know what the answer is.

COUNCILWOMAN LURVEY: Well, the \$450,000 is a sunk cost. So to look back on that --

MALE VOICE: No, no, prove that, first of all. Prove that.

COUNCILWOMAN LURVEY: It's already spent.

MALE VOICE: Yeah, well, prove it now that we have to take it out. I don't know, I don't believe that. You have to prove that first.

SUPERVISOR DESENA: I think you would need an opinion from the Federal Government as to whether money would have to be spent to remove the pilings, so I don't know why that keeps being said.

MALE VOICE: Yeah. This is wasting money, and let me remind you guys, the overarching issue: The New York Housing Compact, think about that, think about how much money is going to go into that. We're going to go into serious debt. Mr. Zuckerman, have you sent a letter to the Governor?

COUNCILMAN ZUCKERMAN: On this?

MALE VOICE: No, on the New York Housing Compact?

COUNCILMAN ZUCKERMAN: We all signed the letter.

MALE VOICE: Very well, okay. And I hope you guys, please work together --

COUNCILMAN ZUCKERMAN: Democrats and Republicans.

COUNCILWOMAN LURVEY: We all signed the letter together. Isn't that working together? You seem to --

MALE VOICE: Yes, good, good.

COUNCILWOMAN LURVEY: -- forget and overlook when we do.

MALE VOICE: Good, because this is super -- this is very serious. This is about to change our town completely, and we don't have time for lighthouses or money for lighthouses. We have to focus on the real issues and that's it.

COUNCILMAN WALSH: Thank you.

MALE VOICE: Thank you.

SUPERVISOR DESENA: Thank you. I just want to say something about the capital plan, as Mr. Troiano mentioned. A lot of things are in our capital plans and that doesn't mean that we have spent the money on it. They're in a planning stage. I just wanted to clarify that.

COUNCILWOMAN LURVEY: You know, SO, I'm going to pull it and we're going to talk to the Great Neck Historical Society and we're going to talk to the Federal Government and see what -- whether or not we're going to be on the hook for these pylons. We're going to do cost-benefit analysis going forward. We don't want to be spending money on things that are not appreciated. I think there is a case to be made and residents did come and speak about the historical significance of the lighthouse, and I think as a town, we have a responsibility to invest in our history. The lighthouse stands as a sentinel to New York harbor, it stands a sentinel to an era when shipping was the economic driver of New York City, all the commerce came through the lighthouse. I think it's short-sighted to say that we should not be taking care of our history, but if, you know, there were people here at the last board meeting very much in support of this item.

MALE VOICE: Who?

COUNCILWOMAN LURVEY: Sorry?

COUNCILWOMAN DALIMONTE: You cannot talk from the seats.

SUPERVISOR DESENA: The Great Neck Historical Society.

COUNCILWOMAN LURVEY: The Great Neck Historical Society, who are partners on this project.

COUNCILWOMAN DALIMONTE: So are you going to move this to the next board meeting?

COUNCILWOMAN LURVEY: I'm going to move this to the next board meeting, yes. How do I do that?

MR. CHIARA: There's not really a way to do it, unless you want to suspend the rules. The way to do is really -- you would vote to draw it after the meeting, so technically if you want to vote and then --you can either table it --

COUNCILWOMAN LURVEY: I'll table it.

COUNCILMAN ZUCKERMAN: Let's table it.

MR. CHIARA: You can table it or vote to --

COUNCILWOMAN DALIMONTE: That's a good idea, table it.

COUNCILWOMAN LURVEY: I move to table it this item.

COUNCILMAN ZUCKERMAN: Let's table it.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

MALE VOICE: I would like to see that you guys stop wasting time here on politics and -- what time is it?

COUNCILWOMAN DALIMONTE: Excuse me, I don't mean to sound rude, but we are in the middle of a board meeting, you spoke on the item, someone 's gotta take control here. If you would like to speak on another item or a public comment, put your name in, but it's not --

MALE VOICE: Okay, I'm done, I'm just saying.

SUPERVISOR DESENA: I didn't need you to take control, thank you.

COUNCILWOMAN DALIMONTE: Okay, then take control.

MALE VOICE: Have a good night.

SUPERVISOR DESENA: Please call the next item.

COUNCILMAN WALSH: Thank you, have a good night.

CLERK SRIVASTAVA: Item No. 38, a resolution authorizing the execution of an amendment to an agreement with Cashin Associates, P.C. for engineering services related to Michael J. Tully parking lot rehabilitation, New Hyde Park, New York. DPW Project No. 15-02. We have a card on this. Karen Reardon.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 94 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH CASHIN ASSOCIATES, P.C. FOR ENGINEERING SERVICES RELATED TO MICHAEL J. TULLY PARKING LOT REHABILITATION, NEW HYDE PARK, NEW YORK. DPW PROJECT NO. 15-02 (ENGINEERING).

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town entered into an agreement with Cashin Associates, P.C. 1200 Veterans Memorial Highway, Hauppauge, New York 11788 for professional engineering services related to Michael J. Tully Park Parking Lot Rehabilitation, New Hyde Park, New York, DPW Project No. 15-02 (the "Original Agreement"); and

WHEREAS, the Acting Commissioner of the Department of Public Works has recommended that the Town amend the Original Agreement in include a wage rate increase for construction administration/inspection fees and additional engineering services in connection with a firefighter training area and new parking lot lighting plan, including but not limited to, the preparation of survey and grading plan, review of site drainage, evaluation of electrical of new aboveground service, a geotechnical evaluation for new piles and caps to support new lighting plan and preparation of additional drawing and specifications to convey proposed work, thereby increasing the contract amount under the Original Agreement by an amount not to exceed Sixty Three Thousand Ninety-Three and 84/100 Dollars (\$63,093.84) (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

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item No. 39, a resolution authorizing the execution of an amendment to an agreement with Nelson & Pope Engineering, Architecture, and Land Surveying, PLLC for engineering services related to in kind replacement of Town Dock, Port Washington, NY, DPW Project No. 19-03.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 95 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH NELSON & POPE ENGINEERING, ARCHITECTURE, AND LAND SURVEYING, PLLC FOR ENGINEERING SERVICES RELATED TO IN KIND REPLACEMENT OF TOWN DOCK, PORT WASHINGTON, NY. DPW PROJECT NO. 19-03.

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement, as amended, with Nelson & Pope Engineering, Architecture and Land Surveying, PLLC, 70 Maxess Road, Melville, NY 11747 (the "Consultant"), to provide professional engineering services for the In-Kind Replacement of the Town Dock in Port Washington, NY, DPW Project No. 19-03 (the "Original Agreement"); and

WHEREAS, the Acting Commissioner of the Department of Public Works has recommended that the Town amend the Original Agreement to incorporate cost saving modifications to the bulkhead design and associated plan, finalization of the floating docks design, and re-permitting, due to the new NYSDEC General Permit for Bulkhead Replacement, effective October 25, 2022, which permits an existing bulkhead to remain in place and be re-sheathed rather than being removed and replaced in-kind, thereby increasing the contract amount under the Original Agreement by an amount not to exceed Twenty Eight Thousand Eight Hundred and 00/100 dollars (\$28,800.00) (the "Amendment"); and

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

NOW, THEREFORE, BE IT

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

RESOLVED the Supervisor 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

February 7, 2023

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 DPW Comptroller

CLERK SRIVASTAVA: Item No. 40, a resolution authorizing the execution of an amendment to an agreement with P.W. Grosser Consulting, Inc. for professional engineering services related to dredging of Leeds Pond and Mill Pond, DPW Project No. 22-10.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 96 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH P.W. GROSSER CONSULTING, INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO DREDGING OF LEEDS POND AND MILL POND, DPW PROJECT NO. 22-10.

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town entered into an agreement with P.W. Grosser Consulting Inc., 630 Johnson Avenue, Suite 7, Bohemia, New York 11716 for professional engineering services for Dredging of Leeds Pond and Mill Pond, DPW Project No. 22-10 (the "Original Agreement"); and

WHEREAS, the Acting Commissioner of the Department of Public Works has recommended that the Town amend the Original Agreement to enter into an agreement with P.W. Grosser Consulting Engineer & Hydrogeologist, P.C., 630 Johnson Avenue, Suite 7, Bohemia, New York 11716, a related entity (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

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

DeSena.

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item No. 41, a resolution authorizing the execution of an amendment to an agreement with Geese Chasers Long Island New York, LLC, for geese control services on town properties.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 97 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH GEESE CHASERS LONG ISLAND NY LLC FOR GEESE CONTROL SERVICES ON TOWN PROPERTIES (TNH255-2021).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Geese Chasers, Long Island NY, LLC, 25 Oak Meadow Road, Commack, New York 11725 (the "Contractor"), for geese control at various Town parks (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, including price (the "Options"); and

WHEREAS, the Director of Purchasing (the "Director") has recommended that the Town amend the Original Agreement to exercise the second option to extend the term of the Agreement for an additional one (1) year period, commencing on February 25, 2023 and terminating on February 24, 2024 (the "Amendment"); and

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

NOW, THEREFORE, BE IT

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

RESOLVED the Supervisor is authorized 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

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item No. 42, a resolution authorizing the execution of an amendment with the Metro Group, Inc., for cooling tower servicing, maintenance and repair.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 98 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT WITH THE METRO GROUP, INC. FOR COOLING TOWER SERVICING, MAINTENANCE AND REPAIR (TNH231-2020).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with The Metro Group, Inc., 50-23 23rd Street, Long Island City, NY 11101 (the "Contractor") for cooling tower servicing, maintenance, and repair (the "Original Agreement"); and

WHEREAS, the Original Agreement contained the option to renew the Original Agreement for a two (2) additional one (1) year periods (the "Options"), and

WHEREAS, the Director of Purchasing (the "Director") has recommended that the Town exercise the first Option to amend the Original Agreement to extend the term of the Original Agreement for an additional one (1) year period commencing on March 31, 2023 and ending March 30, 2024 (the "Amendment"); and

WHEREAS, this Board wishes to authorize the Amendment as requested by the Director.

