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TOWN OF NORTH HEMPSTEAD

TOWN BOARD

PUBLIC HEARING

TOWN HALL 6

April 4, 2023

7:05p.m.

COUNCIL MEMBERS PRESENT

JENNIFER DESENA	- Town Supervisor
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 (PLEDGE OF ALLEGIANCE)

SUPERVISOR DESENA: So if we could remain standing. Glen Cove lost a 19-year-old EMT yesterday. And so if we could pray for her family, she had been out on a call and passed away later that night or early the next morning, so if we could keep her family in our thoughts and prayers. Oh, yes. And I'd also like to keep the family of Ann Marie Allen in our prayers. She was a longtime employee of the town, and her son Jimmy works for the town. So if we could keep Ann Marie's family in our prayers. Okay, thank you. Would you call the roll, please.

CLERK SRIVASTAVA: Good evening, everyone. Town of North Hempstead town board meeting, April 4th, 2023.

SUPERVISOR DESENA: You know what, I think, I think the microphone might be too close. It's very -- we're going to try and do better with our sound system.

CLERK SRIVASTAVA: Can you hear me now? Is it better?

SUPERVISOR DESENA: I think it's still too close.

CLERK SRIVASTAVA: Better?

COUNCILWOMAN DALIMONTE: That'll be too far.

SUPERVISOR DESENA: That's too far.

CLERK SRIVASTAVA: Here.

SUPERVISOR DESENA: Okay.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Here.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

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: And before we get into public comment, I also want to note that today we raised a flag for organ donation. This is -- April is a month to remind people of the

need for organ donors in New York. You have to opt-in, which means you have to indicate it either on your driver's license or you can register with one of the organizations. So we did a program outside in the beautiful sun, and I got sunburned in 15 minutes. So probably will take off my jacket soon, I apologize. Also, we have a display of pinwheels across the street in Mary Jane Davies, blue pinwheels, and it's beautiful, but they each represent a child who died from some sort of either custodial dispute, abuse, or failure of the child abuse prevention system. So a Manhasset woman named Jacqueline Franchetti, advocates for improved education in the cases of custodial, you know, litigation. So if we can -- it, it's important to realize that this can happen anywhere. These pinwheels are now in Mary Jane Davies Park, in Blumenfeld Park, in Port Washington, also in Tully Park, and Clark -- in Clark Botanical Gardens. So it's, you know, everybody should -- it's kind of, if you see something, say something. And there's a great place called the Safe Center of Long Island, who we have invited to speak here in the past where you can go for resources for abuse. So that being said, let's go to public comment 30 minutes.

CLERK SRIVASTAVA: So we'll have 30 minutes for the public comments, and we'll request you to please keep your comments up to three minutes.

(Whereupon, there were public comments.)

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

SUPERVISOR DESENA: Okay, great. Before we -- before we start, I'd like to withdraw Item 68. I want to thank Councilman Troiano for putting on a resolution that's so similar that I'm going to withdraw mine. Thank you, Councilman.

COUNCILWOMAN LURVEY: And supervisor, I'd like to withdraw item 76

COUNCILMAN ZUCKERMAN: And supervisor, I'd like to withdraw Item number 73. And also request that we call Item 81 out of order.

SUPERVISOR DESENA: Okay. Do we have to move to call it out of order? Do you want to call the motion?

COUNCILMAN ZUCKERMAN: Can I --should I move to call 80?

SUPERVISOR DESENA: Call 81 out of order?

COUNCILMAN ZUCKERMAN: Yes.

SUPERVISOR DESENA: 76.

COUNCILWOMAN DALIMONTE: Can I call item seven out of order for (unintelligible)

COUNCILMAN WALSH: Let's do one at a time.

SUPERVISOR DESENA: Yeah. Well, he -- said he said his first.

COUNCILWOMAN DALIMONTE: Yeah. Yeah.

CLERK SRIVASTAVA: So do we have the motion to call 81 out of order?

COUNCILMAN ZUCKERMAN: Yes, I make a motion to call item 81 out.

CLERK SRIVASTAVA: Okay. Councilman Troiano?

COUNCILMAN TROIANO: Yes. 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.

COUNCILWOMAN DALIMONTE: Can we -- I like to make a motion to call item number seven out of order.

COUNCILMAN ZUCKERMAN: That was just -- that was just a question to call it.

COUNCILWOMAN DALIMONTE: Sorry.

COUNCILMAN ZUCKERMAN: Yeah.

CLERK SRIVASTAVA: Yeah, that's what I was going to do.

SUPERVISOR DESENA: Will you call Item 81 now, please?

CLERK SRIVASTAVA: Yes. Yes, hold on. Item number -- Item number 81. A resolution adopting -- a resolution appointing a commissioner to the Albertson Water District.

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

CLERK SRIVASTAVA: Okay. Councilman Troiano?

COUNCILMAN TROIANO: Yes. Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you.

Councilperson 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. 200 - 2023

A RESOLUTION APPOINTING A COMMISSIONER TO THE ALBERTSON WATER DISTRICT.

WHEREAS, a vacancy exists on the Albertson Water District (the "District") Board of Commissioners due to the resignation of a commissioner; and

WHEREAS, the District currently only has two commissioners; and

WHEREAS, this Board is empowered, pursuant to Town Law § 215(21), to appoint a qualified person to fill a vacancy in any elective district office, such as Commissioner, until a successor is elected at the District's next annual election to be held this December 2023; and

WHEREAS, Brian Hassan, residing at 53 Lee Ave, Albertson, New York, is a District resident and is well-qualified to serve as Water Commissioner of the District Board; and

WHEREAS, this Board finds it in the best interest of the District and Town to appoint Brian Hassan to the Albertson Water District Board as a Commissioner.

NOW, THEREFORE, BE IT

RESOLVED that Brian Hassan, residing at 53 Lee Ave, Albertson, New York, be and hereby is appointed to the District Board as a Commissioner for a term beginning immediately and expiring on December 31, 2023.

Dated: Manhasset, New York

April 4, 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

COUNCILWOMAN DALIMONTE: Which one? I make a motion to call item number 7 out of order.

CLERK SRIVASTAVA: Item number 7. 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: Okay. Let me find item number 7. Yes. Item number 7, A public hearing to consider the adoption of the local laws establishing chapter 43 of the Town Code of the town of North Hempstead entitled Regulation of Public Spaces.

COUNCILWOMAN DALIMONTE: At the request of the Port Washington Police Department, this local law is being introduced to allow our police department to write violations for a public urination and defecation. While several towns on Long Island, Riverhead, South Hempstead, East Hempstead, and Brookhaven have similar laws, the purpose of this local law is to provide a means for our law enforcement agencies to better address public urination and related offenses. This local law will also provide an additional tool for the town of North Hempstead code enforcement to ensure that our public spaces remain clean and safe for all residents and visitors. I would like to thank Commissioner J.B. Meyer, Detective Nick Dalia Cano (phonetic), Chief Macario (phonetic), and Sergeant Petrezee (phonetic) for being here this evening. So we can pass this together. And it was great working with all of you. 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: Yeah. Any tool that we can give the police department to better serve in the community is something that nobody can vote up here against. And I vote, aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: So, I did have some questions about this law, and I want to thank Councilwoman Dalimonte, and the commissioner for talking me through them. I vote, aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye. And thank you for your service.

COUNCILWOMAN DALIMONTE: Thank you -- thank you for being here tonight.

SUPERVISOR DESENA: You can leave if you want to. You don't have to sit.

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. 201 - 2023

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW ESTABLISHING CHAPTER 43 OF THE TOWN CODE OF THE TOWN OF NORTH HEMPSTEAD ENTITLED "REGULATION OF PUBLIC SPACES."

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 establishing Chapter 43 of the Town Code entitled "Regulation of Public Spaces and adopting regulations prohibiting urination and defecation in public spaces and providing penalties for violations; and

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

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 4th day of April, 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 April 4, 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 Sections 617.5(c)(26) and (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 Sections 617.5(c)(26) and (33) of the SEQRA Regulations and, as such, no further environmental review is required; and be it further

RESOLVED that Local Law No. 7 of 2023 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 7 OF 2023**

**A LOCAL LAW ESTABLISHING CHAPTER 43 OF THE TOWN CODE OF THE TOWN OF
NORTH HEMPSTEAD ENTITLED "REGULATION OF PUBLIC SPACES."**

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

Section 1. Legislative Intent.

The Town Board finds and determines that the peace, good order, health, safety and ambience of the Town has been jeopardized, diminished and eroded in certain areas within the Town by the careless and unseemly custom and practice of some individuals who engage in human elimination in public and/or private places having no sanitary facilities and/or without the use of any sanitary facilities whatsoever; this Board further finds that the continued occurrence of such conduct is detrimental to the health, safety and welfare of the general public, including but not limited to the residents and visitors of the Town. It is thus the purpose of and intent of the Town Board in creating the following provision to abate, limit and discourage such unhealthy and unsafe conduct.

Section 2.

The Town Code of the Town of North Hempstead is hereby amended to include a new Chapter 43 entitled "Regulation of Public Spaces" to read as follows:

Chapter 43. Regulation of Public Spaces

Article I Prohibited Sanitary Conduct

§ 43-1. Prohibition.

No person may defecate or urinate in any "public place," as such term is defined in subdivision one of section 240.00 of the Penal Law and acts amendatory thereto, including in any public park, garden or dock, except in a public or private toilet or restroom.

§43-2. Penalties for Offenses.

Any person found guilty of violating this chapter shall be subject to a fine of not less than twenty-five dollars (\$25) and not more than two hundred fifty dollars (\$250), imprisonment not to exceed fifteen (15) days, or both.

Section 3. Severability.

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

Section 4.

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 April 4, 2023, Local Law No. 7 of 2023 was adopted. The local law establishes Chapter 43 of the Town Code entitled "Regulation of Public Spaces and adopts regulations prohibiting urination and defecation in public spaces and provides penalties for violations.

Dated: Manhasset, New York

April 4, 2023

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

Dated: Manhasset, New York

April 4, 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
220 PLANDOME RD.
MANHASSET, NY 11030-2327

STATE OF NEW YORK)

Legal Notice No.

0021778788

: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

March 17, 2023

Nassau

By: _____

Valencia Williams

Valencia Williams

Valencia Williams

Print Name: _____

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
17 Day of March, 2023.

Kimberly A. Smith

Notary Public

Kimberly A. Smith
Notary Public - State of New York
No. 01SM6388511
Qualified in Erie County
Commission Expires 03/11/2027

Ad Content

Legal Notice # 21778788
NOTICE OF HEARING
PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead, on April 4, 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 43 of the Town Code entitled "Regulation of Public Spaces" in order to establish the Chapter, adopt regulations prohibiting urination and defecation in public places and provide for penalties for violations. PLEASE TAKE FURTHER NOTICE that all interested persons shall have an opportunity to be heard concerning the Local Law at the time and place advertised.
PLEASE TAKE FURTHER NOTICE that the full text of the proposed Local Law will be posted on the Town's website and be on file in the Office of the Town Clerk prior to the hearing and may be examined during regular business hours.
Dated: Manhasset, New York
March 14, 2023
BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK

NEWSDAY PROOF


Ad Number: 0021778788

Advertiser: TOWN OF NORTH HEMPSTEAD

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

Henry Krukowski, being duly sworn, deposes and says that on the 6th day of April, 2023, he posted the attached Notice of Adoption of a Local Law establishing Chapter 43 of the Town Code entitled "Regulation of Public Spaces and adopts regulations prohibiting urination and defecation in public spaces and provides penalties for violations, at the following locations:

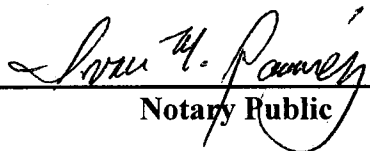
Town Clerk Bulletin Board



Henry Krukowski

Sworn to me this

10th day of April, 2023



Notary Public

IVAN M RAMIREZ
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01RA6326190
Qualified in Nassau County
My Commission Expires JUNE 15, 2023

NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021783005

: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

April 07, 2023

Nassau

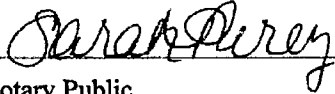
By: 

Ciara Woodin

Print Name:

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
07 Day of April, 2023.


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 # 21783005
NOTICE OF ADOPTION
PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on April 4, 2023, Local Law No. 7 of 2023 was adopted. The local law establishes Chapter 43 of the Town Code entitled "Regulation of Public Spaces and adopts regulations prohibiting urination and defecation in public spaces and provides penalties for violations.
Dated: Manhasset, New York
April 4, 2023
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021783005

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

CLERK SRIVASTAVA: Item number 1, a public hearing to consider the adoption of a local law amending chapter two of the Town code entitled Administration and Enforcement.

SUPERVISOR DESENA: Okay. This is to revise some code enforcement provisions in the Town code to comply with recent amendments to State regulations regarding the New York State Uniform Building Code and Energy Code. Are there any cards on this matter?

CLERK SRIVASTAVA: No.

SUPERVISOR DESENA: Okay. With that, I move to -- any questions from the board?

COUNCILMAN TROIANO: No.

SUPERVISOR DESENA: Okay. I move to close the public hearing and move for its adoption.

CLERK SRIVASTAVA: Okay. Councilman Troiano?

COUNCILMAN TROIANO: Yes. 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. 202 - 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 revise certain code enforcement provisions in the Town Code to comply with recent amendments to State regulations regarding the New York State Uniform Building Code and Energy Code; 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 15th day of December, 2022, which hearing was continued to January 24, 2023, February 7, 2023, March 14, 2023 and further continued to April 4, 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 April 4, 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 Sections 617.5(c)(25), (30) and (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 Sections 617.5(c)(25), (30) and (33) of the SEQRA Regulations and, as such, no further environmental review is required; and be it further

RESOLVED that Local Law No. 8 of 2023 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 8 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 revise certain enforcement provisions in the Town Code to comply with recent amendments to State regulations establishing 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.

Section 2.

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

§ 2-7 Definitions

As used in this Article, the following terms shall have the meanings indicated:

ASSEMBLY AREA

An area in any building, or in any portion of a building, that is primarily used or intended to be used for gathering fifty or more persons for uses including, but not limited to, amusement, athletic, entertainment, social, or other recreational functions; patriotic, political, civic, educational, or religious functions; food or drink consumption; awaiting transportation; or similar purposes.

BUILDING COMMISSIONER

The duly appointed Commissioner of the Department of Building, Safety Inspection and Enforcement of the Town of North Hempstead or his or her designee.

BUILDING DEPARTMENT

The Department of Building, Safety Inspection and Enforcement of the Town of North Hempstead.

BUILDING PERMIT

A building permit, construction permit, demolition permit, or other permit that authorizes the performance of work. The term "Building Permit" shall also include a building permit which is renewed, amended, or extended pursuant to any provision of this Chapter.

CERTIFICATE OF APPROVAL OR CERTIFICATE OF COMPLETION

A document issued by the Town stating that work was done in compliance with approved construction documents and the Codes.

CERTIFICATE OF OCCUPANCY

A document issued by the Town certifying that the building or structure, or portion thereof, complies with the approved construction documents that have been submitted to, and approved by the Town and indicating that the building or structure, or portion thereof, is in a condition suitable for occupancy.

CODES

The Uniform Code and Energy Code.

ENERGY CODE

The New York State Energy Conservation Construction Code adopted pursuant to Article 11 of the Energy Law.

FIRE CODE

The 2020 Fire Code of New York State as currently incorporated by reference in 19 NYCRR Part 1225.

FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTION

An inspection performed to determine compliance with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference.

HAZARDOUS PRODUCTION MATERIALS

A solid, liquid, or gas associated with semiconductor manufacturing that has a degree-of-hazard rating in health, flammability, or instability of Class 3 or 4, as ranked by NFPA 704 (Standard Systems for Identification of the Hazards of Materials for Emergency Response), and which is used directly in research, laboratory, or production processes which have, as their end product, materials that are not hazardous.

MOBILE FOOD PREPARATION VEHICLES

Vehicles that contain cooking equipment that produces smoke or grease-laden vapors for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

PERMIT HOLDER

The Person to whom a building permit has been issued.

PERSON

An individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

PROPERTY MAINTENANCE CODE

The 2020 Property Maintenance Code of New York State as currently incorporated by reference in 19 NYCRR Part 1226.

RESIDENTIAL CODE

The 2020 Residential Code of New York State as currently incorporated by reference in 19 NYCRR Part 1220.

REPAIR

The reconstruction, replacement, or renewal of any part of an existing building for the purpose of its maintenance or to correct damage.

STOP WORK ORDER

An order issued pursuant to Section 2-15 of this Article.

SUGARHOUSE

A building used, in whole or in part, for the collection, storage, or processing of maple sap into maple syrup and/or maple sugar.

TEMPORARY CERTIFICATE OF OCCUPANCY

A certificate issued pursuant to Section 2-21 of this Article.

TOWN

The Town of North Hempstead.

UNIFORM CODE

The New York State Uniform Fire Prevention and Building Code, Subchapter A of Chapter XXXIII of Title 19 of the NYCRR, adopted pursuant to Article 18 of the Executive Law.

§2-8 Climatic and Geographic Design Criteria.

A. The Building Commissioner shall determine the climatic and geographic design criteria for buildings and structures constructed within this Town as required by the Uniform Code. Such determinations shall be made in the manner specified in the Uniform Code using, where applicable, the maps, charts, and other information provided in the Uniform Code. The criteria to be so determined shall include but shall not necessarily be limited to, the following:

(1) design criteria to include ground snow load; wind design loads; seismic category; potential damage from weathering, frost, and termites; winter design temperature; whether ice barrier underlayment is required; the air freezing index; and the mean annual temperature;

(2) heating and cooling equipment design criteria for structures within the scope of the Residential Code. The design criteria shall include the data identified in the Design Criteria Table found in Chapter 3 of the residential code; and

(3) flood hazard areas, flood hazard maps, and supporting data. The flood hazard map shall include, at a minimum, special flood hazard areas as identified

by the Federal Emergency Management Agency in the Flood Insurance Study for the community, as amended or revised with:

- (i) **the accompanying Flood Insurance Rate Map (FIRM);**
- (ii) **Flood Boundary and Floodway Map (FBFM); and**
- (iii) **related supporting data along with any revisions thereto.**

B. The Building Commissioner shall prepare a written record of the climatic and geographic design criteria determined pursuant to subdivision (A) of this section, shall maintain such record within the office of the Building Department, and shall make such record readily available to the public.

Section 2-9 is hereby amended as follows:

§ 2-9. Permit required; application. [Amended 8-21-1990 by L.L. No. 8-1990; 9-17-1996 by L.L. No. 22-1996; 1-28-1997 by L.L. No. 3-1997; 4-2-2002 by L.L. No. 4-2002]

A. No person, firm or corporation shall commence the alteration of any lot or parcel, including the erection, construction, enlargement, alteration, removal, improvement, demolition or conversion of any building or structure or tree, or part thereof, or change the nature of the occupancy of any building or structure or cause the same to be done or the removal of trees without first filing with the Building Commissioner an application for such removal, construction, alteration, moving or demolition or installation of elevator, heating or heat-producing appliance or equipment, other than ordinary stoves or ranges, and obtaining a **building** permit, except that no **building** permit shall be required for the performance of ordinary repairs which are not structural in nature, **impact the required means of egress, or which do not affect the fire protection system or require the removal from service of any part of the fire protection system for any period of time. Except as otherwise provided herein no building permit shall be required for work in any of the following categories:**

(1) construction or installation of one-story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses), which are used for tool and storage sheds, playhouses, or similar uses, provided the gross floor area does not exceed 144 square feet;

(2) construction of temporary sets and scenery associated with motion picture, television, and theater uses;

(3) installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);

(4) painting, wallpapering, tiling, carpeting, or other similar finish work in one or two family dwellings or multiple single-family dwellings (townhouses) or painting in a commercial location;

(5) installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances.

B. Such application shall be made to the Building [Commissioner] **Department electronically, via the Building Department online portal,** [on forms provided by him] and shall contain the following information:

(1) A description of the land on which the proposed work is to be done, **including the tax map number and the street address of any affected building or structure.**

(2) A statement of the use or occupancy of all parts of the land and the proposed building structure.

(3) The valuation of the proposed work.

(4) The full name and address of the owner and of the applicant, and the names and addresses of their officers if any of them are corporations.

(5) A brief description of the nature of the proposed work.

(6) A [duplicate] set of plans and specifications as set forth in Subsection G of this section.

(7) **Where required by** [A short environmental assessment form, as set forth in] Part 617 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York, **an environmental assessment form.** [Added 12-16-2003 by L.L. No. 15-2003]

(8) A statement from the applicant and owner disclosing: [Added 12-16-2003 by L.L. No. 15-2003]

(a) Whether the soils on or the groundwater beneath the land on which the proposed work is to be done has been contaminated by hazardous waste; and

(b) Whether the lot or parcel on which the proposed work is to be done is subject to a consent order and a plan. If the lot or parcel is subject to a consent order and a plan, the applicant and owner shall provide a copy of such consent order and plan, along with the names, addresses, telephone numbers, and other contact information of any regulatory agency deemed relevant by the Commissioner of Buildings. No permit will be issued if the Building Commissioner determines, based upon information provided by a regulatory agency, that the owner or applicant is not in compliance with the consent order or plan.

(c) For the purposes of this § 2-9B(8):

[1] The term "hazardous waste" shall have the same meaning as set forth for said term in Part 371 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York.

[2] The term "consent order" shall mean an order issued by a regulatory agency for the remediation or monitoring of hazardous waste contaminating either the soils on or the groundwater beneath the land on which work is proposed hereunder.

[3] The term "plan" shall mean a plan for the remediation or monitoring of hazardous waste contaminating either the soils on or the groundwater beneath the land on which work is proposed hereunder, which has been approved by a regulatory agency as part of a consent order.

[4] The term "regulatory agency" shall mean the United States Environmental Protection Agency, the New York State Department of Environmental Conservation, the Nassau County Department of Health, or any other federal, state, or local agency, board, department, or other entity overseeing compliance with the consent order and implementation of a plan.

(9) Where applicable, a statement of special inspections, as defined in Section 202 of the 2020 Building Code of New York State, prepared in accordance with the provisions of the Uniform Code.

~~(9)~~**10** Such other information as may reasonably be required by the Building Commissioner to establish the compliance of the proposed work with the requirements of the applicable building laws, ordinances and regulations.

C. Applications shall be made by the owner or lessee, or agent of either, or by the architect, engineer or builder employed in connection with the proposed work. Where such application is made by a person other than the owner, it shall be accompanied by an affidavit of the owner or applicant that the proposed work is authorized by the owner and that the applicant is authorized to make such application.

D. If the application contemplates the moving of an existing building or structure from one location to another, it shall be accompanied by a description of the method to be used and a statement of the route to be followed. If the performance of the work requires the removal of a tree or trees, it shall be accompanied by a tree removal permit application as required by § 2-9T. Permits from the state, county, Town and/or village authorities shall be submitted at the time of making application for the permit.

E. The Building Commissioner shall require a separate application to be filed for an elevator installation, but in case such separate application is filed by the same applicant in connection with and relating to an application to construct or alter a

building or structure, it shall not be necessary to duplicate the affidavit attached to, or information contained in, the application to construct or alter.

F. Nothing in this section shall prevent the Building Commissioner from requiring such additional information as may be necessary for an intelligent understanding of any proposed work.

G. Each application for a building permit shall be accompanied by [duplicate] plans and specifications, and [duplicate] original property surveys representing existing conditions stamped and sealed by a licensed land surveyor. The applicant shall type or print legibly all pertinent information on the applications. **The plans and specifications shall:**

(1) describe the location, nature, extent, and scope of the proposed work;

(2) show that the proposed work will conform to the applicable provisions of the Codes;

(3) show the location, construction, size, and character of all portions of the means of egress;

(4) show a representation of the building thermal envelope;

(5) show structural information including but not limited to braced wall designs, the size, section, and relative locations of structural members, design loads, and other pertinent structural information;

(6) be drawn to scale and show all necessary details of the proposed structural, electrical, plumbing, mechanical, fire-protection, and other service systems of the building;

(7) include a written statement indicating compliance with the Energy Code. The plot plan shall be drawn to scale and shall show the location, size, shape and dimensions of the property, the setbacks from the property lines, [and] the size of all existing and proposed buildings, additions and/or structures on the property, **the established street grades and the proposed finished grades, and, as applicable, flood hazard areas, floodways, and design flood elevations.** The plot plan shall show the location, type and size of all trees, indicating those trees to remain, those to be removed and those to be planted. Notwithstanding the above, property surveys representing existing conditions shall not be required for interior alterations or renovations that do not alter or change the footprint or the exterior shell of the building or structure, including but not limited to exterior walls and the roof, for which the building permit is sought.

H. **(Reserved)** [~~The plans shall be drawn to scale and shall show all necessary details of all structural, mechanical, electrical, and plumbing work to be performed.~~]

I. Plans and specifications submitted in connection with an application for a building permit shall evidence that the documents were prepared by a licensed and registered architect in accordance with Article 147 of the New York State Education Law or a licensed and registered professional engineer in accordance with Article 145 of the New York State Education Law and practice guidelines, including but not limited to the design professional's seal which clearly and legibly shows both the design professional's name and license number and is signed by the design professional whose name appears on the seal in such a manner that neither the name nor the number is obscured in any way, the design professional's registration expiration date, the design professional's firm name (if not a sole practitioner), and, if the documents are submitted by a professional engineering firm and not a sole practitioner professional engineer, the firm's Certificate of Authorization number [~~bear the signature of the person responsible for the design and drawings and, where required by § 7302, as amended, of Article 147 of the Education Law of the State of New York, the seal of a licensed architect or a licensed professional engineer~~].

J. The Building Commissioner may waive the requirement for filing plans and specifications for minor alterations.

K. An application to demolish shall give the full name and address of the owner or owners, the applicant and the person who is to do the work and the lot number or street number of the premises. If the performance of the work requires the removal of a tree or trees, it shall be accompanied by a tree removal permit application as required by § 2-9T.

L. Amendments, if any, to the application or to the plans and specifications accompanying the same shall be filed with the Building Department and approval received from the Building Commissioner prior to the commencement of such change of work. Amendments shall be limited to minor changes, alterations, improvements or modifications to the work contemplated within the original permit application and/or plans and specifications which accompanied same. Amendments shall not include substantive changes, modifications, alterations or improvements to the work contemplated within the original permit application and/or plans and specifications which accompanied same. Substantive changes, modifications, alterations or improvements shall require the filing of an original permit application, together with the appropriate fees and supporting documentation prior to the commencement of work thereon. [Amended 5-8-2007 by L.L. No. 3-2007]

M. No building permit shall be issued for or in connection with any parcel of realty until the applicant for said permit shall have received the approval of a site or topographical map providing for drainage facilities and drainage so as to ensure adequate protection for the surrounding areas, except in those instances where the Building Commissioner deems it not necessary due to topography. Said topographical map shall include all factors which are material, i.e., surface drainage, existing

structures, future development, elevations of surrounding areas, actual and potential capacities of all stormwater basins and pools and the size thereof. Said topographical survey shall be submitted to the Building Commissioner after the necessary approvals shall have been obtained from the Nassau County Department of Public Works in accordance with the requirements of the General Municipal Law (§ 239) if required.

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, 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; amended 2-7-23 by L.L. No. 1-2023]

O. Unlawful use. It shall be unlawful to use any temporary structure for any purpose other than that designated in the permit.

P. Removal. Every temporary structure shall be removed at the expiration of the period for which the permit was issued unless such permit is renewed.

Q. Upon application for a permit for a temporary structure, in addition to the prescribed fee, a cash deposit shall be required in an amount to be determined by the Building Commissioner, to guarantee the removal of said structure at the expiration of the period for which the permit is issued or, in case of default of the provisions of this section, to be forfeited to the Town of North Hempstead and used to defray the expense of removal of said structure. Such deposit shall be returned to the applicant upon his removal of the structure and compliance with the provisions of this article.

R. Temporary buildings other than those mentioned above, which may be permitted in connection with a use permit granted by the Board of Appeals, shall comply with the regulations of the Board of Appeals for such buildings, and shall also be subject to the provisions of Subsection N of this section.

S. Alterations and additions. Within the fire limits, no building or structure of frame construction or of unprotected metal construction shall be hereafter extended on any side unless the construction of such extension conforms to the requirements of this chapter for new construction, and provided that the area of the building as extended shall not exceed the allowable area for frame construction.

T. Tree removal permits.

(1) No person, firm or corporation shall remove, destroy or substantially alter the habitat of any tree to cause the death of any tree or trees on private property, or cause the same to be done, without first obtaining a tree removal permit.

[Amended 6-19-2012 by L.L. No. 10-2012; 11-18-2021 by L.L. No. 21-2021]

(a) If the removal of a tree(s) on private property is in connection with another activity for which a permit is required under § 2-9A of this Code, a tree removal application as described in this subsection is required. In this section a "tree" is defined as any woody plant, dead or alive, which is six inches or more in diameter at a

height of 4 ½ feet above the base of the trunk, including its root system and the environment within the area defined by the outermost limits of its branches.

(b) If the removal of a tree(s) on private property is not in connection with any other activity for which a permit is required under § 2-9A of this Code and is located in the front yard of a parcel, the tree removal is subject to the application and replacement requirements set forth in Chapter 20A.

(c) Where terms are not defined in this section, then the words shall have the meaning as set forth in §20A-3.

(2) If any such tree removal occurs within the six months prior to the filing of an application for a permit required by § 2-9A, the removal of a tree or trees is deemed to have taken place in connection with the permit required by § 2-9A. This subsection shall not apply to any tree removal that occurred within the six-month period prior to the effective date of this subsection.

(3) In addition to the information required by §2-9B of this Code, an application for a tree removal permit shall also include the following information:

- (a) The name and address of the applicant and status of legal entity.
- (b) The status of the applicant with respect to the land.
- (c) Written consent of the owner or owners of the land, if the applicant is not the owner or sole owner.
- (d) The location of the property, including the section, lot and block number and street address.
- (e) The reason tree removal is sought.
- (f) The condition of each tree with respect to disease and danger of falling.
- (g) A description of the size and type of each tree to be removed, including common name and/or botanical name.

- (h) Photos of each tree to be removed.
[Added 11-18-2021 by L.L. No. 21-2021]
- (i) A diagram showing the proposed location of the required replanting. A copy of the Tree Standards and Specifications will be made available to the applicant.
[Added 11-18-2021 by L.L. No. 21-2021]
- (j) Such other information as may be reasonably be required by the Building Commissioner to establish compliance with this section, including, but not limited to the following:
 - [1] A signed statement from a New York State certified arborist indicating the health of the tree.
 - [2] An erosion control plan.
 - [3] Reserved
 - [4] A survey noting the location of any structures or utilities endangered by the tree.
 - [5] Alternative mitigation if the tree acts as a visual and/or noise barrier to a road or highway.
 - [6] Proposed methods to ensure the protection of remaining trees.
[Added 11-18-2021 by L.L. No. 21-2021]
 - [7] Flagging of each tree to be removed.
- (4) In making the determination to grant or deny the application, the Building Commissioner shall be guided by the following criteria:
 - (a) The ability of the applicant to rearrange the layout of proposed structures to minimize the removal of trees.
 - (b) The necessity of removal or alteration of the tree in question.

(c) The condition of the tree with respect to disease and danger of falling. In the event that the diseased condition of the tree is not evident, the Building Commissioner maintains the right to require the applicant to submit proof from a New York State certified arborist.

(d) The proximity of the tree to proposed or existing structures.

(e) Whether the tree endangers the usefulness of a public sewer or public utility.

(f) The significance of the tree in regard to:

[1] The size of the tree.

[2] The rarity of the species.

[3] The historical value of the tree.

[4] Whether the tree is included on the inventory of landmark trees and other significant trees in the Town.

[Added 11-18-2021 by L.L. No. 21-2021]

(g) The effect of removal on:

[1] The character of the site with respect to vegetation management practices.

[2] Ecological systems

[3] The existing screening of any road or highway bordering the property in question.

[4] Erosion control from the parcel on which the tree is to be removed and its impact on adjacent parcels.

(h) Whether a denial of the permit will result in unnecessary hardship or severe financial loss to the applicant.

(5) Tree replacement guidelines. Each tree removed of a diameter of six inches or greater shall be subject to the tree replacement guidelines enumerated in this subsection. Failure to comply with the tree replanting requirements set forth in this section shall constitute a separate and distinct offense hereunder.

[Added 11-18-2021 by L.L. No. 21-2021]

(a) Replacement tree(s) must be a minimum diameter of 3 inches, measured at 4 1/2 feet in height above grade or above the root collar. Except as provided for in § 2-9(T)(5)(d):

[1] Each tree removed having a diameter measuring between six inches to twenty-four inches shall require one replacement tree to be planted.

[2] Each tree removed having a diameter measuring greater than twenty-four inches to thirty inches shall require two replacement trees to be planted.

[3] Each tree removed having a diameter greater than thirty inches shall require three replacement trees to be planted.

(b) The tree(s) to be planted in replacement shall be located on the same parcel from which the tree(s) is proposed to be removed. To the extent practicable, a tree removed in the front yard shall be replaced with a tree planted in the front yard.

(c) The tree(s) to be planted in replacement shall be from a similar size class or from a larger size class as the tree(s) removed, unless a smaller size class is determined to be more appropriate, as determined by the Building Commissioner. Size classes are enumerated in the Tree Standards and Specifications to be promulgated by the Town Board, subject to the advice of the Tree Advisory Committee established pursuant to Chapter 20A.

(e) All required tree plantings shall occur between April 1 and December 1 and 90 days after the tree removal.

(f) If plantings cannot occur within 90 days of the removal due to the above planting time restrictions, the Commissioner of Buildings shall require the applicant to deposit a performance bond or a cash deposit in the form of a certified check with the Commissioner of Buildings in an amount which shall be determined by the Commissioner to be equal to the estimated cost of planting the required number of trees and, if applicable, stabilizing the site. The term of said deposit or performance bond shall not exceed a period of six months, and the deposit or bond shall not be released until the plantings have been satisfactorily completed in accordance with the approved tree removal permit.

[1] In the event of a default, such bond or cash deposit shall be forfeited to the Building Department and the funds shall be applied to the Tree Preservation Fund. If a permittee is found to be in violation of the conditions of the tree removal permit, the Commissioner of Buildings shall determine the remedy of the violation; however, in no circumstances shall such forfeiture of the bond serve as a remedy of the violation.

[2] Upon satisfactory completion of the contemplated work in accordance with the application and this chapter, such bond or cash deposit shall be released by the Commissioner of Buildings. Satisfactory completion of the work shall be evidenced by the Commissioner of Buildings.

(6) A two year tree establishment bond will be required where trees have been removed on a parcel in conjunction with or to facilitate the construction of a new commercial building or residential dwelling in which tree replanting is required.