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee is authorized 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

February 7, 2023

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 Purchasing Administrative Services

CLERK SRIVASTAVA: Item No. 43, a resolution authorizing the execution of an amendment to an agreement with Jamaica Ash and Rubbish Removal Co., Inc., for the collection and delivery of waste and recyclables from Harbor Links Golf Course.

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

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

COUNCILMAN ADHAMI: Jinx.

COUNCILWOMAN DALIMONTE: Jinx.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 99 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH JAMAICA ASH AND RUBBISH REMOVAL CO., INC. FOR THE COLLECTION AND DELIVERY OF WASTE AND RECYCLABLES FROM HARBOR LINKS GOLF COURSE (TNH079-2020).

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town of North Hempstead (the "Town") entered into an agreement with Jamaica Ash and Rubbish Removal Co., Inc., 172 School Street, Westbury, NY 11590 ("Jamaica Ash") for the collection and disposal of waste and paper recyclables from Harbor Links Golf Course, which Agreement expires on February 24, 2023 (the "Agreement"); and

WHEREAS, the Agreement contains the option to renew the Agreement for one (1) additional one (1) year period with the same terms and conditions, including price (the "Option"); and

WHEREAS, the Director of Purchasing (the "Director") has recommended that the Town amend the Agreement to exercise the option to extend the term of the Agreement for an additional one (1) year period, commencing on February 25, 2023 and terminating on February 24, 2024 (the "Amendment"); and

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Parks

CLERK SRIVASTAVA: Item No. 44, a resolution authorizing the execution of an amendment to an agreement with Brand Distributors, Inc. D/B/A Brands Cycle & Fitness for fitness equipment maintenance and repair.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 100 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH BRAND DISTRIBUTERS, INC. D/B/A BRANDS CYCLE & FITNESS FOR FITNESS EQUIPMENT MAINTENANCE AND REPAIR (TNH254-2020).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Brand Distributors Inc. DBA Brands Cycle & Fitness at 1966 Wantagh Avenue, Wantagh, NY 11793 (the "Contractor") for fitness equipment maintenance, and repair (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, including price (the "Options"); and

WHEREAS, the Director of Purchasing (the "Director") has recommended that the Town exercise the second Option to amend the Original Agreement to extend the term of the Original Agreement for an additional one (1) year period commencing retroactively on January 22, 2023 and ending January 21, 2024 (the "Amendment")

WHEREAS, this Board wishes to authorize the Amendment as requested by the Director.

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee is authorized 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

February 7, 2023

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 Purchasing Parks and Recreation

CLERK SRIVASTAVA: Item No. 45, a resolution authorizing the execution of an amendment to an agreement with the Viscardi Center, Inc. for programming for persons with developmental disabilities.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 101 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH THE VISCARDI CENTER, INC. FOR PROGRAMMING FOR PERSONS WITH DEVELOPMENTAL DISABILITIES (TNH174-2017).

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town entered into an agreement with The Viscardi Center, Inc., 201 I.U. Willets Road, Albertson, New York 11507 (the "Contractor") for management of a program for individuals with developmental disabilities, known as the CARE Program (the "Agreement"); and

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

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

WHEREAS, this Board wishes to authorize the Amendment as requested by the Director.

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item No. 46, a resolution authorizing the execution of an amendment to an agreement between the Town of North Hempstead and the Town of Brookhaven for the disposal of street sweepings.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 102 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT BETWEEN THE TOWN OF NORTH HEMPSTEAD AND THE TOWN OF BROOKHAVEN FOR THE DISPOSAL OF STREET SWEEPINGS.

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an intermunicipal agreement (the "Original Agreement") with Town of Brookhaven, 1 Independence Hill, Farmingdale, New York 11738 (the "Brookhaven"), for the Town to transport and dispose of street sweepings deposited at the Town's transfer station at Brookhaven's landfill in consideration of payment by the Town of Twenty-One and 50/100 Dollars (\$21.50) per ton of street sweepings deposited (the "Services"); and

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

WHEREAS, the Commissioner of Solid Waste Management (the "Commissioner") has recommended that the Town amend the Original Agreement to exercise the first Option to extend the term of the Original Agreement for an additional one (1) year period commencing on January 1, 2023 and terminating 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

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item No. 47, a resolution authorizing the purchase of record storage services for the Office of the Town Clerk from Iron Mountain.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 103 - 2023

A RESOLUTION AUTHORIZING THE PURCHASE OF RECORD STORAGE SERVICES FOR THE OFFICE OF THE TOWN CLERK FROM IRON MOUNTAIN.

WHEREAS, the Town of North Hempstead Office of the Town Clerk (the "Office") requires record storage services for inactive Town records for a term beginning January 1, 2023 and ending December 31, 2023 (the "Services"); and

WHEREAS, the Office has retained Iron Mountain, 2 Sun Court, Norcross, Georgia 30092 (the "Contractor") to provide the Services; and

WHEREAS, it has been determined that the Contractor is the sole source available to the Town for the Services, in accordance with the Town's Procurement Policy; and

WHEREAS, it has been recommended that the Town Board ratify the Office's actions in using the Contractor to provide the Services and to authorize payment of all invoices for the Services in an amount not to exceed Five Thousand Five Hundred and 00/100 Dollars (\$5,500.00) (the "Purchase"); and

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

NOW, THEREFORE, BE IT

RESOLVED that the action of the Office in using the Contractor to provide the Services be and hereby is ratified; and be it further

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

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

Dated: Manhasset, New York

February 7, 2023

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 No. 48, a resolution authorizing the purchase of software maintenance and technical support services for various information technology applications for the Office of the Town Clerk.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 104 -2023

A RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE MAINTENANCE AND TECHNICAL SUPPORT SERVICES FOR VARIOUS INFORMATION TECHNOLOGY APPLICATIONS FOR THE OFFICE OF THE TOWN CLERK.

WHEREAS, the Office of the Town Clerk requires support and maintenance for the Town's eCode 360 application (the "eCode Services"), support and software maintenance for the Town's Licensing and Vital Statistics application (the "BAS Services") and maintenance services for its microfilm scanners (the "Precision Microproducts Services"); and

WHEREAS, the Director of Purchasing has recommended that the Town purchase the eCode Services from General Code, LLC, PO Box 772512, Detroit, Michigan 48277 for a term of one (1) year in consideration of an amount not to exceed One Thousand One Hundred Ninety-Five and 00/100 Dollars (\$1,195.00) (the "General Code Purchase"); and

WHEREAS, the Director of Purchasing has recommended that the Town purchase the BAS Services from Edmunds GovTech, 301 Tilton Road, Northfield, New Jersey 08225 for a term of one (1) year in consideration of an amount not to exceed Four Thousand Seven Hundred Fifty-Eight and 60/100 Dollars (\$4,758.60) (the "BAS Purchase"); and

WHEREAS, the Director of Purchasing has recommended that the Town purchase the Precision Microproducts Services from Precision Microproducts of America, Inc., 7 Old Dock Road, Suite 3, Yaphank, New York 11980 for a term of one (1) year in consideration of an amount not to exceed One Thousand and 00/100 Dollars (\$1,000.00) (the "Precision Microproducts Purchase"); and

WHEREAS, this Board finds it to be in the best interest of the Town to authorize the General Code Purchase, the BAS Purchase and the Precision Microproducts Purchase (collectively the "Purchases").

NOW, THEREFORE, BE IT

RESOLVED that the Purchases be and are hereby authorized; and be it further

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item No. 49, a resolution authorizing the appointment of professionals for various commissioner operated special districts.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 105 - 2023

A RESOLUTION AUTHORIZING THE APPOINTMENT OF PROFESSIONALS FOR VARIOUS COMMISSIONER OPERATED SPECIAL DISTRICTS.

WHEREAS, the Board of Commissioners of the Great Neck Park District (the "District") has advised the Town Board of its desire to appoint McLaughlin & Stern, LLP, 1122 Franklin Avenue, Suite 300, Garden City, NY 11530 to provide the District with legal counsel for the year 2023; and

WHEREAS, the Board of Commissioners of the Manhasset Park District (the "District") has advised the Town Board of its desire to appoint Morici and Morici LLP, 1399 Franklin Avenue #202, Garden City, NY 11530 to provide the District with legal counsel for the year 2023; and

WHEREAS, the Board of Commissioners of the Garden City Park Water and Fire District (the "District") has advised the Town Board of its desire to appoint Rivkin Radler, LLP, 926 RXR Plaza, West Tower, Uniondale, NY 11556; Sapienza & Frank, 5550 Merrick Road, Suite 301, Massapequa, New York 11758; and Christopher Devane, ESQ, 114 Old Country Road, Suite 345, Mineola, New York 11501 to provide the District with legal counsel services and H2M Architects & Engineers, 538 Broadhollow Road, Melville, NY 11747 to provide the District with engineering services for the year 2023; and

WHEREAS, the Board of Commissioners of the Roslyn Garbage District (the "District") has advised the Town Board of its desire to appoint Librett Friedland, LLP, 1225 Franklin Avenue, Suite 450, Garden City, NY 11530 to provide the District with legal counsel services for the year 2023; and

WHEREAS, pursuant to Town Law § 215(22) and other applicable law, the Districts are required to seek authorization from the Town Board to employ the professionals listed above (the "Professionals"); and

WHEREAS, this Board wishes to authorize the appointment requested by the Districts.

NOW, THEREFORE, BE IT

RESOLVED, that the Board hereby approves these appointments of Professionals to provide the Districts with services for the year 2023.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item No. 51 --

MR. CHIARA: No.

SUPERVISOR DESENA: Yeah, we withdrew that one. We withdrew 50, so 51 is correct, yes.

MR. CHIARA: It's 51, you're right, 51.

CLERK SRIVASTAVA: Item No. 51, a resolution -- amending resolution No. 10-2023, adopted January 12, 2023, establishing the list of designated newspapers for publication of notices, resolution, ordinances, and all local laws by the Town Clerk during the year 2023.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN DALIMONTE: This is 51?

SUPERVISOR DESENA: Are you saying --

COUNCILWOMAN DALIMONTE: No, I want to say something. I don't know if everyone realizes, I wanted to say this before everyone votes is that on Item 51, one of the newspapers, and I think you should call the --

SUPERVISOR DESENA: I think you voted wrong, Robert.

COUNCILWOMAN DALIMONTE: --in case you guys --

COUNCILMAN WALSH: --he missed that, thank you for helping --

COUNCILWOMAN LURVEY: Let her speak.

COUNCILWOMAN DALIMONTE: I think you should hear this before you vote.

COUNCILMAN WALSH: Okay.

COUNCILWOMAN DALIMONTE: The North Shore Leader --

COUNCILMAN ZUCKERMAN: That's pretty rude, Dennis --

SUPERVISOR DESENA: Please, let it go.

COUNCILMAN ZUCKERMAN: You're making fun of a councilperson's voice?

COUNCILMAN WALSH: Pardon me?

COUNCILWOMAN LURVEY: Did you just mock me?

COUNCILMAN ZUCKERMAN: That's what you just did, you made fun of the councilperson's

voice.

COUNCILMAN WALSH: You make fun of me. I didn't make fun of her.

SUPERVISOR DESENA: Go ahead councilwoman.

COUNCILWOMAN DALIMONTE: Please, please, please, please, please. Listen, the North Shore Ledger is a paper that's being added, and I don't understand why we would be spending taxpayers money, because if you look, and I happen to get this paper today, and I brought this up at the last meeting to make sure that it wasn't included, it is not in --it's not circulated in the Town of North Hempstead anywhere, so why would we be putting notices into this paper when our own residents can't get this paper? I've never gotten this paper until a year ago.

COUNCILWOMAN LURVEY: Can you send that around?

COUNCILWOMAN DALIMONTE: I'll pass this around for everyone. It's Bayville, Glen Cove, East Norwich, Locust Valley, Oyster Bay, Cold Spring Harbor, Glen Head, Huntington. So I don't know why we are adding this paper and going to spend money to -- pass this around -- why we're going to spend money on this paper -- you can take this, I have a copy of it.

AUDIENCE MEMBER: I have a public comment on this item.

COUNCILWOMAN DALIMONTE: I don't understand why we are going to be spending money - -

SUPERVISOR DESENA: It is circulated in Glen Head and Glen Head Landing, which is in the town.

COUNCILWOMAN DALIMONTE: I don't think it says Glen Head.

COUNCILMAN ADHAMI: This just says where it could be purchased, it doesn't say that it's not mailed to anywhere else.

COUNCILWOMAN DALIMONTE: It's not a North Hempstead paper.

SUPERVISOR DESENA: It's not a requirement that it circulate in the Town of North Hempstead. This happens to be the paper that broke the George Santos story, and many, many people have been commenting on how important it is to support local media because that is how we stay educated, so this paper has been nominated for a Pulitzer and a Polk Award for its writing.

COUNCILWOMAN DALIMONTE: That's great.

SUPERVISOR DESENA: Okay, well it is not a requirement that it say it's circulated in the Town of North Hempstead to be added to this list.

COUNCILMAN TROIANO: Why don't we move on?

COUNCILMAN ADHAMI: All it's stating is where you can purchase it in specific locations.

COUNCILWOMAN DALIMONTE: Okay.

COUNCILMAN ADHAMI: I don't know if that's an all inclusive list.

SUPERVISOR DESENA: Robert says you can vote for it.

COUNCILWOMAN DALIMONTE: Nope.

COUNCILMAN TROIANO: No, I didn't say that, I said let's move on, that's what I said.

COUNCILWOMAN DALIMONTE: He's just saying move on but we have a --

CLERK SRIVASTAVA: There's a card.

SUPERVISOR DESENA: There was a card.

CLERK SRIVASTAVA: Let's complete the voting. Councilwoman Lurvey -- let's complete the voting first, please.

COUNCILMAN ADHAMI: We're in the middle of voting.

COUNCILMAN WALSH: We're in the middle of a vote --

CLERK SRIVASTAVA: Yes, please.

SUPERVISOR DESENA: Was there a card?

COUNCILMAN TROIANO: We're in the middle of a vote.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: I'm really kind of torn because I don't know why the town would be spending money on a paper. It could be the Wall Street Journal, it could be the Financial Times, it could be Pulitzer Prize winning masterpiece, but if it's not circulated through the town, then why are we spending money on it?

SUPERVISOR DESENA: Some people do receive this paper in the mail.

COUNCILMAN WALSH: I don't know how I got it --

COUNCILWOMAN DALIMONTE: I don't know how I got it either.

COUNCILMAN WALSH: -- but I do get it at my house and I live in the Town of North Hempstead since 1956. I read the paper, I find it interesting.

SUPERVISOR DESENA: It's not going to be the official paper of the town.

COUNCILWOMAN LURVEY: That's not what the resolution says.

SUPERVISOR DESENA: It's being added to the list of --

COUNCILMAN ADHAMI: We can publish in it.

SUPERVISOR DESENA: It's being added to the list of papers that we can publish in.

COUNCILWOMAN LURVEY: I mean -- is it fair to publish notices in a paper that's so --

SUPERVISOR DESENA: You don't want to use the paper that broke the George Santos story?

COUNCILWOMAN LURVEY: It's just about the circulation. It's just about the circulation.

COUNCILMAN ADHAMI: You cited to this paper in your statement, your resolution.

SUPERVISOR DESENA: Right, you referred to this -- this is cited in what you're sending to Washington.

COUNCILWOMAN LURVEY: It's not about

SUPERVISOR DESENA: You don't want to support local newspapers.

COUNCILWOMAN DALIMONTE: Supervisor, don't put words in anyone's mouth. I don't understand why -- because when you put in things, you have to -- you're spending money for those legal notices. I don't understand, the residents in Port Washington, I've never heard of this paper until last year and all of a sudden I get it here in the office, not at home.

I don't understand, why would we spend money to put legal notices in when the residents of the Town of North Hempstead don't receive this -- I know Dennis does.

SUPERVISOR DESENA: Some do --

COUNCILMAN ADHAMI: I receive it as well. I didn't ask for it.

SUPERVISOR DESENA: Councilwoman, some residents do receive the paper and we are allowed to have multiple papers on our list. I'm simply proposing it as one that we add as it is a local paper that did some good reporting.

COUNCILWOMAN LURVEY: I think what we should do, I would -- I know we are in the vote so I know this is not going to happen.

SUPERVISOR DESENA: By the way, I want to mention there is another paper that is included in this resolution, which is a Spanish-language paper, which I think we should respect that there are businesses owned by Spanish-speaking people who also could benefit from seeing what are the businesses out there that they can get involved in, what work could they bid on, so there are two papers that I am proposing to add to our list of possible papers.

COUNCILWOMAN LURVEY: I think we should also do a review of other languages.

COUNCILWOMAN DALIMONTE: Yeah, Other languages, too.

SUPERVISOR DESENA: In the meantime, please continue the vote. Where are we at?

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: So this isn't going to be just the main paper.

COUNCILMAN ADHAMI: No, this is one of.

COUNCILWOMAN LURVEY: What advertising will we be putting in this paper? Notices that only relate to Greenvale or Glen Head?

COUNCILMAN ADHAMI: Public notices that have to be published; correct, Mr. Town Attorney?

MR. CHIARA: It's my understanding that the town has a policy -- does public notices in the official paper of Nassau County, which is Newsday, because to be designated as the official paper, you have to reach the entire district, so in Nassau County, there is only one paper for Nassau County, there is only for Oyster Bay, there is only one for Hempstead. So my understanding is the practices that they advertise in Newsday and the other paper, that's the general practice. That's a policy, it's not the law. The law is if you're required to advertise, you have to advertise in Newsday. Do you have anything else to add?

MS. MALITO: Local news goes in, for instance Anton Media Group, and those are in localities in public notice.

COUNCILWOMAN LURVEY: I'm going to vote no.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: No.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

COUNCILMAN TROIANO: I'd like to make a motion to reconsider Item No. 51.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: No.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: I don't know what the purpose of reconsidering is.

COUNCILWOMAN DALIMONTE: They heard what I had to say after.