[Added 11-18-2021 by L.L. No. 21-2021]

(a) The applicant shall deposit a two year tree establishment bond or a cash deposit in the form of a certified check with the Commissioner of Buildings after the Commissioner of Buildings approves the trees at the final inspection and prior to issuance of the certificate of occupancy. The bond or escrow amount shall be 100 percent of the total landscaping costs, but in no case shall be less than \$1,000 per required replacement tree. If a bond is offered, it shall be executed by a surety or guaranty company qualified to transact business in the State of New York and acceptable to the Town.

(b) Two years after the date of the bond or escrow account being provided, the Commissioner of Buildings shall inspect the site and make a determination of whether the required trees are viable, and if so, the Town may release the bond or escrow account upon approval by the Commissioner of Buildings. In the event of a default, such bond or cash deposit shall be forfeited to the Building Department and the funds shall be applied to the Tree Preservation Fund.

(7) In the event the Building Commissioner denies a request for a tree removal permit, the applicant may appeal his decision to the Board of Zoning and Appeals pursuant to § 70-225M.

(8) No permit shall be issued for tree removal unless:

(a) The application is accompanied by plans for the development of the land from which such tree is to be removed and of any other land on the same tax lot or lots; or

(b) The application demonstrates a serious threat to public health and safety, which cannot be effectively eliminated by trimming the tree and can be solved by removal of such tree. If the stated serious threat to public health and safety concerns the health of the tree, the Building Commissioner may request a signed statement from a New York State certified arborist indicating the health of the tree.

[Added 11-18-2021 by L.L. No. 21-2021]

(9) Display of permit. Any permit issued under Section 2-9(T) of this chapter shall be conspicuously displayed on the frontage of the premises for which it was issued so as to be easily visible from the nearest public street. The permit shall be posted at all times during the performance of the work and shall not be removed until such time as the authorized tree work has ended and the Building Department has issued a certificate of tree planting to close out the permit. A property owner or permit holder who fails to post a permit shall be deemed in violation of this chapter.

[Added 11-18-2021 by L.L. No. 21-2021]

(10) Prior to land preparation or construction activity that could damage any tree on a property a protective barrier shall be placed around the tree. Such protective barrier shall remain in place until all construction activity is terminated. If the construction or development of a property results in damage to a tree on the property requiring its removal, such tree shall be subject to the provisions of this section. Minor tree damage shall be repaired in accordance with accepted tree surgery practice.

[Added 11-18-2021 by L.L. No. 21-2021]

(11) The Building Commissioner shall issue a certificate of tree planting if it is found that the proposed tree removal and tree replacement has been completed substantially in accordance with the permit and the laws applicable thereto. A photo of each replacement tree that is planted shall be maintained in the certificate of tree planting file.

[Added 11-18-2021 by L.L. No. 21-2021]

(12) No certificate of occupancy shall be issued by the Building Commissioner until all tree planting and associated restoration work shall be completed to the satisfaction of the Building Commissioner except that, where a certificate of occupancy is applied for between December 1 and April 1, the permit holder shall submit an agreement, in writing, on a form approved by the Town Attorney, to the Town signed by the permit holder to ensure compliance with all planting and restoration work to the satisfaction of the Building Commissioner on or before the first day of May next following the making of the agreement.

[Added 11-18-2021 by L.L. No. 21-2021]

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

[Added 11-18-2021 by L.L. No. 21-2021]

U. Condition Assessments of Parking Garages

(1) Definitions.

For the purposes of this section:

(a) the term “condition assessment” means an on-site inspection and evaluation of a parking garage for evidence of deterioration of any structural element or building component of such parking garage, evidence of the existence of any unsafe condition in such parking garage, and evidence indicating that such parking garage is an unsafe structure;

(b) the term “deterioration” means the weakening, disintegration, corrosion, rust, or decay of any structural element or building component, or any other loss of effectiveness of a structural element or building component;

(c) the term “parking garage” means any building or structure, or part thereof, in which all or any part of any structural level or levels is used for parking or storage of motor vehicles, excluding:

(i) buildings in which the only level used for parking or storage of motor vehicles is on grade;

(ii) an attached or accessory structure providing parking exclusively for a detached one- or two-family dwelling; and

(iii) a townhouse unit with attached parking exclusively for such unit;

(d) term “professional engineer” means an individual who is licensed or otherwise authorized under Article 145 of the Education Law to practice the profession of engineering in the State of New York and who has at least three years of experience performing structural evaluations;

(e) the term “responsible professional engineer” means the professional engineer who performs a condition assessment, or under whose supervision a condition assessment is performed, and who seals and signs the condition assessment report. The use of the term “responsible professional engineer” shall not be construed as limiting the professional responsibility or liability of any professional engineer, or of any other licensed professional, who participates in the preparation of a condition assessment without being the responsible professional engineer for such condition assessment;

(f) the term “unsafe condition” includes the conditions identified as “unsafe” in section 304.1.1, section 305.1.1, and section 306.1.1 of the Property Maintenance Code; and

(g) the term “unsafe structure” means a structure that is so damaged, decayed, dilapidated, or structurally unsafe, or is of such faulty construction or unstable foundation, that partial or complete collapse is possible.

(2) Operating Permits

(a) An operating permit as provided for in Chapter 9A of this Code shall be required for the operation of a parking garage .

(b) An application for an operating permit shall be made to the Building Department electronically, via the Building Department online portal, and shall be accompanied by the applicable fee as set forth in the Town of North Hempstead Fee Schedule.

(c) The Building Commissioner may promulgate reasonable rules and regulations for the granting of an operating permit, including but not limited to requiring:

(1) the submittal of plans and/or specifications for such structure;

(2) initial condition assessments;

(3) periodic condition assessments;

(4) the installation and/or testing records for fire protection equipment or systems in use in said structure.

(d) Upon receipt of an application for an operating permit for a parking garage, the Building Commissioner shall cause the parking garage to be inspected for compliance with the Uniform Code and Fire Code. No operating permit for a parking garage shall be issued where such structure is not in compliance with the Uniform Code and Fire Code.

(e) An operating permit for a parking garage shall be effective for a period not to exceed one (1) year. An application for renewal of the operating permit must be made prior to the expiration of the current permit.

(f) If the Building Commissioner determines that the parking garage for which an operating permit was issued does not comply with the applicable provisions of the Uniform Code and Fire Code, such operating permit shall be revoked or suspended.

(3) Condition Assessments – General Requirements.

The owner operator of each parking garage shall cause such parking garage to undergo an initial condition assessment as described in subdivision (4) of this section, periodic condition assessments as described in subdivision (5) of this section, and such additional condition assessments as may be required under subdivision (6) of this section. Each condition assessment shall be conducted by or under the direct supervision of a professional engineer. A written report of each condition assessment shall be prepared and provided to the Town, in accordance with the requirements of subdivision (6) of this section. Before performing a condition assessment (other than the initial condition assessment) of a parking garage, the responsible professional engineer for such condition assessment shall review all available previous condition assessment reports for such parking garage.

(4) Initial Condition Assessment.

Each parking garage shall undergo an initial condition assessment as follows:

(a) Parking garages constructed on or after the effective date of this local law, shall undergo an initial condition assessment following construction and prior to a certificate of occupancy or certificate of completion being issued for the structure. Initial condition assessment reports for such structures shall be provided to the Building Department before or at the time of final inspection.

(b) Any parking garage constructed prior to the effective date of the local law enacting this provision that has not undergone an initial condition assessment prior to August 1, 2023. The initial condition assessment for existing parking garages shall be provided to the Building Department within 45 days of receipt of a request from the Building Commissioner.

(5) Periodic Condition Assessments.

Following the initial condition assessment of a parking garage, such parking garage shall undergo periodic condition assessments at intervals not to exceed three (3) years. Periodic condition assessment reports shall be provided to the Building Department at least thirty (30) days prior to the expiration of the operating permit for the year in which a periodic condition assessment must be performed.

(6) Additional Condition Assessments.

(a) If the latest condition assessment report for a parking garage includes a recommendation by the responsible professional engineer that an additional condition assessment of such parking garage, or any portion of such parking garage, be performed before the date by which the next periodic condition assessment would be required under subdivision (5) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of such parking garage identified by the responsible professional engineer) to undergo an additional condition assessment no later than the date recommended in such condition assessment report.

(b) If the Building Commissioner becomes aware of any new or increased deterioration which, in the judgment of the Building Commissioner, indicates that an additional condition assessment of the entire parking garage, or of the portion of the parking garage affected by such new or increased deterioration, should be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of the parking garage affected by such new or increased deterioration) to undergo an additional condition assessment no later than the date determined by the Building Commissioner to be appropriate.

(7) Condition Assessment Reports.

The responsible professional engineer shall prepare, or directly supervise the preparation of, a written report of each condition assessment, and shall submit such condition assessment report to the Building Commissioner within five (5) days of completion of the written report. Such condition assessment report shall be sealed and signed by the responsible professional engineer, and shall include:

(a) an evaluation and description of the extent of deterioration and conditions that cause deterioration that could result in an unsafe condition or unsafe structure;

- (b) an evaluation and description of the extent of deterioration and conditions that cause deterioration that, in the opinion of the responsible professional engineer, should be remedied immediately to prevent an unsafe condition or unsafe structure;
- (c) an evaluation and description of the unsafe conditions;
- (d) an evaluation and description of the problems associated with the deterioration, conditions that cause deterioration, and unsafe conditions;
- (e) an evaluation and description of the corrective options available, including the recommended timeframe for remedying the deterioration, conditions that cause deterioration, and unsafe conditions;
- (f) an evaluation and description of the risks associated with not addressing the deterioration, conditions that cause deterioration, and unsafe conditions;
- (g) the responsible professional engineer's recommendation regarding preventative maintenance;
- (h) except in the case of the report of the initial condition assessment, the responsible professional engineer's attestation that he or she reviewed all previously prepared condition assessment reports available for such parking garage, and considered the information in the previously prepared reports while performing the current condition assessment and while preparing the current report; and
- (i) the responsible professional engineer's recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed. In making the recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed, the responsible professional engineer shall consider the parking garage's age, maintenance history, structural condition, construction materials, frequency and intensity of use, location, exposure to the elements, and any other factors deemed relevant by the responsible professional engineer in their professional judgment.

(8) Review Condition Assessment Reports.

The Building Commissioner shall take such enforcement action or actions in response to the information in such condition assessment report as may be necessary or appropriate to protect the public from the hazards that may result from the conditions described in such report. In particular, but not by way of limitation, the Building Commissioner shall require the owner or operator of the parking garage to repair or otherwise remedy all deterioration, all conditions

that cause deterioration, and all unsafe conditions identified in such condition assessment report pursuant to paragraphs (b) and (c) of subdivision (7). All repairs and remedies shall comply with the applicable provisions of the Uniform Code. This section shall not limit or impair the right of the Building Commissioner to take any other enforcement action, including but not limited to suspension or revocation of a parking garage's operating permit, as may be necessary or appropriate in response to the information in a condition assessment report.

(9) The Building Commissioner shall retain all condition assessment reports for the life of the parking garage. Upon request by a professional engineer who has been engaged to perform a condition assessment of a parking garage, and who provides the Building Commissioner with a written statement attesting to the fact that he or she has been so engaged, the Town shall make the previously prepared condition assessment reports for such parking garage (or copies of such reports) available to such professional engineer. The Building Commissioner shall be permitted to require the owner or operator of the subject parking garage to pay all costs and expenses associated with making such previously prepared condition assessment reports (or copies thereof) available to the professional engineer.

(10) This section shall not impair the right or the obligation of the Building Commissioner:

(a) to perform such construction inspections as are required by section 2-11.F;

(b) to perform such periodic fire safety and property maintenance inspections as are required by Article VIII; and/or

(c) to take such enforcement action or actions as may be necessary or appropriate to respond to any condition that comes to the attention of the Building Commissioner by means of his own inspections or observations, by means of a complaint, or by any other means other than a condition assessment or a report of a condition assessment.

§2-9.1. Safe and code-compliant construction.

[Added 9-29-2015 by L.L. No. 12-2015; amended 9-7-2017 by L.L. No. 8-2017]

A. For purposes of this § 2-9.1, the following terms shall have the following meanings:

APPLICANT

The person, firm or other entity making an application to the Department of Building Safety, Inspection and Enforcement pursuant to § 2-9 of the Town Code.

BUILDING PERMIT

The permit described in § 2-9 of the Town Code.

CERTIFICATE OF COMPLETION

A certificate issued by the DOL, which recognizes an individual's successful completion of a state-approved and state-registered apprenticeship program in any trade and job title necessary for the completion of the large commercial project. The certificate shall evidence that the successful completion occurred within the program time period.

CONTRACTOR OR SUBCONTRACTOR

A contractor or subcontractor who employs labor on a large commercial project.

DEPARTMENT

The Department of Building Safety, Inspection and Enforcement of the Town of North Hempstead.

DOL

The New York State Department of Labor.

LARGE COMMERCIAL PROJECT

The erection, construction, enlargement, alteration, removal, improvement, renovation, demolition or conversion of a commercial building or structure where such erection, construction, enlargement, alteration, removal, improvement, renovation, demolition or conversion involves an area of 100,000 square feet or more of floor area. The threshold of 100,000 square feet may be met either in a single building or a collection of buildings located on the same property.

PROGRAM TIME PERIOD

The period of time equal to twenty-four (24) months plus the apprenticeship program's length as established by the DOL for the specific trade referenced in the certificate of completion, measured retroactively from the date of the application for a building permit. For purposes of this definition, the program time period for the trade of laborer shall be twenty-four (24) months.

SPONSOR

Any organization or entity operating an apprenticeship program registered with the DOL and in whose name the program is registered.

B. This section shall be applicable only to applications for building permits for large commercial projects filed with the Department on or after the effective date of this section.

C. Prior to the issuance of a building permit for a large commercial project, the applicant shall:

(1) Demonstrate that any general contractor, contractor or subcontractor for such project is a participant in good standing in a qualified apprenticeship program that is registered with and approved by the DOL and has apprenticeship agreements, which are specifically identified as pertaining to the trade(s) and/or job title(s) called for by such project; and

(2) Submit certificates of completion to the Town for every general contractor, contractor or subcontractor, or his or her sponsor performing work on a large commercial project. If a contractor or subcontractor is a signatory to a sponsor, the applicant must submit to the Town a letter from the sponsor verifying the contractor's or subcontractor's signatory status.

D. If a subcontractor is used on a large commercial project subsequent to the issuance of a building permit, the applicant shall submit certificates of completion for the subcontractor. The applicant must submit a subcontractor's certificates of completion to the Town prior to a subcontractor beginning work on such project. If a subcontractor is a signatory to a sponsor, the applicant must submit to the Town a letter from the sponsor verifying the signatory status.

E. It shall be the responsibility of the applicant to verify that a contractor or subcontractor is a participant in a state-approved and state-registered apprenticeship program and to include certificates of completion as an attachment to the application for a building permit.

F. This section shall not apply where a specific trade has not been included among the list of trades maintained by the New York State Commissioner of Labor available for apprenticeship agreements at the time an application for a building permit for a large commercial project is filed.

G. The determination of compliance with this section shall be made by the Commissioner of the Department or his or her designee.

§ 2-9.2 Construction Site Safety Training
[Added 10-21-2021 by L.L. No. 18-2021]

§ 2-9.2(1) Purpose.

The provisions of this section are intended to promote the safety of Minor and Major construction sites within the Town. The provisions of this section are designed to

provide that workers employed or otherwise engaged at such construction sites have received adequate safety training; that contractors performing construction work have essential safety training and that contractors performing construction work have essential safety training systems to prevent injuries and protect workers who are injured.

§ 2-9.2(2) Definitions.

- a. Permit Holder. The person to whom a building permit has been issued or for a building permit has been applied.
- b. Person. An individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.
- c. Contractor. Any person contracted or subcontracted to perform work covered by this section for or on behalf of any other person.
- d. Minor Construction Project. A construction site, with an area greater than 35,000 square feet, which involves the construction, demolition or alteration of a structure or building.
- e. Major Construction Project. A construction site, with an area greater than 50,000 square feet, which involves the construction, demolition or alteration of a structure or building.
- f. OSHA. The United States Department of Labor Occupational Safety and Health Administration.
- g. OSHA 30-hour class. A class that includes 30 or more hours in construction industry safety and health that is intended for workers and satisfies the following conditions:
 - i. Such class is (i) approved by OSHA and conducted in accordance with the OSHA outreach training program or (ii) an equivalent 30 or more hour construction industry safety and health class approved by the Building Department.
 - ii. Such class consists of in-person training, actively proctored online training or, if such training is conducted before the effective date of this section, online training.
- h. OSHA 100-hour class. A class or program that:
 - i. Includes 100 or more hours of training in technical subjects relating to a construction trade, including an apprenticeship program registered with the New York State Department of Labor; and

ii. Is approved by OSHA, the United States Department of Labor, the New York State Department of Education or the New York State Department of Labor. § 2-9.2(3) Safety Training Required.

i. Site Safety Designee. The Site Safety Designee must have completed an OSHA 100-hour class. On a Major Construction Project, the Site Safety Designee shall use reasonable prudence to ensure that safety is maintained as job conditions dictate and shall complete any tasks required of a Site Safety Designee under this Chapter.

§ 2-9.2(3) Safety Training Required.

a. In addition to any other applicable town, state or federal law or rule, each permit holder:

1. at a Minor Construction Site, shall be responsible for ensuring that each construction or demolition worker employed or otherwise engaged at such site by the permit holder or any person performing work for or on behalf of such permit holder at such site has successfully completed and maintains a current OSHA 30-hour class certificate.

2. at a Major Construction Site, shall be responsible for ensuring that a foreman or designated employee or individual otherwise engaged at such site by the permit holder or any person performing work for or on behalf of such permit holder is designated as a Site Safety Designee. The Site Safety Designee shall be tasked with ensuring that each construction or demolition worker employed or otherwise engaged at such site by the permit holder or any person performing work for or on behalf of such permit holder at the site is in compliance with section 2-9.2(3)(a)(1) and shall report violations of this Chapter to the Building Department.

b. The Applicant, Permit Holder or any person performing such work on behalf of the permit holder shall certify to the Building Department, in a form and manner established by the Building Department, that the requirements of § 2-9.2(3)(A)(1) and/or § 2-9.2(3)(A)(2) have been met. No permit for construction or demolition work for which training is required pursuant to this section shall be issued or renewed until the applicant has certified that all workers who will be working under such permit will have the requisite training throughout the duration of such permit.

c. The Applicant, Permit Holder or any person performing such work on behalf of the permit holder shall certify that all New York State and OSHA safety requirements and workers compensation and insurance requirements have been met.

d. The Permit Holder shall maintain at such site a daily log that identifies each such worker and that includes, for each such worker, proof of compliance with § 2-9.2(3)(A)(1) and § 2-9.2(3)(A)(2), as applicable. Such logs shall be made available to the Building Department upon request and shall be submitted to the Building

Department as a prerequisite to the issuance of a Certificate of Occupancy, Certificate of Completion and/or Certificate of Approval.

§ 2-9.2(4) Penalties.

- a. Any violations of this section by a permit holder shall be punishable by a fine of not less than \$1,000 nor more than \$10,000. Each worker performing work on a construction site covered by this section without required safety training shall constitute a separate additional offense. Each day that the violation continues shall constitute a separate additional offense.
- b. For a second offense, committed by a permit holder within a period of five years, such violation shall be punishable by a fine of not less than \$3,000 nor more than \$20,000 or by imprisonment for a period not to exceed 15 days, or both.
- c. Permits issued to permit holders found to be in violation of this section may be revoked by the Building Department upon discovery of such violation.
- d. The Building Department shall be authorized to issue stop orders for violations of this section. Upon the issuance of a stop order, the owner of the affected property, the permit holder and any other person or contractor performing, taking part in or assisting in the work shall suspend all building activities in violation of this section until the stop order has been rescinded.

§ 2-10. Action on application for permits.

A. The Building Commissioner shall examine or cause to be examined all applications for permits and the plans, specifications and documents filed therewith to ascertain whether the proposed work is in compliance with the applicable requirements of the Codes. He shall approve or disapprove the application within a reasonable time.

B. Upon finding that the proposed work is in compliance with the applicable requirements of the Codes, the Building Commissioner shall approve~~[at]~~ ~~[of-~~ ~~an]~~ the application for a building permit and, upon receipt of the legal fees therefor, the Building Commissioner shall issue a building permit to the applicant upon the form prescribed by him and shall affix his signature or cause his signature to be affixed thereto.

C. Upon approval of an application for a building permit, both sets of plans and specifications shall be endorsed with the word "approved." One (1) set of such approved plans and specifications shall be retained in the files of the Building Department and the other set shall be returned to the applicant, together with the building permit and shall be kept at the building site, open to inspection by the Building Commissioner or his authorized representative at all reasonable times. Work shall not be commenced until authorized by the Building Commissioner, subsequent to

obtaining a permit. Building permits shall contain such a directive that all work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the building permit and require the permit holder to immediately notify the Building Commissioner of any change occurring during the course of the work that is the subject of the permit.

D. If an application, together with plans, specifications and other documents filed therewith, describe proposed work which does not conform to all the requirements of the applicable building ordinances and regulations, the Building Commissioner shall disapprove the same, and one (1) set of plans and specifications shall become part of the public record and one (1) set returned to applicant. Upon request of the applicant, the Building Commissioner shall cause such refusal, together with the reasons therefor, to be transmitted to the applicant in writing.

§2-10.1 Procedure on Request for Expedited permit

[Added 5-29-2007 by L.L. No. 6-2007; amended 5-27-2008 by L.L. No. 5-2008; 8-4-2022 by L.L. No. 12-2022]

A. An applicant may apply in writing to the Building Commissioner requesting expedited permit application review, which request shall include such supportive documentation as the Building Commissioner may require. The Building Commissioner shall review the request to determine if it meets one or more of the following criteria:

- (1) The request is made to accommodate an emergency situation which has created a danger to health and/or safety; or
- (2) The request is in furtherance of advancing a public interest such as, but not limited to, job creation and/or economic development; or
- (3) The request is made in connection with the provision of an essential service, which shall include, but not be limited to, facilities or parts thereof which are connected to the furnishing of medical, governmental, police, fire and/or health and safety services; or
- (4) The request is made to avoid extreme financial hardship to the applicant, which hardship is not self-created.
- (5) The request is related to an application for design modifications and accessibility improvements to facilitate access, safety or independent living or to remove architectural barriers to access for persons with mobility impairments or for people with disabilities, at entrances to and within buildings. Some examples of requests satisfying this criterion shall include but not be limited to the following: the installation of ramps or kitchen and bathroom renovations for the purposes listed above.
- (6) The request is made to address an urgent concern including but not limited to, illness, disability, extreme living conditions, death in the family, or a critical need

involving the applicant or an immediate family member of the applicant, and the delay in waiting for the application to be processed under ordinary review-time standards would result in a severe detriment to the applicant or the applicant's immediate family member.

B. The procedure set forth in Section 2-10.1(A) shall not apply to the following:

(1) Building and plumbing permit applications to maintain construction, changes, alterations, improvements or modifications previously undertaken without the required permit(s).

(2) Where it can be reasonably determined by the Building Commissioner that the applicant or someone on the applicant's behalf engaged in conduct that is contrary to the Town Code, New York State Building Code, or other applicable law, or with the intention of not complying with such code or law without first seeking a required approval.

C. Upon receipt of a request for expedited permit application review, the Building Commissioner and the Planning Commissioner shall review the request, together with the documentation supporting it, and render a written determination within five (5) business days. The Building Commissioner and Planning Commissioner may require additional documentation to support the request. If the two commissioners agree on the determination, the determination shall be the final determination. If the two commissioners do not agree on the determination, the request shall be denied. The Building Commissioner shall notify the applicant of the determination, in writing, within five (5) business days from receipt of the request. The written determination shall become a part of the permanent file maintained by the Building Department.

D. Prohibitions. It shall be unlawful for any person or business entity to make false statements or mislead the Building Commissioner in order to secure an expedited review pursuant to the provisions of this chapter, or to fail and/or neglect to inform the Commissioner of a change in the project which would negate eligibility for an expedited review.

§ 2-10.2 Expedited permit application review for solar panels and electric vehicle charging stations. [Added 2-7-2023 by L.L. No. 2-2023]

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.

§ 2-11. Performance of work under permit.

- A. A building permit shall be effective to authorize the commencing of work in accordance with the application, plans and specifications on which it is based for a period of three (3) months after the date of its issuance. If work is not commenced within such period of three (3) months, the project shall be deemed abandoned. For good cause, the Building Commissioner may allow reasonable extensions at his discretion. Any project which is not completed within two (2) years from the date of issuance of a building permit shall be deemed abandoned unless good reason for delay is shown.
- B. The issuance of a building permit shall constitute authority to the applicant to proceed with the work in accordance with the approved plans and specifications and in accordance with the applicable building ordinances or regulations. All work shall conform to the approved application, plans and specifications. **The permit holder shall immediately cease construction and notify the Building Commissioner of any change occurring during the course of the work that is the subject of the permit. The Building Commissioner shall determine whether the change warrants a new or amended building permit, and such change shall not be made until and unless a new or amended building permit reflecting the change is issued.**
- C. The location of a new building or structure, or an extension of an existing building or structure, shown on an accepted and approved plot diagram or an approved amendment thereof, shall be strictly adhered to.
- D. It shall be unlawful to reduce or diminish the area of any lot or plot of which a plot diagram has been filed and has been used as the basis for a permit, unless a revised plot diagram showing the proposed change in condition shall have been filed and approved; provided, however, that this shall not apply when the lot area is reduced by reason of a street opening or widening or other public improvement.
- E. The Building Commissioner shall be given at least twenty-four (24) hours notice of the starting of work under a permit.
- F. Before ceilings, walls or partitions of any work for which a permit is required, **or work for which an inspection is required as provided below**, are covered with lath, plasterboard, [~~plaster ceiling~~] **gypsum wallboard** or other covering, the Commissioner shall be notified. Within three (3) days after receipt of such notice, he shall inspect the same. No such ceilings, walls or partitions shall be covered until permission to do so has been granted by the Building Commissioner. **All work for which an inspection is required shall remain accessible and exposed until inspected and accepted by the Building Commissioner. The following elements of the construction process shall be inspected, where applicable:**

- (1) work site prior to the issuance of a building permit;
- (2) work site prior to the start of construction;
- (3) footing and foundation;
- (4) waterproofing of foundation;
- (5) preparation for concrete slab;
- (6) framing;
- (7) installation of anchors and connectors to prevent wind uplift;
- (8) structural, electrical, plumbing, mechanical, fire-protection, and other similar service systems of the building;
- (9) fire resistant construction;
- (10) fire resistant penetrations;
- (11) solid fuel burning heating appliances, chimneys, flues, or gas vents;
- (12) inspections required to demonstrate Energy Code compliance, including but not limited to insulation, fenestration, air leakage, system controls, mechanical equipment size, and, where required, minimum fan efficiencies, programmable thermostats, energy recovery, whole-house ventilation, plumbing heat traps, and high-performance lighting and controls;
- (10) installation, connection, and assembly of factory manufactured buildings and manufactured homes; and
- (11) a final inspection after all work authorized by the building permit has been completed.

Following each inspection the work or a portion thereof shall be noted as satisfactory as completed, or the permit holder shall be notified as to the manner in which the work fails to comply with the Uniform Code or Energy Code, including a citation to the specific code provision or provisions that have not been met. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Codes, reinspected, and found satisfactory as completed.

G. Building permits shall be prominently displayed on the job site at all times during the progress of construction [~~so as to be readily seen from adjacent thoroughfares~~] **and shall remain visibly displayed at the work site until the authorized work has been completed.**

§ 2-12. Supervision of construction.

A. No building which is to have a total floor area in excess of ten thousand (10,000) square feet shall be constructed except under the supervision of a professional engineer or architect licensed or registered in the State of New York.

B. No permit will be issued for the construction of a building which is to have a total floor area in excess of ten thousand (10,000) square feet until an affidavit is filed with the Building Department certifying that the construction of such building will be supervised by a professional engineer or architect licensed or registered in the State of New York. The affidavit shall be signed and sworn to by the engineer or architect who will supervise the construction of such building and shall have his professional seal affixed. In the event such engineer or architect shall, for any reason, discontinue his supervision of the construction of the building at any time prior to the completion, he shall immediately notify the Building Department of such fact, and thereupon the building permit issued for such construction shall be suspended and no further work shall be done thereunder until another such affidavit shall be filed with the Building Department certifying that supervision of the construction has been resumed by another or the same engineer or architect.

C. No certificate of occupancy will be issued for a building having a total floor area in excess of ten thousand (10,000) square feet until a final certificate is filed with the Building Department by the engineer or architect who supervised the construction that the building was in fact erected in conformity with the plans therefor filed with the Building Department.

§ 2-13. Abandonment of project.

In the event of the abandonment of any building project, it shall be the duty of the holder of the permit or the owner of the premises, his agent or duly authorized representative to backfill any open excavation up to the street or ground level; in case the construction of the building or structure has proceeded beyond the cellar excavation, all incomplete structures or openings shall be completely boarded up so as to prevent access to the building or structure in order to limit and prevent danger to persons or property and possible fire hazards.

§ 2-14. Revocation of permits.

[Amended 8-21-1990 by L.L. No. 8-1990; 4-2-2002 by L.L. No. 4-2002; 12-16-2003 by L.L. No. 15-2003]

The Building Commissioner shall have the authority to revoke any permits theretofore issued or withhold any certificate issued pursuant to the completion of the permitted work in the following instances:

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

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

C. Where he finds that the work performed under the permit is not being prosecuted in accordance with the provisions of the application, plans or specifications.

D. Where he finds that the work performed for which the permit was issued violates the Uniform Code or the Energy Code.

E[D]. Where the person to whom a permit has been issued fails or refuses to comply with a stop order issued by the Building Commissioner.

F[E]. Where he finds that trees have been removed without a tree removal permit having been obtained pursuant to § 2-9T of the Code.

G[F]. Where he finds that trees and/or shrubs have not been replaced or fees have not been paid as required by a tree removal permit having been obtained pursuant to § 2-9T of the Code.

H[G]. Where he finds that the applicant or owner is no longer in compliance with a consent order or plan for a lot or parcel on which the permitted work has been completed. For the purposes of this § 2-14G, the terms "consent order" and "plan" shall have the same meanings ascribed to them pursuant to § 2-9B(8)(c) of this Code.

I[H]. Where he takes action or the Town Board has adopted a resolution authorizing action pursuant to § 2A-9 of this Code.

[Amended 6-14-2011 by L.L. No. 9-2011]

J[I]. Where he exercises emergency powers pursuant to § 2A-12 of this Code.

[Amended 6-14-2011 by L.L. No. 9-2011]

§ 2-15 Stop Orders.

[Amended 4-2-2002 by L.L. No. 4-2002; 5-21-2019 by L.L. No. 9-2019]

A. **Without regard to whether work is or is not work for which a building permit is required, and without regard to whether a building permit has or has**

not been issued for such work, whenever the Building Commissioner or Commissioner of Public Safety has reasonable grounds to believe that work on or in any building or structure is being performed in violation of the provisions of the applicable building laws, ordinances or regulations, **in violation of the Uniform Code or the Energy Code**, ~~[or]~~ not in conformity with the provisions of an application, plans or specifications on the basis of which a building permit was issued, **under a building permit that has become invalid, has expired, or has been suspended or revoked**, or in an unsafe and dangerous manner, he shall notify the owner of the property, the owner's agent, the lessee of the property, the tenant of the property, or the person performing the work to suspend all building activities until the stop order has been rescinded. Such order and notice shall be in writing, **be dated and signed by the Building Commissioner**, shall state the **reason or reasons for issuance and the conditions under which the work may be resumed**, ~~[and]~~ **The Stop Work Order shall [may] shall** be served upon **the owner of the affected property (and, if the owner is not the permit holder, on the permit holder)** ~~[a person whom it is directed]~~ either by delivering it personally to him, or by posting the same upon a conspicuous portion of the building under construction and sending a copy of same by registered or certified mail. **The Building Commissioner shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by registered or certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.**

B. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (A) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under Article V of this Chapter or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

C[B]. Penalties for offenses. Any person, association, firm, or corporation which violates this section or assists in the violation of this section shall be guilty of a violation, punishable:

- (1) By a fine of not less than \$1,000 and not exceeding \$5,000 or by imprisonment for a period not to exceed 15 days, or both, for conviction of a first offense.
- (2) By a fine of not less than \$5,000 nor more than \$10,000 or by imprisonment for a period not to exceed 15 days, or both, for conviction of the second offense.
- (3) By a fine of not less than \$10,000 nor more than \$20,000 or by imprisonment for a period not to exceed 15 days, or both, for conviction of the third or subsequent

offense of a series of offenses, all of which were committed within a period of five years.

§ 2-16. Certificate of occupancy.

A. No building hereafter erected shall be occupied or used, in whole or in part, until a certificate of occupancy shall have been issued by the Building Commissioner certifying that such building conforms substantially to the permit and the requirements of law applying to buildings of its class and kind.

B. No building hereafter enlarged, extended or so altered, wholly or in part, as to change its classification as a residential, business or industrial building, and no building hereafter altered for which a certificate of occupancy had not been issued heretofore, shall be occupied or used, in whole or in part, until a certificate of occupancy shall have been issued by the Building Commissioner certifying both that the work for which the permit was issued has been completed substantially in accordance with the permit and the provisions of law applying to such an alteration, and that the building is safe for occupancy insofar as can be determined by visual inspection, provided that if the occupancy or use of such building was not discontinued during the work of alterations, the occupancy or use of the building shall not continue for more than thirty (30) days after completion of the alteration unless such certificate shall have been issued.

§ 2-17. Certificate of completion.

In those instances where work is performed under a permit but no certificate of occupancy is required, the Building Commissioner shall issue a certificate of completion if it is found that the proposed work has been completed substantially in accordance with the permit and the laws applicable thereto. The certificate shall also indicate the use or uses to which the structure or installation may thereafter be put and to what extent.

§ 2-18. Certificate of approval for plumbing and drainage work.

In those instances where plumbing or drainage work is to be performed under a permit, the Building Commissioner shall issue a certificate of approval of the plumbing or drainage work if it is found that said work has been completed substantially in accordance with the permit and the laws applicable thereto.

§ 2-19. Inspection prior to issuance of certificates; record.

A. Before issuing a certificate of occupancy, a certificate of completion or a certificate of approval of plumbing or drainage work, the Building Commissioner shall examine or cause to be examined all building, structures, sites and work **which was the subject of a building permit.** ~~[for which such application has been filed;]~~ and the Building Commissioner may conduct such inspection as he deems appropriate from

time to time during and upon completion of the work. **In addition to the required inspection, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Building Commissioner, at the expense of the applicant for the Certificate of Occupancy, Certificate of Approval or Certificate of Completion, shall be provided to the Building Commissioner prior to the issuance of the Certificate of Occupancy, Certificate of Approval or Certificate of Completion:**

- (1) a written statement of structural observations and/or a final report of special inspections;**
- (2) flood hazard certifications;**
- (3) a written statement of the results of tests performed to show compliance with the Energy Code, and**
- (4) where applicable, the affixation of the appropriate seals, insignias, and manufacturer's data plates as required for factory manufactured buildings and/or manufactured homes.**

B. There shall be maintained in the Building Department a record of all such examinations and inspections together with a record of findings of violations of the law.

§ 2-20. Issuance of certificates.

A. A certificate of occupancy, a certificate of completion or a certificate of approval of plumbing or drainage work shall be issued within a reasonable time after application therefor is made. A final survey must be submitted before a certificate of occupancy or a certificate of completion will be issued; except in instances where a certificate of completion is sought, a final survey shall not be required for interior alterations or renovations that do not alter or change the footprint or the exterior shell of the building or structure, including but not limited to exterior walls and the roof, for which the certificate is sought.

B. A certificate of occupancy, certificate of approval or certificate of completion shall contain the following information:

- (1) the building permit number, if any;**
- (2) the date of issuance of the building permit, if any;**
- (3) the name (if any), address and tax map number of the property;**

(4) if the certificate of occupancy, certificate of approval or certificate of completion is not applicable to an entire structure, a description of that portion of the structure for which the certificate of occupancy or certificate of approval or certificate of completion is issued;

(5) the use and occupancy classification of the structure;

(6) the type of construction of the structure;

(7) the occupant load of the assembly areas in the structure, if any;

(8) any special conditions imposed in connection with the issuance of the building permit; and

(9) the signature of the Building Commissioner issuing the certificate of occupancy, certificate of approval or certificate of completion and the date of issuance.

§ 2-21. Temporary certificate of occupancy.
[Amended 4-2-2002 by L.L. No. 4-2002]

The Building Commissioner shall be permitted to issue a temporary certificate of occupancy allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a building permit. Following a determination that a building or structure, or the portion thereof, may be occupied safely, that any required fire and life safety components, such as fire protection equipment and fire, smoke, carbon monoxide, and heat detectors and alarms are installed and operational, and that all required means of egress from the structure have been provided [Upon request,] the Building Commissioner may issue a temporary certificate of occupancy for a building or structure, or part thereof, before the entire work covered by the building permit shall have been completed[, provided that such portion or portions of the building as have been completed may be occupied safely without endangering life, health or the public welfare]. The Building Commissioner may include in a temporary certificate of occupancy such terms and conditions as he or she deems necessary or appropriate to ensure the health and safety of the persons occupying and using the building or structure and/or performing further construction work in the building or structure. A temporary certificate of occupancy may be issued for a period not exceeding three (3) months from its date of issuance, shall specify such date in the temporary certificate of occupancy, and shall be void thereafter, except that for good cause the Building Commissioner may allow a maximum of two (2) extensions for periods not exceeding three (3) months each. During the specified period of effectiveness of the temporary certificate of occupancy, the permit holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

§ 2-21.1. Revocation of Certificates

If the Building Commissioner determines that a certificate of occupancy, certificate of approval, certificate of completion, or a temporary certificate of occupancy was issued in error or on the basis of incorrect information, and if the relevant deficiencies are not corrected to the satisfaction of the Building Commissioner within such period of time as shall be specified by the Building Commissioner, the Building Commissioner shall revoke or suspend such certificate.

§ 2-22. Tests.

Whenever there are reasonable grounds to believe that any material, construction, equipment or assembly does not conform with the requirements of the applicable building laws, ordinances or regulations, the Building Commissioner may require the same to be subjected to tests by a testing agency designated by the Building Commissioner at the applicant's own cost in order to furnish proof of such compliance.

**§ 2-23. Penalties for violation of certain state law.
[Amended 8-18-1987 by L.L. No. 12,1987]**

In accordance with § 382 of Article 18 of the Executive Law of the State of New York:

A. It shall be unlawful for any person, firm or corporation to construct, alter, repair, move, remove, demolish, equip, use, occupy or maintain any building or structure, or portion thereof in violation of any provision of the Uniform Fire Prevention and Building Code or rule promulgated by the Building Department, in accordance with the Uniform Code or to fail in any manner to comply with a notice, directive or order of the Building Commissioner, or to construct, alter, use or occupy any building or structure, or part thereof, in a manner not permitted by an approved building or plumbing permit or certificate of occupancy.

B. Any person who shall fail to comply with a written order of the Building Commissioner within the time fixed for compliance therewith, and any owner, builder, architect, tenant, contractor, subcontractor, construction superintendent or their agents, or any other person taking part or assisting in the construction or use of any building who shall knowingly violate any of the applicable provisions of the Uniform Fire Prevention and Building Code or any lawful order, notice, directive, permit or certificate of the Building Commissioner made thereunder regarding standards for construction, maintenance or fire protection equipment and systems, shall be punishable by a fine of not more than one thousand dollars (\$1,000.) or imprisonment not exceeding one (1) year, or both. Each day that a violation continues shall be deemed a separate offense.

C. A written order of the Building Commissioner issued pursuant to this subsection shall be known as an Order to Remedy. An Order to Remedy shall be signed and dated by the Building Commissioner; shall specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; shall specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is are violated by the specified condition or activity; and shall include a statement that the person or entity served with the Order to Remedy must completely remedy each violation described in the Order to Remedy within thirty (30) days after the date of the Order to Remedy.

D. The Order to Remedy may include provisions ordering the person or entity served with such Order to Remedy (1) to begin to remedy the violations described in the Order to Remedy immediately, or within some other specified period of time which may be less than thirty (30) days; to continue diligently to remedy such violations until each such violation is fully remedied; and, in any event, to complete the remedying of all such violations within thirty (30) days of the date of such Order to Remedy; and/or (2) to take such other protective actions (such as vacating the building or barricading the area where the violations exist) which are authorized by this local law or by any other applicable statute, regulation, rule, local law or ordinance, and which the Building Commissioner may deem appropriate, during the period while such violations are being remedied. The Building Commissioner shall cause the Order to Remedy, or a copy thereof, to be served on the owner of the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy. The Building Commissioner shall be permitted, but not required, to cause the Order to Remedy, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other person taking part or assisting in work being performed at the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Order to Remedy.

E. Nothing in this section shall be construed as requiring the Building Commissioner to issue an Order to Remedy where violations of the Uniform Code or the Fire Code are found to exist if the Building Commissioner determines that such violations can be addressed adequately by the use of other enforcement tools. Nothing in this section shall be construed as limiting the authority of the Building Commissioner to employ any other means of enforcing the Uniform Code and the Fire Code.

§2-23.1 Complaints.

The Building Commissioner shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with

the Uniform Code, the Energy Code, this local law, or any other local law, ordinance or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Building Commissioner may deem to be appropriate:

(a) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;

(b) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in Article V of this Chapter. Alternatively, an appearance ticket may be issued if the Building Commissioner determines the violations are egregious or a threat to life and safety.

(c) if appropriate, issuing a Stop Work Order;

(d) if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

§ 2-24. Abatement of violation.

Appropriate actions and proceedings may be taken at law or in equity to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to prevent illegal acts, conduct or business in or about any premises, and these remedies shall be in addition to penalties otherwise prescribed by law.

§ 2-25. Fire limits.

[Added 4-28-1987 by L.L. No. 9, 1987; 2-27-1996 by L.L. No. 4, 1996]

A. Fire limits are hereby established in the following districts as designated in Chapter 70, Zoning:

- (1) Multiple Residence Districts.
- (2) Public Housing Residence Districts.
- (3) Golden Age Districts.
- (4) Parking Districts.

- (5) Transportation Districts.
- (6) Business AA Districts.
- (7) Business A Districts.
- (8) Business B Districts.
- (9) Planned Industrial Park Districts.
- (10) Modified Planned Industrial Park Districts.
- (11) Service Commercial Districts.
- (12) Industrial A Districts.
- (13) Industrial B Districts.
- (14) Hospital Districts.

B. In Multiple Residence Districts, buildings of C6.1 occupancy designated by the New York State Uniform Fire Prevention and Building Code are exempt from fire limits, provided that the proposed building has a distance separation of twenty (20) feet, is fully sprinklered, is one-story and has six thousand five hundred (6,500) square feet or less.

C. The chief of any fire department providing firefighting services for a property within this Town shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney, or gas vent.

Section 3.

Chapter 2 of the Town Code is hereby amended by adding new Article VIII to read as follows:

ARTICLE VIII Fire Safety and Property Maintenance Inspections

§2-141 Inspections Required.

A. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Building Commissioner at the following intervals:

(1) at least once every twelve (12) months for buildings which contain an assembly area;

(2) at least once every twelve (12) months for public and private schools and colleges, including any buildings of such schools or colleges containing classrooms, dormitories, fraternities, sororities, laboratories, physical education, dining, or recreational facilities; and

(3) at least once every thirty-six (36) months for multiple dwellings and all nonresidential occupancies.

B. Inspections Permitted.

In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the Building Commissioner at any time upon:

(1) the request of the owner of the property to be inspected or an authorized agent of such owner;

(2) receipt by the Building Commissioner of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or

(3) receipt by the Building Commissioner of any other information, reasonably believed by the Building Commissioner to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist;

provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

C. Office of Fire Prevention and Control Inspections.

(1) Nothing in this section or in any other provision of this local law shall supersede, limit, or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control and the New York State Fire Administrator or other authorized entity under Executive Law section 156-e and Education Law section 807-b.

(2) Notwithstanding any other provision of this section to the contrary, the Building Commissioner may accept an inspection performed by the Office of Fire Prevention and Control or other authorized entity pursuant to sections

807-a and 807-b of the Education Law and/or section 156-e of the Executive Law, in lieu of a fire safety and property maintenance inspection performed by the Building Commissioner.

Section 4. Severability

If any clause, sentence, paragraph subdivision, section, or part of this chapter or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, imperil, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph subdivision, section or part of this chapter or in its application to the person, individual, corporation, fund, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. When Effective

This law shall be immediately effective upon filing with the Secretary of State.

and; be it further

RESOLVED that the Town Clerk be and hereby is authorized and directed, in the manner required by law, to file a copy of 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 April 4, 2023, Local Law No. 8 of 2023 was adopted. The local law amends Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to revise certain code enforcement provisions in the Town Code to comply with recent amendments to State regulations regarding the New York State Uniform Building Code and Energy Code.

Dated: Manhasset, New York

April 4, 2023

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

Dated: Manhasset, New York

April 4, 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.

NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021760559

:SS.:

COUNTY OF ERIE)

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

Monday

December 05, 2022

Nassau

By: _____

Ciara Woodin

Print Name: _____

Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
05 Day of December, 2022.

Sarah Perez

Notary Public

Sarah Perez

Notary Public - State of New York

No. 01PE6397402

Qualified in Erie County

Commission Expires 09/03/2023

Ad Content

Legal Notice # 21760559

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 15th day of December, 2022, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, to consider the adoption of a Local Law amending Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to revise certain code enforcement provisions in the Town Code to comply with recent amendments to State regulations regarding the New York State Uniform Building Code and Energy Code.

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
November 17, 2022

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

NEWSDAY PROOF

Ad Number: 0021760559

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021782997

: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

April 07, 2023

Nassau

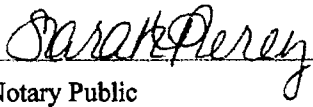
By: 

Ciara Woodin

Print Name: _____

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
07 Day of April, 2023.



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 # 21782997
NOTICE OF ADOPTION
PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on April 4, 2023, Local Law No. 8 of 2023 was adopted. The local law amends Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to revise certain code enforcement provisions in the Town Code to comply with recent amendments to State regulations regarding the New York State Uniform Building Code and Energy Code.
Dated: Manhasset, New York
April 4, 2023
**BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK**

NEWSDAY PROOF

Ad Number: 0021782997

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

CLERK SRIVASTAVA: Item number 2, a public hearing to consider the adoption of a local law amending chapter seven of the Town Code entitled Building Code.

SUPERVISOR DESENA: So, the purpose of this local law is to correct the part of the New York Code Rules and regulations containing the Uniform Code, Minimum Standards for Administration and Enforcement. Is there anybody here to be heard on this item?

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

SUPERVISOR DESENA: I'd like to close the public hearing and offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

Councilperson 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. 203 - 2023

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, 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 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

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 14th day of March, 2023, which hearing was continued to April 4, 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 April 4, 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 Sections 617.5(c)(25), (30) and (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 Sections 617.5(c)(25), (30) and (33) of the SEQRA Regulations and, as such, no further environmental review is required; and be it further

RESOLVED that Local Law No. 9 of 2023 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 9 OF 2023**

A LOCAL LAW AMENDING CHAPTER 7 OF THE TOWN CODE ENTITLED "BUILDING CODE"

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

Section 1. Legislative Intent

It is the purpose and intent of the Town Board to amend Chapter 7 of the Code of the Town of North Hempstead entitled "Building Code" to correct the Part of the New York Code, Rules and Regulations containing the Uniform Code: Minimum Standards for Administration and Enforcement.

Section 2.

Section 7-2 of the Town Code is hereby amended as follows:

§ 7-2. Legislative Intent

The Town Board, recognizing the Executive Law of the State of New York, Article 18, New York State Uniform Fire Prevention and Building Code Act, Title 19 NYCRR Part **1203** [444], Uniform Code: Minimum Standards for Administration and Enforcement, finds that public health, safety, welfare and the good order and governance of the town will be enhanced by the adoption of Title **19-Department of State, Chapter XXXIII**, [~~Executive (Volume B), Subtitle S – DHCR, Chapter 1 – Uniform Code,~~] Subchapters A through C[N], as the applicable Building Code 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 April 4, 2023, Local Law No. 9 of 2023 was adopted. The local law amends 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.

Dated: Manhasset, New York

April 4, 2023

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

TOWN CLERK

Dated: Manhasset, New York

April 4, 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
220 PLANDOME RD.
MANHASSET, NY 11030-2327

STATE OF NEW YORK)

Legal Notice No.

0021776045

: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

March 03, 2023

Nassau

By: Ciara Woodin

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
03 Day of March, 2023.

Kimberly A. Smith
Notary Public

Kimberly A. Smith
Notary Public - State of New York
No. 01SM6388511
Qualified in Erie County
Commission Expires 03/11/2027

Ad Content

Legal Notice # 21776045

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**

NEWSDAY PROOF

Ad Number: 0021776045

Advertiser: TOWN OF NORTH HEMPSTEAD

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on April 4, 2023, Local Law No. 9 of 2023 was adopted. The local law amends 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.

Dated: Manhasset, New York

April 4, 2023

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

NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021782999

: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

April 07, 2023

Nassau

By: _____

Ciara Woodin

Print Name: _____

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
07 Day of April, 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 # 21782999
NOTICE OF ADOPTION
PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on April 4, 2023, Local Law No. 9 of 2023 was adopted. The local law amends 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.
Dated: Manhasset, New York April 4, 2023
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021782999

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

CLERK SRIVASTAVA: Item number 3, 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: The purpose of the local law is to Established minimum Standards for the administration enforcement of the New York State Uniform Fire Prevention and Building Code in 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. Is there anybody here to be heard on this item?

CLERK SRIVASTAVA: No. We have no person.

COUNCILWOMAN LURVEY: Oh, Mr. O'Donnell.

MR. O'DONNELL: Michael O'Donnell, 15 Nugent drive, North New Hyde Park. In -- in your assembly council room, you have certain facilities, could you enumerate what type of facility would be involved in this?

COUNCILWOMAN LURVEY: Yes. So I would ask -- I think the right person would be town attorney for giving a little overview.

MR. CHIARA: So this -- the -- the items one, two, and three were modifications to the building code in a series of areas. There's probably about, I would say two dozen areas that had to be changed based on new State law, and this affects -- this affects, you know, all sorts of, of different building types. It affects regular housing. It affects, I think it affects apartment buildings, multi -- multi-family buildings. So it kind of is a broad effect. I mean...

MR. O'DONNELL: Nothing Specific.

MR. CHIARA: No. it's a -- it's a -- it's a wide -- wider range of changes that were required by the law. Some of it was modifications due to -- due to technology. Some of it was just simply just changes that the State was requiring on how permits be processed.

MR. O'DONNELL: Okay. Further inquiry on that.

COUNCILWOMAN LURVEY: So we can get you a copy of that.

MR. O'DONNELL: I'd appreciate it. Thank you.

FEMALE VOICE: Does that also -- are there any changes that are going to affect any new construction of fire houses or anything like that? When it talks to certain activities and certain -- oh yeah, yeah, yeah. What did it say? Certain -- excuse me. What - what number is this again?

CLERK SRIVASTAVA: Three.

COUNCILWOMAN LURVEY: Three.

FEMALE VOICE: Three. Thank you. Certain activities and/or the operation of certain facilities within the town. Does that cover -- is there any changes with regarding to construction of new fire operating facilities, new fire buildings, or something like that?

COUNCILWOMAN LURVEY: So, I think what you're asking is related to a potential building on Cumberland Avenue?

FEMALE VOICE: That's correct, yes.

COUNCILWOMAN LURVEY: So since we spoke earlier today, I spoke with the Commissioner of Planning and Michael Levine. Can you tell us what -- who has jurisdiction

over that and whether or not this code would apply?

COMMISSIONER LEVINE: Okay. 'Cause you're talking about two different things. These are changes to the building code that affect all types of construction. Is there a specific clause regarding fire stations? Nothing that I'm aware of, but our building commission would know. In terms of the specific location, that's in the village of Lake Success. So the fire district would presumably make an application to the --to the village for approval.

COUNCILWOMAN LURVEY: So this --so this code would not apply. Commissioner Levine?

COMMISSIONER LEVINE: Well --

COUNCILWOMAN LURVEY: The building

COMMISSIONER LEVINE: It's a State building code, so the village will have identical language, but you know, with their specific pronouns.

FEMALE VOICE: So the Town of North Hempstead has no jurisdiction over what may or may not be constructed in that area.

COMMISSIONER LEVINE: If it's on that --

COUNCILWOMAN LURVEY: -- because of Lake Success.

COMMISSIONER LEVINE: Right. If it's that particular property. So it's a water district property south side of Cumberland.

COUNCILWOMAN LURVEY: Correct.

COMMISSIONER LEVINE: That's in the Village of Lake Success. The town would not have any jurisdiction over it.

FEMALE VOICE: Okay. Thank you.

COUNCILWOMAN LURVEY: Thank you.

COUNCILWOMAN LURVEY: Is there anybody else who would like to be heard?

(No response.)

COUNCILWOMAN LURVEY: Seeing no one, 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. 204 - 2023

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, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend the Town Code by 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; 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 14th day of March, 2023, which hearing was continued to April 4, 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 April 4, 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 Sections 617.5(c)(25), (30) and (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 Sections 617.5(c)(25), (30) and (33) of the SEQRA Regulations and, as such, no further environmental review is required; and be it further

RESOLVED that Local Law No. 10 of 2023 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 10 OF 2023**

**A LOCAL LAW ESTABLISHING CHAPTER 9A OF THE TOWN CODE
ENTITLED "BUILDING AND SAFETY: OPERATING PERMITS"**

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

Section 1. Legislative Intent.

The Town Board of the Town of North Hempstead recognizes that the conduct of certain activities and/or the operation of certain types of facilities within the Town pose greater health and safety risks to the residents of the Town and therefor merit heightened overview and inspections, and that new regulations promulgated by the New York Secretary of State require greater oversight over certain uses and activities of facilities in the Town. In order to implement these changes, the Town Board finds it in the best interests of the Town to establish Chapter 9A of the Town Code entitled "Building and Safety: Operating Permits" 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.

Section 2.

Chapter 9A of the Town Code is hereby established to read as follows:

§ 9A-1. Definitions.

In addition to the definitions contained in §2-7 of Chapter 2 of the Code, the following definition shall apply to this chapter:

OPERATING PERMIT

A permit issued by the Town of North Hempstead Department of Building, Safety Enforcement and Inspection granting permission to conduct certain activities or to operate certain facilities within the Town.

§9A-2 Operating Permits

A. Operation Permits required. Operating Permits shall be required for conducting any process or activity or for operating any type of building, structure, or facility listed below:

(1) manufacturing, storing, or handling hazardous materials in quantities exceeding those listed in the applicable Maximum Allowable Quantity tables found in Chapter 50 of the Fire Code;

(2) buildings, structures, facilities, processes, and/or activities that are within the scope and/or permit requirements of the chapter or section title of the Fire Code as follows:

i. Chapter 22, "Combustible Dust-Producing Operations." Facilities where the operation produces combustible dust;

ii. Chapter 24, "Flammable Finishes." Operations utilizing flammable or combustible liquids, or the application of regulated combustible powders;

- iii. **Chapter 25, "Fruit and Crop Ripening." Operating a fruit- or crop-ripening facility or conducting a fruit-ripening process using ethylene gas;**
- iv. **Chapter 26, "Fumigation and Insecticidal Fogging." Conducting fumigation or insecticidal fogging operations in buildings, structures, and spaces, except for fumigation or insecticidal fogging performed by the occupant of a detached one-family dwelling;**
- v. **Chapter 31, "Tents, Temporary Special Event Structures, and Other Membrane Structures." Operating an air-supported temporary membrane structure, a temporary special event structure, or a tent where approval is required pursuant to Chapter 31 of the Fire Code;**
- vi. **Chapter 32, "High-Piled Combustible Storage." High-piled combustible storage facilities with more than 500 square feet (including aisles) of high-piled storage;**
- vii. **Chapter 34, "Tire Rebuilding and Tire Storage." Operating a facility that stores in excess of 2,500 cubic feet of scrap tires or tire byproducts or operating a tire rebuilding plant;**
- viii. **Chapter 35, "Welding and Other Hot Work." Performing public exhibitions and demonstrations where hot work is conducted, use of hot work, welding, or cutting equipment, inside or on a structure, except an operating permit is not required where work is conducted under the authorization of a building permit or where performed by the occupant of a detached one- or two-family dwelling;**
- ix. **Chapter 40, "Sugarhouse Alternative Activity Provisions." Conducting an alternative activity at a sugarhouse;**
- x. **Chapter 56, "Explosives and Fireworks." Possessing, manufacturing, storing, handling, selling, or using, explosives, fireworks, or other pyrotechnic special effects materials except the outdoor use of sparkling devices as defined by Penal Law section 270;**
- xi. **Section 307, "Open Burning, Recreational Fires and Portable Outdoor Fireplaces." Conducting open burning, not including recreational fires and portable outdoor fireplaces;**

xii. Section 308, "Open Flames." Removing paint with a torch, or using open flames, fire, and burning in connection with assembly areas or educational occupancies; and

xiii. Section 319, "Mobile Food Preparation Vehicles." Operating a mobile food preparation vehicle in accordance with the permitting requirements established by Office of the Town Clerk, as now in effect or as hereafter amended from time to time.

(3) energy storage systems, where the system exceeds the values shown in Table 1206.1 of the Fire Code or exceeds the permitted aggregate ratings in section R327.5 of the Residential Code;

(4) buildings containing one or more assembly areas;

(5) outdoor events where the planned attendance exceeds 1,000 persons;

(6) facilities that store, handle or use hazardous production materials;

(7) parking garages as defined in subdivision (U) of Article I of Chapter 2 of the Town Code;

(8) buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Building Commissioner; or

(9) other processes or activities or for operating any type of building, structure, or facility at the discretion of the Building Commissioner.

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision (a) shall be required to obtain an Operating Permit prior to commencing such activity or operation.

B. Applications for Operating Permits.

An application for an Operating Permit shall be submitted electronically, via the Building Department online portal, on a form provided by the Building Commissioner. Such application shall include such information as the Building Commissioner deems sufficient to

permit a determination by the Building Commissioner that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Building Commissioner determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Building Commissioner, at the expense of the applicant.

C. Exemptions.

Operating permits shall not be required for processes or activities, or the buildings, structures, or facilities listed in paragraphs (1) through (9) of subdivision (A) of this section, provided that the use is expressly authorized by a certificate of occupancy or certificate of approval or completion, fire safety and property maintenance inspections are performed in accordance with Article VIII of Chapter 2 of this Code (Fire Safety and Property Maintenance Inspections), and condition assessments are performed in compliance with subsection U of Section 2-9 of this Code (Condition Assessments of Parking Garages).

D. Inspections

The Building Commissioner shall inspect the subject premises prior to the issuance of an Operating Permit. Such inspections shall be performed in-person. After inspection, the premises shall be noted as satisfactory and the operating permit shall be issued, or the operating permit holder shall be notified as to the manner in which the premises fail to comply with either or both of the Uniform Code and the code enforcement program, including a citation to the specific provision or provisions that have not been met.

E. Multiple Activities.

In any circumstance in which more than one activity listed in subdivision (a) of this section is to be conducted at a location, the Building Commissioner shall require a separate operating permit for each such activity.

F. Duration of Operating Permits.

Operating permits shall be issued for a specified period of time consistent with local conditions, but in no event to exceed as follows:

- (1) 180 days for tents, special event structures, and other membrane structures;**
- (2) 60 days for alternative activities at a sugarhouse;**
- (3) three (3) years for the activities, structures, and operations determined per subsection (A)(9) of this section;**
- (4) one (1) year for all other activities, structures, and operations identified in subsection (A) of this section.**

The effective period of each operating permit shall be specified in the operating permit. An operating permit may be reissued or renewed upon application to the Building Commissioner, inspection, payment of the applicable fee, and approval of such application by the Building Commissioner.

G. Revocation or Suspension of Operating Permits.

If the Building Commissioner determines that any activity or building for which an operating permit was issued does not comply with any applicable provision of the Uniform Code, such operating permit shall be revoked or suspended.

§ 9A-3. Penalties for Offenses

The provisions of §2-75 of this Code shall govern violations of this Chapter.

Section 3. Severability.

If any clause, sentence, paragraph subdivision, section, or part of this chapter or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, imperil, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph subdivision, section or part of this chapter or in its application to the person,

individual, corporation, fund, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 4. When Effective

This law shall be immediately effective upon filing with the Secretary of State.

and; be it further

RESOLVED that the Town Clerk be and hereby is authorized and directed, in the manner required by law, to file a copy of 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 April 4, 2023, Local Law No. 10 of 2023 was adopted. The local law establishes 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.

Dated: Manhasset, New York

April 4, 2023

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

Dated: Manhasset, New York

April 4, 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
220 PLANDOME RD.
MANHASSET, NY 11030-2327

STATE OF NEW YORK)

Legal Notice No.

0021776040

: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

March 03, 2023

Nassau

By: Ciara Woodin

Print Name: Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
03 Day of March, 2023.

Kimberly A. Smith
Notary Public

Kimberly A. Smith
Notary Public - State of New York
No. 01SM6388511
Qualified in Erie County
Commission Expires 03/11/2027

Ad Content

**Legal Notice # 21776040
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**

NEWSDAY PROOF

Ad Number: 0021776040

Advertiser: TOWN OF NORTH HEMPSTEAD

NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021783003

: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

April 07, 2023

Nassau

By: _____

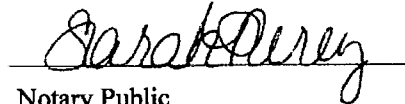


Ciara Woodin

Print Name: _____

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
07 Day of April, 2023.



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 # 21783003
NOTICE OF ADOPTION
PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on April 4, 2023, Local Law No. 10 of 2023 was adopted. The local law establishes 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.
Dated: Manhasset, New York
April 4, 2023
BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021783003

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

CLERK SRIVASTAVA: Item number 4, a public hearing to consider the adoption of a local law amending chapter 70 of the Town code entitled Zoning.

COUNCILMAN TROIANO: Does anybody like to be heard about this?

(No response.)

COUNCILMAN TROIANO: I'd like to move to continue to May 2nd.

CLERK SRIVASTAVA: May 2nd. 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 number 5, a public hearing to consider the application of Michael Tobias for a special permit for the premises located at 111 Magnolia Avenue, Westbury, and designated on the Nassau County land and tax map as Section 11, Block 141, Lot 37.

MS: DIXON: Good evening. My name is Catherine Deegan-Dixon. I'm a partner in the law firm Forchelli Deegan, Terrana at 333 Earle Ovington Boulevard, Uniondale, New York. I'm here on behalf of Michael Tobias, who is the owner of 111 Magnolia Avenue in the unincorporated area of the Town of North Hempstead of Westbury. We're here this evening for a special permit to construct a new industrial building with a cellar to be used for below-grade parking. The property is located in the Industrial B District in the unincorporated area of the town, and the proposed building will be a one-storey warehouse and distribution building, which is a permitted use. And the below-grade parking structure is what brings us here this evening. The applicant received variances from the BZA, the Board Zoning, and Appeals, on June 8th, 2022, under appeal number 21232, and again on December 14th, 2022 under appeal number 21232A. And so now we're here tonight seeking the special permit pursuant to 7-203U of the Town Code. The property has historically been used for warehouse and distribution facilities since the 1950s. Apparently, it used to be a Coca-Cola bottling facility at some point, according to the assessor's that's County assessor's records. The building that was there occupied approximately the same size footprint as what is being proposed, roughly 15,000 square feet. That one was a little bit bigger, but that building was completely destroyed by fire in 2021.

So the son of the former owner proposes to rebuild the building to modernize it and improve the functionality of its operations. As I mentioned, the new building required a few variances. One was for insufficient parking. We were short three parking spaces where we required 25. We were providing 22, now we're providing 23, so we're a little bit more compliant for a building height of 44 feet, one inch to accommodate a building stair tower, the rest of the building was fully compliant, and for the maximum gradient of the driveway, which exceeds eight percent which is a variance under that -- the underground parking regulation of the of the code. Those variances were granted. The building was redesigned and reconfigured after the variances were granted. So the building department requested that we reappear at the zoning board, and that's what that second hearing was. Those variances were reaffirmed, and the new plans improved the layout and circulation and the aesthetics of the site. It increased the -- it permitted the increase of parking spaces by one additional parking space and now that's 23 relocated the stair tower to a more functional location without increasing the height. It relocated the access and loading points on the site, which eliminated one variance for parking -- for an overhead door within 18 feet of the property line now that's been eliminated. And it provided a more efficient pattern of circulation throughout the site. And then it also enabled us to provide a small rear yard setback and a little bit of green space where there wasn't any in the prior application. The project complies in all other respects for zoning for the Industrial B District, including the floor area ratio, which is something that's included in section 70-203U, which when that section of the code was adopted to require a special permit, it did impose floor area ratio requirements for certain uses if they were going to provide underground parking. And at the time it was designed to make sure the buildings weren't overbuilt, that you didn't do an exceptionally large building and provide all your parking somewhere else. In this instance, it's beneficial not only to the project, to the property to be able to rebuild the same size building that was there, but it's also very beneficial to this area, in the industrial area of Westbury. This neighborhood is characterized by a lot of haphazard street parking. Some parking spaces are partially on the property and partially off the property. And I'm talking about other properties in the area.

COUNCILMAN TROIANO: And I'm sorry, Katherine, why is it beneficial?

MS. DIXON: Because now we're going to be able to contain all of our parking on site, whereas the old building had -- was part of that old parking pattern in the neighborhood. There are no residential properties anywhere nearby. This is an exclusively commercial and industrial area. So we will be able to provide all of our parking needs on-site without exacerbating any of the parking issues in the area. While this is not a site plan hearing technically, because we're at 25 - - we're at under 25,000 square feet in lot area, or actually exactly the code requires the same submissions. So, the planning department has had a full review of the fully engineered site plans for the property, including drainage and grading, landscaping and lighting, and then the site circulation plans. I want to point out that the building contains many green features, including EV charging stations, solar panels, and rooftop stormwater retention, which will supplement the compliant five-inch stormwater retention on site, but it will be an additional augmentation of that --of that storm water handling in light of some of the large storms that we've had in recent months and years. As part of the application, we submitted a traffic impact study prepared by R&M Engineering. That's part of the package that you should have. It was dated January 2023. I would like to introduce Wayne Muller of R&M Engineering to review the results of his study and to walk you through the site circulation and traffic patterns in the neighborhood.

MR. MULLER: Good evening, for the record my name is Wayne Muller. I'm with Robinson

and Muller Engineering. Our offices are at 50 Elm Street, Huntington, New York. Our office has been involved in this project for some time, and I appeared before the Zoning Board of Appeals, as Ms. Dixon said, twice, in support of the application. A lot of what I would cover was already covered by Ms. Dixon. We did prepare a detailed traffic impact study dated January, 2023, at the request of the planning department. In addition, we provided supplemental information regarding the operation of the facility in our January 24th, 2023 document that was also submitted to the planning department. As indicated in those documents and also the documents that we submitted to the Board of Appeals, we believe that the parking provided on the property will be more than sufficient to accommodate the needs that would be generated by this type of a fulfillment center, and due to the size of it. One thing I would like to hand up is -- as Ms. Degan-Dixon indicated, the previous building, I just happened to print out a copy of an aerial from a service that's called Near Map. And this is dated March 10th, 2021, and what it shows is the positioning of the old building on the property and the fact that all of -- pretty much all of the parking associated with the old building really pulled in off of Main Street and -- and used the right of way essentially in order to park for the employees that were generated by that use. As indicated on the plans, it is the proposal here today to put all the parking underground. And therefore, the areas along Main Street, Grand and Magnolia will be free of vehicles that will be associated with this facility. Our detailed traffic study indicated that the traffic generated by this facility will not create any undue traffic congestion or hazard, and will not have a significant impact on traffic operating conditions within the area. As Ms. Degan-Dixon indicated, there's a -- the building areas are comparable, so therefore we would not anticipate any additional increase in traffic than that that could have been generated had the building not caught fire and essentially burned. I'll be happy to answer any questions.

COUNCILMAN TROIANO: I'm sorry. Can you go back over that for me? You're saying that the new building and the operation you anticipate and a lot of the business there would have the same or similar traffic patterns to Mr. Tobias' previous operation?

MR. MULLER: That's correct. Yeah. This is fully permitted use, so that was fully permitted with the use of industrial building. And essentially what we're putting back is an industrial building. But in this instance, we're putting the parking underneath the building rather than relying on the town right of way and street parking to accommodate the employees and/or any visitors that would come to the facility. But the loading areas are essentially in the same spot along the western side of the building. So there's relatively no change in the way that the traffic would operate as a result of the construction which is formally putting all the employees under the building. Thank You. Happy to answer any other questions if there are any.

CLERK SRIVASTAVA: We have few cards on this item. Michael O'Donnell.

SUPERVISOR DESENA: No, he's passing. Is there another card? Did you wish to be heard in the back?

MR. KAUFMAN: Yeah.

SUPERVISOR DESENA: Come on,

CLERK SRIVASTAVA: Mark Kaufman.

MR. KAUFMAN: Good evening, everybody.

SUPERVISOR DESENA: Good evening.

MR. KAUFMAN: My name is Mark Kaufman. I own a building along with my wife on 99 Magnolia, which is approximately 150 feet from the building that's supposedly going to be built.