COUNCILMAN ADHAMI: It's one other paper, it seems like you have selective liking of the North Shore Leader. When it's anti-George Santos, then you like it, but then all of a sudden for some odd reason, only because where it states where you could purchase it, that's not a distribution list. If you really want to know, why don't you find out where it gets distributed to in their mailings?

SUPERVISOR DESENA: Mr. Chiara?

COUNCILMAN TROIANO: Since there's really -- since what I'm hearing is --

COUNCILMAN ADHAMI: I vote no to reconsider.

COUNCILMAN TROIANO: Since what I'm hearing is that there really is -- there really is little reason to either vote for or against the Leader, I just ask why is this even being proposed.

SUPERVISOR DESENA: Mr. Chiara, how many papers are on the list that we - -

COUNCILMAN TROIANO: I don't think that was my question --

SUPERVISOR DESENA: I'm just asking for more information like everyone else is.

COUNCILMAN TROIANO: But I would just like a response to my question --

COUNCILMAN ADHAMI: It's a local paper.

COUNCILMAN TROIANO: I'm sorry?

COUNCILMAN ADHAMI: It's a local paper.

COUNCILMAN TROIANO: That's the only reason, because it's a local paper?

COUNCILMAN ADHAMI: Other local papers are on the list as well.

COUNCILWOMAN DALIMONTE: They are distributed and bought and --

MR. CHIARA: I don't really do the notices --

SUPERVISOR DESENA: Town Clerk, can you tell us how many papers are on the list?

CLERK SRIVASTAVA: We have Newsday, we have Anton's yes, Media Group.

SUPERVISOR DESENA: So Anton Media has 14 newspapers? So basically adding more newspapers is adding more information, more transparency, more access?

COUNCILMAN TROIANO: Only if we --we're saying we're not gonna even use them, so that's not true. I've made a motion to reconsider, is that vote done?

COUNCILMAN ADHAMI: I voted "no" to reconsider.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: I vote aye.

SUPERVISOR DESENA: I vote no to reconsider.

COUNCILMAN TROIANO: Clerk, can you please recall Item No. 51?

CLERK SRIVASTAVA: Item No. 51, a resolution -- amending resolution No. 10-2023, adopted January 12, 2023, establishing the list of designated newspapers for publication of notices, resolution, ordinances, and all local laws by the Town Clerk during the year 2023.

SUPERVISOR DESENA: Is there a card on this?

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

SUPERVISOR DESENA: Is there a card on Item 51?

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

SUPERVISOR DESENA: Is this -- was she asking -- can you?

COUNCILMAN TROIANO: I guess she changed her mind, can we --

SUPERVISOR DESENA: Excuse me.

FEMALE VOICE: Yes, yes, thank you. Thank you for letting me comment on the North Shore Leader. The North Shore Leader is a fantastic paper. You may be aware that the North Shore Leader broke the story on George Santos, it was the first paper in the nation, worldwide, that broke that story. It's really important to support local journalism, particularly here on Long Island, where we're bombarded with mass media that doesn't necessarily deal with our local issues. So, please, support local journalism and local papers and understand that this paper has been around since 1955, and it actually was in circulation here, so we could bring it back. We should have a variety of voices and together we can fight against the monster that is George Santos. You may also want to join my Expel Santos campaign that I started three weeks earlier. A lot of US House of Representatives GOP members have joined it, including the Speaker, the Chief of Staff, the Speaker of the House has personally reached out to me for a meeting regarding that, so I may be able to share that with you through that paper, so wouldn't you want

to find out what's happening?

COUNCILWOMAN LURVEY: You'll be happy to know that the town board tonight voted unanimously on a resolution to call on the Long Island contingent of the House of Representatives to move to expel George Santos.

COUNCILMAN ADHAMI: It wasn't unanimous.

COUNCILWOMAN LURVEY: 7-1, I'm sorry.

SUPERVISOR DESENA: 6.

COUNCILWOMAN LURVEY: 7-1.

FEMALE VOICE: I support that effort, however, that is not Town of North Hempstead business, that is completely separate business that should be taken up by all of you.

SUPERVISOR DESENA: Let's not go into that again.

FEMALE VOICE: Anyway, we don't have to go into that, I just wanted to support the North Shore Leader, so please, do it as well, as our representatives, particularly my councilwoman, Dalimonte. I do have another comment on a separate matter. Should I comment now or wait

SUPERVISOR DESENA: You have to wait.

FEMALE VOICE: I appreciate it, thank you so much.

MR. MCDONOUGH: Tom McDonough. We advertise --

COUNCILMAN TROIANO: Who are you representing now?

MR. MCDONOUGH: Tom McDonough as a resident right now. But we put our bids in all the local papers -- so, a lot of the smaller businesses that are able to bid on some of our stuff might not be looking at Newsday, but they might see it in a local paper, and you know what, I'm a big proponent of local businesses. I think that as many businesses in the Town of North Hempstead that can bid on our stuff, it would be great, but if we, move next door to Town of Oyster Bay or over to the Town of Hempstead, as long as we can try to keep the work here and give it to a smaller business that's trying, and it's really not going to hurt us. What's the cost of it? It's minimal for what we spend.

SUPERVISOR DESENA: Thank you, and are there are business owners who live just outside the Town of North Hempstead. There are people who would like to know what business we have in the Town of North Hempstead who maybe don't live right inside the borders. So obviously increasing information and awareness, I think is something that we should try for.

MR. ROCHESTER: Ronald Rochester from Port Washington, New York. My big question is, what's the downside of spreading the information with other newspapers? Is there a major cost in this? If it's not a major cost, getting the information out to somewhere where it wasn't before is only going to help the town and the businesses that deal with the town. What's the downside? Does anybody have an answer to that?

COUNCILMAN WALSH: I don't see a downside, and they revoted this thing so obviously something is up; right?

MR. ROCHESTER: I just don't see the downside.

SUPERVISOR DESENA: And I also think Spanish readers, I think it's a good thing for us to

increase the information going out there.

MR. ROCHESTER: As many local papers as possible.

SUPERVISOR DESENA: We can put that in next time, but let's not vote against a good local paper.

COUNCILWOMAN DALIMONTE: They're together, so.

SUPERVISOR DESENA: You don't want to put - -

COUNCILWOMAN DALIMONTE: I can't amend your resolution.

SUPERVISOR DESENA: But somehow you're just so against the Leader that you're not going to support another local paper that reaches people all around the edge of the Town of North Hempstead and Spanish-speaking readers. That's not on your agenda.

COUNCILWOMAN DALIMONTE: But also, do you remember how they were -- they also bashed us for our March 31st meeting, and you must come in record numbers to show a unity, no excuses?

SUPERVISOR DESENA: You don't like certain press?

COUNCILWOMAN DALIMONTE: This is a paper that is obviously -- when I get it I don't really read it, I put it in the recycling bin.

SUPERVISOR DESENA: You don't like the content.

COUNCILWOMAN DALIMONTE: You know, Jen, it's not just that, it's just --

CLERK SRIVASTAVA: Please call the vote.

COUNCILWOMAN LURVEY: You just cut her off again.

COUNCILWOMAN DALIMONTE: It's a paper that is not distributed. If this paper was distributed in the Town of North Hempstead, I'd have no problem voting for it.

COUNCILMAN WALSH: Except for you said you don't like the content, you just got finished saying you didn't like the content.

COUNCILWOMAN DALIMONTE: I brought back in. I just wanted to show you that.

COUNCILMAN WALSH: Yeah, but you just said you don't like the content.

COUNCILWOMAN DALIMONTE: I didn't say

COUNCILMAN WALSH: Yeah, you did.

COUNCILWOMAN LURVEY: She didn't say she's basing her decision on that, she's basing her decision --

COUNCILWOMAN DALIMONTE: Dennis, I go by facts. It is not distributed in the Town of North Hempstead, and that is my vote. You vote the way you want to vote and stop being a bully.

COUNCILMAN WALSH: I'm not the bully -- I'm a bully? I'm not the bully. I think we all know who's the bully around here.

COUNCILWOMAN DALIMONTE: You know how many people in my community tell me

that?

COUNCILMAN WALSH: Yeah, stop being a bully. When somebody hears something they don't like right away -- stop being a bully. Stop using your hearing aid, stop everything else.

COUNCILWOMAN DALIMONTE: Not in our town.