COUNCILMAN WALSH: I'm sorry, Mr. Mark?

MR. KAUFMAN: Yes.

COUNCILMAN WALSH: I didn't catch your last name.

MR. KAUFMAN: Kaufman. K-a-u-f-m-a-n. I'm sorry counsel, but a lot of that nonsense that she said is not true. I've been in that building for over 50 years. That building was formally a powder-coating manufacturing facility over the years that I've been in my building. I don't even remember the Coca-Cola building that was there in 1950. That's a start. Second thing is that they were also mentioned by her that the building was 25,000 feet, but it's registered as 35,000 feet. As far as the reason that we're opposing, and I have other building owners that are here on Magnolia that were also attest to the same situation, we're opposing the resolution to turn down the parking for pollution, the parking, and congestion. And I can really attest to the pollution with the carbon monoxide because this is going to be a micro center. And a micro center could turn into an Amazon distribution center, and Amazon has over five or 600 trucks going to their other distribution center in Nassau County, even if this does 200 trucks. Our area, Magnolia Avenue, is the most polluted area in Nassau County. There was an article on February 8th in 2023 to stipulate that I have a copy of the article and I'd like to read some excerpts video about it. I'll get into the other points real fast because I don't want to waste your time. It states: State environmental officials are conducting a yearly air pollution study looking to disadvantaged communities in Nassau County for potential sources of hotspots. The DEC officials are focusing on Hempstead area and surrounding communities found to have high pollution burdens from source of trucks, heavy traffic, parkways, and industrial businesses. The department contracted with a vendor with a fleet of vehicles equipped with air sensors to monitor air pollution on Ariel streets catching split-second air pollution readings of greenhouse gases, black carbon soot, and carbon monoxide and dioxide levels. Primarily, data focused on certain hotspots in New Castle is where we are including readings in industrial area on Magnolia Avenue, that's where we are. The readings indicated potential hotspots at times reading levels 20 times higher than normal officials said. 20 times higher. They know that they have a high concentration of industries in this area presenting concerns from high levels of dust, cement crushing facilities to waste transfer stations. We wanted to make sure that the air quality for the residents and community was clean and it's not clean. And as far as the report on the traffic conditions that he stated, well, being that I've been on this block for 50 years, I'll show you some of the pictures that I took. The streets are backed up with trucks you cannot pass to get to your own business, because they're waiting for a transfer or waste station dumping. The trucks are sometimes on the weekends lined down the block. Now, picture vans going in offloading, coming out the other side, two, 300 vans at -- possibly even 150 is too much. The pollution in the air and so forth. Now, the final straw is this last picture I'll show you, is a picture of the foot of my car one day after I had a fall which is horrendous. We've been breathing in this air forever. The trucks that are stowed by the street, the cars that are stowed on the street waiting for the trucks, you can't pass, you can't park. There's no parking lots, there's nothing. This is baloney. This is not going to help anybody. This is only going to create more traffic. There are other people here that will testify to the same. You can't conduct your own business anymore. I have to get cars to move to get my car out of my driveway because they're lined up down the block. So I don't know where the traffic control did, maybe he did it on Sunday night. No offense. But the bottom line

is I'm totally opposed to it is Industrial Park is horrendous on people that are breathing this air. And now you want to create more carbon monoxide.

CLERK SRIVASTAVA: Thank you.

MR. KAUFMAN: Thank you.

CLERK SRIVASTAVA: Mark Starn. Mark, S-t-a-r-n.

COUNCILMAN TROIANO: I'd just like to make a comment about the study that Mr. Kaufman referenced and he -- and he provided a Newsday News article in -- in reference to that. I am part of the State's Community Review Committee and I was a participant in that --in that particular meeting that evening. And in part Mr. Kaufman is correct, they identified Magnolia Street as being the worst street in what I consider to be a series of bad streets in the New Cassle Industrial Park. However, they said that their findings were preliminary and may in fact be faulty. And may be -- may be indicative of a weakness in their --sorry, a weakness in their testing procedure. So -- but I will also tell you in support of what Mr. Kaufman said, that I took exception and I expressed it that evening to DEC coming to the conclusion that all the streets and in New Castle Industrial Park were just fine in terms of our air quality while only Magnolia Street had a problem. So it's -- so I'm not neither supporting Mr. Kaufman nor refuting him, but I do wanted to point out that there are some caveats there. And I continue to have concerns though about air quality in that entire area. I also lived not very far from where Mr. Kaufman is and indicating, and I can -- and I can from personal experience confirm that when I washed my car when I lived on Grand Boulevard, that shortly thereafter the car was dirty from the pollution in the area, which is not to say that the prior Mr. Tobias, Mr. Peter Tobias, was the cause of that or that Mark Tobias is -- would be -- would add to that, when he brings in his -- should he bring in his business to that location.

CLERK SRIVASTAVA: Ms. Stefane Thomas (phonetic). No?

MR. THOMAS: Stefane.

CLERK SRIVASTAVA: Stefane Thomas. Thank you for correcting me.

MR. THOMAS: All right. That's a common mistake people will make because it has an E, at the end. But Stefane Thomas, I owned a building in 90 Magnolia, which is -- I'm Mark's neighbor as well. So I'm -- even though I'm a recent owner, I have experienced the traffic, the heavy traffic coming in and out of that street. I do attest to the pollution as well with my car being dusty all the time. We don't ever even open our windows even, you know, we have a rolling gate. Even when we intended to even open it up. We can't open it up just because of the pollution itself. And I -- the --my car gets blocked off quite often just by trucks coming in and out, and you know, we've -- I've got my partner and I, who's unfortunately not here today, but we've fought so much to, you know, buy our building and now sometimes it's just disturbing to our business because we can't receive our deliveries, or coming in out of our business just because of the truck traffic that already exists. I don't know how much pollution that's going to create that I can't attest to, I'm not quite sure, but I'm sure traffic itself is going to be pretty bad because of adding a distribution center.

COUNCILMAN WALSH: Can I ask you a question?

MR. THOMAS: Sure.

COUNCILMAN WALSH: When you say that you can't conduct business because you can't get

your trucks in and out, do you mean in and out of a driveway or?

MR. THOMAS: In and out of my driveway.

COUNCILMAN WALSH: Yup. You can't -- okay. In and out of your drive?

MR. THOMAS: Right. I mean it's not -- it's not like something that happens all the time, but it's often where I have to like go around and say, hey, can you move your truck, or something like that.

COUNCILMAN WALSH: Yeah. Yeah. I get it. Thank you.

COUNCILMAN ZUCKERMAN: I'm sorry, what is your business?

MR. THOMAS: Printing.

COUNCILMAN TROIANO: Printing?

MR. THOMAS: Yup.

CLERK SRIVASTAVA: George (unintelligible). George.

MR. GEORGE: Good evening. Actually, I think you were in the process of calling my partner Mark Stark, and then it got cut off to Stefane. So, we're up here together. We're the owners of 512 Main Street, which is directly across the street from the proposed site. In addition to what both gentlemen said, I mean we echo the sentiments. My partner could speak a little bit more firsthand. What does concern me is the fact that it's going to be some kind of a distribution facility. So while you might have parking, maybe proposing parking spots for the employees, last I checked distribution means trucks going in and out. And that's what's causing the -- that's what will cause additional congestion and make it virtually impossible for us to conduct business. As it stands today, we have virtually no parking. I mean if you come on Main Street, or on the Corner Main in Magnolia, we face parking difficulties every day because of the other businesses that are in the area. But I'll -- I'll let my partner speak a little bit more because he's there day to day.

MR. STARK: Yeah. We also have issues with the trucks at the transfer station. There's a backlog of trucks daily on our street making it very difficult for us to get in and out of our businesses. Also a few blocks away, we have the landscaping dump, I think it's called Vigliotti. And the landscaping trucks, as we're coming into season now, are lined up on the street waiting to dump.

COUNCILMAN TROIANO: I'm sorry. They're lined up on Magnolia?

MR. STARK: They line up on Magnolia and Main. This --

COUNCILMAN TROIANO: On Magnolia?

MR. STARK: On Main, on Main Street.

COUNCILMAN TROIANO: On Main.

MR. STARK: Which is --

COUNCILMAN TROIANO: North of Urban?

MR. STARK: It would be west of Urban. Urban runs north and south.

COUNCILMAN TROIANO: I'm sorry. You're right. Right.

MR. STARK: So --

COUNCILMAN TROIANO: It would be -- I'm sorry --so the trucks that line up to go to Vigliotti.

MR. STARK: Yes.

COUNCILMAN TROIANO: Go as far down as --

MR. STARK: As my building, which is on Main street --

COUNCILMAN TROIANO: So it's Magnolia in Main Street.

MR. STARK: Right. My -- my building is exactly across the street.

COUNCILMAN TROIANO: And is that on a daily basis? Or is that --

MR. STARK: Yes, as the season comes in now, as we get into landscaping season, that's every day. Yes.

COUNCILMAN TROIANO: Okay.

MR. STARK: All right. That's that's pretty much it, what we wanted to say.

COUNCILMAN TROIANO: So if I don't get a chance to ask you after this, how's your father? How's your father?

MR. STARK: How's my --

COUNCILMAN TROIANO: Father.

MR. STARK: My father?

COUNCILMAN TROIANO: Uh-huh.

MR. STARK: Fine, thanks.

COUNCILMAN TROIANO: Okay.

MR. STARK: Do you know my father?

COUNCILMAN TROIANO: Yeah.

MR. STAR: Oh, okay. All right.

COUNCILMAN TROIANO: Wasn't a trick question, I just wanted to know how he was.

MR. STARK: Oh, he's doing very well, thank you.

COUNCILMAN TROIANO: Everybody gets a note, and come up to the podium.

MR. STARK: Right.

COUNCILMAN TROIANO: I have deep regard for your father, and I was very sorry to hear about the fire.

MR. STARK: Oh, okay. Thank you.

COUNCILMAN TROIANO: I know it's the speaker system, right?

MR. STARK: Right.

COUNCILMAN TROIANO: Just blame the speaker system.

MR. STARK: Yes. It's hard to hear, yes.

CLERK SRIVASTAVA: Thank you.

MR. STARK: All right. Thank you very much.

MR. GEORGE: Thank you.

CLERK SRIVASTAVA: We don't have additional card on this item. Done with our cards on this item.

SUPERVISOR DESENA: Would, would you like to respond?

MS. DIXON: So I wanted to just point out that this proposed facility is a 15,000 square foot facility with the parking underneath. The fears of Amazon, or some very large operation coming in are really not founded. The Amazon distribution facilities that are being built around, or, you know, hundreds of thousands of square feet, we're talking about something that's going to be much smaller. We don't have a tenant in place right now, but if you refer to the traffic study that was submitted by R&M, the expectation is that there's going to be three to five trucks a day coming in and they'll pull in, they'll park and they'll be loaded or unloaded. And the parking for the employees will be in that underground area.

COUNCILMAN TROIANO: Katherine, I'm sorry, I didn't know if I -- because the sound system does -- is awful. I'm not sure I heard that right. There'll be three to five distribution vehicles coming through a day.

MS. DIXON: Three trucks. The --so we have parking for box trucks and -- two box trucks and one tractor-trailer, and --or two tractor trailers and one box truck. No, I'm sorry. That's correct, two box trucks.

COUNCILMAN TROIANO: So I'm not sure -- I'm really not sure I'm understanding. There'll be two box trucks --

MS DIXON: And a tractor-trailer. And then the parking is going to be for the employees.

COUNCILMAN TROIANO: That's all aside from employees coming to work.

MS. DIXON: Right.

COUNCILMAN TROIANO: The only other traffic activity would be these two box trucks and a tractor-trailer?

MS. DIXON: And maybe a turnover once or twice a day.

COUNCILMAN TROIANO: So there aren't going to be little vans picking up packages and -- and -- and leaving through the course of the day.

MS. DIXON: I'll let Mr. Muller address the specific activity before, but my point being that this is not a huge traffic generator as people are concerned.

COUNCILMAN TROIANO: Yeah. But it's just hard without further explanation to accept that a distribution center --

MS. DIXON: Well, It's a warehouse. Primarily. It's primarily a warehouse, and with warehouses, you bring in goods and you take out goods. So that's --

COUNCILMAN WALSH: If I can just follow up on what the counsel just asked. You said

that you don't have a tenant yet, is that correct?

MS. DIXON: That's correct.

COUNCILMAN WALSH: So how do you know how many trucks are going to be coming in or how many trips they're going to generate, in that you don't know who the tenant is and what product they'll be selling? So you are estimating or you're guessing, I would imagine. Is that right?

MR. MULLER: Well, if I may answer that.

COUNCILMAN WALSH: So you can answer, yes.

MR. MULLER: Again, for the record, I'm Wayne Muller, Robinson and Muller Engineering. Our office is at 50 Elm Street. We -- the planning department had asked a lot of those same questions that the board's asking you tonight. And the answers to those questions are contained in our January 24th, 2023 letter that we submitted back to the department. And essentially what we utilized was the Institute of Transportation Engineers. They have a publication that's called Trip Generation. And what that is, is a study of a plethora of land uses. And one of those land uses is what they would call a high cube fulfillment warehouse center, which is what this -- the applicant is proposing. And based on the studies that are performed nationwide, we're able to estimate the number of like tractor-trailer trucks or box trucks that would come to the facility. And based on their statistics, we estimate that there would be three per day. And essentially, they come off-peak hours, they unload the materials into the facility, and then they leave. And then another one comes and picks it up. Now I -- my firm has represented Amazon under a few of their projects. The large Amazon facilities, they generate like 14 trucks per day that come overnight. They unload --

COUNCILMAN WALSH: 14 tractor-trailers?

MR. MULLER: Tractor trailers. Correct.

COUNCILMAN WALSH: Okay.

MR. MULLER: And again, but if you look at the aerial that I submitted as part of my presentation --

COUNCILMAN WALSH: Because they also include, cause I'm -- I live right near the Amazon on where the old Waldbaums used to be. And they are also what they call like step fans.

MR. MULLER: Correct.

COUNCILMAN WALSH: And there's a tremendous amount more than 14?

MR. MULLER: But again that's --

COUNCILMAN WALSH: So there are 14 tractor-trailers. That's what you are saying?

MR. MULLER: Three. To this facility.

COUNCILMAN WALSH: No, at this --you said --

MR. MULLER: No. I'm talking about that facility in Westbury, but at a typical hundred thousand square foot Amazon facility that I was involved in. And yes, you're right. The Amazon does have the vans that come in waves and they bring the goods and materials, based on the ITE data and information that we had from the applicant. We would anticipate that there

would be essentially like four small vans that would come to the facility, pick up the materials, deliver them locally, come back, and we anticipate that there would be about six per day.

COUNCILMAN TROIANO: I'm sorry. There'll be four small vans?

MR. MULLER: Four small vans.

COUNCILMAN WALSH: So that's on top of the two --

MR. MULLER: Three trucks. And then we have the employees that --

COUNCILMAN WALSH: I'm getting lost here.

COUNCILMAN TROIANO: Yeah, me too. So I think we heard two box trucks, a tractor-trailer, and now four vans.

MR. MULLER: Correct. Small vans. That's correct. And then there's also employees that would come to the facility that would load the vans and unload the truck trailers.

COUNCILMAN TROIANO: So it's -- so the -- it's four vans, small vans, are they coming in and out all day?

MR. MULLER: They would make multiple trips, yes.

COUNCILMAN TROIANO: Okay. So there is -- there'll be quite a bit more activity than --

MR. MULLER: Than there is today. Yes. But if this was --

COUNCILMAN TROIANO: Well, let's -- let's just -- I mean I was just wanting to make sure I understand. More than there is today, because right now there's nothing there. Right?

MR. MULLER: That's absolutely correct.

COUNCILMAN TROIANO: Right. So, but more than there was when the -- when the previous building was there?

MR. MULLER: Again, using that same logic with the national statistics, we would generate that this as a light industrial building. We reoccupied the light industrial building that would generate -- and again, what I'll do is I'll compare peak hour trips and that's primarily the employees. So the proposed IQ fulfillment center warehouse would generate 13 vehicles in the morning, 11 in, and two exiting. The previously occupied building as light industrial would generate 12. So there would be an increase of one. Using the national statistics in the morning and in the afternoon, this facility would generate 18, and the occupation of the previous building would generate 11. So there'd be an increase to seven, which is a -- in my opinion from a traffic perspective, a pretty de minimis number. But again, I think the thing is that one thing that's very important to point out is that the building that was on the property before it burned down solely relied on street parking, and the right of way in order to accommodate its employees and visitors to and from the site. Most of the buildings in that area had the opportunity to look at Google Earth on my phone. Based on the people who spoke previously, it appeared to me that most of their facilities relied strictly on the street parking for their facilities. They didn't look like they had any dedicated parking lots. So the real benefit to providing the underground parking is removing the employees off the street, thereby --

COUNCILMAN WALSH: I'm sorry, but did you just say that you saw this on your cell phone on Google? Or did you actually see it by --

MR. MULLER: I saw it on Google.

COUNCILMAN WALSH: So you saw this -- you saw other places on Google, and you're determining that that's what they do?

MR. MULLER: Absolutely correct. Then a lot of the buildings in this area were built in the -- in the '50s and '60s, and they didn't provide a lot of onsite parking.

COUNCILMAN WALSH: So you don't actually have people that, like for example, with the traffic numbers that you gave us, you didn't have boots on the ground looking at that, right? You used the trip generation statistics that you used. Right? Did you ever have people there looking at the numbers of cars that are in and out and around that area?

MR. MULLER: Yes.

COUNCILMAN WALSH: Personally, you had -- you had people there?

MR. MULLER: Yes.

COUNCILMAN WALSH: And you determined that by the number of the people that were there counting and not by this trip down?

MR. MULLER: No --

COUNCILMAN TROIANO: Just SO you know, there was a building there before...

COUNCILMAN WALSH: Yeah.

COUNCILMAN TROIANO: -- that burnt down. There's now nothing there, but rubble and grass.

COUNCILMAN WALSH: Okay. Yeah. He didn't say.

COUNCILMAN TROIANO: So for him, he really can't do an onsite count.

COUNCILMAN WALSH: Yeah.

COUNCILMAN TROIANO: Because there's nothing to count.

COUNCILMAN WALSH: I get it.

MR. MULLER: But -- but again, we prepared a very -- we prepared a very voluminous traffic study.

COUNCILMAN TROIANO: Based on -- based on generics, right?

MR. MULLER: Well, no -- well, based on actual data that we collected at the intersections that the town had selected for us to analyze, and then yes, we used nationally generated systems.

COUNCILMAN TROIANO: Yeah. I understand, but you really -- you really can't know until we -- there's an actual business there, and we understand what their operation is.

MR. MULLER: That's correct. Absolutely correct.

COUNCILMAN TROIANO: Just want to be clear about, so everybody knows that -- and I, you know, I'm -- maybe I'm not using the correct technical term, but I call it a generic count, you know, based on averages for other businesses like this that you anticipate will be there.

MR. MULLER: But --

COUNCILMAN TROIANO: And I'm not faulting you. I don't --

MR. MULLER: No, no, no. I fully understand. But what we found is that the -- we've done before and after studies utilizing the statistics that are presented in the trip generation manual.

COUNCILMAN TROIANO: Right.

MR. MULLER: And then comparing them to actual counts that we observe at various different facilities. And one of the larger ones that we've done is the Tanger outlet Mall out in Deer Park.

COUNCILMAN TROIANO: Right.

MR. MULLER: And we utilize the statistics presented in the manuals to estimate the traffic that was generated by that facility to determine what the potential impact could be to the roadways, and then the town required that we go back and look at it after it was constructed. And we found that the numbers were very, very consistent.

COUNCILMAN TROIANO: Uh-huh.

MR. MULLER: We've also found that -- we represent BJ's Wholesale Club, we found that those numbers are very consistent, so that based on a number of studies that are compiled prepared by professionals like myself, and then they -- the -- this one -- the Institute of Transportation Engineers compiles them and puts them in a manual for us to utilize.

COUNCILMAN TROIANO: Right. And it's my understanding though, is that when a -- when a business actually comes in, if it turns out that their operation is different than, I'm going to use my term, than your generic studies provide for, that they can be revisions. We can ask for revisions to (unintelligible) maybe about to affirm.

MS. DIXON: You're saying as a condition of approval?

COUNCILMAN TROIANO: Uh-huh.

MS. DIXON: Would that be in the event that that the operations turn out different

MR. LEVINE: We -- we can ask for traffic mitigations if necessary.

MS. DIXON: Right.

MR. LEVINE: Because I mean, well, I'll further explain if I can. 'Cause we have the same manuals, of course, that you're using the ITE what is -- is it -- it's a compilation of actual traffic surveys categorized by land use nationwide. And what the manual gives you is a mathematical average. It gives you a range, gives you a curve, equation for the curve, and then the correlation factor. So what you're getting is the mathematical average of however many of this type of use. And then it's index to, usually floor area, some parameter. But there's also range. So --

COUNCILMAN TROIANO: But what --

MR. LEVINE: There's also a range given. So what we don't know well -- it's a perfectly valid way of estimating what you can't know yet is the actual tenant may be right on the average, may hit the low end of the range, may hit the high end of the range. We can't know that yet.

COUNCILMAN TROIANO: On the mic, we don't know at all because just hypothetically, you know, Amazon may come in, and please don't try to shake your head no.

MR. LEVINE: Okay. I just think it's too small.

COMMISSIONER LEVINE: I mean, for that particular brand, yes, it's too small. But I mean, that type of --

COUNCILMAN TROIANO: But somebody could come in, and have a totally different operation. And so, you know, what do we as town council members do in that case, having given you a conditional permit, and then based on generic national averages, we find that the eventual tenant (unintelligible) tenant comes in and does something totally different. What's our protection?

MS. DIXON: Well, I -- you know, I think we have to look at the facts that we have right now. We're talking about a permitted use. We're not talking about a -- about a non-permitted use. This is an industrial area, and --

COUNCILMAN TROIANO: But you're coming looking for conditional permit --

MS. DIXON: Well, for our underground parking so that we can actually provide parking on site. Whereas --

COUNCILMAN TROIANO: I understood, but you're coming in looking for a conditional permit based on certain national averages, which may not prove to be even -- may not prove to be accurate once you have a real tenant. And so now I'm saying, if I've given -- if I've given my approval, and let's say the whole board winds up approving this, you know, what do I -- what do I do about that? What do I say to the commercial businesses that are complaining tonight. What do I say and have a question about this as well? You know, just a block away is a residential area that's already inundated with vehicles coming from the industrial park, as well as from the transfer station that goes through that community, residential community, then those vehicles are not permitted there. And maybe give my approval for something that, based on averages that may not be accurate, that I can't even talk to the operator that you're going to eventually get, and get any promises from them that they're going to do everything that they can to make sure that those commercial vehicles don't drive through the residential area.

MS. DIXON: Well, that's something that we could certainly commit to --

COUNCILMAN TROIANO: Which you can't commit. How are you going to commit to that?

MS. DIXON: Because we'll have a tenant that will have a lease that we'll be able to put into place.

COUNCILMAN TROIANO: But that's what -- okay. So that -- but that's, you know, that's now between you and the tenant, and I'm out of it.

MS. DIXON: Well, there is enforcement that can and should be happening. I know this town board just last year or thereabouts adopted performance standards for the Industrial B district for uses dust control and noise vibration, things of that nature, that are being enforced by your code enforcement and by your town attorney's office. This is similar -- it would be a similar performance standard to that. We are not going to be generating dust and pollution the way many of the other users in the community -- in this neighborhood are. We're not going to be -- we're not going to be creating vibrations or loud noises. And if we are, then your code enforcement will come out there. And it's been my experience with other clients of mine that there is robust enforcement of that.

COUNCILMAN TROIANO: Right. Well, I will acknowledge that based on what I've heard described today, you'll -- you're assuming that you get the kind of tenant you're proposing will be

a cleaner operation than many of the businesses in that area today. But in terms of enforcement, you know, Mr. (unintelligible) remember that there was a -- at the end of Magnolia, and I forget the name of the business. But you know, they were doing a -- I don't know, junk reclamation, maybe kind of -- maybe they could call it recycling. And they committed to only having trucks coming in at certain hours of the day, and to avoid -- to avoid trucks teeing up and to avoid traffic, and that was a complete failure. So I'm -- I'm a little, as you can tell, I'm a bit reticent to establish standards and expect that code enforcement can -- can -- can actually force a business to live up to that. But let's -- but this is what I would like to do. If you have any -- does anybody else have any questions? Okay. Before you come on, Mark, do you have anything you want to present to us?

MS. DIXON: No. I think I've pretty much-covered everything.

COUNCILMAN TROIANO: Mr. Kaufman.

MR. KAUFMAN: Just in rebuttal to what they said, the streets are filthy, dirty, dusty, and the extra vehicles that come down the street causes a haze of dust and dirt, the windshields, the cars. You saw my car, that's part of the problem. Plus whatever's in the air. Previous owner had one truck, he used it once a week, once to make pickups and once to make deliveries. That was it. Hurry. Reason I know is the gentleman that sits next to me that was up here before, worked on his truck, knows him intimately. And I also know the person that ran that business beforehand. So they had one vehicle. This is a whole totally different picture. Plus the fact that I don't know when they did their survey, but I have a picture on my phone, which is totally appalling, but I don't know if you can see from here, three tractor-trailers side by side by side, and it goes on all day. How does anybody get by? And including, we put the vans in it, and then they have to, they have to offload their -- to the warehouse to get all these vans out. Do you know the average Amazon van delivers somewhere between 250 -- or 250 and 300 packages a day? So this being a micro warehouse has to be filled constantly because Amazon or some biosimilar has to deliver within a day or two. So it has to be constantly refreshed. So all this nonsense about two or three trailers a day is nonsense. It's going to happen all day, and the vans are going to be in and out all day. And the size of the building is supposed to be 35,000 square feet. Am I right counsel?

MS. DIXON: I'm sorry.

MR. KAUFMAN: What is the size of the building? 35,000 square feet?

COMMISSIONER LEVINE: No, I'll tell you what we have on the plan that was filed. The entire building's 35, 15 of which are devoted to the warehouse remainder for parking and mechanical space.

MR. KAUFMAN: There's not enough parking, there's not enough room in the streets for the cars with the trucks, and there's not enough room for carbon monoxide and the rest of the pollution, its killing us. Just for the matter of fact, I had my sinuses removed because of the dust in the air. Okay. And there were other people that died in my street from cancer. And we can't prove why it happened. But that's a fact too. That's all I have to say.

COUNCILMAN TROIANO: So Mr. Kaufman, just not really with respect to this application, but are you also finding that the landscaping vehicles from Vigliotti are lining up down from Magnolia down Main Street?

MR. KAUFMAN: They come -- yes, they do. And now that the garden season started, you

know, the -- the -- the recyclers didn't go away, they're still at the end of the block.

COUNCILMAN TROIANO: I know. --

MR. KAUFMAN: -- companies. And when the landscaping businesses start, yes, they do come around the corner onto Main Street, but when the landscaping businesses start, they line up on Magnolia all the way down the street even worse, to make everything worse. The stone crushers, the cement trucks, they all take that road. Yes. And it's impossible to do business now. And it's horrible that the town and the State hasn't done anything. This -- you know, they said that south of the railroad is where they took the readings, but I guarantee you, when the wind's blowing from the south, the residential area is getting polluted as well.

COUNCILMAN TROIANO: Well, you know what they said, Mark, which was I took exception to, and they weren't really very happy with me, but I said, it's really impossible to believe that the wind doesn't blow to the North also.

MR. KAUFMAN: Amen.

COUNCILMAN TROIANO: And they were saying that the residential area of New Castle wasn't impacted at all, and just be - -

MR. KAUFMAN: That's totally not true.

COUNCILMAN TROIANO: Right. Okay. Thank you, Mark. Katherine?

MS. DIXON: Yes.

COUNCILMAN TROIANO: Have you made any effort to meet with the business owners?

MS. DIXON: I personally have not, but I think that my client has -- his father operated a business here for quite some time. And I'm not sure short of not developing his property, that there's anything that would create zero traffic in this.

COUNCILMAN TROIANO: I understand. But I, you know, I also know that very often when you can facilitate a meeting between neighbors, you can -- you can get resolved things and create (unintelligible) understanding. I think we've heard a lot tonight that may not be accurate, in part because the business owners may not really understand what your business model is. And, you know, maybe explaining that to them would be helpful. I know that I would've appreciated hearing about this before just tonight. And I'm not aware that any attempt was made to reach out to me.

MS. DIXON: Okay. We will -- we'll certainly reach out and see if we can come to some sort of a meeting of the minds with the community. I do want to submit an aerial photo of the area. It shows the properties not only my client's site, it shows the sand pits or the dirt piles to the west. It shows the properties of the people who spoke here this evening, and where their cars are actually flowing out onto the street. So I do just want to reiterate that this proposal really is intended to make sure that we not only do not exacerbate an issue that exists in the community, but that we actually -- that we contain our parking on site, and that it's going to free up street parking because we're going to, we don't need to park on the street.

COUNCILMAN TROIANO: I do -- I have one more question. Is the underground parking area, is that going to be secured during the evenings and on weekends when there's no one there?

MS DIXON: Yes. Yes. It'll be enclosed, and then also in compliance with the code, it will --

there'll be security cameras there. And there'll also be there'll be exhaust control, also all the mechanicals that are required as well.

COUNCILMAN TROIANO: So I'm going to ask that we continue this today.

MS. DIXON: Okay.

COUNCILMAN TROIANO: And I'd like there to be some discussion between myself, and you, and your client. And you know, if, and it's up to you, but I would advise that you meet with the business owners and see if you can address what their concerns are as well.

MS. DIXON: Yes.

COUNCILMAN TROIANO: And maybe we can come back to May 2nd and give this more consideration and maybe even an approval at that point.

MS. DIXON: Okay. Very good.

COUNCILMAN TROIANO: I'd like to make a motion to continue the hearing to May 2nd.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: You know, although I do understand that a landlord has the right to develop his property, I think that you all -- you do need to talk to the neighbors, and come up with a, you know, an idea that works for everybody. So I vote, aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: So Councilman Walsh, I was going to say something similar in that, you know, I feel for your client and sounds like the situation there is already pretty bad. But it's a question about the exacerbation, so I vote, aye.

CLERK SRIVASTAVA: Council Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you.

MS. DIXON: Thank you for your time tonight.

CLERK SRIVASTAVA: Item number 6, a public hearing to consider the application of Tweezerman international LLC for site plan review for the premises, located at two -- 2 Tri-Harbor Court, Port Washington, and designated on the Nassau County land and tax map as Section 6 Block 89, Lot 57.

SUPERVISOR DESENA: Good evening.

MR. SAHN: Good evening. Supervisor, members of the town board, Michael Sahn. Sahn Ward Braff, Koblenz 333, Earle Ovington Boulevard, suite 601 Uniondale, New York. My pleasure to present this application tonight, and thank you for your consideration. Joining me tonight in the hearing room is Mr. Steve Cracchiolo who is the Director of Operations for Tweezerman. Also, John Bowrosen, who is the facilities manager for the Port Washington site, Gabriel Sarmiento, who is the designer for this project and Aaron Machtay, of VHB Engineering, who has provided the underlying traffic reports and information for the application. I think the board members are all familiar with Tweezerman being a worldwide manufacturer and distributor of tools in the grooming and beauty industry. It is part of the Zwilling Realty Group -- Beauty Group, rather Tweezerman bought this facility in 2016. This facility, as you know, is in the Planned Industrial Park District. We are seeking site plan approval tonight for an existing building and a proposed edition of 16,856 square feet. It is a two-story edition that is located on the northwest side of the building. The parcel is known as Section 6, Block 89, Lot 57, on the Nassau County Land and Tax Map. It has a total area of 6.27 acres. It is a very irregular-shaped parcel being at the end of the cul-de-sac of Tri-Harbor Court. There are other buildings in the Industrial Park on either side of the facility, and at the rear, there's a heavily wooded area with the slope heading westerly toward the properties in the village of Flower Hill that are on the top of the slope. So it is uniquely situated and tucked into the end of the cul-de-sac. The applicant appeared before the zoning board with respect to variances were -- that were required for the off-street parking under the Building Department's calculation. 217 spaces are required for this use, including the proposed warehouse edition 129 spaces that are provided. Those spaces are divided between two parking areas, one on either side of the building. There is also an area shown on the plans for 40 additional spaces that are landbanked. Those would be at the rear of the property. And there's no present intention to install the landbank parking, nor do we feel that there would ever be a need for that land-banked parking to be installed. The zoning board, hearing all that evidence, including considering the VHB traffic report, granted the variances for insufficient parking. And that was done in appeal number 21256 on October 12th, of 2022. The proposed expansion would support five additional office workers and six additional warehouse workers. The rendering on the easel shows the proposed new warehouse edition on the north side of the existing building. There would actually be a reduction in the number of loading doors on this side of the building with the addition. And likewise, because of the additional space, if the board grants this approval, it will reduce the number of truck trips that are generated because there's more space to store the goods and products that Tweezerman distributes from the facility. The hours of the operation for the receiving at the warehouse are 7:30 a.m. to 3:00 p.m. The office hours are 9:00 a.m. to 5:00 p.m. And Tweezerman instituted at the beginning of COVID and has institutionalized a remote work schedule so that half the workforce comes in on alternating days during the week. The office hours are typically, again, 7:30 to 4:00 p.m. There are 16 total workers in the warehouse. That really is the scope and extent of the application. There is an IDA approval that is pending for the application, and we think that the application warrants approval under the -- all the criteria of the Town code. Unless there are any questions, I'm now going to ask Mr. Machtay or Mr. Sarmiento to come forward and otherwise rest on the record. But welcome all your questions.

COUNCILWOMAN DALIMONTE: So the insufficient parking is because you also --it works out because you have employees working from home. You have employees that are remote. So the parking is not an issue, from what I'm understanding.

MR. SAHN: Yes. And even without the remote, there's more than adequate parking that was demonstrated in the report given to the zoning board at the time of the variance application because it's not a high-volume use.

COUNCILWOMAN DALIMONTE: Right. So does anyone from the board have any questions? Do we have any cards on this item?

CLERK SRIVASTAVA: No.

COUNCILMAN WALSH: The only question I would have is what kind of relief are you looking from the IDA? How many years?

MR. SAHN: I'm sorry, Mr. Walsh.

COUNCILMAN WALSH: What kind of relief are you looking from the IDA? What are you looking for from the IDA? How many years?

MR. SAHN: Oh, this would be a customary IDA type of support with respect to a pilot payment in terms of taxes, sales --

COUNCILMAN WALSH: I understand. Are you looking a 20-year pilot, a 10-year pilot, or what are you looking for?

MR. SAHN: I don't think that has been finalized with the IDA they've made application. I personally am not handling it, so I can't say for sure. And as you know, the IDA typically looks at the totality of the use considers how many new employees will be generated, and the expense involved.

COUNCILMAN TROIANO: Do you know enough to know why they need an IDA? Why they need a pilot?

MR. SAHN: Because they're making a very substantial investment into the facility and the savings on sales tax, as you know, that has to be paid for new equipment in the building. And the knowledge that there would be some relief with respect to a pilot payment in lieu of taxes.

COUNCILMAN TROIANO: I'm sorry, looking for relief from, they're looking for relief from property tax payments as well.

MR. SAHN: That will be part of it, yes. Correct.

COUNCILMAN TROIANO: And they can't operate without that?

MR. SAHN: I think, again, I'm --

COUNCILMAN TROIANO: They can't operate profitably without that?

MR. SAHN: I think they need that and that's part of the demonstration they have to make to be entitled to the IDA.

COUNCILMAN TROIANO: Well, you know like you said, you're not handling it.

MR. SAHN: I myself can't give you the chapter and verse on that.

COUNCILMAN TROIANO: Thank you.

MR. SAHN: You're welcome.

COUNCILWOMAN DALIMONTE: So, Madam clerk, are there any cards on this? I'm sorry,

I didn't hear you.

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

SUPERVISOR DESENA: No. Okay. I would like to close the public hearing, offer the resolution and move for adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you.

MR. SAHN: Thank you all very

SUPERVISOR DESENA: Thank you.

MR. SAHN: Have a good evening.

COUNCILMAN WALSH: You too.

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. 205 - 2023

A PUBLIC HEARING TO CONSIDER THE APPLICATION OF TWEEZERMAN INTERNATIONAL, LLC FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 2 TRI-HARBOR COURT, PORT WASHINGTON AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 6, BLOCK 89, LOT 57.

WHEREAS, Tweezerman International, LLC (the "Applicant") (the "Application") has applied to the Town Board of the Town of North Hempstead (the "Town") to construct a two-story 16,856 s.f. addition to an existing 46,918 s.f. warehouse on a 6.27-acre lot located at 2 Tri-Harbor Court, Port Washington and identified on the Nassau County Land and Tax Map as Section 6, Block 89, Lot 57 (the "Premises"); and

WHEREAS, it has been determined that the Application is subject to site plan review pursuant to § 70-219(A)(1)(a) of the Code of the Town of North Hempstead (the "Town Code") for the construction of a building addition greater than 750 s.f. of gross floor area; and

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

WHEREAS, the Town Clerk, pursuant to and in accordance with Town Code §§ 70-219(F)(1), has published notice of a public hearing scheduled for April 4, 2023 for the site plan review (the "Public Hearing"), as authorized and directed by the Town Board pursuant to Resolution No. 122-2023, adopted on March 14, 2023; and

WHEREAS, the Applicant has furnished proof of service of notice of the Public Hearing to the affected property owners within a 300-foot radius of the Premises as required by § 70-219(F)(2) of the Town Code and has complied with the sign notice requirements of § 70-219(F)(3), and filed an affidavit as to the mailing of such notices and posting of a sign as required thereunder; and

WHEREAS, the Town's Department of Building Safety, Inspection and Enforcement (the "Building Department") issued a Notice of Disapproval, as revised, on December 13, 2021 citing the following items: (1) the proposed action increases the off-street parking deficiency under Town Code § 70-103(A) from a previously approved parking deficiency of 66 spaces (BZA Appeal No. 14558) to a proposed parking deficiency of 88 spaces; and (2) the application requires site plan review pursuant to Town Code § 70-219(A)(1)(a); and

WHEREAS, on October 12, 2022, pursuant to Appeal No. 21256, the Board of Zoning Appeals (the “BZA”) granted a variance to Town Code §§ 70-103(A) to construct an addition to an industrial office building with insufficient off-street parking; and

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

WHEREAS, by letter decision dated March 13, 2023, the Nassau County Planning Commission reviewed the case and deferred to the Town to take action as the Town deems appropriate; and

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

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

WHEREAS, the 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 (a) of the SEQRA Regulations; and

WHEREAS, the BZA has further determined that the Action will not result in any significant adverse impacts on the environment based upon the analysis set forth in the FEAF Parts 2 and 3, for the reasons that: (1) the proposed action is not anticipated to cause a substantial adverse change in ground or surface water quality or quantity; (2) the proposed action is not anticipated to cause a substantial adverse change in air quality; (3) the proposed action will not result in a substantial increase in solid waste production; (4) the proposed action will not result in a substantial increase in the potential for erosion, flooding, leaching or drainage problems; (5) the proposed action will not cause significant impacts to vegetation or wildlife; (5) the proposed action will not adversely affect aesthetic resources; (6) the proposed action will not adversely impact the character of the community or neighborhood and will not create a hazard to human health; and (7) the proposed action will not cause a major change in the use of either the quantity or type of energy; and

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

WHEREAS, this Board has carefully considered the Application, testimony and other relevant evidence at the Public Hearing held on April 4, 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 Town 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 this Board finds that the Application and site plan are in compliance with Chapter 70 of the Town Code, and this Board further finds that the site plan is consistent with the spirit and intent of Town Code § 70-219; and be it further

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

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

Dated: Manhasset, New York

April 4, 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 number 8, a public hearing to consider the adoption of the local law opting into a tax exemption for volunteer firefighters and volunteer ambulance workers.

COUNCILWOMAN DALIMONTE: Our first responders are the backbone of our community. The selfish they are -- these -- they are heroes and our volunteer fire departments deserve to be recognized. Our volunteer firefighters and ambulance workers put their lives on the line to keep our community safe is only right that we provide them with the support they need and deserve. By opting into this tax exemption, we can help alleviate the financial burden placed on our volunteer first responders. This exemption will apply to both town and special district taxes, ensuring that our volunteers are recognized and supported across our entire community. Does anyone on the board have any comments?

COUNCILMAN ZUCKERMAN: Yes, I do. I have seen firsthand the dedication and sacrifice for our volunteer firefighters and ambulance workers. They selflessly give their time and put their lives on the line to keep our community safe. They deserve our appreciation and support for their service. The updated State law allows for this tax exemption, and by adopting it, we can show our support for our local volunteers. By establishing the length of required service at two years, we can encourage more individuals to volunteer and contribute to our community. I urge my fellow council members to join Council member Dalimonte and I, in adopting this local law and show our appreciation for the dedication service of our volunteer firefighters and ambulance records.

COUNCILWOMAN DALIMONTE: Are there any cards?

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

COUNCILWOMAN DALIMONTE: No. 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: I believe that everybody up here supports this. So I think that it's seven people, not two. And I absolutely vote, aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: I'd like to thank my fellow colleagues on the board for supporting this. I vote, aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: This is for our firemen, all of them in the town of North Hempstead. It's going to help them with recruitment and retention and rewarding their firemen for their service. So we're all very happy that we can -- that we're allowed to offer this. So with that, I vote, aye. Thank you.

CLERK SRIVASTAVA: Item number 8, a public hearing to consider the adoption of the local law opting into a tax exemption for volunteer firefighters and volunteer ambulance workers.

COUNCILWOMAN DALIMONTE: Our first responders are the backbone of our community. The selfish they are -- these -- they are heroes and our volunteer fire departments deserve to be recognized. Our volunteer firefighters and ambulance workers put their lives on the line to keep our community safe is only right that we provide them with the support they need and deserve. By opting into this tax exemption, we can help alleviate the financial burden placed on our volunteer first responders. This exemption will apply to both town and special district taxes, ensuring that our volunteers are recognized and supported across our entire community. Does anyone on the board have any comments?

COUNCILMAN ZUCKERMAN: Yes, I do. I have seen firsthand the dedication and sacrifice for our volunteer firefighters and ambulance workers. They selflessly give their time and put their lives on the line to keep our community safe. They deserve our appreciation and support for their service. The updated State law allows for this tax exemption, and by adopting it, we can show our support for our local volunteers. By establishing the length of required service at two years, we can encourage more individuals to volunteer and contribute to our community. I urge my fellow council members to join Council member Dalimonte and I, in adopting this local law and show our appreciation for the dedication service of our volunteer firefighters and ambulance records.

COUNCILWOMAN DALIMONTE: Are there any cards?

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

COUNCILWOMAN DALIMONTE: No. 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: I believe that everybody up here supports this. So I think that it's seven people, not two. And I absolutely vote, aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: I'd like to thank my fellow colleagues on the board for supporting this. I vote, aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: This is for our firemen, all of them in the town of North Hempstead. It's going to help them with recruitment and retention and rewarding their firemen for their service. So we're all very happy that we can -- that we're allowed to offer this. So with that, I vote, aye. Thank you.

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

RESOLUTION NO. 206 - 2023

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW OPTING INTO A TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS.

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 opting into the Real Property Tax Law § 466-c ten percent (10%) property tax exemption for Town and Special District taxes for volunteer firefighters and volunteer ambulance workers with at least two (2) years of service; and

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

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 4th day of April, 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 April 4, 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 Office of the Town Attorney has recommended that the adoption of the Local Law be determined to be a Type II Action pursuant to Sections 617.5(c)(26) and (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 Sections 617.5(c)(26) and (33) of the SEQRA Regulations and, as such, no further environmental review is required; and be it further

RESOLVED that Local Law No. 11 of 2023 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 11 OF 2023**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW OPTING INTO A
TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE
WORKERS.**

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

Section 1. Legislative Intent.

The Board finds that it is in the best interest of the Town of North Hempstead to adopt a local law to opt into the provisions of Section 466-c of the New York Real Property Tax Law to provide for a partial exemption from real property taxes for enrolled members of an incorporated volunteer fire company, fire department or incorporated volunteer ambulance service.

Section 2.

A. Pursuant to Section 466-c of the New York Real Property Tax Law, the Town hereby authorizes a tax exemption for real property owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated volunteer ambulance service of up to ten percent (10%) of the assessed value of such property for town, part town and special district purposes, exclusive of special assessments.

B. Such exemption stated in Paragraph (A) above shall not be granted unless:

(1) The applicant resides in the Town of North Hempstead and the applicant is an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service that serves the Town of North Hempstead.

(2) The property is the primary residence of the applicant.

(3) The property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by Paragraph A above.

(4) The applicant has been certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or voluntary ambulance service as an enrolled member of such incorporated volunteer fire company, fire department, or voluntary ambulance service for a minimum of two (2) years.

C. Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by this section for the remainder of his or her life as long as his or her primary residence is located within the Town of North Hempstead.

D. Application for the exemption stated in Paragraph (A) above shall be made to the Nassau County Department of Assessment on or before the taxable status date on a form promulgated by the Office of Real Property Tax Services of the Nassau County Department of Assessment. In addition to any other requirements of the Office of Real Property Tax Services and the Nassau County Department of Assessment, each applicant must supply with their application for exemption a letter of certification, which includes the exact date enrolled and current active status, on the letterhead of the incorporated volunteer fire company, fire department, or voluntary ambulance service.

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 April 4, 2023, Local Law No. 11 of 2023 was adopted. The local law opts into the Real Property Tax Law § 466-c ten percent (10%) property tax exemption for Town and Special District taxes for volunteer firefighters and volunteer ambulance workers with at least two (2) years of service.

Dated: Manhasset, New York

April 4, 2023

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

**RAGINI SRIVASTAVA
TOWN CLERK**

Dated: Manhasset, New York

April 4, 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
220 PLANDOME RD.
MANHASSET, NY 11030-2327

STATE OF NEW YORK)

Legal Notice No.

0021778791

: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

March 17, 2023

Nassau

By: _____

Valencia Williams

Valencia Williams

Print Name: _____

Valencia Williams

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
17 Day of March, 2023.

Kimberly A. Smith

Notary Public

Kimberly A. Smith

Notary Public - State of New York

No. 015M6388511

Qualified in Erie County

Commission Expires 03/11/2027

Ad Content

Legal Notice # 21778791
NOTICE OF HEARING
PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead, on April 4, 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 opting into the Real Property Tax Law Section 466-a ten percent (10%) property tax exemption for Town and Special District taxes for volunteer firefighters and volunteer ambulance workers with at least two (2) years of service.
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.
Date: Manhasset, New York
March 14, 2023
BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021778791

Advertiser: TOWN OF NORTH HEMPSTEAD

NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021783006

: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

April 07, 2023

Nassau

By: 

Ciara Woodin

Print Name: _____

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
07 Day of April, 2023.



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 # 21783006
NOTICE OF ADOPTION
PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on April 4, 2023, Local Law No. 11 of 2023 was adopted. The local law opts into the Real Property Tax Law § 466-c ten percent (10%) property tax exemption for Town and Special District taxes for volunteer firefighters and volunteer ambulance workers with at least two (2) years of service.
Dated: Manhasset, New York
April 4, 2023
BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021783006

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

CLERK SRIVASTAVA: Thank you. Item number 9, a public hearing to consider the adoption of the local law amending Article 10 of the Uniform Traffic code entitled Parking area at Mary Jane Davies Green Park.

COUNCILWOMAN LURVEY: So last year we were excited to announce that the town had signed an agreement with Blink charging code to install level two EV and DC charging stations across the town. This ambitious initiative was developed with residents and the environment in mind, providing drivers with ample opportunity to charge their vehicles while helping combat climate change in the process. In honor of Earth Month, this amendment would allow for the installation of two electric vehicle charging stations at Mary Jane Davies Green promoting the use of sustainable transportation. Is there anybody here to be heard?

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

COUNCILWOMAN LURVEY: Okay. Filling up your gas tank could be costly these days.

CLERK SRIVASTAVA: Hey, we have one card. (Unintelligible)

COUNCILWOMAN LURVEY: Maybe the person left.

CLERK SRIVASTAVA: No?

COUNCILWOMAN LURVEY: Filling up your gas tank can be costly these days with gas prices still higher than we would like, conversely, to fully charge an electric vehicle cost less than \$10, and it's beneficial for our environment. Regarding the stations at Mary J. Davies, we've done our due diligence. We spoke to the Manhasset Park district, Douglas Elliman did not have any issues and I am hopeful that this item will pass unanimously this evening. I'd like to close the public hearing, offer the resolution --

SUPERVISOR DESENA: I just wanted to make a comment. You know, the -- these two parking spots are going into spots that we were --we did have revenue from. They're spots that have been leased for many years to a couple of local businesses. So I'm just wondering about the decision to put the EV stations in those spots and whether you consider the budget impact of that, you know, into the future.

COUNCILWOMAN LURVEY: So the clerk handles the renting of those spots. Madam Clerk, or Maggie, do you know the cost of the annual rental of those spots?

CLERK SRIVASTAVA: Yes. Maggie, can you please go and just share the details?

MS. MALITO: Maggie here, deputy town clerk. It's -- the cost for parking per each spot is 775 dollars annually. So the loss would be double that 1550.

COUNCILWOMAN LURVEY: And the spots were currently rented or the spots were not currently rented?

MS. MALITO: Everything is at capacity. Yes.

COUNCILWOMAN LURVEY: Sorry.

MS. MALITO: Yes, everything is rented.

COUNCILWOMAN LURVEY: Okay. Thank you.

SUPERVISOR DESENA: So I mean, did you talk to anyone about the budget implication?

COUNCILWOMAN LURVEY: I think that the budget -- I think that in order to move forward

with fighting climate change, in order to allow our residents who -- and those who are visiting are downtown, or those who might be just driving, driving along Northern Boulevard and need a place to charge, and well pull into Mary J. Davies and go shopping on Plandome road. I think that sometimes we have to give up some revenue. And I also -- would also point out that these spots, we don't know necessarily how long they're going to be rented for, or if they're going to be always rented. They could be sitting empty at certain times. So I think -- I still believe that this is the right thing to do.

COUNCILMAN WALSH: I just want to say that there are about five or six, how many of the spots are there that -- that are not rented and are open to the public? How many spots are there that are not rented?

COUNCILWOMAN LURVEY: Five, there are five that are open.

COUNCILMAN WALSH: Five. So we could save the revenue and take two of those spots.

COUNCILWOMAN LURVEY: But then we would take two spots from --

COUNCILMAN WALSH: I understand that --

COUNCILWOMAN LURVEY: -- from the public. Yeah, yeah. We would be taking two spots from the the public.

COUNCILMAN WALSH: Yes.

COUNCILWOMAN LURVEY: And in the past, the Manhasset community has had taken great exception to taking spots at Mary J. Davies because people drive there and they play with their kids. And I -- my office heard an earful the last time we tried to change the number of public spots at Mary J. Davies.

COUNCILWOMAN DALIMONTE: And Councilwoman Lurvey. This would -- this would help the Manhasset Park District with additional income?

COUNCILWOMAN LURVEY: This would help Manhasset Park District with additional income. Yes.

SUPERVISOR DESENA: How, how do they make income?

COUNCILWOMAN DALIMONTE: Because

COUNCILWOMAN LURVEY: The two Douglas Elliman spots are going to be rented on I think on Orchard or yeah, Orchard Street.

MS. MALITO: On George.

COUNCILWOMAN LURVEY: George. Thank you. Okay. I'd 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. 207 - 2023

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING ARTICLE X OF THE UNIFORM TRAFFIC CODE ENTITLED "PARKING AREA AT MARY JANE DAVIES GREEN PARK."

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 Article X of the Uniform Traffic Code entitled "Parking Area at Mary Jane Davies Green Park" to convert two parking spaces designated as identification sticker parking only to non-identification sticker parking to allow for electric vehicle parking and charging; and

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

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 4th day of April, 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 April 4, 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 Sections 617.5(c)(3) and (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 Sections 617.5(c)(3) and (33) of the SEQRA Regulations and, as such, no further environmental review is required; and be it further

RESOLVED that Local Law No. 12 of 2023 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 12 OF 2023**

**A LOCAL LAW CREATING ARTICLE X OF THE TOWN OF NORTH HEMPSETAD
UNIFORM TRAFFIC CODE ENTITLED "PARKING AREA AT MARY JANE DAVIES GREEN
PARK".**

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

Section 1. Legislative Intent.

The Town Board of the Town of North Hempstead finds it in the best interests of the Town to amend Article X of the Town of North Hempstead Uniform Traffic Code entitled "Mary Jane Davies Green Park" to convert two parking spaces designated as identification sticker parking only to non-identification sticker parking to allow for electric vehicle parking and charging.

Section 2.

Section 102 of Article X of the Town of North Hempstead Uniform Traffic Code shall be amended as follows:

§ 102 Regulation of area use.

The following regulations shall apply to all parking areas:

A. All vehicles may be parked within the parking area only within a parking space. Except as otherwise provided in this article, the use of the parking spaces shall be limited to those vehicles which have an identification sticker issued by the Town Clerk.

B. The Town Board hereby authorizes the Commissioner to mark off individual parking spaces in the parking area and restrict parking to vehicles with identification stickers only. The number of parking spaces designated by the Commissioner under this subsection shall be equal to the number of identification stickers issued by the Town Clerk; **provided, however, that there shall be no more than thirteen (13) identification sticker-only spaces in the parking area**. The Town Clerk shall notify the Commissioner upon the issuance of an identification sticker. If any vehicle shall

remain parked in any such parking areas, without proper proof of a permit issued by the Town Clerk being deposited as aforesaid or without properly displaying a parking identification sticker, such vehicle shall be considered illegally parked, and the operator or driver thereof shall be deemed guilty of a violation of this article and shall be punishable as hereinafter set forth.

C. **General Parking; Electric Vehicle Parking and Charging**

(1) Of the spaces remaining in the parking area that are not marked for identification sticker-only parking, [The Town Board hereby authorizes] the Commissioner shall designate two (2) spaces for electric vehicle parking and charging only, with the remainder of spaces designated for general parking, all subject to the restrictions stated in Section 102(C)(2) below.

(2) Spaces designated in Subsection (C)(1) above shall be limited to parking for two hours. (to mark off individual parking spaces in the parking area and restrict parking to vehicles parked without identification stickers for a period of time not to exceed two hours.) Any vehicle parked in excess of two hours shall be considered illegally parked, and the operator or driver thereof shall be deemed guilty of a violation of this article and shall be punishable as hereinafter set forth.)

D. There shall be no parking in any of the parking areas by any vehicle between the hours of 3:00 a.m. and 6:00 a.m.

E. Regulation of traffic in parking area:

(1) All vehicles shall travel in a northerly direction on all north-south lanes within the field.

(2) The opening on Memorial Drive at the southerly end of the field shall be an entrance only.

(3) The opening on Manhasset Avenue at the northerly end of the field shall be an exit only.

(4) There shall be no parking, standing or stopping in other than designated parking spaces at any time, except that passengers may be discharged in the area.

Section 3. Severability.

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

application to the person or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 4.

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 April 4, 2023, Local Law No. 12 of 2023 was adopted. The local law amends Article X of the Uniform Traffic Code entitled "Parking Area at Mary Jane Davies Green Park" to convert two parking spaces designated as identification sticker parking only to non-identification sticker parking to allow for electric vehicle parking and charging.

Dated: Manhasset, New York

April 4, 2023

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

Dated: Manhasset, New York

April 4, 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
220 PLANDOME RD.
MANHASSET, NY 11030-2327

STATE OF NEW YORK)

Legal Notice No.

0021778796

: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

March 17, 2023

Nassau

By: _____

Valencia Williams

Valencia Williams

Valencia Williams

Print Name: _____

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
17 Day of March, 2023.

Kimberly A. Smith

Notary Public

Kimberly A. Smith
Notary Public - State of New York
No. 01SM6388511
Qualified in Erie County
Commission Expires 03/11/2027

Ad Content

Legal Notice # 21778796

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on the 4th day of April, 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 Article X of the Town of North Hempstead Uniform Traffic Code entitled "Parking Area at Mary Jane Davies Green Park" in order to convert two parking spaces designated as identification sticker parking only to non-identification sticker parking to allow for electric vehicle parking and charging.

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

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

Dated: Manhasset, New York
March 14, 2023

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

NEWSDAY PROOF

Ad Number: 0021778796

Advertiser: TOWN OF NORTH HEMPSTEAD

NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021783008

:SS.:

COUNTY OF ERIE)

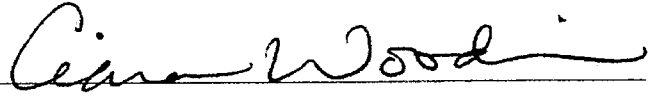
The undersigned, being duly sworn, says that such person is a duly authorized custodian of records of Newsday LLC, the publisher of Newsday, a daily newspaper published in Melville, County of Suffolk, State of New York, and circulated in Nassau, Suffolk, and Queens Counties, and that the Legal Notice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

Friday

April 07, 2023

Nassau

By: _____

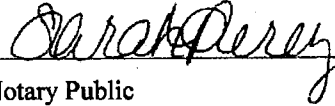


Ciara Woodin

Print Name: _____

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
07 Day of April, 2023.



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 # 21783008
NOTICE OF ADOPTION
PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on April 4, 2023, Local Law No. 12 of 2023 was adopted. The local law amends Article X of the Uniform Traffic Code entitled "Parking Area at Mary Jane Davies Green Park" to convert two parking spaces designated as identification sticker parking only to non-identification sticker parking to allow for electric vehicle parking and charging, Dated: Manhasset, New York April 4, 2023
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021783008

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

CLERK SRIVASTAVA: Item number 10, a public hearing to consider the adoption of a local law amending chapter 24 of the Town code entitled Governmental Operations.

SUPERVISOR DESENA: This is going to be continued until May 2nd. I move to continue the item to May 2nd.

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 number 11, A public hearing to consider the adoption of an ordinance affecting Division Avenue in Westbury, New York.

COUNCILMAN TROIANO: Do we have any cards?

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

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

(No response.)

COUNCILMAN TROIANO: Seeing no one, 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. 208 - 2023

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

WHEREAS, the Town Board (the "Board") of the Town of North Hempstead has held a public hearing to consider enacting an ordinance (the "Ordinance"), pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space on the north side of Division Avenue, Westbury, New York, from a point 38 feet east of the curblineline of State Street, east for a distance of 20 feet; and

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

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

NOW, THEREFORE, BE IT

RESOLVED that the ordinance establishing a reserved parking space on the north side of Division Avenue, Westbury, New York, from a point 38 feet east of the curblineline of State Street, east for a distance of 20 feet pursuant to Section 1660 of the Vehicle and Traffic Law of the State of New York is adopted by this Board, the Ordinance being more particularly described in the Notice of Adoption (the "Notice"); and be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that the Town Board of the Town of North Hempstead at a regular public meeting of the Board held on the 4th day of April, 2023 at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, duly adopted an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

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

**ORDINANCE AFFECTING
DIVISION AVENUE IN WESTBURY.**

1. Section 5 of the ordinance establishing handicapped spaces adopted July 21, 1987 and amended September 15, 1987, February 7, 1989, April 3, 1990, July 17, 1990, November 20, 1990, December 4, 1990, February 19, 1991, October 8, 1991, April 29, 1992, August 11, 1992, April 13, 1993, May 3, 1994, November 22, 1994, April 25, 1995, August 29, 1995, August 27, 1996, November 12, 1996, December 17, 1996, March 4, 1997, May 6, 1997, June 10, 1997, July 15, 1997, March 24, 1998, November 17, 1998, March 2, 1999, June 8, 1999, October 20, 1999, June 27, 2000, August 29, 2000, September 19, 2000, November 14, 2000, February 13, 2001, March 6, 2001, March 27, 2001, May 15, 2001, August 21, 2001, October 16, 2001, November 13, 2001, January 29, 2002, March 12, 2002, April 2, 2002, June 4, 2002, October 1, 2002, November 19, 2002, December 10, 2002, February 11, 2003, April 22, 2003, October 21, 2003, January 6, 2004, March 9, 2004, May 11, 2004, June 29, 2004, August 31, 2004, January 25, 2005, June 14, 2005, July 19, 2005, October 18, 2005, November 15, 2005, January 3, 2006, January 24, 2006, March 21, 2006, May 2, 2006, January 2, 2007, March 6, 2007, April 17, 2007, June 19, 2007, August 14, 2007, September 25, 2007, December 11, 2007, January 29, 2008, May 6, 2008, June 17, 2008, July 29, 2008, August 19, 2008, September 9, 2008, January 6, 2009, January 27, 2009, May 19, 2009, June 23, 2009, July 14, 2009, August 4, 2009, August 25, 2009, October 20, 2009, December 8, 2009, January 26, 2010, October 5, 2010 and December 14, 2010, January 25, 2011, March 8, 2011, June 14, 2011, July 12, 2011, September 27, 2011, December 13, 2011, May 8, 2012, June 19, 2012, July 10, 2012 August 21, 2012, November 20, 2012, December 11, 2012, January 8, 2013, February 19, 2013, March 12, 2013, April 23, 2013, May 14, 2013, June 4, 2013, September 10, 2013, December 10, 2013, February 25, 2014, April 1, 2014, June 10, 2014, December 9, 2014, March 31, 2015, May 12, 2015, July 14, 2015, August 25, 2015, October 20, 2015, November 17, 2015, November 17, 2015, December 15, 2015 and January 26, 2016, February 23, 2016, April 19, 2016, May 10, 2016, June 7, 2016, July 12, 2016, August 9, 2016, September 13, 2016, September 27, 2016, October 25, 2016 and December 13, 2016, January 31, 2017, February 28, 2017, April 4, 2017, April 25, 2017, and July 18, 2017, September 7, 2017, September 26, 2017, November 14, 2017, January 30, 2018, February 27, 2018, September 6, 2018, September 27, 2018, October 25, 2018, November 20, 2018, December 18, 2018, January 29, 2019, February 28, 2019, March 19, 2019, April 30, 2019, June 18, 2019, September 5, 2019, November 19, 2019, July 23, 2020, September 3, 2020, September 24, October 22, 2020, May 20, 2021 and August 5, 2021 October 21, 2021, November 18, 2021 and September 1, 2022, is further amended by adding thereto a new subdivision as follows:

"126" A reserved parking space on the north side of Division Avenue, Westbury, New York, from a point 38 feet east of the curbline of State Street, east for a distance of 20 feet;

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

Dated: Manhasset, New York

April 4, 2023

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

Dated: Manhasset, New York

April 4, 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 Traffic Safety Public Safety

**LEGAL NOTICE
NOTICE OF ADOPTION
PLEASE TAKE NO-**

TICE that the Town Board of the Town of North Hempstead at a regular public meeting of the Board held on the 4th day of April, 2023 at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, duly adopted an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

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

**ORDINANCE
AFFECTING
DIVISION AVENUE IN
WESTBURY.**

1. Section 5 of the ordinance establishing handicapped spaces adopted July 21, 1987 and amended September 15, 1987, February 7, 1989, April 3, 1990, July 17, 1990, November 20, 1990, December 4, 1990, February 19, 1991, October 8, 1991, April 29, 1992, August 11, 1992, April 13, 1993, May 3, 1994, November 22, 1994, April 25, 1995, August 29, 1995, August 27, 1996, November 12, 1996, December 17, 1996, March 4, 1997, May 6, 1997, June 10, 1997, July 15, 1997, March 24, 1998, November 17, 1998, March 2, 1999, June 8, 1999, October 20, 1999, June 27, 2000, August 29, 2000, September 19, 2000, November 14, 2000, February 13, 2001, March 6, 2001, March 27, 2001, May 15, 2001, August 21, 2001, October 16, 2001, November 13, 2001, January 29, 2002, March 12, 2002, April 2, 2002, June 4, 2002, October 1, 2002, November 19, 2002, December 10, 2002, February 11, 2003, April 22, 2003, October 21, 2003, January 6, 2004, March 9, 2004, May 11, 2004, June 29, 2004, August 31, 2004, January 25, 2005, June 14, 2005, July 9, 2005, October 18, 2005, November 15, 2005, January 2006, January 24, 2006, March 21, 2006, May 2, 2006, January 2, 2007, March 2007, April 17, 2007, June 9, 2007, August 14, 2007, September 25, 2007, December 11, 2007, January 29, 2008, May 6, 2008, June 17, 2008, July 29, 2008, August 1, 2008, September 9, 2008, January 6, 2009, January 27, 2009, May 19, 2009, June 23, 2009, July 14, 2009, August 2009, August 25, 2009, October 20, 2009, December 2009, January 26, 2010, October 5, 2010 and December 14, 2010, January 25, 2011, March 8, 2011, June 2011, July 12, 2011, September 27, 2011, December 2011, May 8, 2012, June 2012, July 10, 2012, August 21, 2012, November 20, 2012, December 11, 2012, January 8, 2013, February 19, 2013, March 12, 2013, April 2013, May 14, 2013, June 2013, September 10, 2013, September 10, 2013, February 2013

March 31, 2015, May 12, 2015, July 14, 2015, August 25, 2015, October 20, 2015, November 17, 2015, November 17, 2015, December 15, 2015 and January 26, 2016, February 23, 2016, April 19, 2016, May 10, 2016, June 7, 2016, July 12, 2016, August 9, 2016, September 13, 2016, September 27, 2016, October 25, 2016 and December 13, 2016, January 31, 2017, February 28, 2017, April 4, 2017, April 25, 2017, and July 18, 2017, September 7, 2017, September 26, 2017, November 14, 2017, January 30, 2018, February 27, 2018, September 6, 2018, September 27, 2018, October 25, 2018, November 20, 2018, December 18, 2018, January 29, 2019, February 28, 2019, March 19, 2019, April 30, 2019, June 18, 2019, September 5, 2019, November 19, 2019, July 23, 2020, September 3, 2020, September 24, 2020, October 22, 2020, May 20, 2021 and August 5, 2021 October 21, 2021, November 18, 2021 and September 1, 2022, is further amended by adding thereto a new subdivision as follows:

"126" A reserved parking space on the north side of Division Avenue, Westbury, New York, from a point 38 feet east of the curblin of State Street, east for a distance of 20 feet;

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

Dated: Manhasset, New York
April 4, 2023

**BY ORDER OF THE
TOWN BOARD OF
THE TOWN OF NORTH
HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK
4-12-2023-IT-#240322-NIN/
WBY**

Affidavit of Publication

County of Nassau
State of New York,

SS

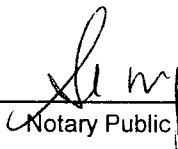
Iris Picone, being duly sworn, deposes and says that she is the principal Clerk of the Publisher of

The 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: April 12, 2023



Sworn to me this 12 day of
April-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 number 12, a public hearing to consider the adoption of an ordinance affecting Allen Drive in Manhasset, New York.

COUNCILWOMAN LURVEY: The adoption of these ordinances will allow a reserve parking spot and a two-hour time-limited restriction on the east side of Allen Drive, north of North Cherry book Place in Manhasset. These were changes requested by the First Baptist Church in order to make it easier for their congregants to attend church and to attend programs. The Allen Drive is very narrow. So our traffic engineer worked closely with the church representative to come to this proposal here, which will add the reserve parking spot and change the parking on the east side of Allen Drive to two-hour time limited restricted parking. Is there anybody here to be heard on this item?

CLERK SRIVASTAVA: No cards on this.

MR. MOORE: My name is Reverend Steve Moore, and I'm the pastor at First Baptist Church. I just want to make sure that what I -- we understand is that on the East side and the West side, that on the weekends, Sundays, and holidays, we could park all day. I'm trying to make sure that we understand that. So we are --

COUNCILWOMAN LURVEY: I'm just looking, just to confirm. We're adopting Allenwood Drive East side two-hour parking, 8:00 a.m. to 6:00 p.m., except Saturday, Sunday, and holidays.

MR. MOORE: Okay. Also, is it possible that we can get a handicap parking?

COUNCILWOMAN LURVEY: It's also adding on the east side a reserved parking spot.

MR. MOORE: Okay. Just one more question --

COUNCILWOMAN LURVEY: That's a handicap parking spot.

MR. MOORE: Right directly in front of our church, we just got a sign, said no parking from the church all the way to Northern Boulevard.

COUNCILWOMAN LURVEY: Keshawn (phonetic) sent me a picture.

MR. MOORE: Is there a reason why?

COUNCILWOMAN LURVEY: So there was never any parking in front of there that was the ordinance?

MR. MOORE: Never, never.

COUNCILWOMAN LURVEY: I will have to -- my --the information from me -- that I got was that there was not any parking on the West side

MR. MOORE: There was parking on both sides, to tell you the truth.

COUNCILWOMAN LURVEY: Okay.

MR. MOORE: But I think a few months ago they put up a sign and said no standing from in front of the church down to Northern Boulevard.

COUNCILWOMAN LURVEY: Okay.

MR. MOORE: So that's like, I normally park in the front, so I can't park there no more because six precincts come up and they give tickets.

COUNCILWOMAN LURVEY: Right.

MR. MOORE: And so also on the west side, there's four houses that the people that own the houses, they park on the streets. So when the people come to church, they -- there's nowhere to park, and we got Senior citizens, so they going to walk up Cherry Lane.

COUNCILWOMAN LURVEY: Right.

MR. MOORE: And I don't think that it's fair for them.

COUNCILWOMAN LURVEY: Right. Right.

COUNCILWOMAN LURVEY: All right. So why don't we figure this out? Because this is the west side. This doesn't -- this doesn't address the west side.

MR. MOORE: No, ma'am.