SUPERVISOR DESENA: Please call the vote.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: I can't believe there's all this discussion about the Leader. I really do wish that this had not been combined with Noticia, but I am going to vote against this, but I do need to state for the record, lest anybody think I have an objection to Spanish-language newspapers that are circulated widely around the Town of North Hempstead, that I do not. Many of you know I am a member of the Westbury school board, and during my tenure as a Westbury school board member, we added Noticia as well as Haitian language newspapers to our list of media that would publish all of our notices and bids. I'm incredulous at the thought that there are some small business people who are not getting Newsday, they're trying to build their business, they don't yet Newsday but they do get the Leader and they are dependent on the Leader to build their business. So I would encourage the Supervisor, if she would like to, if not, I guess I can take care of it, to submit another resolution adding newspapers that are --do have a heavy circulation in the Town of North Hempstead. That's why I think the taxpayers number, Mr. Rochester, of the Town of North Hempstead should be spent, whether it's a dollar or a hundred thousand dollars. So to repeat my vote, I vote no.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: No.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: So my parents published a newspaper from their basement, a check and American bi-weekly that they -- soup to nuts, just from the -- everything from the basement in Glen Cove. I think they would have been very surprised to find that the Town of North Hempstead had chosen them to be a paper of record because they had no connection to the Town of North Hempstead. So I think that this is about the geographic scope of the distribution. I also think that this resolution raises a really good issue, a really good question about different languages and the languages in which we distribute notices and the papers that reach different communities. In District 4, we have a large Asian population and I would like the town to look into papers that reach of the Asian population, whether that's Mandarin or Cantonese, as well as Farsi, but right now, I have to vote no.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: I vote aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: No.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item No. 52, a resolution amending Resolution No. 529-2022, adopted October 13, 2022, 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.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 106 - 2023

A RESOLUTION AMENDING RESOLUTION NO. 529-2022, ADOPTED OCTOBER 13, 2022 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, pursuant to Resolution No. 529-2022, duly adopted on October 13, 2022, the Town Board authorized the execution of a license agreement with 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 for a term 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 "Resolution"); and

WHEREAS, the Commissioner of the Department of Parks and Recreation has requested that the Resolution be amended to provide that the monetary consideration paid by the Licensee to the Town shall be reduced by the value of up to thirty tickets for each Long Island Nets game at Nassau Veterans Memorial Coliseum, each ticket having an estimated value of Fifteen and 00/100 Dollars (\$15.00), and by Licensee's provision of 1,000 tote bags to the Community Center valued at Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00) (the "Amendment").

NOW, THEREFORE, BE IT

RESOLVED that the Resolution be and hereby is amended to reflect the Amendment; and be it further

RESOLVED that the Board hereby authorizes and directs the Supervisor or her designee to execute any and all documents necessary to effectuate the foregoing; and be it further

RESOLVED that the Town Attorney is hereby authorized and directed to negotiate and supervise the execution of any documentation, and to take such related action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney

CLERK SRIVASTAVA: Item No. 53, a resolution amending Resolution No. 645-2022, adopted December 15, 2022, authorizing the execution of an agreement with Rising Tide Waterfront Solutions - an Engineering Company, PLLC for engineering services related to NHBP crew dock improvements, DPW Project No. 23-03. Tom McDonough.

MR. MCDONOUGH: Good evening. So, we just had a gentleman stand up here about the lighthouse. I think that the amount of money that we're going to spend on is gonna kind of bring this dock up to \$750,000. A little inside information, and we just keep throwing money at it. I'm not against any of the crew teams. This dock was put in the wrong spot. We're gonna keep throwing money at it, mother nature does not like where it is and it's going to keep doing damage to it. So I hope that this engineering report will give us the real facts on it and either correct what's getting done every year or make us go to the north dock that's been there for eons, fix that up and stop wasting money on this. Thanks.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: No.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Thank you, Mr. McDonough. I'm also a little concerned about throwing good money after bad, but for now I'm going to 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. 107 - 2023

A RESOLUTION AMENDING RESOLUTION NO. 645-2022, ADOPTED DECEMBER 15, 2022, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH RISING TIDE WATERFRONT SOLUTIONS - AN ENGINEERING COMPANY, PLLC FOR ENGINEERING SERVICES RELATED TO NHBP CREW DOCK IMPROVEMENTS, DPW PROJECT NO. 23-03.

WHEREAS, pursuant to Resolution No. 645-2022, duly adopted on December 15, 2022, the Town Board authorized the execution of an agreement with Rising Tide Waterfront Solutions – An Engineering Company, PLLC (“Rising Tide”) for engineering services related to NHBP Crew Dock Improvements, DPW Project No. 23-03 (the “Resolution”); and

WHEREAS, Rising Tide was acquired by GEI Consultants, Inc., PC, 1000 New York Avenue, Suite B, Huntington Station, NY 11746; and

WHEREAS, it has been requested that the Resolution be amended to reflect that the Town execute the agreement with GEI Consultants, Inc., PC, 1000 New York Avenue, Suite B, Huntington Station, NY 11746 for engineering services related to NHBP Crew Dock Improvements, DPW Project No. 23-03 (the “Amendment”).

NOW, THEREFORE, BE IT

RESOLVED that the Resolution be and hereby is amended to reflect the Amendment.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: Councilperson Walsh.

cc: Town Attorney

CLERK SRIVASTAVA: Item No. 54, a resolution declaring Arbor Day in the Town of North Hempstead for 2023.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 108 - 2023

A RESOLUTION DECLARING ARBOR DAY IN THE TOWN OF NORTH HEMPSTEAD FOR 2023.

WHEREAS, the Town Board of the Town of North Hempstead (the "Town") wishes to designate May 6, 2023 for the official observance of Arbor Day in the Town.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby designates the observance of Arbor Day in the Town to occur on May 6, 2023.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

CLERK SRIVASTAVA: Item No. 55, a resolution terminating an agreement with Stalco Construction Inc. in connection with construction of the North Side Yard Vehicle and Equipment Wash Bay DPW Project No. 15-09.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 109 - 2023

A RESOLUTION TERMINATING AN AGREEMENT WITH STALCO CONSTRUCTION INC. IN CONNECTION WITH CONSTRUCTION OF THE NORTH SIDE YARD VEHICLE AND EQUIPMENT WASH BAY DPW PROJECT NO. 15-09.

WHEREAS, pursuant to Resolution No. 72-2020, adopted on February 27, 2020, the Town of North Hempstead (the "Town") awarded a bid to, and entered into an agreement with, Stalco Construction Inc., 1316 Motor Parkway, Islandia, NY 11749 ("Stalco") in connection with Construction of North Side Yard Vehicle and Equipment Wash Bay, DPW Project No. 15-09 (the "Contract"); and

WHEREAS, following numerous conversations with the Town Department of Public Works, the project was unable to be completed; and

WHEREAS, the Contract allows for termination of the agreement by the Acting Commissioner of the Town Department of Public Works following a vote by this Board; and

WHEREAS, the Acting Commissioner of the Town Department of Public Works has determined that this Contract shall be terminated and has requested that this Board so authorize.

NOW, THEREFORE, BE IT

RESOLVED that the Contract with Stalco in connection with Construction of North Side Yard Vehicle and Equipment Wash Bay, DPW Project No. 15-09 shall be terminated in accordance with the determination of the Acting Commissioner of the Town Department of Public Works.

Dated: Manhasset, New York

February 7, 2023

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 DPW

CLERK SRIVASTAVA: Item No. 56, a resolution authorizing the transfer of funds from the general fund to a capital fund. We have a card on this.

MR. GOING: Good evening.

SUPERVISOR DESENA: Thank you for waiting.

MR. GOING: Thank you. Good evening, my name is Michael Going and I'm speak speaking on behalf of the Carle Place Civic Association. With me here is Kristin Biggin and Ursula Babino. I'm a 20-year resident of the town and a Carle Place Civic Association member for the last 15 years, the last ten as the treasurer. I'm here to speak in support of the resolution authorizing the transfer of funds from the general fund to the capital fund for purpose of infrastructure upgrades as Charles Fuschillo Park in Carle Place. Charles Fuschillo Park is one of the focal points of the community and is used by families, families in Carle Place little league and Carle Place seniors. It has been decades since comprehensive work has been done to the park. The renovations are desperately needed and will result in a park the community can be proud of. On behalf of the board, we urge you to support these worthy upgrades. Thank you. And I think some of my fellow board members have a --

COUNCILMAN TROIANO: Before they come up, and I know you are really observant about town matters, are you aware that the town board unanimously voted to put the funding for this into the capital plan?

MR. GOING: I just wanted to be --come to more support the actual upgrades, because for a numbers of years there's been a lot of fits and starts in Carle Place, whether it be the downtown improvements, or some of the park improvements, so I really wanted to be in support of the upgrades going on in Carle Place.

COUNCILMAN TROIANO: We appreciate that. I think all of us recognize that the Carle Place community very much supports this project. You may also be aware that the contract has been let already and that work has started, so this project is happening. I just want to make sure you hear this again, you're speak speaking for support of the upgrades and renovations to the park, not so much how we fund it.

MR. GOING: That's right.

COUNCILMAN TROIANO: Okay, thank you:

MS. BIGGIN: Hi, good evening. Kristin Biggin, I am the President of the Carle Place Civic Association, and also obviously a resident of Carle Place. I obviously support anything that's going to improve the Carle Place park, Fuschillo Park. I grew up there, I grew up a block --around the block. Learned how to ride my bike there, and my daughter played -- both my daughters played little league there, and while we appreciate the improvements that have been made to the softball fields over the last couple of years with, I believe, some 3TC money; one of the only upsides of 3TC. We wanted to make sure that we are going to get the upgrades that we were promised from former Councilwoman Russell when she presented it at Carle Place Park, and I'm just concerned as to -- we already know the funds have been approved in the capital project funds, however, I'm just a little confused as to why, like, some of it was supposed to come from the ARPA funds and I guess you want to use those in other places. I just don't want to see other places get money that could be used for Carle Place, where it has been decades overdue. And I understand that Councilman Troiano will come to the next civic association meeting next Wednesday, and obviously we've stayed for over three hours because we care about

Carle Place and we care about it so much. I grew up there, I'm raising my family there, so has Mrs. Babino. And, again, I've said it to you before, I want you to vote like you live in Carle Place. We are a part of the Town of North Hempstead, although sometimes we really don't feel like we're part of it over the years. And just as a side note, and I've said this before, I'm a teacher, I'm a 4th grade teacher. It so disappoints me to see what is going on here. You guys are adults, we are taxpayers, and I do conflict resolution all day long with nine-year olds, people. Come on. And I honestly think I have to give props to Supervisor DeSena because she voted for a resolution that was specifically said her name, so therefore, you didn't really make it about George Santos, you made it about making a remark about Supervisor DeSena, and I think it should have been struck and I think you all should have made a bipartisan effort. You all pride yourselves on being --used to be the model for town government. Be the model for bipartisanship in town government. Have a great night, see you next week.