COUNCILWOMAN LURVEY: But it sounds like we have a problem with the west side.

MR. MOORE: Yes, ma'am.

COUNCILWOMAN LURVEY: So we'll talk to you, and figure that out. I was under the understanding that -- that -- that there was never any parking there, but -- and then maybe the sign was supposed to be there. But we need to talk and work it out and figure out what's best for your church.

MR. MOORE: Yes. Well, I can show you one thing. I was the first child born and baptized in that church. I've never seen a sign.

COUNCILWOMAN LURVEY: All right. I trust you. I trust you. I believe you.

MR. MOORE: Yes, ma'am. Thank you.

COUNCILWOMAN LURVEY: Okay, great.

MR. MOORE: And also, please do our Union brothers a favor, yesterday we lost two construction workers in the JFK project. Please pray for the -- our brothers that we could get through this. Amen.

COUNCILMAN WALSH: Excuse me. Before you -- excuse me, before you leave. Can you tell me what's the address of your church?

MR. MOORE: 15B.

COUNCILMAN WALSH: 15?

MR. MOORE: B, as in boy?

COUNCILMAN WALSH: Yeah.

MR. MOORE: Allen Drive.

COUNCILMAN WALSH: What time are your services?

MR. MOORE: We start at 9:30 in the morning. Sunday school. And then --

COUNCILMAN WALSH: No, no. I mean Sunday Service.

MR. MOORE: 9:00 -- well, 11:30.

COUNCILMAN WALSH: Okay. Thank you.

MR. MOORE: Well, what I'm saying at we start at 9:30 because we have Sunday school.

COUNCILMAN WALSH: Okay, good. Thank you.

MR. MOORE: Yes, sir.

COUNCILMAN WALSH: Happy Easter.

COUNCILWOMAN LURVEY: Thank you.

MR. MOORE: Thank you.

COUNCILWOMAN LURVEY: Thank you.

COUNCILMAN WALSH: I was just giving you advertisement for your services. I said I was giving you an advertisement for your services.

(Unintelligible cross-talk)

COUNCILMAN ZUCKERMAN: This is covered in television. Maybe somebody will come by try give you a commercial.

MR. MOORE: Listen, I didn't hear, but you know, you need to fix your mic too.

COUNCILMAN WALSH: Listen, I could gladly get in the seat, fix the seat. Never mind my mic.

MR. MOORE: (Unintelligible)

THE BOARD: Happy Easter.

COUNCILWOMAN LURVEY: Thank you. 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: 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:

ORDINANCE NO. 7 - 2023

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING ALLEN DRIVE IN MANHASSET, NEW YORK.

WHEREAS, the Town Board (the "Board") of the Town of North Hempstead has held a public hearing to consider enacting an ordinance (the "Ordinance"), pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space on the east side of Allen Drive from a point 200 feet from the south curblin of Northern Boulevard, south for a distance of 20 feet and;

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

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

NOW, THEREFORE, BE IT

RESOLVED that the ordinance establishing a reserved parking space on the east side of Allen Drive from a point 200 feet from the south curblin of Northern Boulevard, south for a distance of 20 feet, pursuant to section 1660 of the Vehicle and Traffic Law of the State of New York is adopted by this Board, the Ordinance being more particularly described in the Notice of Adoption (the "Notice"); and be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that the Town Board of the Town of North Hempstead at a regular public meeting of the Board held on the 4th day of April 2023, at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, duly adopted an ordinance establishing a reserved parking space, and establishing other parking regulations pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

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

**ORDINANCE AFFECTING
ALLEN DRIVE, MANHASSET.**

1. Section 5 of the ordinance establishing handicapped spaces adopted July 21, 1987 and amended September 15, 1987, February 7, 1989, April 3, 1990, July 17, 1990, November 20, 1990, December 4, 1990, February 19, 1991, October 8, 1991, April 29, 1992, August 11, 1992, April 13, 1993, May 3, 1994, November 22, 1994, April 25, 1995, August 29, 1995, August 27, 1996, November 12, 1996, December 17, 1996, March 4, 1997, May 6, 1997, June 10, 1997, July 15, 1997, March 24, 1998, November 17, 1998, March 2, 1999, June 8, 1999, October 20, 1999, June 27, 2000, August 29, 2000, September 19, 2000, November 14, 2000, February 13, 2001, March 6, 2001, March 27, 2001, May 15, 2001, August 21, 2001, October 16, 2001, November 13, 2001, January 29, 2002, March 12, 2002, April 2, 2002, June 4, 2002, October 1, 2002, November 19, 2002, December 10, 2002, February 11, 2003, April 22, 2003, October 21, 2003, January 6, 2004, March 9, 2004, May 11, 2004, June 29, 2004, August 31, 2004, January 25, 2005, June 14, 2005, July 19, 2005, October 18, 2005, November 15, 2005, January 3, 2006, January 24, 2006, March 21, 2006, May 2, 2006, January 2, 2007, March 6, 2007, April 17, 2007, June 19, 2007, August 14, 2007, September 25, 2007, December 11, 2007, January 29, 2008, May 6, 2008, June 17, 2008, July 29, 2008, August 19, 2008, September 9, 2008, January 6, 2009, January 27, 2009, May 19, 2009, June 23, 2009, July 14, 2009, August 4, 2009, August 25, 2009, October 20, 2009, December 8, 2009, January 26, 2010, October 5, 2010 and December 14, 2010, January 25, 2011, March 8, 2011, June 14, 2011, July 12, 2011, September 27, 2011, December 13, 2011, May 8, 2012, June 19, 2012, July 10, 2012 August 21, 2012, November 20, 2012, December 11, 2012, January 8, 2013, February 19, 2013, March 12, 2013, April 23, 2013, May 14, 2013, June 4, 2013, September 10, 2013, December 10, 2013, February 25, 2014, April 1, 2014, June 10, 2014, December 9, 2014, March 31, 2015, May 12, 2015, July 14, 2015, August 25, 2015, October 20, 2015, November 17, 2015, November 17, 2015, December 15, 2015 and January 26, 2016, February 23, 2016, April 19, 2016, May 10, 2016, June 7, 2016, July 12, 2016, August 9, 2016, September 13, 2016, September 27, 2016, October 25, 2016 and December 13, 2016, January 31, 2017, February 28, 2017, April 4, 2017, April 25, 2017, and July 18, 2017, September 7, 2017, September 26, 2017, November 14, 2017, January 30, 2018, February 27, 2018, September 6, 2018, September 27, 2018, October 25, 2018, November 20, 2018, December 18, 2018, January 29, 2019, February 28, 2019, March 19, 2019, April 30, 2019, June 18, 2019, September 5, 2019, November 19, 2019, July 23, 2020, September 3, 2020, September 24, October 22, 2020, May 20, 2021, August 5, 2021, October 21, 2021, November 18, 2021 and September 1, 2022 is further amended by adding thereto a new subdivision as follows:

“127” A reserved parking space on the north side of Division Avenue, Westbury, New York, from a point 38 feet east of the curbline of State Street, east for a distance of 20 feet; and

2. An ordinance is adopted as follows:

ALLEN DRIVE – EAST SIDE – 2 HOUR PARKING – 8:00 A.M. TO 6:00 P.M. - EXPECT SATURDAY, SUNDAY, AND HOLIDAYS

From a point 220 feet from the south curbline of Northern Boulevard, south, for a distance of 56 feet.

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

Dated: Manhasset, New York

April 4, 2023

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

Dated: Manhasset, New York

April 4, 2023

cc: Town Attorney Comptroller Traffic Safety Public Safety

Affidavit of Publication

LEGAL NOTICE
NOTICE IS HEREBY GIV-
EN that, after a public hear-
ing duly held by the Town
Board of the Town of North
Hempstead, the following
ordinance was ordered ad-
opted:

ORDINANCE NO. T.O.
7-2023
MANHASSET.
NEW YORK

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

PROPOSAL
ADOPT:

1. ALLEN DRIVE - EAST
SIDE - RESERVED PARK-
ING - PERMIT REQUIRED
From a point 200 feet from
the south curbline of North-
ern Boulevard, south, for a
distance of 20 feet.

2. ALLEN DRIVE - EAST
SIDE - 2 HOUR PARKING
- 8:00 A.M. TO 6:00 P.M. -
EXPECT SATURDAY, SUN-
DAY, AND HOLIDAYS
From a point 220 feet from
the south curbline of North-
ern Boulevard, south, for a
distance of 56 feet.

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

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

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

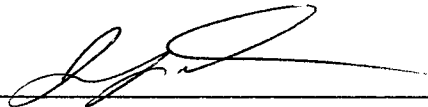
Section 5. This ordinance
shall be incorporated in the
Uniform Traffic Code of the
Town of North Hempstead.

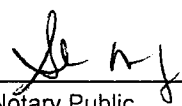
Dated: April 4, 2023
Manhasset, New York
BY ORDER OF THE
TOWN BOARD OF
THE TOWN OF NORTH
HEMPSTEAD
RAGINI SRIVASTVA
TOWN CLERK
4-12-2023-IT-#240324-
MAN

County of Nassau SS
State of New York,

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

1 weeks, viz: April 12, 2023


Sworn to me this 12 day of
April-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 number 13, a public hearing to consider the adoption of an ordinance affecting Shepherd Lane in Roslyn Heights, New York.

COUNCILMAN ZUCKERMAN: The adoption of this ordinance will establish a full stop southbound on Shepherd Lane at the intersection with Snapdragon Lane, in Roslyn Heights. Madam clerk, are there any cards?

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

COUNCILMAN ZUCKERMAN: Is there anyone who wishes to be heard?

(No response.)

COUNCILMAN ZUCKERMAN: Okay. Seeing that there's no one, I'd 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 Zuckerman offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

ORDINANCE NO. 8 - 2023

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING SHEPHERD LANE IN ROSLYN HEIGHTS, 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. 8 - 2023
ROSLYN HEIGHTS, NEW YORK**

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

PROPOSAL:

ADOPT:

1. SHEPHERD LANE – SNAPDRAGON LANE – FULL STOP

All Traffic southbound on Shepherd Lane shall come to a Full Stop at its intersection with Snapdragon Lane.

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

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

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

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

Dated: Manhasset, New York

April 4, 2023

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

**RAGINI SRIVASTVA
TOWN CLERK**

Affidavit of Publication

County of Nassau
State of New York,

SS

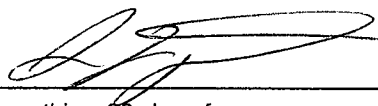
Iris Picone, being duly sworn, deposes and says that she is the principal Clerk of the Publisher of

The 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:

March 22, 2023



Sworn to me this 22 day of
March-2023



Notary Public

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

pealed.

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

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

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

Dated: March 14, 2023
Manhasset, New York

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

3-22-2023-1T-#239865-ROS

LEGAL NOTICE NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on the 4th day of April, 2023, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**SHEPHERD LANE, ROS-
LYN HEIGHTS,
NEW YORK**

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

PROPOSAL

ADOPT:

- 1. SHEPHERD LANE -
- SNAPDRAGON LANE -
- FULL STOP

All Traffic southbound on Shepherd Lane shall come to a Full Stop at its intersection with Snapdragon Lane.

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

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. 8-2023
ROSLYN HEIGHTS, NEW YORK

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

PROPOSAL ADOPT:

- 1. SHEPHERD LANE - SNAPDRAGON LANE - FULL STOP

All Traffic southbound on Shepherd Lane shall come to a Full Stop at its intersection with Snapdragon Lane.

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: April 4, 2023

Manhasset, New York

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

RAGINI SRIVASTVA TOWN CLERK

4-12-2023-IT-#240325-ROS

Affidavit of Publication

County of Nassau
State of New York,

SS

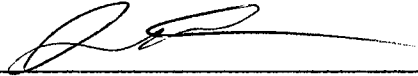
Iris Picone, being duly sworn, deposes and says that she is the principal Clerk of the Publisher of

The ROSLYN NEWS

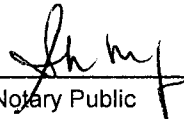
a weekly newspaper published at Mineola in the county of Nassau, in the State of New York, and that a notice, a printed copy of which is hereunto annexed, has been published in said newspapers once in each week for

1 weeks, viz:

April 12, 2023



Sworn to me this 12 day of
April-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 number 14, a public hearing to consider the rescission and adoption of an ordinance affecting Lindberg Boulevard in Carle Place, New York.

SUPERVISOR DESENA: Councilman Troiano, do you introduce this one?

COUNCILMAN TROIANO: Are there any cards for this one?

CLERK SRIVASTAVA: No.

COUNCILMAN TROIANO: Anybody who wishes to be heard?

(No response.)

COUNCILMAN TROIANO: Seeing no one, 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:

ORDINANCE NO. 9 - 2023

A PUBLIC HEARING TO CONSIDER THE RESCISSION AND ADOPTION OF AN ORDINANCE AFFECTING LINDBERG BOULEVARD IN CARLE PLACE, 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. 9 - 2023

CARLE PLACE, NEW YORK

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

PROPOSAL:

RESCIND:

1. T.O. #9-1977

Adopted April 19, 1977

LINDBERG BOULEVARD – WEST SIDE – ONE HOUR NO PARKING 7 A.M. TO 7 P.M. – EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS

Starting from the north curblineline of Wright Avenue, north to the dead end.

ADOPT:

1. LINDBERG BOULEVARD – WEST SIDE – ONE HOUR NO PARKING 7 A.M. TO 7 P.M. – EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS

Starting from the north curblineline of Curtis Avenue, north to its terminus.

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

Section 3. PENALTIES: “A violation of this ordinance shall be punishable by a fine, or when applicable, by imprisonment, not in the excess of the amount set forth in the Vehicle and Traffic Law of the State of New York, or by both such fine and

imprisonment, plus any surcharge payable to other governmental entities, and late payment, if applicable.

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

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

Dated: Manhasset, New York

April 4, 2023

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

LEGAL NOTICE
NOTICE IS HEREBY GIV-
EN that, after a public hear-
ing duly held by the Town
Board of the Town of North
Hempstead, the following
ordinance was ordered ad-
opted:

ORDINANCE NO. T.O.
9 - 2023
CARLE PLACE
NEW YORK

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

PROPOSAL

RESCIND:

1. T.O. #9-1977

Adopted April 19, 1977

LINDBERG BOULEVARD
- WEST SIDE - ONE HOUR
NO PARKING 7 A.M. TO
7 P.M. - EXCEPT SATUR-
DAYS, SUNDAYS AND
HOLIDAYS

Starting from the north cur-
bline of Wright Avenue, north
to the dead end.

ADOPT:

1. **LINDBERG BOULE-**
VARD - WEST SIDE - ONE
HOUR NO PARKING 7

A.M. TO 7 P.M. - EXCEPT
SATURDAYS, SUNDAYS
AND HOLIDAYS

Starting from the north cur-
bline of Curtis Avenue, north
to its terminus.

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

Section 3. **PENALTIES:** "A
violation of this ordinance
shall be punishable by a
fine, or when applicable, by
imprisonment, not in the ex-
cess of the amount set forth
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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 publi-
cation 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: April 4, 2023

Manhasset, New York

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

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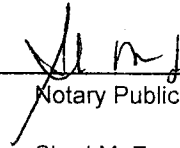
a weekly newspaper published at Mineola in the county of
Nassau, in the State of New York, and that a notice, a printed
copy of which is hereunto annexed, has been published in
said newspapers once in each week for

1 weeks, viz:

April 12, 2023



Sworn to me this 12 day of
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SUPERVISOR DESENA: I guess you can read the resolution.

CLERK SRIVASTAVA: Yes. I have to first read it, and wait for a minute. First, we need to find it.

COUNCILWOMAN DALIMONTE: We Start at 61.

SUPERVISOR DESENA: And 67.

COUNCILWOMAN DALIMONTE: And the 67, yes.

CLERK SRIVASTAVA: First 61, right?

SUPERVISOR DESENA: Yes.

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Item number 61, a resolution authorizing the transfer of ARPA funds from the general fund to capital fund for the Manhasset sewer conversion project.

SUPERVISOR DESENA: No, no. It's fine. One (unintelligible) thank you. Okay. Did you finish reading? Okay. This resolution will allocate nearly 3.1 million dollars of ARPA funds for the Manhasset Sewer Connection Project. This resolution was initially considered at the January 24th meeting and was at first blocked when a number of council members abstained from voting for the allocation. I, again, put forth the resolution at the last meeting where it again failed when three of my colleagues voted against the allocation and unfortunately, the resolution did not carry. This project is something that residents have been asking for many years, and I am proud to continue to push to move this long-stalled project forward tonight. For over 40 years now, the residents and businesses along Plandome Road have had to rely on septic tanks, and over time this has led to numerous issues like the potential impact excess nitrogen flows are having on Manhasset Bay and the significant financial burden these septic tanks place on our businesses. Businesses on Plandome Road, spend upwards of \$70,000 on septic services in any given year. This is a truly astronomical number and is absolutely cost prohibitive for anyone looking to open a business here. It must change. Over the last year, I held meetings with various stakeholders in the project, including the Great Neck Water Pollution Control District, the Manhasset Chamber of Commerce, and my fellow council members where it was discussed how my administration can best move this project forward as it has stalled for years. As part of -- as part of this resolution, the town would put aside 3 million dollars of American Rescue Plan Act funds into a dedicated capital fund for the Sewer Connection Project. Allocating these funds will send a strong message to our businesses in Downtown, Manhasset, that we actually care about their future and their livelihoods. And we are prepared to take advantage of this once-in-a-lifetime opportunity, to complete this project. For some time now, some of my fellow council members have been questioning the legality of using the ARPA funds for this purpose, despite the fact that these funds were clearly being used to fund sewer connections in Sea Cliff as part of a Nassau County grant program, which is exactly what I've been proposing. Since the last meeting, our town attorney has weighed in and delivered an opinion on this question and has definitively concluded that utilizing the ARPA funds for the Sewer Connection Project is permissible as part of the federal guidelines. Specifically, as part of a small business grant program. This is something I've been proposing since the very beginning, and despite continued efforts to stall the project, I'm hoping that now, that our town attorney has weighed in, this resolution will receive unanimous approval tonight. It's important to note that while this resolution would allocate the funds tonight, this is largely an administrative step to transfer the

funds into a dedicated capital account for the project so my administration can continue to take steps forward to make this dream a reality. When the project is ready to expend the funds, it will come up for a vote once again to authorize the expenditure. Our businesses, our residents, our environment, and the future of our Plandome Road Business District deserves this. It's time to get it done. With that, I'm proud to offer this resolution.

COUNCILWOMAN LURVEY: So Supervisor used words like blocked, failed, and stall at our last meeting. And I would like to refute the implication that there has been blocking a failure to move forward or stalling. At our last meeting, based on a request from the sewer district, we all unanimously passed a resolution to memorialize our support for the Manhasset Sewer Project, allowing the Great Neck Water Pollution control district to begin their work. As everyone knows, I have advocated from Manhasset Sewers for a very long time, and that vote served as my and the town board's official endorsement of the project. And while we frequently discussed allocating American Rescue Plan Act funds toward the project to help the businesses connect to the sewer line, we simply had some unanswered questions. The bulk of those questions have now been answered and we can move forward knowing that the allocation was legal. As this process progresses, we will remain focused on how we can best assist the Manhasset community on this initiative. Let me be clear, the ultimate goal is to help everyone get hooked up to the sewers on Plandome. The next step will be to figure out the mechanism to distribute the funds because we cannot give the money out willy-nilly. Tonight's vote comes after months-long research regarding the legal feasibility of the town's allocation of ARPA funds, along with an itemization of approximately how much money would be needed for certain aspects of the project. After thorough conversations with our town attorney officials from other municipalities embarking on similar projects and representatives of the sewer district, I feel extremely comfortable in allocating the 3.1 million dollars towards the Manhasset sewer project. As we now have fair cost projections, a breakdown of where the money could go, and reassurance that we are legally allowed to do this. We must attack this in a smart, responsible way, and that is what I am recommending in Item 67. As this project --process moves forward, we will remain focused on how we can best assist the greater Manhasset community on this initiative. Thank you.

SUPERVISOR DESENA: Does anyone else wish to be heard?

COUNCILMAN ZUCKERMAN: Yeah. I have something I'd like to say. Supervisor, when you presented your initial plan, it was quite arbitrary. That's not how a responsible elected official act.

SUPERVISOR DESENA: Can you speak into the microphone, please I can't hear you.

COUNCILMAN ZUCKERMAN: Sure. When allocating millions of dollars, we need a rationale and an assurance of what you're doing is appropriate. It would've been reckless to vote before doing the due diligence to ensure that everything was appropriate. We now have the answers that we needed, and we can move forward. And I compliment Councilwoman Lurvey and councilwoman Dalimonte in seeking out these answers.

SUPERVISOR DESENA: I actually have one more comment I'd like to read. This came into Councilman Zuckerman and myself before the meeting from the Village of East Hills. "Dear Supervisor DeSena, yesterday evening on April 3rd, at a regularly scheduled meeting, Mayor Michael Koblenz and the board of Trustees of East Hills voted unanimously to support the proposal to allocate a portion of the town north -- Town of North Hempstead's ARPA funds to

create a sewer system on Plandome road. The board asked me to forward their support for this project to you." From their village attorney William Burton.

COUNCILMAN ZUCKERMAN: And Barbara Donno, and I were both present at that meeting.

COUNCILWOMAN DALIMONTE: I'd like to thank the town attorney for getting us these answers. And I feel very comfortable in casting my vote tonight because I finally have -- I finally have the answers.

SUPERVISOR DESENA: Would anyone like to speak? Any cards or -- town clerk, do you have cards on this? Okay.

CLERK SRIVASTAVA: No, we don't have --

SUPERVISOR DESENA: Okay. Let's go with Nancy Morris.

MS. MORRIS: Nancy Morris. Hi, good evening.

SUPERVISOR DESENA: Nancy, do you want to pull it up a little?

MS. MORRIS: Yeah. How's that? Testing, one, two, three. Good. My name is Nancy Morris. 32 years ago, my husband and I moved our family here to start my State Farm Insurance Agency. 22 years ago, we bought a building. Since -- there's some of this that I can definitely dispense with because I see most of you wearing the poop emoji. So I know what side of this you stand on and we're all the Chamber of Commerce, if I can speak for them, very happy to see that. And we want to thank Councilwoman Lurvey for her press release, which I think yesterday we all breathed a sigh of relief when we saw that, to feel that you were able to move forward and --

COUNCILWOMAN LURVEY: And I want to thank you for having the meeting with me also to talk through some of the issues.

MS. MORRIS: Absolutely. Thank you. I also want to say --we want to thank supervisor Desena for having the guts to bring this forward. Because 30 years, 32 years here, I've been on the Chamber of Commerce and we have talked about this ads and item for 30 years, and I thought in my lifetime that I would never see this happen. So thank you very much for doing that. Thank you all for supporting the project, and as we said today when we met with you Councilwoman Dalimonte we want to stay involved with this project. And it's very, very important that we represent the building owners here, in how we actually do the grant or disperse these funds or whatever. So we asked to be at the table for that. Thank you.

CLERK SRIVASTAVA: Thank you. Barbara Donno.

MS. DONNO: Thank you. As mayor of the Village of Plandome Manor, I stand before you with a letter of support signed by 13 village Mayors from Manhasset, Port Washington, Great Neck, and East Hills. To bring sole service to the Plandome Road Business District in order to finish this project, the approval of the ARPA funds is of utmost importance. The most important hurdle that Councilwoman Lurvey and Councilwoman Dalimonte stated at a greater council meeting, was the legality of the use of these funds for this project. I understand that the town attorney has signed off on that use, eliminating that hurdle. This is not, nor should it ever be a partisan issue. Although each of you represent different districts in North Hempstead, this is about business development, our drinking water, and the health of Manhasset Bay. There are 31 villages in the town of North Hempstead, and the mayors of those villages all work together

to do what's right for our villages. I can speak for Plandome Manor where all five board members, regardless of their political party, work together to serve our residents. That's why we were all elected and re-elected. It should work the same for this town board. It should -- the approval of these ARPA funds has gone on long enough. And I, along with the other mayors, urge you to pass the use of these funds for this project tonight. And I'd like to read the letter that 13 Mayors have signed.

COUNCILWOMAN LURVEY: Will you also be able to provide us a copy.

MS. DONNO: "Members of the town board, as mayors of our respected villages, we endorse efforts like those of the Manhasset Chamber of Commerce that support infrastructure enhancements for public health support, a clean environment, and clean water in Manhasset Bay, while promoting business development in the business district around Plandome Road. We support the use of the town of North Hempstead's ARPA funds for this purpose. The Manhasset Chamber of Commerce working with the Great Neck Water Pollution Control District initiated an effort to bring sewer service to the Plandome Road business district. Assemblywoman Gina Sillitti had obtained 5 million dollars from New York State to support the project. Those funds are only sufficient to bring a pipe under Plandome road, but there is not sufficient funding to connect it to any of the businesses. At a January 24th -- 23rd 2023 town of North Hempstead Board meeting, Supervisor DeSena, presented resolution 38, allocating 3.1 million of the towns, 10 million of ARPA funds to create a sewer system on Plandome Road. These funds were designed to bring economic stability to those businesses that were adversely affected by the Covid Pandemic while achieving environmental and public health benefits. The resolution has been tabled several times in the past months and is expected to be voted on, at the April 4th, 2023 board meeting. The mayors below stand in support of the use of these ARPA funds for the creation of a sewer system to serve the business community on Plandome Road and to achieve the environmental and public health benefits the completion of this project would provide. And it was signed by Mayor Susan Lopatkin, village of Kensington, Mayor John Popeleski, the village of Manor Haven, Mayor Steve Weinberg, village of Thomaston, Mayor Randall Rosenbaum, the Village of Flower Hill, Mayor Nora Haagenson, the Village of Baxter Estates. Myself, Barbara Donno, the Village of Plandome Manor, Mayor Lawrence Ceriello, Village of Munsey Park, Mayor Marvin Natiss, the Village of North Hills, Mayor Thomas S. Minutillo Village of Plandome, Mayor Michael Koblenz Village of East Hills, Mayor Peter Forman the village of Sands Point, Mayor Kris Torkan village of Kings Point, and Mayor Dan Levy, Dr. Dan Levy, village of Saddle Rock. And as you can see, the Great Neck, port Washington and Manhasset. We all stood together and support this. So, thank you."

COUNCILMAN TROIANO: And Mayor --

SUPERVISOR DESENA: Thank you very much. I want to thank all the mayors who joined in that effort. Thank you very much.

COUNCILMAN TROIANO: Mayor, can I -- can I ask your question about that?

MS. DONNO: Sure.

COUNCILMAN TROIANO: They are giving their support --

MS. DONNO: Yes.

COUNCILMAN TROIANO: conceptually to a sewer project, correct?

MS. DONNO: Well, what do you mean conceptually?

COUNCILMAN TROIANO: Well, did they - I didn't see any reference to dollar amounts in that.

MS. DONNO: Yes, I said 3.1 of the ARPA funds.

COUNCILMAN TROIANO: But they don't know what it's actually going to cost.

MS. DONNO: Well, we've spoken about it. When I gave them the letter and asked them to support it, some of them had verified --

COUNCILMAN TROIANO: Again, they just know generically conceptually what you're talking about. Right?

MS. DONNO: They know (unintelligible) the assembly woman has given us.

COUNCILMAN TROIANO: Right. And did they have any questions beyond that?

COUNCILWOMAN DALIMONTE: I --

MS. DONNO: Just that they were concerned about, most of these villages are on Manhasset Bay.

COUNCILMAN TROIANO: Uh-huh.

MS. DONNO: And they're very concerned about the water --

COUNCILMAN TROIANO: Well, East Hills is a good distance away for Manhasset Bay.

MS. DONNO: I'm sorry.

COUNCILMAN TROIANO: East Hills is

MS. DONNO: Oh, East Hills is --

SUPERVISOR DESENA: I mean, he wanted.

COUNCILMAN TROIANO: I understand what you said. I'm just saying, I'm pointing out though that East Hills is a good distance away.

MS. DONNO: But most of them are on the Bay.

COUNCILMAN TROIANO: Right. Okay. But not --

MS. DONNO: And as I -- as -- I said in --

COUNCILMAN TROIANO: But again --

MS. DONNO: --my previous statement -- as I said in my previous statement, there are 31 villages in the Town of North Hempstead and we all work together.

COUNCILMAN TROIANO: Yeah. And I hope and --

MS. DONNO: And support each other.

COUNCILMAN TROIANO: And -- well, I hope you don't blindly support each other. I hope that you ask a few questions.

MS. DONNO: Absolutely not.

COUNCILMAN TROIANO: Right. And you have -- you have a board of trustees as well in

your village?

MS. DONNO: Yes. Yes.

COUNCILMAN TROIANO: And let me just ask you, and I know that the trustees can be pesky and can be annoying.

MS DONNO: No, not mine.

COUNCILMAN TROIANO: Not yours. Okay, great. So when they ask questions of you, like, is this legally permissible --

MS. DONNO: Right.

COUNCILMAN TROIANO: --do you dismiss them as delaying or stalling a project?

MS. DONNO: No. We usually have our attorney --

COUNCILMAN TROIANO: Okay. Thank you. So the fact that you ask questions --

MS. DONNO: Yes.

COUNCILMAN TROIANO: -- does not mean that you're stalling a project. Is that correct?

MS. DONNO: No.

COUNCILMAN TROIANO: Thank you.

COUNCILWOMAN DALIMONTE: So Councilman Troiano, I just want to let you know that some of the mayors in my area did call me after they received this. And when I explained to them why I abstained, they completely understood that I should wait for the town attorney. They did sign off on it, and I told them that I had already legal advice that we could be moving forward. But they did reach out to me to ask me why I was voting the way I did, and I explained it to them so they did have questions.

COUNCILMAN TROIANO: Right. Sorry. You know, I just -- I just wish -- you know, I'm wearing one of your son's emojis, emoji stickers, and I just wish we could all take this as a victory lap.

MS. DONNO: Yeah.

COUNCILMAN TROIANO: For all of us. As opposed to having acrimony and fingers pointed, while some of us on the Town Council we're trying to get answers to legitimate questions. Now, this is not for you. This is my speech. Okay?

MS. DONNO: Okay. Oh, you get --you get to make a speech during my time.

COUNCILMAN TROIANO: I think I was talking, and so I'm -- right. I think I was talking, right. And I thought you were done actually. I assumed --

MS. DONNO: Well, I am done --

COUNCILMAN TROIANO: I wanted --I asked you a question. I want to know the answer.

MS. DONNO: Okay.

COUNCILMAN TROIANO: But now I just want to say I just, and this is not actually directed to you. It's directed toward everybody here that this would be a moment you'd all be happy when, you know, people complain about the Democrats and Republicans not working together.

Here's a moment where we are -- we're all working together after a period of time. And instead of just taking the victory lap for all of us, we have to hear about how we stalled when there were legitimate questions being asked.

MS. DONNO: Yeah.

COUNCILMAN TROIANO: And I'm really just very disappointed by that. And so I'm not directing that at you.

MS . DONNO: Right.

COUNCILMAN TROIANO: Because you're not the one who did it.

MS. DONNO: Well, what I -- I think what I said in my initial comments was, number one, there are 31 mayors in the town of North Hempstead. And we also, because I belong to NCVOA and I'm on the executive board, we also encompass other villages from around Long Island. There's 64 of us. We all work together for the betterment of our villages.

COUNCILMAN TROIANO: That's how the government should work

MS. DONNO: As you know what's going on, you know, with the housing compact, we've all come together on that. We also get on boards and with our trustees, we work together. I don't know the political affiliation of the other four members of my board. I don't care what their village -- what their political affiliation is. We work together for our residents. That's why we were elected. So it has nothing to do with politics.

COUNCILMAN TROIANO: So mayor, given that, and you -- and you've got trustees you work with.

MS. DONNO: Yes.

COUNCILMAN TROIANO: Do you ever just make an announcement like with ARPA funds saying, I'm going to use this money like this about talking with them?

MS. DONNO: I have come to the board meetings and you're certainly welcome to come to our board meetings and having said, I would like to use ARPA funds for such and such, and there's discussion among us.

COUNCILMAN TROIANO: Right.

MS. DONNO: Including the --

COUNCILMAN TROIANO: And that's -- but that's a wish. Right? That's -- I would like to, I would wish -- I wish to do that.

MS. DONNO: Well, I --

COUNCILMAN TROIANO: But do you ever actually issue a press release saying, I'm going to do this?

COUNCILWOMAN DALIMONTE: (Unintelligible).

MS. DONNO: You know, I'm not going to answer that, because I think you're trying to implicate --

COUNCILMAN TROIANO: No, I'm actually just trying to ask -- I'm trying to ask you as a -- as a mayor.

COUNCILMAN WALSH: Excuse me, mayor. But you don't have to -- you don't have to be cross-examined or deposed here. You can just finish and sit down, and you know, you're being deposed here.

COUNCILMAN TROIANO: I'm --

COUNCILMAN WALSH: With all respect, thank you for coming --

COUNCILMAN TROIANO: I'm sorry Mayor, if you don't really want --if you feel that you -- that that's an inappropriate question of me to ask of a governmental official.

MS. DONNO: You know, no. It's not inappropriate, I just have to -- I -- you know, what I want to say is I was elected as mayor, as Supervisor DeSena was elected for as supervisor. So I preside over our board meetings.

COUNCILMAN TROIANO: Right.

MS. DONNO: I do discuss issues with our board members at an open board meeting. That's what the open meeting law requires us to do. So if I come with an idea, I come with the idea at an open board meeting and we all discuss it.

COUNCILMAN TROIANO: Right.

MS. DONNO: And then either we vote on it, or we try to get more information. And I do believe that that's what was happening.

COUNCILMAN TROIANO: Well, I don't -- I don't know how you could actually believe that when --

MS. DONNO: Because I watched it.

COUNCILMAN TROIANO: Oh, did you watch the press conference that was taking place without any --

MS. DONNO: You know --

COUNCILMAN TROIANO: -- without -- let's talk now. Mayor Donno, can I please finish talking? All right?

MS. DONNO: Okay.

SUPERVISOR DESENA: If you want, you can sit down.

(Unintelligible cross-talk)

COUNCILMAN TROIANO: Mayor Donno, since you made the representation that you watched it, I'm going to ask you, did you watch the press conference when this was announced, without any members of the Town Council, and not any Democratic members of the Town Council being there?

SUPERVISOR DESENA: This reminds me of --

MS. DONNO: I can actually --wait, wait, wait. You asked me a question.

COUNCILMAN TROIANO: Uh-huh. Right.

MS. DONNO: I can actually say that I have been to press conferences that my board has not been to, and have said and stated things that my board has not been a part of, other than having a

conversation about it.

COUNCILMAN TROIANO: Uh-huh. Well, I think the motto you laid out earlier.

MS. DONNO: Yeah.

COUNCILMAN TROIANO: In your discussion of -- of talking through with your trustees.

MS. DONNO: Which is an open meeting law.

COUNCILMAN TROIANO: Which is - - which is the appropriate model for government. So thank you for that.

CLERK SRIVASTAVA: Nancy Morris. George Wright. George Wright. George Wright.

SUPERVISOR DESENA: George Wright.

MR. WRIGHT: Good evening. Thank you for the opportunity to speak tonight.

SUPERVISOR DESENA: Evening.

MR. WRIGHT: My name is George Wright. I am the property manager for the Wright Trust Building at 351-355 Plandome Road, right by the train station, the past location of Wright Hardware since 1922. I am the youngest member of the Wright family. I am the property manager. I am the boss. I make the decisions. I'm here now not to debate your economics or decide where you should get your money or where should it place, this very notion was proposed 50 years ago. I was 14 years old, the time that -- well, it's true.

COUNCILMAN WALSH: No, I'm figuring out how old I was when you did --

MR. WRIGHT: Well, all right --(Unintelligible cross-talk).

MR. WRIGHT: So really, I mean, this has been going on a long time. I live in the Town of Huntington. I grew up in Manhasset in Port Washington. I love this town. The town needs help. It's not just a sewer issue, it's an economic issue. It's impossible to do business in this town almost. I just lost a major tenant. I've had Wells Fargo on that property for 25 years. I put in eight double cesspools, I have 10 dedicated dry wells. Last year, I had an issue with one of my drywalls at my basement. It cost me \$2,300 to have that drywall pumped out of two yards of sand to get down to the percolation. That water would infiltrate my entire basement. I can't imagine how much it would cost to replace any of my cesspools, let alone have them pumped as the town people here now are experiencing. From the owner of Louis' here on down to Publicans to pay this much overhead for sewage is ludicrous. The town needs better prices. We need parking. We need a lot of issues. But this is a quality of life, life issue, not just for this town people now, but for our children. Because the town can't sustain this type of - - well, I won't call it abuse, nobody's doing it on purpose. But it's just been going on for so long, and now you are so close. Closer than you've ever been. The Americana Shopping Center hooked up five years ago. We don't need Gucci bags. I don't, I don't. I've never been in that place. But I do need to go to the post office. I do know -- I do want people to come into my building to do whatever they're going to do when I decide what I'm going to do with it. I just want this town to survive and thrive again. That's all I'm proposing to you. That's it. I have -- I have no answers for you, but I do have one potential help for you. My good friend of 40 years, Thomas J. Kehoe, was a trustee for the Northport town. He was also commissioner of their sewers, he's a private consultant for New York Sea Grant, he's a member of Cornell Cooperative Extension Service Suffolk County. I'm a member of Cornell Cooperative Extension Service for Nassau and

Suffolk County. We work closely with the Department of Environmental Conservation for New York State. We know what we're talking about. This is a matter of gravity, whether it's pesticides, whether it's waste, it all goes to the same aquifer. And no matter where you live on Long Island, you work off that aquifer. And in the '70s, we were voted best water in New York State time and time again. And then my town in Huntington was, now I get bottled water delivered. I can't drink the tap. We had people in our water fountain waiting for that water. It just came right out of the ground. It was cold. It was great. We can't do that anymore. The same issues are going on. No matter where you look, we're encroached with our air, with our water, with our waste. We have to do something. I believe that sewage treatment for this town would be a game changer. My consultant friend would be more than happy to work for free on my behalf for you if you want him. Thank you.

COUNCILWOMAN LURVEY: Thank you.

SUPERVISOR DESENA: Thank you. So I want to thank you.

COUNCILWOMAN LURVEY: Thank you so much. I just want to just piggyback a little bit on what you said. You know, we've had a somewhat of a crisis for small businesses and for downtowns across the Long Island. You know, we've got challenges from e-commerce, challenges from changing demographics, challenges from COVID, challenges from sewers, right? How much more can property owners and small businesses handle? So I think that I want to thank -- we need to consider that these ARPA funds came from our federal government, and what a blessing it is that they were voted on and that they were approved, and that we have them to help solve this problem for Manhasset.

CLERK SRIVASTAVA: T.J. Castillo (phonetic).

MR. CASTILLO: Thank you. I'd like to just be so happy that we're at this moment, that a lot of teamwork has been put together. And I say with great respect, with the ability to -- to -- to -- to take your time to get the answers you needed. And so I hopefully let -- that we're here. My request is that going forward, that the building owners be incentivized to join. So whatever the -- that can be done going forward, that it's really all about encouraging those to join rather than voluntarily. So just wanted to park that in the back of everyone's mind going forward. Thank you.

COUNCILWOMAN LURVEY: Yeah. Thank you.

CLERK SRIVASTAVA: Julia (unintelligible).

SUPERVISOR DESENA: She's not here.

CLERK SRIVASTAVA: Matthew Donno. Matthew Donno.

MR. DONNO: Hi. Matthew Donno, co-president of the Mass Chamber of Commerce. We've come a long way working on this project, so thank you, everybody, for the time and the meetings, and everything that we have done with this. I have heard from both Councilwomen Lurvey and Dalimonte in support of this, and they've gotten a lot of their answers. So I'm grateful to hear that. In terms of talking about how it was done in the process, that's not something that we need to focus on right now. Let's move forward.

COUNCILMAN TROIANO: I agree. That's why I'm disappointed -- brought up.

MR. DONNO: I mean, because if we go back to all that and we talk about what that press

conference brought, it brought a lot of great projects to the town, and including, I believe, sidewalks and roads for Carle Place was one of the things that you -- that --

COUNCILMAN TROIANO: So Mr. Donno, the point is not what the end result was.

MR. DONNO: Right.

COUNCILMAN TROIANO: The point is, in government, there's a way to do things. And there's a process. And the supervisor is not --and just has no more authority than I do, or power than I do. And it was inappropriate for that press conference to take place in the heart of my district without my knowledge, awareness, or presence. That's my issue.

SUPERVISOR DESENA: I would just like to address that I called a press conference because we had been required to submit how we were going to use the ARPA funds to the federal government in the summer, and we did. And the decision to divide it amongst my three Democratic Council members, districts, I thought would be well received. And the reason for the press conference was the resolution put on the agenda by Councilwoman Lurvey to allocate the ARPA funds. So it was vital that I immediately say we had already reported this to the federal government. And that is why I had the press conference. And very sorry, Councilman Troiano, that you just felt you missed the camera.

COUNCILMAN TROIANO: No, I'm sorry, Jen. See, I don't know why we had to go there.

SUPERVISOR DESENA: Okay. Let's go back --

COUNCILMAN TROIANO: I really don't know why, because you know, I don't, you know I don't go to a 10th of the events that you go to.

SUPERVISOR DESENA: Well, I'm the supervisor of the whole town. I have to go to all these events.

COUNCILMAN TROIANO: I don't go to -- I don't go to half the events you go to in my own district. That's my own choice. But Mr. Donno, I'm not sure why you chose to go there.

MR. DONNO: I just --

COUNCILMAN TROIANO: Now that the supervisors opened it up, she wrote a letter of the federal government, Mayor Donno, without the support of her fellow, not trustees, but council people. A unilateral letter by her with no authority at all from the town council, which is required before she writes to anybody, much less the federal government to commit what this town's going to do.

MR. DONNO: Okay. Regardless --

COUNCILMAN WALSH: Let's get back to the sewers,

MR. DONNO: Regardless for the -- when it comes to the sewers, I'm glad that we can move forward. This is a great project for everybody, and it will really help the businesses. So thank you.

COUNCILWOMAN LURVEY: Thank you.

COUNCILMAN TROIANO: You know, I am as well, but I'm really getting to the point where I'm like just -- I'll just vote no. Because if we can't have a moment where we are all celebrated for -- to take -- being conscientious, doing our job as elected officials to make sure that the funds were legally being dedicated to the sewer project if we can't celebrate that and we have to instead

engage in sniping, I'm -- I've got a concern with that. Maybe I'll just continue the sniping.

COUNCILMAN WALSH: You know, we're going to celebrate it when we vote. And the money won't be there till we vote. So you know we'll celebrate it when it's approved.

MR. DONNO: Right.

COUNCILMAN TROIANO: It just --it would be pleasant if somebody said, I'm happy that we're here.

MR DONNO: Thank you.

CLERK SRIVASTAVA: We have one more card. Wait --

SUPERVISOR DESENA: Right now.

CLERK SRIVASTAVA: Tommy -- Tommy

COUNCILWOMAN DALIMONTE: We can't vote until they're done with the cards.

SUPERVISOR DESENA: We're going to vote -- we're going to vote--

CLERK SRIVASTAVA: One more card. We have - -

SUPERVISOR DESENA: In just a few minutes we're going to vote.

COUNCILWOMAN DALIMONTE: Just so you understand, we have a process. If someone put in a card, they have a right to vote.

CLERK SRIVASTAVA: There's one more card we have. Tommy Pagano (phonetic).

COUNCILWOMAN DALIMONTE: They have a right to talk.

CLERK SRIVASTAVA: No?

COUNCILWOMAN DALIMONTE: No? You can -- you don't have to. And let us go to the vote.

COUNCILMAN WALSH: You can -- no, no, no. Come down.

COUNCILWOMAN DALIMONTE: If you want to.

COUNCILMAN WALSH: Come down. It's open mic night. Come on down.

MR. PAGANO: Hi everybody, thanks for taking your time to hear everybody speaking. I represent property like George, said, most of the business that run on Plandome Road. We've been here for 63 years with my dad. Unlike George said, when I was a kid, my dad kept saying why don't we have sewers inside? All they had to do is put down Plandome, and we used to hear everything that they don't want to put like chains, restaurants, like they want to put big buildings and they don't want to do other stuff. But in hindsight, living and running a restaurant and put a tower the problems that we've had cesspools were ridiculous. So we have four --we have like a (unintelligible) restaurant, and behind it is a parking, where we have four cesspools joining each other. And now when the grandfather close you can't anymore because you have the cesspool, space of the cesspool and another cesspool. So what happens is you can join all your cesspools and then what happens, they fill up and then they back into the restaurant or whatever it may be which is horrible. And then the other place you go to that has sewers you don't have that pump. We came -- we are doing a major extension and moving out because we can't go in the basement because we have exposed sewer lines --cesspool lines. Which all of the

years that are heavy as anything decay because it was filled. The sewage that's in there, we're talking huge heavy pipes that you go like this and it's like ashes. That's how horrible the chemicals are. So backtracking now, throughout all these years, we are going to - - when no cesspools are full now you really could have a truck in your parking lot, and when that truck close up so that cesspool and they drained it every week. And that was costing us \$1100 cash every week to try to run our business. Then we had COVID on top of it. And that was going on for years. After that, we had a break in the foundation of one the of pipes that the insurance company said they were going to pay for but it wasn't caused by natural disaster. So they didn't pay for it. Which was \$60,000 coming out of our pockets plus the \$70,000 we spend on cesspools a year. Then I have pictures to show you of the -- I don't know if you want to pass that all around but the sink holes here you can just see if you can, this sink holes that are built in our parking lot and we had international fridgeration was working on it, and all of a sudden, the one tire then just stopped and just collapsed. \$100,000 of damage with environmental coming in there and thank God the last (unintelligible) was get paid, all over sudden the insurance broker said, oh but it looks like it was a third-party pipe that was coming toward your cesspool. Thank God we got to report that and they covered it. But I don't know how we would have made it through these times. And like George is saying, it's like a matter of having a silent partner as a cesspool company which is kind of crazy. They are getting \$70,000 a year from us and we're you know what, to be the town, the hub of the town, everyone comes and everyone socializes, and no one realizes the difficulty it is. So - -

COUNCILMAN TROIANO: So, can I --can I.

MR. PAGANO: Yes, yes.

COUNCILMAN TROIANO: You know, I don't -- why is it that Plandome Road doesn't have a sewer system?

MR. PAGANO: Why I --

SUPERVISOR DESENA: Why are you --

MR. PAGANO: I don't know why. That's why we -- I grew up in Garden City. All my customers are Garden City. I mean, 'cause of us, 'cause we grew up with my dad, you know. And then Great Neck and Roslyn and everyone has it. And the funny thing is like we are saying, it's like all these other towns we spend so much time and money and taxes that -- and all that -- and all our customers, and we are pretty all well-off area that -- why is our town have built up sidewalks. Why does our town have no parking for -- where you have the back of Garden City service free in (unintelligible) avenue. You have Great Neck, you have Middle Neck, you have all these areas.

COUNCILMAN TROIANO: Can I -- but you know, so the community I come from, we have sewers.

MR. PAGANO: Sewers, yeah.

COUNCILMAN TROIANO: And along our -- you know, one of our main business areas, the property owners there connected to the sewer system on their own dime. So -- but here we are tonight and we're -- have other -- we have people here who are looking at me like they wanted with the stink eye because they want me to give government money so they can hook up their properties to the sewer system. And so I, you know--

MR. PAGANO: I can answer that in a little bit. But it's okay. So now, all these years that I've been spending, and the more -- in the afflict is the more busier that I am, and same thing with Brian and Cooper back then before the pipes connected. So now instead of paying \$1100 on per week, the more busier I am and the happier and busier I have to spend now \$1600 a week because I have to pop up the cesspool second time.

COUNCILMAN TROIANO: No, no --

MR. PAGANO: So why can't I use that money to help out if I wanted to, and I would never walk with that.

COUNCILMAN TROIANO: No, I'm fine with that.

MR. PAGANO: If that could have happened.

COUNCILMAN TROIANO: If you aren't --

MR. PAGANO: If my dad couldn't have died, we were looking to do that 40, 50 years ago.

COUNCILMAN TROIANO: Right. And -- but somebody, you know, the town doesn't have a responsibility --

SUPERVISOR DESENA: No. Sometimes the town has a commitment to infrastructure. We do have a responsibility.

MR. PAGANO: Why don't they. If I have to be responsible, why doesn't (unintelligible) Town have the responsibility If that

COUNCILMAN TROIANO: We get elected to help the people.

(Unintelligible cross-talk)

COUNCILMAN TROIANO: Let me -- let me -- let me let -- it's a governmental authority. The government has that authority I mean, has that responsibility.

MR. PAGANO: But what if it's you representing us, wouldn't you want to help us. When I have a backup --

COUNCILMAN TROIANO: And I --

MR. PAGANO: No, no. Let me --

COUNCILMAN TROIANO: I was talking, let me finish talking.

MR. PAGANO: Okay. You're

COUNCILMAN WALSH: He never stopped talking. Give this guy a break. He's at the microphone.

COUNCILMAN TROIANO: Well, he made some statements and I have, you know --

SUPERVISOR DESENA: Why are you cross-examining him?

(Unintelligible cross-talk)

COUNCILMAN WALSH: Sir, you don't need to be deposed or cross-examined. You don't need this.

MR. PAGANO: What I'm trying to say is, when it's a health hazard where you are having

cesspools and if they back up and it's in my basement, and that happens, what happens if that cesspool backs up at the time where it clogs up and it overflows? Because you don't have a monitor or something to say that your cesspool backs just one second, right? And it backs up into my basement and the board of health comes to inspect me then. That means I'm closed. That means my reputation is shot. And why wouldn't the town that I put all my effort third generation in my business, why wouldn't you want to help us?

COUNCILMAN TROIANO: Okay. I want to help you.

MR. PAGANO: Listen, I just want to state that.

COUNCILMAN TROIANO: So you know, the point I'm trying to make is that there's another authority thing. It's a Great Neck Water Pollution Control Authority who has -- who has taken on the responsibility, the obligation for their own reasons of putting a sewer line down Plandome Road.

SUPERVISOR DESENA: 'Cause they got money to do it.

COUNCILMAN TROIANO: I congratulate them for that.

SUPERVISOR DESENA: Okay.

COUNCILMAN TROIANO: I'm not -- I'm not objecting to that. I think that's a great thing. What I'm saying to you though, and I'm -- is that in the community that I represent, in my district, no one helped those property owners connect to the sewer system.

SUPERVISOR DESENA: But Councilman Troiano, we get grants for your district all the time. We celebrate the grants we get.

COUNCILMAN TROIANO: I'm not complaining -- I'm not complaining about that.

SUPERVISOR DESENA: No. But we get grant money just like this.

COUNCILMAN TROIANO: There's the sense that there is some right to this, which is I'm sorry --

COUNCILMAN WALSH: Nobody said there's a right to it. They have to flush their toilets. Right up in --

SUPERVISOR DESENA: This --

COUNCILMAN WALSH: Let me say something. You grew up in Garden City. I grew up in Mineola. And mind you, before I made my first communion, we had -- we got sewers in Mineola, and I'm 72 years old. Let's go, let's vote. It's about time to (unintelligible) these people.

(Unintelligible cross-talk).

COUNCILMAN TROIANO: So to councilman -- to Councilman Walsh's point in my home --

MR. PAGANO: Yeah.

COUNCILMAN TROIANO: I had to pay to connect to the sewers.

COUNCILMAN WALSH: And so did my father to the curb. You didn't have to pay your father.

SUPERVISOR DESENA: Councilman, we have to -- they didn't have to pay.

(Unintelligible cross-talk).

SUPERVISOR DESENA: You need to --you don't know anything about this.

COUNCILMAN TROIANO: No, I know. It's --

MR. PAGANO: And why would you even think of paying if the government can help you. That doesn't make sense.

COUNCILMAN WALSH: And not only that, but you have to -- you have to pay from your building to the curb.

MR. PAGANO: I know.

COUNCILMAN WALSH: Just like they did in his neighborhood.

(Unintelligible cross-talk).

COUNCILMAN WALSH: I'm going to talk over this guy, 'cause he doesn't stop.

COUNCILMAN TROIANO: For his father to pay, I had to pay --

COUNCILMAN WALSH: No. My father had to pay from the house to the curb, and that's what they're going to do.

(Unintelligible cross-talk)

MR. PAGANO: The only thing I could say is, with my business is very -- And you want to know why we're not -- I don't have time to go and talk to my further business people to say, you know, let's put this group together. And I appreciate everybody here who started to do this and set -- and do it for us and everybody, the Donald's and everybody doing that for us and representing in CJ the Chamber of commerce doing that. Because I don't even have time to even be here tonight. I just got finished working a 12-hour day and I get two extra hours now. And I appreciate them doing that for us. And that's why I feel like if we can -- anyway. Anyway, it happens. It just should happen because it's not a good thing. Having this stuff back up and stuff like that.

COUNCILMAN WALSH: And you could go.

SUPERVISOR DESENA: Thank you.

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

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: You know, I came here tonight fully intending to vote for this. But the attitude, the reception that we are being, I am -- I'll take -- make this personal. I am being receiving tonight the attack about delaying this. Because I had the temerity to join with other council people to ask questions. I'm sorry --

SUPERVISOR DESENA: Why are you --

COUNCILMAN TROIANO: Can you please ask her to be in order?

COUNCILMAN WALSH: Please go on.

COUNCILMAN TROIANO: It's really disappointing to me. This is the -- you are -- you are

property owners, private property owners. And everywhere else in this town, the private property owners are hooking up to the system on their own dime. And then when I simply ask a question, I get people looking at me like, how dare you? And I want to talk. I'm looking at you directly. I don't appreciate it. But I am elected to do the right thing no matter how people look at me. And so I do believe, and I've said going back months that I supported this project, I think it's the right thing to do for the environment. But I don't think anybody should have, sitting in the audience now, a sense of entitlement to this and recognize that we are taking \$3 million of money that could be used for projects elsewhere in the town to support your community. And if it takes -- if it takes a little while -- if it takes a little while longer to come to that determination, I hope you'll respect that. That's my job as an elected official. With that long preamble, I vote, aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: I vote, aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Unlike Councilman Troiano, I can't look at your faces and know what you're thinking because I'm not a mind reader. That's something that I never really developed. And I vote, yes. And I -- I'm very happy to vote yes.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: So we still have work to do. We know that we still have work to do. You even came up -- came up here and said, can we have a seat at the table, admitting that there is work to be done. We need to determine what the mechanism is for distributing the funds. We need to determine how to incentivize property owners to join. We need to figure out what method the funds are going to be dispersed. We need to determine which commercial properties are going to be eligible, who's going to do the reporting and record-keeping as required by ARPA, providing written justification for the program. So we did not get off to a good start on this project, unfortunately. And there's a lot of people here, property owners who haven't seen the prior meetings where I felt like there was a gun to my head. Because I was asking questions and I was being told you either vote, yes, and people screaming, you either vote yes or you're against this project and that's just not right. That's not how I like to work. That's not how it should work. I get beat up plenty at the -- at the Manhasset Greater Council meetings. But we talk about the facts. We talk about the projects, and we work together to get things done. So I would like, with my vote, I would like to reset. I would like a commitment from those that I've been dealing with, that we're going to work together to continue this project honestly, and respectfully, and with great passion. With that I vote, yes.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: You know, I never thought in 2023 sewers would be such a controversial topic. And just to commit, I've said it before, the prior two meetings, I think we're well over six hours in the discussion on this. And this is just a first step. I mean, we had commissioner of water pollution district come here and state that there's other entities looking to hook up to the sewers. And the lack of action could have cost this community --

COUNCILWOMAN LURVEY: No.

COUNCILMAN ADHAMI: I don't know what -- what are you interrupting me for? But a lack of action. You have to make a decision whether it be right or wrong. You cannot just stay in

lollygag and not make a decision. And there --there's times to make a decision and to run sewers down Plandome Road should not be a controversial one. I would like to see it extending into the residential areas eventually. And I believe this paves the pathway for that. And it's a huge important step that has been spoken about. I found out tonight, for 50, 60 years, it's been spoken about. I don't understand what the delay of 50 or 60 years is. So I wholeheartedly vote, aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: So, this process has been going on. I was elected in 2020. We've been working on it. It got to this point. The one good thing that's coming out of COVID, is actually this ARPA funds to help the Manhasset community. It really is. At least one good thing came out of COVID, right? But every business district should be on sewers. Every single business district. The past -- the two prior meetings I abstained. Some of you understood it, some of you didn't. But you knew that I supported this project. I got my answers answered, and now I'm able to cast my vote. And I'm so happy to cast my vote. I'm -- my vote is, aye.

CLERK SRIVASTAVA: Supervisor Desena.

SUPERVISOR DESENA: So the only way to show your support for the project is voting, aye, and I'm very grateful that everyone on the board has voted, aye, tonight. And we will finally make this commitment and make this dream a reality for our business owners who are not asking for a handout. There -- this is -- we're talking about a rebate. And there will be many expenses still. I vote, aye.

MR. CHIARA: If the record wasn't (unintelligible) motion.

COUNCILMAN WALSH: I can't hear you.

MR. CHIARA: (Unintelligible) State 67 out of order.
(unintelligible)

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. Item number 62.

SUPERVISOR DESENA: 67.

COUNCILMAN ZUCKERMAN: 67.

CLERK SRIVASTAVA: A resolution authorizing the director of purchasing to issue an RFP for the administration of a grant program related to the Manhasset Sewer Project.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilman Lurvey?

SUPERVISOR DESENA: Yeah. What about public comment?

COUNCILMAN WALSH: Hold on, hold on. We didn't ask for comments.

COUNCILWOMAN LURVEY: It was a resolution. I didn't expect public comment. Okay?

COUNCILMAN WALSH: Come on.

COUNCILMAN WALSH: Yeah, yeah, use the cards.

COUNCILWOMAN DALIMONTE: I have something that --

CLERK SRIVASTAVA: Wait we are in the middle of voting. So...

SUPERVISOR DESENA: So can we -- can we start over without the -- without the votes being cast while we hear public comment.

MR. CHIARA: It's supposed to --

CLERK SRIVASTAVA: Yeah. We are in the middle of the voting. Can we complete it and then, or what?

MR. CHIARA: We vote and then allow us to have public comment?

SUPERVISOR DESENA: I move to -- I move to allow public comment on this item.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: I'm not sure what it is we're doing.

COUNCILWOMAN LURVEY: Allowing public comment.

SUPERVISOR DESENA: There are people who had the cards in on this item and they want it to be heard.

COUNCILMAN TROIANO: I know. So what am I being asked to vote on?

SUPERVISOR DESENA: To allow public comment.

COUNCILMAN TROIANO: To allow public comment?

COUNCILWOMAN LURVEY: Because we already voted.

(Unintelligible cross-talk)

SUPERVISOR DESENA: Well, can we -- can we move to withdraw that motion? So until after we hear what the public has to say.

COUNCILWOMAN LURVEY: Can I retract my motion?

SUPERVISOR DESENA: Retract it?

COUNCILMAN ADHAMI: Or we could move to revote.

(Unintelligible cross-talk)

COUNCILWOMAN LURVEY: So what are our options?

SUPERVISOR DESENA: We need to retract, that's the easiest?

CLERK SRIVASTAVA: People who came, they already --

COUNCILMAN WALSH: Whatever we have to do, the public should be allowed to be heard.

SUPERVISOR DESENA: Well because they've -- well, they've voted already --

COUNCILWOMAN LURVEY: Yeah, yeah.

SUPERVISOR DESENA: Well, they've already voted though before they've heard.

COUNCILWOMAN DALIMONTE: We'll just vote again.

SUPERVISOR DESENA: discussions.

COUNCILMAN WALSH: Nobody told me there was a card, otherwise I wouldn't have voted.

COUNCILWOMAN LURVEY: I know. Me too.

COUNCILMAN WALSH: I wasn't speaking to you directly.

CLERK SRIVASTAVA: Robbie Donno (phonetic) -- Robbie Donno.

MR. DONNO: Thank you. I didn't mean to cause you so much trouble. First of all, I'm delighted that the resolution 61 passed. It is a -- It is a time for celebration. In terms of resolution 67, in the spirit of the new unity that we have, there is some comments that we would like to have. I don't necessarily want to get into it debate here, one of board members mentioned that we need one other day to sit at the table discuss some of these things so we have -- we've seen some areas that are problematic. What I was going to ask for in the spirit of celebration if that -- if that's the correct word, is that we table this tonight, have the meeting with all the parties in one room to discuss how we go forward. If this is what you really want to do in our -- the next meeting you can -- you can ask for an RFP. We don't believe that it's necessary in the light to have a conversation first before you go down this road. I think it the step that's unnecessary. We are obviously stakeholders in this. We are --we were the ones to set and initiated it. I don't care that credit, I care about to get done right and just would like to have a conversation with the parties and some of us in the next week, before the next meeting. So I would move -- I would like you to consider tabling this tonight so that we have the conversation where we are all together and consider some of the thoughts that we have. And I'd like to keep on that positive note.

COUNCILWOMAN LURVEY: So, I'm not sure what there is to reconsider. Town Attorney did advise that small Business program was the strongest case for using the ARPA funds to fund the cost of installing the sewer laterals to connect the properties. Administering this program would require the town or a third-party grant, administration consultant hired by the town.

SUPERVISOR DESENA: It doesn't require that.

COUNCILWOMAN LURVEY: I'm reading from the town attorney's memo.

SUPERVISOR DESENA: We're not required to hire a grant administrator.

(Unintelligible cross-talk)

SUPERVISOR DESENA: The town can do it itself.

COUNCILWOMAN LURVEY: You're not -- your -- you're -- I'm reading here and you are both interrupting me. Town attorney has advised that either the town has to administer the program or a third-party grant administration consultant hired by the town would administer the program. So I don't know --

(Unintelligible cross-talk).

MR. DONNO: I didn't want to get into debate tonight, but our legal counsel had gotten this correct in the first place. And your legal counsel had all these questions. We had that answered a long time ago. So there is a difference of opinion rather than vetting this in public

and getting who said this and who said that. I'd like to get us all in the same room. And again, my proposal is if this is what is necessary to be done and that's what it comes out of our meetings with a -- with a conversation.

COUNCILWOMAN LURVEY: Uh-huh.

MR. DONNO: Then it goes forward. But we'd like to have a seat at the table before we are running off in different directions, and can't get it back in the -- get the horse back into the barn. We've had comments tonight where people have done things on their own. And here again, you were going down that same path. I want us all to sit down and discuss it first and then make the proposal. It's one month.

COUNCILWOMAN LURVEY: So we can pass this tonight and still discuss the contents of the RFP --

SUPERVISOR DESENA: No.

COUNCILWOMAN LURVEY: -- and the contents of the grant program.

MR. DONNO: So in -- I don't you not -- you don't want to listen to -- we put a lot of work into this.

COUNCILWOMAN LURVEY: I don't --

MR. DONNO: And this is, you know

COUNCILWOMAN LURVEY: Who do you want the -- who do you want to administer that -- this money?

SUPERVISOR DESENA: This says right here. The town can do it. You've read it yourself -- (Unintelligible cross-talk)

SUPERVISOR DESENA: But why would we waste money that we can put towards the businesses on a third party, putting that money into their pocket?

COUNCILWOMAN LURVEY: And do we have the -- a department?

SUPERVISOR DESENA: We have a grant administrator. Tom Devaney. We do --

COUNCILWOMAN LURVEY: Tom Devaney applies for grants.

SUPERVISOR DESENA: Sure.

COUNCILWOMAN LURVEY: Tom Devaney does not distribute grants. And --

SUPERVISOR DESENA: You have in your memo --

COUNCILWOMAN LURVEY: And I don't

SUPERVISOR DESENA: You have in your memo something about \$20,000 going back to --

MR. DONNO: Is it a big deal to have a conversation?

SUPERVISOR DESENA: We have 80 stores, maybe 78 stores. How hard is it? How hard is it to administer 80 at the most stores \$20,000 rebate. Why do we have to issue an RFP? We're talking about the government. Why would we issue an RFP other than to delay this? Why delay any of this?

MR. DONNO: I didn't even want to get into this conversation tonight. I wanted to have a conversation in a room where we're not doing this in a public and looking flat.

SUPERVISOR DESENA: We don't meet together, we need --

MR. DONNO: But I'm suggesting that we do.

SUPERVISOR DESENA: Well, that's not the way this board operates.

COUNCILMAN WALSH: You know, Mr. Donno, I'm here to learn. And you know, I wish I would've learned from you before, and not knowing that there were no any cards, I wish I would've run from you before I took my vote because I don't think that you know, I don't -- I don't think it's fair to anybody to not listen public comment because of a mistake. And that's what happened.

MR. DONNO: I don't think that that was on purpose --

COUNCILMAN WALSH: I don't think that's on purpose.

MR. DONNO: I'm not blaming anybody. I just think it makes prudent, it makes common sense to have a conversation embedded first.

COUNCILWOMAN LURVEY: So there is

MR. DONNO: Before it's rammed down our throat. You know, like somebody is up on high and they're the rulers and we're the subjects, I want to have a conversation. And I -- I'm asking to table it one month.

SUPERVISOR DESENA: You put this on the agenda without any discussion with the rest of the Board. This is --

MR. DONNO: And board has made the progress we do, but we need to have everybody in the same room together talking. So I'm suggesting that the three key people and some people from the chamber. It's worked an awful lot. Awful, awfully hard on this. It's never been initiated without the chambers doing this three or four years ago. Part of this was, you know, for the hurt that they -- these people went through during the COVID. That's why we put it forward. But we wanted also to have a component in there that helped a lot of other people. One of the comments that you seem to respond to was the fact that this wasn't just a Manhasset thing. That this did impact other communities. In our mind what we thought was a pretty smart thing to do was to combine public health, combine environment, clean water, and the development of a business community, all with the ARPA funds because this is a one-time opportunity. And you've given us that. All I'm asking is that now going forward and how this can be allocated. I thought we had a pretty good idea. I just think that we should sit down and talk together.

COUNCILWOMAN LURVEY: And so what's your idea?

MR. DONNO: I want to have our attorney there too. I'd like to talk -- I'd like to have a conversation with him the next week. And if you want to go through with this, then you can go through with it then.

COUNCILWOMAN LURVEY: So this thing, just so that everybody and everybody watching understands, it's just an authorization to issue an RFP. It's not an actual RFP, it's not an actual issuance. It's not even directing the purchasing -- the director of purchasing.

SUPERVISOR DESENA: Yes, it does direct the director of purchasing --

(Unintelligible cross-talk).

SUPERVISOR DESENA: Councilwoman, it says it directs the director of purchasing to issue an RFP for consulting services. Why do we need to pay for consulting services? I don't know what you're looking at.

MR. DONNO: No, with all due respect --

SUPERVISOR DESENA: I'm sorry. This one you have on for May. I don't know why you have this resolution on for May if we're voting on this tonight. Sorry.

COUNCILWOMAN LURVEY: Yeah.

SUPERVISOR DESENA: Yeah. This is on -- this is on for the May 2nd meeting.

COUNCILWOMAN LURVEY: Because I thought that was a grant program.

SUPERVISOR DESENA: Right. You're not actually listening to what we're talking about tonight.

COUNCILWOMAN LURVEY: I just, you know, I am listening and I am also telling you that town attorney has advised that there is a certain prudent way to do this.

(Unintelligible cross-talk)

MR. CHIARA: If we're going to talk about legals (unintelligible).

COUNCILMAN WALSH: Exactly.

MR. DONNO: Yes.

MR. CHIARA: And I'm not going to share that advice with them unless you want to share that public reading.

SUPERVISOR DESENA: Well, Councilwoman Lurvey was reading from the memo and it clearly said the town could administer this. That's all I'm trying to say to the people. Can we have --

COUNCILWOMAN LURVEY: We have -- we have a hard time taking care of all the trees in the town. We have a hard time, you know, answering e-mails and returning phone calls. How in the world are we going to administer a 3-million-dollar program when we have no expertise in it?

SUPERVISOR DESENA: You're just looking to spend money on someone else that you hire. And that's going to cost the money that we want to put towards the stores.

COUNCILWOMAN LURVEY: We're going to hire somebody who knows what they're doing.

SUPERVISOR DESENA: We do not need to hire anybody.

MR. DONNO: There's a total of 88 properties. I don't think it's -- I don't think it's rocket science.

SUPERVISOR DESENA: \$20,000 --

MR. DONNO: But then I didn't want to sit here and discuss it tonight. I think that it's prudent for us to get in the room and talk about it like grownups.

COUNCILMAN ADHAMI: Exactly.

MR. DONNO: That's all.

COUNCILMAN ADHAMI: May I make a suggestion, why don't we just table this?

SUPERVISOR DESENA: Why don't we table it?

MR. DONNO: And to table it one month. If at the end of those conversations this is, we wanted a seat at the table, that's a seat at the table where we actually have some decision-making input. We didn't have any. You know, there was a lot said about press releases. There's a lot of people put a lot of work into this from the Chamber of Commerce. In the press release, we weren't mentioned. I don't care. We want to sit down and have a conversation. I'm glad that this is done, but now we've got to do, we'd have to finish the business. So let's sit down and put everybody in the room and have a conversation before we go and make any resolutions. Hiring people and not hiring people. Figure out a way of doing this.

COUNCILMAN TROIANO: Can I --

CLERK SRIVASTAVA: We have one more card.

COUNCILMAN TROIANO: Can I ask?

MR. DONNO: Sure.

COUNCILMAN TROIANO: So I just want to make sure I'm understanding you --

MR. DONNO: How are you doing? That looks, great by the way.