SUPERVISOR DESENA: Thank you. Thank you for waiting and speaking for the park. This would allocate \$1.2 million of the ARPA funds towards Fuschillo Park, which renovation has begun already, finally. It's been a long time. While about half of the scope of the work will be covered by community benefits fund from the Third Track Project, utilizing these ARPA funds would cover the remaining costs. This would allow the town to pay for the remainder of the work at this park without having to bond for it and pay the extra costs that come from bonding. This would save the town and our taxpayers the incumbent costs that come with bonding, including debt service and interest that the town would accrue. Fuschillo Park has needed improvements and enhancements for quite a while now, and the project will ultimately result in a number of improvements, including the replacement of the existing playground, installation of a spray pad and the renovation of the quiet area. It's important to note that while we're not expending funds tonight on the project, putting these funds aside will make it seamless so the town can pay accrued contractor costs while we wait for the reimbursement for the funds expended under the 3TC grant. So with that, I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Ms. Biggin, I want to thank you and the rest of your team for staying so late and your comments in regard to Fuschillo Park. But you also segued from there into an observation about bipartisanship, so I want to remind you that the Supervisor held a press conference in your hamlet, and she was accompanied by the Republican County Executive, the Republican County Legislator, where she announced how she intended to spend the ARPA money. She did not invite the Democratic councilman for that area, whose vote she needed to be able to spend that money the way she wanted to, but you've never made any observation about that lack of bipartisanship. So we can't pick and choose what we want. I'm a little dismayed, and I don't understand why it is that this is even a resolution. This town board, this one, not my predecessor, this town board, less than 30 days ago voted to put this unanimously on a real bipartisan basis, voted to put this into the capital plan. That's been the plan all along. That was the plan before ARPA got announced, that was the plan after ARPA got announced, and that was the plan on July -- on January 12th where we voted unanimously to put this into the capital plan. I expressed to you a few moments ago that I have a different philosophy about how we should use ARPA money, and so the fact that we have a disagreement, I hope you don't view as being a lack of bipartisanship, and it's not, and often times we can disagree and you may see it as us being partisan, but it's just difference of opinions, passionate differences of opinion, and we may have that here. So I have a philosophical belief that the ARPA money is probably a once in a

town opportunity to get that money, and it was designed in part to counteract the effects of COVID. And I would like to see that money be used for that purpose and/or for projects that we cannot bond for. So as an example, this town board, I was not on the board then, but this town board voted to, I think, put a million dollars or so to give that to the Port Washington parking district because they suffered greatly during COVID. That to me was a legitimate use of the ARPA money. Supervisor DeSena made a motion at the last meeting to take \$3 million and put that toward the Manhasset sewer project for a portion of the project that we can't bond for. And so to me, that's a legitimate use of the ARPA money. Fuschillo Park's renovations can be bonded for, and that's been the intent all along, and so I would like to reserve the remaining ARPA money, again, for projects that can't be bonded for, and so not because I'm not supportive of the renovations of Fuschillo Park, in fact, I'm hoping to have, although it started, a form of a groundbreaking that I will do that on a bipartisan basis. I will invite Democrats and Republicans alike to come to that because we all do support that renovation. But, I think we should continue with the plan that has been the plan all along for Fuschillo Park, that we would fund it out of the capital plan. And so, I vote no for all the reasons stated, not because I'm against the park, but because I think there's a better way to fund this.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: No.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: I think for many, many years people were way too -- it's way too easy to keep borrowing money and bonding. We have this money now, I voted for the capital plan again. Like I said before, because things are put in there that I would have to vote -- there are things that I would have to vote against that I don't want to vote against, but we have this money and why borrow? Why not use the money? I think we should be using it for Fuschillo Park, I'm happy that that park is being done, I think it's long overdue. There are several things in my district that are long overdue also, but I don't want to burden the people by borrowing a lot of money for it, so I vote yes.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: This is purely about where the money comes from for Fuschillo Park, it's not about the project itself. I voted on the capital plan, the money is in there, the project is funded. I vote no on use being the ARPA funds.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: The easiest comparison I can make is your personal finances. You won't go and finance a purchase when you have the cash on hand and pay a bunch of interest where it costs you a lot more. I believe it's financially irresponsible. Nobody, I don't think anybody would do it if they had the cash in their pocket, they wouldn't go and finance something and pay extra interest, increasing the total amount of the cost. So therefore, I vote yes.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: I am for the improvements in the park, but I think that this board needs to come together and figure out what we want do with the ARPA funds together, because on Friday we do have a meeting with the Manhasset -- the Great Neck Sewer

District for the Manhasset sewers. There are certain things we cannot bond for, that we can probably do projects for, so I really think that we should get together and we should figure out what's left of the ARPA funds and figure out what we can do. I vote no because I really feel that the ARPA funds is a one time -- like you said, Councilman Troiano, it's a one time hit, and there are things in there and there is money we could use for sewers, and we can't bond for sewers. So maybe, you know, I have an area in Port Washington that I would love to get on sewers. So let's really sit down as a board and think about what we can do with these ARPA funds.

CLERK SRIVASTAVA: Supervisor DeSena.

CLERK SRIVASTAVA: This is not only a shovel-ready project, the shovels went into the ground and saving taxpayer money is a qualified use for ARPA funds. Spending money on this park is a qualified use for ARPA funds. And we all know, we've talk about it tonight, just because something is in the capital plan is not the same as bonding for it. We don't even know -- I don't even trust that we'll have time to bond for it. We're talking about fiscal management here. Why would we incur debt when we have the money right here, interest-free money to pay for a park in your district, Councilman Troiano, one that has been waiting for this for a long time? Everyone here claims that they're fiscally responsible and stewards, but you're incurring debt that you don't need to do. I just can't understand why we are so addicted to borrowing here on this board when we have money in an account that we can use to pay for this park, to leverage it with the 3TC money, and accomplish something we've been waiting for for a long time. I vote yes.

CLERK SRIVASTAVA: Item No. 57 --

SUPERVISOR DESENA: We have one more comment from the audience, we couldn't interrupt the bote but you did wait three hours to speak tonight.

MS. BABINO: Ursula Babino from Carle Place. I have a question, since we are voting for this funds, my question is, what is Town of North Hempstead's bond rating right now? Because your interest rate on borrowing is based off your bond rating; correct? So what is the Town of North Hempstead's bond rating currently, because we are all going to be incurring this bond; correct? So if someone can answer that, I would greatly appreciate that.

SUPERVISOR DESENA: We currently have a Triple-A bond rating, that's because we borrow a lot.

COUNCILWOMAN LURVEY: That's not --

COUNCILMAN TROIANO: No, no, you don't ever get a rating because you borrow a lot.

COUNCILWOMAN DALIMONTE: That's not how you get a Triple-A bond rating.

SUPERVISOR DESENA: It's because we have affluent citizens, that's another reason why. Certainly, clearly, it's not for fiscal management because we are just borrowing money that's not necessary.

COUNCILWOMAN DALIMONTE: That's not true.

COUNCILMAN TROIANO: That is not true.

COUNCILMAN ZUCKERMAN: It's not true.

SUPERVISOR DESENA: That is true. We are borrowing money -- you just said --

COUNCILWOMAN DALIMONTE: In order to get a Triple-A bond rating you have to be fiscally responsible, and it's a huge accomplishment getting a Triple-A bond rating. We are fiscally responsible and that's why we have a Triple-A bond rating.

COUNCILMAN ZUCKERMAN: And a Triple-A bond rating with the prior Supervisor, as well.

COUNCILWOMAN LURVEY: It's the highest bond rating a government can have.

MS. BABINO: That, I'm aware. I know the bond ratings, that's why I asked, I'm not sure if many people would know about the bond ratings. But knowing that we are going to be borrowing money and then we were and will be incurred these costs, that's why I was asking that.

COUNCILMAN ADHAMI: It's basic finance. It costs money to borrow money. You can't say we're saving money because we're getting it -- we're borrowing money at a lower rate. Yes, you're saving, but it's not saving when you have the money.

COUNCILMAN TROIANO: There's always a cost to money, right, and people don't really understand that. When you take money out of the your savings account, there's a cost to you of that. Do you know what the cost is? You don't get to earn the interest that that

COUNCILMAN ADHAMI: Which is lower than a bond.

COUNCILMAN TROIANO: The comparison between, oh, if you take the ARPA money it doesn't cost you anything, but if you take the capital funding money, it does -- is wrong.

COUNCILMAN ADHAMI: You're right, Councilman Troiano --

COUNCILMAN TROIANO: Thank you.

COUNCILMAN ADHAMI: -- because you keep the money in the bank --

COUNCILMAN TROIANO: I couldn't quite hear you.

COUNCILMAN ADHAMI: We should keep the money in the bank to earn three percent and then spend five percent paying back the borrowers.

COUNCILMAN TROIANO: Borrowing rates are nowhere close to five percent.

MS. BABINO: That was going to be my next question; what are the bond ratings currently?

COUNCILMAN ADHAMI: Is the interest greater than the bond?

COUNCILMAN TROIANO: I hope that our comptroller's office with our --

SUPERVISOR DESENA: We have no comptroller.

COUNCILMAN TROIANO: We have an acting comptroller, so I hope the acting comptroller is watching over that.

MS. BABINO: Thank you.

MR. GOING: Forgive me for being incredulous, but we've waited -- again, I've been on the board for 15 years, lived in the community for 20 years. We've been told multiple times, year over year, that renovations are going to happen, it's happening, and it's been a variety of, oh, it's going to come from the operating, and it's going to come from the capital. We have this opportunity to use money, and it's available. I just want to make sure it gets done and I think the community members in Carle Place have waited, they've been patient.

COUNCILWOMAN DALIMONTE: It started; right?

SUPERVISOR DESENA: It started but it's not funded.

MR. GOING: I feel like it's Groundhog Day. Every time people come to our board meeting, "when is that going to get done?" We need to get it done and I think there is an urgency in our community to get stuff done, and I can't say in good faith to go to people and say, "this is not happening." It makes us look like, I just don't know what's going on.

COUNCILMAN TROIANO: I'm really having difficulty understanding the apparent cognitive dissonance you're having about this matter.

MR. GOING: Because we've been told time and time again --

COUNCILMAN TROIANO: Let me finish.

MR. GOING: No, but we've been told time and time again --

COUNCILMAN TROIANO: Let me finish. I think you're showing your colors.

SUPERVISOR DESENA: You're insulting him and cutting him off.

MR. GOING: This is 15 years, this isn't -- I'm not talking about --

COUNCILMAN TROIANO: Less than 30 days ago it was put in the capital plan. So what's the question? The work has started, why are you trying to make it seem as though we're not going to do this work?

MR. GOING: I'm looking at -- history is an indicator of what -- you know, we've been tainted over the year, and frankly in Carle Place. We've been told things that are going to happen that don't happen. As a board member, I think we can agree, just to speak for myself, it gets harder when we hear -- we see the glazed-over look when we go to board meetings that something is going to happen, and it doesn't happen, and it happens year after year. So that's our concern. We're on the same page, we want to get stuff done.

COUNCILMAN TROIANO: Except that we're not. In case anybody is listening at home, I have to reinforce this because I'm really very surprised of your reaction. The work has been going on for six days now. Haven't you seen Fuschillo Park in the last day? Have you seen it?

MR. GOING: I've gotten reports.

COUNCILMAN TROIANO: Do you have any doubt?

MR. GOING: I don't have a doubt that it's --

COUNCILMAN TROIANO: Thank you, that's all I wanted to hear.

MR. GOING: We just want to see it come to fruition.

COUNCILMAN TROIANO: Well the money has already been allocated. I think we're in agreement.

SUPERVISOR DESENA: Not all of the money, that's the problem.

COUNCILMAN TROIANO: All of the money has been put in the capital plan.

SUPERVISOR DESENA: It hasn't been bonded yet. You said so yourself, Councilman. What happens, why does something stay in the capital plan year after year? It hasn't been bonded yet.

COUNCILMAN TROIANO: If somehow the markets collapsed in March, we can put the ARPA money in there.

SUPERVISOR DESENA: Okay, please call the next item.

FEMALE VOICE: I have a quick question object the item.

SUPERVISOR DESENA: We already voted on this so we really have to move on.

CLERK SRIVASTAVA: Item No. 57, a resolution of the Town of North Hempstead authorizing the expenditure of an amount not in excess of \$23,286.68 currently available in the town's capital reserve fund entitled "Capital Reserve Fund - General Improvements" to provide funding for the replacement of sewage pumps and electrical components at pump s station in Port Washington.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 110 - 2023

A RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD AUTHORIZING THE EXPENDITURE OF AN AMOUNT NOT IN EXCESS OF \$23,286.68 CURRENTLY AVAILABLE IN THE TOWN'S CAPITAL RESERVE FUND ENTITLED "CAPITAL RESERVE FUND - GENERAL IMPROVEMENTS" TO PROVIDE FUNDING FOR THE REPLACEMENT OF SEWAGE PUMPS AND ELECTRICAL COMPONENTS AT PUMP S STATION IN PORT WASHINGTON.

THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town of North Hempstead, in the County of Nassau, New York (herein called the "Town"), is hereby authorized to expend an amount not in excess of \$23,286.68 currently available in the Town's capital reserve fund entitled "Capital Reserve Fund - General Improvements," heretofore established pursuant to a resolution of the Town Board duly adopted on January 2, 2002 (Resolution No. 27-2002) pursuant to Section 6-c of the New York General Municipal Law, for the purpose of providing funding for the replacement of sewage pumps and electrical components at Pump S Station in Port Washington.

Section 2. This resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed to cause to be published, within ten (10) days after the adoption of this resolution, in full, in Newsday, a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication, a Notice in substantially the following form:

TOWN OF NORTH HEMPSTEAD, NEW YORK

PLEASE TAKE NOTICE that on February 7, 2023, the Town Board of the Town of North Hempstead, in the County of Nassau, New York, adopted a resolution entitled:

A RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED FEBRUARY 7, 2023, AUTHORIZING THE EXPENDITURE OF AN AMOUNT NOT IN EXCESS OF \$23,286.68 CURRENTLY AVAILABLE IN THE TOWN'S CAPITAL RESERVE FUND ENTITLED "CAPITAL RESERVE FUND - GENERAL IMPROVEMENTS" TO PROVIDE FUNDING FOR THE REPLACEMENT OF SEWAGE PUMPS AND ELECTRICAL COMPONENTS AT PUMP S STATION IN PORT WASHINGTON.

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to expend an amount not in excess of \$23,286.68 currently available in the Town's capital reserve fund entitled "Capital Reserve Fund - General

Improvements," heretofore established pursuant to a resolution of the Town Board duly adopted on January 2, 2002 pursuant to Section 6-c of the New York General Municipal Law, for the purpose of providing funding for the replacement of sewage pumps and electrical components at Pump S Station in Port Washington; and

SECOND: DETERMINING that such resolution is subject to a permissive referendum.

DATED: February 7, 2023

Manhasset, New York

Ragini Srivastava
Town Clerk

Section 3. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

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

Nays: None.

CERTIFICATE

I, Ragini Srivastava, Town Clerk of the Town of North Hempstead, in the County of Nassau, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of the Town of North Hempstead duly called and held on February 7, 2023, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of North Hempstead this 7th day of February, 2023.

(SEAL)



Town Clerk

CLERK SRIVASTAVA: Item no 58, a resolution calling for the resignation of George Santos.
SUPERVISOR DESENA: This is a resolution I put on because so many residents had reached out wanting to see a united and official effort demanding the resignation of Mr. Santos, who has lied, cheated and stolen his way into elected office. Although we do not traditionally put forth home rule messages that often tend to be political in nature, as we fight this battle to remove the conman from office, extraordinary measure should be taken, so I submitted this resolution. As I've said before and have reiterated tonight, I am disgusted with Mr. Santos and his actions, and while I'm personally offended by his actions, including deceiving me, I'm particularly offended that he fabricated bald-face lies, intentionally crafted to pander to residents of our district, specifically his lies about his supposed Jewish heritage and grandparents escaping the Holocaust. Mr. Santos has proven himself to be untrustworthy, not fit for office, and it's clear he cannot be an effective member of Congress. He is under a number of local, state, federal and international investigations. Our residents deserve much better and he must step down. Immediately following passage of the resolution, a copy will be sent to Mr. Santos as it represents the will of the people of his district calling for his immediate resignation. Additionally, multiple copies will be sent to the Speaker of the House, Democratic and Republican leadership and a host of other recipients, as we continue to fight this battle seeking this resignation. I put this resolution on after the last board meeting because I did feel that the board was united in this, and with that, I offers resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: One part that was left out, too, that was really, really ridiculous on his part and disgusting is saying that his personal friends and employees were killed in the Pulse nightclub attack. A lot of people, you know, when you die, you die, but your family suffers for the rest of their lives, and I'm sure there's a lot of parents and such that are, you know, never going to forget what happened to their children and went to a night club, and to say he knew people there and they were employees and personal friends when it's completely fabricated is just about as low as it gets, so I vote yes.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: I believe there's a lot to be said about brevity and this did in one page what the following item, 59 did in, I don't know, six or seven pages. I vote aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Also, I don't know if -- Supervisor, if you brought if up, I was looking for my pen, but he talked about also his mother dying from 9/11. Probably all of us on this dais have friends that passed away because of 9/11, and it's heartbreaking that he did this. I vote aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: And I had hoped that we could combine these two resolutions, but that did not become possible. So, anyway, 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. 111 - 2023

A RESOLUTION CALLING FOR THE RESIGNATION OF GEORGE SANTOS.

WHEREAS, George Santos has admitted that he has lied and fabricated his education and employment history to the voters of the 3rd Congressional District and the public at large; and

WHEREAS, George Santos has failed to answer additional questions about his campaign finances and has misrepresented family persecution during the Holocaust. He has misused of the term Jewish and has made false statements about the victims at the Pulse Nightclub massacre.

WHEREAS, Town residents could struggle to have their federal needs met and George Santos does not have the ability to be an effective congressman to advocate for his residents as has already had to step down from his committee assignments; and

WHEREAS, George Santos is currently under local, state, federal, and international investigation; and

WHEREAS, George Santos is a distraction and not fit for office. There is no desire for his continued representation of the residents of the 3rd Congressional District;

NOW, THEREFORE, BE IT

RESOLVED that the Town of North Hempstead hereby calls for resignation of George Santos as Congressman of the 3rd Congressional District.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

CLERK SRIVASTAVA: Item No. 60, a resolution authorizing the settlement of a claim made by the Town of North Hempstead and authorizing the comptroller or deputy comptroller to accept payment thereof.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 112 - 2023

A RESOLUTION AUTHORIZING THE SETTLEMENT OF A CLAIM MADE BY THE TOWN OF NORTH HEMPSTEAD AND AUTHORIZING THE COMPTROLLER OR DEPUTY COMPTROLLER TO ACCEPT PAYMENT THEREOF.

WHEREAS, the Town Attorney has requested the approval of the Town Board to enter Settlement Agreements in order to settle certain claims made on behalf of the Town for the reasons set forth in memorandum to the Board on file in the Office of the Town Attorney; and

WHEREAS, after careful consideration, the Board finds it in the best interests of the Town to enter into the proposed Settlement Agreements.

NOW, THEREFORE, BE IT

RESOLVED that the settlement and acceptance of payment of the following claim, in the amount set forth herein, be and the same are approved by this Board in all respects:

<u>Claimant No.</u>	<u>Amount</u>	<u>File</u>	
TONH v. Pedro Pindea Quinonez (Geico)		COL-22-0005	\$25,000.00

; and be it further

RESOLVED that the Supervisor is authorized to execute the necessary settlement documents, on behalf of the Town, the Comptroller is authorized to accept payment for same and the Town Attorney may take further action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item No. 61, 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. We have a card; Tom McDonough.

MR. MCDONOUGH: Tom McDonough, CSEA 7555. I appreciate that we're moving up, we're actually taking some people, changing grades, giving this a little bit better lifestyle and I hope that we continue that trend. I'm a little surprised about other raises, but I appreciate that we have two full time hires, but we're still lacking behind, we're trailing into full-time hires are trailing behind the part-time hires. So we hired two full time this time, we're hiring four part time. We need to change that, because again, we are grossly understaffed, grossly underfunded. I'm kind of surprised that some of the raises that don't need contract negotiations. I appreciate it and I know the union members appreciate it as well. Thank you.

SUPERVISOR DESENA: Thank you. I offer the resolutions and move for their adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: I vote aye on item 61-1 through 61-19.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: I vote aye on item 61-1 through 61-19.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: I vote aye on number 61-1 through 61-19.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: I vote aye on 61-1 through 61-19.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: I vote aye on Item No. 61-1 through 61-19.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: There's one item on here that I'm not really sure how I really want to vote on this. I'm going to vote aye on Item 61-1 through 61-19. I do feel that there is a significant increase in a raise for someone in here that I don't understand why, but I will vote aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: I vote aye on item 61-1 through 61-19.

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. 113 - 2023

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

RESOLUTIONNO: 61 -1

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of Christina Bonfiglio-Scali to the title of Buyer in the amount of \$2,418.10 bi-weekly / \$62,870 annually in the Department of Highways - Administration effective 02/18/23.

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

Nays: None.

RESOLUTIONNO: 61 -2

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of Michael Faccio to the title of Laborer 1 in the amount of \$22.82 hourly / \$47,471 annually in the Department of Highways - West Shore Road Yard effective 02/18/23.

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

Nays: None.

RESOLUTIONNO: 61 -3

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time title, grade, step and salary change for Elisabetta Veltri to the title of Accounting Assistant I to the amount of \$1,975.12 bi-weekly / \$51,356 annually in the Department of Parks & Recreation - Administration effective 02/18/23.

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

Nays: None.

RESOLUTIONNO: 61 -4

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time grade, step and salary change for Alexandra Kapetanios in the title of Buyer to the amount of \$2,808.50 bi-weekly / \$73,022 annually in the Department of Parks & Recreation - Administration effective 02/18/23.

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

Nays: None.

RESOLUTIONNO: 61 -5

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time grade, step and salary

change for Vonda Henderson in the title of Buyer to the amount of \$2,529.60 bi-weekly / \$65,770 annually in the Purchasing Department effective 02/18/23.

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

Nays: None.

RESOLUTION NO: 61 -6

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time grade, step and salary change for Viviana Trabulsi in the title of Buyer to the amount of \$2,585.30 bi-weekly / \$67,219 annually in the Purchasing Department effective 02/18/23.

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

Nays: None.

RESOLUTION NO: 61 -7

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time salary change for Conner Dunleavy in the title of Executive Asst. to Supervisor to the amount of \$2,692.30 bi-weekly / \$70,000 annually in the Supervisor's Office effective 02/18/23.

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

Nays: None.

RESOLUTION NO: -8

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time grade, step and salary change for Thomas Devaney in the title of Grants Technician to the amount of 3,621.50 bi-weekly / \$94,158 annually in the Supervisor's Office - Finance Department effective 02/04/23.

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

Nays: None.

RESOLUTION NO: 61 -9

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Ciara Piscioneri to the title of Lifeguard I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Michael J. Tully Park effective 02/18/23.

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

Nays: None.

RESOLUTION NO: 61 -10

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Daniel Galante to the title of Laborer I in the amount of \$17.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 02/18/23.

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

Nays: None.

RESOLUTION NO: 61 -11

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Patrick Clayton to the title of Laborer I in the amount of \$16.50 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 02/18/23.

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

Nays: None.

RESOLUTION NO: 61 -12

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Matthew Malchodi to the title of Laborer I in the amount of \$16.50 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 02/18/23.

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

Nays: None.

RESOLUTION NO: 61 -13

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Bridget Koenig in the title of Lifeguard I in the amount of \$18.00 hourly to the Department of Parks & Recreation - Michael J. Tully Park effective 02/18/23.

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

Nays: None.

RESOLUTION NO: 61 -14

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Sharde Jones in the title of Public Safety Officer I in the amount of \$18.00 hourly to the Department of Parks & Recreation - Yes We Can Community Center effective 02/18/23.

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

DeSena.

Nays: None.

RESOLUTION NO: -15

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time title and hourly rate change for Matthew Rubinic to the title of Laborer I to the amount of \$16.50 hourly in the Department of Parks & Recreation - Michael J. Tully Park effective 02/18/23.

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

Nays: None.

RESOLUTION NO: 61 -16

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time resignation of Brittany Hagan in the title of Recreation Aide in the amount of \$19.00 hourly in the Department of Parks & Recreation - Michael J. Tully Park effective 01/31/23.

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

Nays: None.

RESOLUTION NO: 61 -17

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time resignation of Tyrik Small-Williams in the title of Recreation Aide in the amount of \$15.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 01/14/22.

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

Nays: None.

RESOLUTION NO: 61 -18

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Brian Waterson in the title of Highway Maintenance Supervisor to the amount of \$59.56 hourly / \$123,875 annually in the Department of Highways - West Shore Road Yard effective 02/18/23.

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

Nays: None.

RESOLUTION NO: 61 -19

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the grade, step and salary change for Georgina Carr in the title of Procurement Coordinator to the amount of \$3,583.70 bi-weekly / \$93,177 annually in the Purchasing Department effective 02/18/23.

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

Nays: None.

CLERK SRIVASTAVA: Item No. 62, a resolution approving the action of the Atlantic Hook & Ladder Co. No. 1, Port Washington, New York, in removing Stephen Whittaker from membership.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 114 - 2023

A RESOLUTION APPROVING THE ACTION OF THE ATLANTIC HOOK & LADDER CO. NO. 1, PORT WASHINGTON, NEW YORK, IN REMOVING STEPHEN WHITTAKER FROM MEMBERSHIP.

WHEREAS, the Atlantic Hook & Ladder Company No. 1, Port Washington, New York, has advised of removing Stephen Whittaker from membership.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Atlantic Hook & Ladder Company No. 1, 25 Carleton Ave., Port Washington, NY 11050, in removing Stephen Whittaker from membership is hereby approved and the Town Clerk is directed to record this name in the Minutes of the Town Board.

Dated: Manhasset, New York

February 7, 2023

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: Atlantic Hook & Ladder Co. No. 1

Town Attorney

Comptroller

CLERK SRIVASTAVA: Item No. 63, a resolution approving the action of the Protection Engine Company 1, Port Washington, New York in adding Robert C. Atkins and Jonathan E. Garcia Ortega to membership.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 115 - 2023

A RESOLUTION APPROVING THE ACTION OF THE PROTECTION ENGINE COMPANY 1, PORT WASHINGTON, NEW YORK IN ADDING ROBERT C. ATKINS AND JONATHAN E. GARCIA ORTEGA TO MEMBERSHIP.

WHEREAS, the Protection Engine Company 1, 14 S. Washington Street, Port Washington, New York, 11050 has advised of adding Robert C. Atkins and Jonathan E. Garcia Ortega to membership.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Protection Engine Company 1, 14 S. Washington Street, Port Washington, New York, 11050, in adding Robert C. Atkins of 9 Pine Street, Port Washington, NY 11050 and Jonathan E. Garcia Ortega of 275 Main Street, Port Washington, NY 11050 to membership is hereby approved and the Town Clerk directed to record the names in the Minutes of the Town Board.

Dated: Manhasset, New York

February 7, 2023

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

SUPERVISOR DESENA: I move to adjourn.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you and good night, everyone.

(At 10:42 p.m., the proceedings were concluded.)



Town Clerk