COUNCILMAN TROIANO: My sticker?

MR. DONNO: You should be proud. You are smoking.

COUNCILMAN TROIANO: (Unintelligible) have another one I'm using that. I have another one because I want to look good.

MR. DONNO: You're out of balance. A real fashioned statement.

COUNCILMAN TROIANO: I just -- I just want to make sure I'm understanding your position because I think it's different than the supervisors, but I'm not sure, okay. So I think the supervisor is saying let's move forward but we don't need a -- and we don't need a separate administrator to administer the grant program. Is that right?

SUPERVISOR DESENA: I'm saying that to issue an RFP to hire a grant administrator, seems to be asking for further delay and I don't know why we're waiting.

COUNCILMAN TROIANO: So -- and you're saying I think something different.

MR. DONNO: I'm saying something different that it should be discussed. And I'd like to have the discussion to consider what the supervisor says and have a discussion with --

COUNCILMAN TROIANO: So give --

MR. DONNO: -- what the councilwoman says.

COUNCILMAN TROIANO: Or I can consider this.

MR. DONNO: I'm sorry.

COUNCILMAN TROIANO: So I can give

MR. DONNO: I'm sorry?

COUNCILMAN TROIANO: As I vote, I want to give full consideration to this. So give me an idea of what it is you think we need to talk about.

MR. DONNO: We have -- we have council that we hired. And basically, we hired it, and this is the second time we've done it, we've come up with some pretty creative things by hiring outside counsel. I'm not trying to minimize what he's done, I'm trying to enhance what he's done. In fact, I think that even without Mr. Chiara in the room, had we come together and discussed means of doing this, we could present that to Mr. Chiara and he could find a way of making it work so it's as efficient as it can be, and so that we maximize the dollars that are given to us. 3.1 million sounds like a lot. It's going to go in a hurry and there's only 88 properties that are involved in this. So I think putting our heads together and having a conversation and then coming to the board with some consensus makes sense. I'm not sure that I agree with the supervisor. I'm not sure that I agree with the councilwoman, but I think it's worth the conversation. And I don't think that we're holding anything up by postponing this or tabling this one month. Let's have the conversation. Let's have at -- let's --

COUNCILMAN TROIANO: You --

SUPERVISOR DESENA: I move the table -- I move the table to resolution.

MR. DONNO: I'm sorry.

COUNCILWOMAN DALIMONTE: We have one more card.

COUNCILMAN TROIANO: You --no doubt --

COUNCILMAN ZUCKERMAN: They are in the middle of speaking.

COUNCILMAN WALSH: We Still have other cards too.

SUPERVISOR DESENA: Well, last time when Councilman Troiano made a motion to table during my motion, it carried. And you read the order of the precedence and all that.

MR. DONNO: Somebody made a mistake.

MR. CHIARA: (Unintelligible) started the motion (unintelligible).

COUNCILMAN TROIANO: So Mr. Donno

COUNCILMAN WALSH: Yeah. Because I didn't have the opportunity to hear Mr. Donno, I didn't know Mr --

COUNCILMAN TROIANO: I'll wait for everybody else.

MR. DONNO: Can we --

MR. CHIARA: Walsh, your concern (unintelligible).

COUNCILMAN WALSH: It's not my concern, it's the concern of the people in Manhasset.

MR. CHIARA: You know, right now we were voting, and we stopped the voting because we're allowing him to speak. We shouldn't have allowed that under the rules.

COUNCILMAN WALSH: Right.

MR. CHIARA: So -- but I -- but we did it because everyone wanted to do that. But you can't

just stop a vote in the middle of the vote. Unless your council has some way to do that. I'd be interested to know how he thinks we can do that. But I have -- I'm not aware of way to do that --

MR. DONNO: How about by agreement?

MR. CHIARA: (Unintelligible) to public comment, I'm okay with that. But at the end -- at the end of it, we're going to have to revote, if you want to reconsider the vote, we can reconsider the vote and then move to table it.

COUNCILMAN WALSH: Okay.

MR. CHIARA: But you can't just end the vote in the middle of the vote.

COUNCILMAN TROIANO: So Mr. Donno, I just -- I've heard (unintelligible) to say, and I do find that there's some irony now that when you are complaining about us asking questions and delaying now you want to delay so you can ask more questions. But I don't -- so I understand that you want to have more time to discuss, and I'm -- and I support that. Because I think discussion is great and helpful. But I don't see that passing this and having more discussion about it are mutually exclusive items. So I would propose that what I intend to do if Councilwoman wants to go forward, is that I will vote in the affirmative this resolution, but also provide for there to be some discussion about whatever other ideas you may have with your counsel.

MR. DONNO: Thank you.

COUNCILWOMAN LURVEY: And I will commit to meeting with you. I mean it's -- we have Passover, we have Easter. I'll commit to a meeting date right now.

CLERK SRIVASTAVA: We have one more card. So let's hear from the other person. Lynn King (phonetic).

MR. DONNO: When is next board meeting?

SUPERVISOR DESENA: May 2nd.

COUNCILWOMAN LURVEY: May 2nd.

COUNCILMAN ADHAMI: May 2nd.

MR. DONNO: Next week. The week after.

SUPERVISOR DESENA: Why can't we just wait (unintelligible) May 2nd.

MR. DONNO: You're going to be here the week after? We'll set up a meeting.

COUNCILWOMAN LURVEY: Thank you.

SUPERVISOR DESENA: What -- why is that so funny?

COUNCILWOMAN DALIMONTE: No. I think it's so funny because--

CLERK SRIVASTAVA: Lynn.

COUNCILWOMAN DALIMONTE: We got screamed at because we wanted to wait because we had quite years and now it's like reverse.

SUPERVISOR DESENA: No, what you are doing is committing to the -- this government issuing an RFP and going down a road that is costly and delaying this.

COUNCILWOMAN LURVEY: You don't understand -- you don't understand the resolution.

SUPERVISOR DESENA: You know why, because you didn't discuss it with me before you put it on your agenda.

COUNCILWOMAN LURVEY: You don't understand the resolution.

SUPERVISOR DESENA: You put this on all by yourself with no discussion amongst the rest of the board. And that's why we don't know why you put on a request for --

COUNCILMAN ZUCKERMAN: Just like the press conference, supervisor.

SUPERVISOR DESENA: Oh yeah. Just like Anna Kaplan's press conference that you were at committing us to --

CLERK SRIVASTAVA: Lynn King, please come to the podium.

(Unintelligible cross-talk)

COUNCILMAN ZUCKERMAN: You did not commit any funds to District 2 in your press conference. So once again, you made another false statement this evening.

COUNCILMAN WALSH: According to you.

CLERK SRIVASTAVA: You can come to the podium.

SUPERVISOR DESENA: I never said I committed anything to you. I said the three, one, two, three.

COUNCILMAN WALSH: This is the cooperation that we working for over here, right? All kinds of cooperation going on.

SUPERVISOR DESENA: Okay. Next speaker, please.

CLERK SRIVASTAVA: Please come.

COUNCILMAN WALSH: Please speak here.

MS. KING: Good evening, everyone. I'm Lynn King. I'm a resident of Manhasset and I am a commercial property owner --

COUNCILMAN TROIANO: Can you use the mic. Thank you.

MS. KING: Is that better?

COUNCILMAN WALSH: Yes.

COUNCILMAN TROIANO: No.

MS. KING: What do I do?

COUNCILMAN TROIANO: I don't know.

CLERK SRIVASTAVA: No, it's fine.

MS. KING: Scream. Just as in a side, I do think tonight is a tremendous cause for celebration. I've lived in this town, I don't want to tell you my age, but it's a long time, about longer than Mr. Wrights. My family it's been in this town for -- well my great father came here in 1906. And back in the '70's and '80's where this conversation came up, it was turned down because of the fear of becoming like Great Neck

COUNCILMAN TROIANO: That's right.

MS. KING: Which, by the way, could have been resolved by zoning.

COUNCILMAN TROIANO: Yup, that's true.

MS. KING: So, when everybody else in Long Island was hooking up to sewers and it was -- I can't imagine, but I'm sure a fraction of the cost of what it is today. They did it, and we didn't, and we've got what we've got downtown. So that being said, I want to thank you all, Supervisor and the Councilmembers for taking your time and your effort to get this thing going. Never in my lifetime did I think I'd see this happen. Truly, never. You know the movie Miracle on 34th Street, I'm calling this a miracle on Plandome Road.

COUNCILWOMAN LURVEY: I think the reporter is writing that down.

MS. KING: I have to tell you this past week in meetings at myself and other members of public councilwomen Lurvey and Dalimonte, I have been encouraged that our government is working. We had a conversation, we came to an agreement, and we've worked it out mutually. And I have to tell you it's government at its best. You're doing the jobs you were elected to do and I applaud you. That being said, I do have concerns about the grant and the formation of it, and the management of it. My concerns are varied. Particularly, however, I fear it would become cumbersome and bureaucratic. We have 88 applications to process, and the grant program is going to go to each individual property owner. To fill out all these paperwork and I'm seeing this stack like this. Some of these property owners are going to need help with just completing this application. And then we have the conversation today about -- 'cause it was mentioned that there were qualifications for getting that ARPA money, and when I ask the question what's that qualification, and one of your administrator said, well, you have to verify COVID loss. I get that. It's for COVID loss, the ARPA money. But how do we demonstrate that, does someone has to dispose their tax return? None of us is going to do that. It's private information. So I'm hoping -- and also to your point with the RFP, I don't know the qualifications of the grant person who works for the town but you do have a grant person or already staff. And also in addition, as opposed to going out and hiring someone to administer this potential grant program, wouldn't it be cheaper to consider just hiring a consultant and paying a fee as opposed to putting someone on staff and incurring benefits and salary so it just gets more expenses for the town.

COUNCILWOMAN DALIMONTE: It is --

COUNCILWOMAN LURVEY: That's --

COUNCILWOMAN DALIMONTE: It is a consultant. It's not --

MS. KING: Oh, well, that was not explained in the meetings.

COUNCILWOMAN DALIMONTE: Yes, it's a consultant.

MS. KING: Oh, for first -- for a -- for a specific fee --

COUNCILWOMAN DALIMONTE: And I --

MS. KING: A contracted fee.

COUNCILWOMAN DALIMONTE: Well, that -- that's part of the RFP is putting out an RFP for that. But you brought up a really good point. I'm sorry, I hope I'm not interrupting. But you know how you said you have to fill out the forms?

MS. KING: Right.

COUNCILWOMAN DALIMONTE: Right. This person, whoever does this, that should be one of their jobs to help the 88 businesses.

(Unintelligible cross-talk).

MS. KING: This is I think what Robbie's been saying and what I'm trying to say is, we just have to understand better --

COUNCILWOMAN DALIMONTE: Right.

MS. KING: What the process is going to be. That -- and perhaps some thought process has to maybe go into how do we simplify it. Because one of -- one of my key concerns is that this process needs to be clean, and simple, and user-friendly.

COUNCILWOMAN DALIMONTE: Uh-huh.

MS. KING: So we can get as many people to participate in hooking up. If we only get 50 percent of the people, we'll still have 50 percent of the people putting poo in Manhasset Bay. That's not a success. Now, I don't know this for a fact but I do, I understand that the town might have the ability to reimburse the property owners directly either fully or partially, however, you (unintelligible) the money, I would like that idea just to be investigated. Just to be discussed. And I'm just asking you to please keep an open mind about how to distribute the money. You know we took a long time to get to this point of approving the funds. I don't think the few more weeks just to investigate the best way to do it is such a deal breaker. And to Nancy's point earlier, I do feel that we should form a committee that's blended with members from the town and members from the community. This is owners -- property owners of chamber, whomever. We have to have a voice in the room.

COUNCILWOMAN LURVEY: Thank you.

MS. KING: One last remark. So, after various meetings today discussing this topic with chamber people, I went back to the office and I ran to a tenant. And I said -- and he said to me, "So we going to go to the meeting tonight?" I said, yeah but guess what we -- having read your press release, I think we got to win, we've got a yes. And he was so excited. And then he said to me, "When are they going in, within a year?" I'm like "Of course." But I want to understand that's people's expectation. It's not like this is going to be you know the big dig in Boston, this is going to happen. Rapidly as possible. We need to get this expedited and done for the business district, for the environment, and for community. Thank you for your time.

COUNCILWOMAN LURVEY: Thank you. Lynn, Lynn, you said some really important things.

MS. KING: Yeah.

COUNCILWOMAN LURVEY: This grant program, or however the money is dispersed should be simple, clean, streamlined, right?

MS. KING: Right. User friendly.

COUNCILWOMAN LURVEY: User-friendly. These are ARPA funds. These are already mired in reporting requirements and qualifying, you know, qualifying requirements --

SUPERVISOR DESENA: We've already known it's -- we're qualified.

COUNCILWOMAN LURVEY: Jen, please stop talking over me.

SUPERVISOR DESENA: The town attorney said we're qualified.

COUNCILWOMAN LURVEY: Stop talking

SUPERVISOR DESENA: So I don't understand why you're adding another layer.

COUNCILWOMAN LURVEY: In order for these company -- in order for the businesses to get the funds, there is going to be reporting and qualifying information needed from them. I believe in order to have a streamlined, clean, simple process, we need to put a request for proposals out there to find somebody who knows what they're doing, who knows ARPA, who knows how to run a grant program of this type, otherwise, we are inventing something from scratch.

SUPERVISOR DESENA: Well, Nassau County did it.

COUNCILWOMAN LURVEY: They -- that well may be.

SUPERVISOR DESENA: Yeah. Why don't we just copy what Nassau County did?

MS. KING: What'd they do?

SUPERVISOR DESENA: They're doing a grant program. Where they're hooking up in Sea Cliff and they're being reimbursed from ARPA funds.

COUNCILWOMAN LURVEY: So again, the Sea Cliff program has not been approved by the legislature yet. So the program is actually not live.

SUPERVISOR DESENA: Well, let's make ours happen as quickly as possible. And what you are trying to vote on right now is only going to delay it and cost more money.

COUNCILWOMAN LURVEY: No. It's going to do nothing.

SUPERVISOR DESENA: Why won't you agree to have a meeting so we can talk about this.

COUNCILMAN TROIANO: She did agree.

SUPERVISOR DESENA: No, she didn't. She --

COUNCILMAN TROIANO: She said that she would meet with Mr. Donno.

(Unintelligible cross-talk)

SUPERVISOR DESENA: Oh no, but only after passing this that requires us to issue an RFP --

COUNCILWOMAN LURVEY: That does not require an RFP. Can I read this to you please, everybody? This authorizes the director of purchasing to issue an RFP for the administration of a grant program related to the Manhasset sewer project. It does not require anything. It just authorizes --

MS. KING: How much does it cost.

COUNCILWOMAN LURVEY: -- the issuance of the RFP.

SUPERVISOR DESENA: We don't know

what it'll cost. It's taking -- it's going to take money away from what we can give to you.

COUNCILWOMAN LURVEY: Director of purchasing will issue a request under this proposal.

SUPERVISOR DESENA: We don't know that --

COUNCILWOMAN LURVEY: We'll issue a request for proposals. Qualified companies will -- or consultants, right, will respond with their qualifications.

MS. KING: Right.

COUNCILWOMAN LURVEY: The town and its normal procurement process will go through everybody that's responded. They will rank the responses and then we will get a qualified entity to then run the grant program. And it's not even -- this isn't even -- this doesn't even have to do with anything related to the disbursement of the grants. Although, I would like to have this committee meet before this RFP is even issued so that we agree on what is in that RFP.

MS. KING: I guess --my hope is that building owners can hook up, take their invoices, submit them to the town, and get reimbursement. And not have to go through a -- I don't even know if this is possible, but this is my dream that we could make this as efficient as possible.

SUPERVISOR DESENA: And that is the plan in Sea Cliff. Whether you say it hasn't been approved, that is what they're planning.

MS. KING: So I guess all I'm asking for is just your way may be the right way to do it, but let's just take some time to consider other possibilities. That's all I'm asking.

COUNCILWOMAN LURVEY: Okay.

MR. TRAIN: Before the (unintelligible) been served, I'd like to add a little something. Clear the record up. Brian Train (phonetic). Manhasset, New York. Long time resident, 1941. The only thing I wanted to say is that, while listening to everybody here, I remember being a news-delivery boy, and in 1949, when I used to deliver newspapers, I remember sitting on a (unintelligible) reading a paper, on a (unintelligible) just like this. 1949, it was a bigger (unintelligible) in Newsday about Manhasset didn't want to have sewers, because they were afraid (unintelligible) buildings. Aside from that, my introjection here would be when you're negotiating with the sewer district, (unintelligible) to tie up the rest of that, what you got 30 percent left?

SUPERVISOR DESENA: They will not hold it for us.

MR. TRAIN: There's no way --

SUPERVISOR DESENA: They cannot. No. If someone else comes along to hook up, they will give the capacity to someone else.

MR. TRAIN: Can we put an order into --

SUPERVISOR DESENA: No.

MR. TRAIN: No.

SUPERVISOR DESENA: They said they cannot save it for us.

COUNCILWOMAN LURVEY: Okay. So I had a verbal commitment from the Commissioner of the Great Neck Water Pollution Control District.

MR. TRAIN: Uh-huh (affirmative).

COUNCILWOMAN LURVEY: And he said there -- once they put the pipe in --

MR. TRAIN: Yeah.

COUNCILWOMAN LURVEY: There will be capacity for the hookups. They would not put the pipe in and then do something that would, you know, obliterate the capacity.

MR. TRAIN: They negotiate a little bit more. Because I'm sure people want to come on like --

COUNCILWOMAN LURVEY: Sorry.

MR. TRAIN: I said you sure you can't negotiate a little bit more capacity?

COUNCILWOMAN LURVEY: For what?

MR. TRAIN: In other words, I got 30 percent left. We all say they need 15 percent or 20 percent, couldn't you do a deal with them to see if we can get another 15 percent or --

COUNCILWOMAN LURVEY: To hook up who?

MR. TRAIN: Well, I'm sure you're going to need -- people going to need in the future.

COUNCILWOMAN LURVEY: So this is the --

MR. TRAIN: Just right here.

COUNCILWOMAN LURVEY: This is the structure that was negotiated by the Manhasset Chamber --

MR. TRAIN: Uh-huh.

COUNCILWOMAN LURVEY: And the Great Neck Water Pollution Control District.

MR. TRAIN: Okay.

COUNCILWOMAN LURVEY: They negotiated a capacity that wouldn't -- was is commensurate it with the zoning.

MR. TRAIN: Yeah. Okay. Just an idea. Thank you.

COUNCILWOMAN LURVEY: Thank you.

MR. TRAIN: And once again, I'm happy to be part of history since 1949 to see this happen.

COUNCILWOMAN LURVEY: Thank you.

SUPERVISOR DESENA: So I think that the amount of public comment we just had and the fact that we didn't listen to them before we started the vote means that that call for a vote is null and void. I think we should start over again. I'm just saying -- thank you. I'm saying how can you -- how can you have this vote when we didn't hear all the people? That's what we do at a board meeting is we hear from the public.

MALE VOICE: (Unintelligible) the vote. Declare the vote. We can.

MR. CHIARA: That's what you (unintelligible)

SUPERVISOR DESENA: And I made a motion to table and --

MR. CHIARA: After the -- after the vote already settle.

SUPERVISOR DESENA: Okay. Because what I remember when Councilman Troiano made a motion to table during my vote, you let it happen because you read the order of precedent and said, motion to table comes first.

MR. CHIARA: I do remember that myself and what I recall, is that motions were made at the

same time and there is a motion to (unintelligible). So once somebody calls a motion and starts to -- and the Clerk starts to call the people in a row, then the motion is called. And really, you're not even supposed to talk, right, the motion or allow interrupted. I mean, I don't know. Do you remember anything different from that? I mean, have we ever interrupted a motion and with another motion since in -- since I've been here?

COUNCILMAN ADHAMI: Yeah. And then I interrupted with a motion and that instance.

MR. CHIARA: Right. But not after counsel. I don't -- I don't believe that happened after we started voting, did it?

COUNCILMAN ADHAMI: I don't remember if there was a vote, but there were two pending motions and I made a third motion to adjourn.

MR. CHIARA: The controlling issue here. The controlled mechanism is once --

COUNCILMAN ADHAMI: Once a voting starts.

MR. CHIARA: Remember to start voting that the motion has to continue to vote for a vote to begin. You cannot interrupt with vote. I'm happy to discuss it with your counsel. If you feel differently, happy to take a recess and look at it. And I don't see any other way where you can just cancel a vote for minimum vote.

SUPERVISOR DESENA: Okay. Well I'm -- I made a motion to table and you're not going to let me --

COUNCILMAN TROIANO: Can I --

SUPERVISOR DESENA: I just want to --

COUNCILMAN TROIANO: Can I make a recommendation that maybe you'll get us out of this and maybe we can just continue the vote? Did any -- did anybody actually vote yet for --

MR. CHIARA: I believe we voted. I believe Councilman--

COUNCILMAN TROIANO: Okay. So I -- okay. I just recommend that maybe everybody -- Jenn, I hear your point that we've heard commentary. We ought to be able to consider that when we vote. So I'd recommend that maybe everybody else can abstain, you or I can make a motion to reconsider, and we'll take the whole vote again having heard all the input from the community from --

MR. CHIARA: I think that would solve.

SUPERVISOR DESENA: Okay.

COUNCILMAN WALSH: Now there's democracy in action. How about that, huh? Very nice.

CLERK SRIVASTAVA: Should we just continue? So Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Abstain.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Abstain.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Abstain.

CLERK SRIVASTAVA: Supervisor Desena.

SUPERVISOR DESENA: Abstain.

COUNCILMAN TROIANO: Can I –

SUPERVISOR DESENA: Move the

COUNCILMAN TROIANO: You want to

SUPERVISOR DESENA: I move to reconsider.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: On the move to reconsider, I vote, aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: On the motion to reconsider, I vote 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. I move the table to the resolution.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: No.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: No.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: No.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: You know this whole topic was adjourned twice since January so we could get a little more information and get more answers and I don't -- I mean I just -- I find it almost comical at this point. I think Mr. Pitnick (phonetic) agrees too. He's smirking that we can't adjourn it just for until May 2nd. It's --

SUPERVISOR DESENA: Why do we have to rush it --

COUNCILMAN ADHAMI: Nearly a month away. But I vote, aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: So Councilwoman Lurvey, you are going to set up a meeting with the Manhasset Chamber of Commerce.

COUNCILWOMAN LURVEY: Yup.

COUNCILWOMAN DALIMONTE: And you will meet with them?

COUNCILWOMAN LURVEY: Yup.

COUNCILWOMAN LURVEY: So, if 67 is approved because I need to know this before I vote.

COUNCILWOMAN LURVEY: Uh-huh.

COUNCILWOMAN DALIMONTE: Okay, so if item 67 is approved--

COUNCILWOMAN LURVEY: Uh-huh.

COUNCILWOMAN DALIMONTE: Okay. That's only directing --

COUNCILWOMAN LURVEY: No, authorizing.

COUNCILWOMAN DALIMONTE: Authorizing the purchasing to issue an RFP but the details of the RFP will be discussed with the Manhasset Chamber of Commerce --

COUNCILWOMAN LURVEY: Uh-huh.

COUNCILWOMAN DALIMONTE: You will discuss that with them.

COUNCILWOMAN LURVEY: Uh-huh.

COUNCILWOMAN DALIMONTE: So it's not --

COUNCILWOMAN LURVEY: Even the issuance of the RFP.

COUNCILWOMAN DALIMONTE: And the issuance.

COUNCILWOMAN LURVEY: Uh-huh.

COUNCILWOMAN DALIMONTE: Okay. So we can vote on this item and then still have a meeting.

COUNCILWOMAN LURVEY: Yes, yes.

COUNCILWOMAN DALIMONTE: Okay. I -- then, yeah. I vote, no.

CLERK SRIVASTAVA: Supervisor DeSena?

COUNCILWOMAN DALIMONTE: I vote --I vote --

SUPERVISOR DESENA: Aye.

COUNCILWOMAN DALIMONTE: I don't want --

COUNCILMAN TROIANO: You're not to table --

COUNCILMAN WALSH: No, no, no. You do not need to tell her how to vote. Come on.

(Unintelligible cross-talk).

COUNCILWOMAN DALIMONTE: I'm voting no to table -- to not table it. I don't want to table it.

COUNCILMAN TROIANO: Right.

COUNCILWOMAN DALIMONTE: I want to take a vote tonight.

COUNCILMAN WALSH: There we go --

COUNCILMAN TROIANO: Right.

COUNCILMAN WALSH: You would just -- thank you.

COUNCILMAN TROIANO: I voted, no, you voted, no...

COUNCILWOMAN LURVEY: It gets confusing. It gets confusing. Okay.

COUNCILWOMAN DALIMONTE: So I just want everyone to understand the way I'm voting.

COUNCILMAN TROIANO: Oh, we do.

COUNCILWOMAN LURVEY: Okay.

COUNCILWOMAN DALIMONTE: Yeah. 'Cause now those questions I needed answers to, to make sure.

COUNCILMAN WALSH: Thank you for the instructions.

COUNCILWOMAN LURVEY: So I offer the resolution move for its adoption.

SUPERVISOR DESENA: I didn't even vote.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: I vote to table.

CLERK SRIVASTAVA: Thank you.

COUNCILWOMAN LURVEY: Okay. Now?

SUPERVISOR DESENA: Okay. Now.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: So I -- I'm really happy that we opened the mic up for a public comment. I get a lot from hearing what people just say. I also enjoy the exchange with people that come to the podium. Although it offends Councilman Walsh. I'm sorry, I think your name --

COUNCILMAN WALSH: I didn't hear what you said, I'm sorry.

COUNCILMAN TROIANO: I think your name is Lynn. Okay, thank you. So I have the sense that you were really trying to understand how this all unfolds with the processes. So I want to try to add to that, okay. And I -- I'm not really sure why this discussion has gone on for 20 or 30 minutes after I thought I had offered a compromise that Mr. Donno agreed to, which was that we would go ahead, and vote to authorize the RFP and still agree to meet to talk about the RFP. Which would move this project along. But I also want you to know that through the

RFP process, it doesn't mean that we even have to award the RFP once we get the quote. So Supervisor Desena is concerned about the pricing, a legitimate concern. We won't know the pricing until the RFP responses come in. When the responses come in, then we might say, no, that's too much money. We can find another way to do this, which might be to work with the county or it might be to work with the --to have the town employees do that. And by the way, again, I want to reinforce that that RFP and the requirements that will be put on people will be discussed with you. So I'm -- I don't understand what all this discussion is about. All we're doing is making the -- helping this project to move forward and that doesn't nothing --we are not committed to anything except to provide the authorization, to issue the RFP should we decide we want to do that. So having hopefully explained that I vote 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: So Councilwoman Lurvey, I really would like to make sure that Lynn's comments are really used and she's on that committee because I think the comments that you brought up tonight, Lynn, were great. And I also in the RFP because I don't know if I'm going to be in those, so I'm trying to put it on the record. I would like to make sure that if we do go to hire a consultant, if we do, okay that the consultant, because after being the executive director of the BID and literally having to walk businesses through applying for grants that the person is handholding the 88 property owners or the businesses. I think that's very, very important. And I think the businesses, I think by doing something like that, you might get more businesses signing up for, you know, to -- for the sewer project. So I really -- and them working very closely with the Manhasset Chamber. I vote, aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: This process could have been simple as many people asked. Our own town attorney said that the town could administer it. I fear that this is adding delay, it's taking control and giving it to someone else along with giving the money to someone else, why we have to hire someone, I don't know. And it is --it is a question of control, because why is this board now directing the, you know, director of purchasing who happens to work for the supervisor's office? So unfortunately, this is -- I fear that this is going to delay what we have been so anxiously waiting for and it is going to cost money. So with that, I vote, no.

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

RESOLUTION NO. 209 - 2023

A RESOLUTION AUTHORIZING THE TRANSFER OF ARPA FUNDS FROM THE GENERAL FUND TO A CAPITAL FUND FOR THE MANHASSET SEWER CONVERSION PROJECT.

WHEREAS, the American Rescue Plan Act (ARPA) signed into law by the President of the United States in March 2021, provides approximately \$350 billion in financial assistance to state, local and tribal governments to assist in the continued relief from the impact of the Covid-19 pandemic; and

WHEREAS, the Office of the New York State Comptroller (the "State Comptroller") is tasked with disbursing allocated ARPA funding to eligible cities, towns and villages within the state; and

WHEREAS, the Town of North Hempstead received \$10,114,021.27 under the State and Local Fiscal Recovery Fund program approved by the ARPA (the "ARPA Funding") to cover revenue loss in 2020, which funds were accepted by this Board pursuant to Resolution 156-2022, duly adopted on March 31, 2022, and recorded to the General Fund; and

WHEREAS, the Board desires to transfer ARPA Funding in the amount of \$3,094,993.00 from the General Fund to capital account HA2212 with an expense to be recorded to expense code HA2212.00.8760.2000 for the Manhasset sewer conversion project; and

WHEREAS, after careful consideration, the Board finds it in the best interests of the Town to transfer ARPA Funding from the General Fund to a capital fund as outlined above (the "Transfer").

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby authorizes the Transfer as outlined above; and be it further

RESOLVED that the Offices of the Town Attorney and Comptroller are hereby directed to take such action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

April 4, 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: Thank you. We're moving to Item number 15.

SUPERVISOR DESENA: You all want to go back to 15.

CLERK SRIVASTAVA: Item number 15. A resolution setting --

COUNCILMAN WALSH: Sorry. Wait, what number?

SUPERVISOR DESENA: 15. We're going back to 15.

CLERK SRIVASTAVA: Going back to 15. I know. Item number 15.

COUNCILMAN TROIANO: You're leaving?

SUPERVISOR DESENA: It's only 11:00 o'clock.

(Unintelligible cross-talk)

COUNCILMAN TROIANO: You can watch on Zoom. I'm sure you will.

COUNCILWOMAN LURVEY: Robbie, toast to us when you're watching on Zoom.

CLERK SRIVASTAVA: Item number 15. A resolution setting a date for a public hearing to consider the application of Manhasset 1575 LLC and Manhasset 1577 LLC for site plan review for the premises located at 1575 and 1577-1595 Northern Boulevard, Manhasset, and designated on the Nassau County land and tax map as section three block 18, logs 175, 401 and 4 02.

SUPERVISOR DESENA: I offer the resolution, setting a hearing date of May 2nd, 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.

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

RESOLUTION NO. 211 - 2023

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF MANHASSET 1575, LLC & MANHASSET 1577, LLC FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 1575 AND 1577-1595 NORTHERN BOULEVARD, MANHASSET AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 3, BLOCK 18, LOTS 175, 401 AND 402.

WHEREAS, Manhasset 1575, LLC and Manhasset 1577, LLC (the "Applicants") (the "Application") have applied to the Town Board of the Town of North Hempstead (the "Town") to redevelop a 53,526 s.f. retail property to include three commercial buildings measuring 5,115 s.f., 4,498 s.f., and 4,528 s.f., including reconstructing a retaining wall, reconfiguring the parking lot and related drainage, lighting and landscaping improvements on a 1.20-acre lot located at 1575 and 1577-1595 Northern Boulevard, Manhasset and identified on the Nassau County Land and Tax Map as Section 3, Block 18, Lots 175, 401 and 402 (the "Premises"); and

WHEREAS, it has been determined that the Application requires site plan review pursuant to § 70-219(A)(1) of the Code of the Town of North Hempstead ("Site Plan Review"); and

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

NOW, THEREFORE, BE IT

RESOLVED that a public hearing shall be held on May 2, 2023 at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York to consider the Application for Site Plan Review; and be it further

RESOLVED that the Department of Planning and Environmental Protection shall immediately notify the Applicant of the date and time of the hearing so that the Applicant may provide notice of the hearing for the Site Plan Review to certain property owners pursuant to Sections 70-219(F)(2) and 70-240 of the Town Code; and be it further

RESOLVED that the Applicant shall also comply with the sign notice requirements pursuant to Town Code § 70-219(F)(3); and be it further

RESOLVED that the Town Clerk be and hereby is authorized and directed to publish a notice of hearing as required by § 70-219(F)(1) of the Town Code, which notice shall be in substantially the following form:

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on May 2, 2023, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, on the application for site plan review submitted by Manhasset 1575, LLC and Manhasset 1577, LLC to redevelop a 53,526 s.f. retail property to include three commercial buildings measuring 5,115 s.f., 4,498 s.f., and 4,528 s.f., including reconstructing a retaining wall, reconfiguring the parking lot and related drainage, lighting and landscaping improvements on a 1.20-acre lot.

PLEASE TAKE FURTHER NOTICE that the property which is the subject of this application is located at 1575 and 1577-1595 Northern Boulevard, Manhasset and identified on the Nassau County Land and Tax Map as Section 3, Block 18, Lots 175, 401 and 402.

Dated: Manhasset, New York

April 4, 2023

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

Dated: Manhasset, New York

April 4, 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 Planning Building

CLERK SRIVASTAVA: Item number 16. A resolution setting a date for a public hearing to consider the adoption of a local law amending chapter 40 of of the Town code entitled "Peddlers and Solicitors."

SUPERVISOR DESENA: I offer the resolution setting a hearing date of May 2nd.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 212 - 2023

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 40 OF THE TOWN CODE ENTITLED "PEDDLERS AND SOLICITORS."

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 40 of the Town Code entitled "Peddlers and Solicitors" in order to create an exemption in the peddling and soliciting licensing requirements for those peddlers that do not otherwise have a license and whose businesses don't otherwise involve peddling or soliciting that participate in a Town-sponsored cultural or recreational event on Town property where the Town has requested the presence of such entity to sell food items and where the Town has received a Special Event Permit from the Nassau County Department of Health.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on May 2, 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 amending Chapter 40 of the Town Code entitled "Peddlers and Solicitors" in order to create an exemption in the peddling and soliciting licensing requirements for those peddlers that do not otherwise have a license and whose businesses don't otherwise involve peddling or soliciting that participate in a Town-sponsored cultural or recreational event on Town property where the Town has requested the presence of such entity to sell food items and where the Town has received a Special Event Permit from the Nassau County Department of Health; 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 May 2, 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 40 of the Town Code entitled "Peddlers and Solicitors" in order to create an exemption in the peddling and soliciting licensing requirements for those peddlers that do not otherwise have a license and whose businesses don't otherwise involve peddling or soliciting that participate in a Town-sponsored cultural or recreational event on Town

property where the Town has requested the presence of such entity to sell food items and where the Town has received a Special Event Permit from the Nassau County Department of Health.

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

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

Dated: Manhasset, New York

April 4, 2023

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

Dated: Manhasset, New York

April 4, 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 number 17. A resolution authorizing the town board to accept gifts to the town pursuant to town law Section 64.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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. 213 - 2023

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

WHEREAS, Gordon Lewis and Lisa Castillo have generously offered, as a gift, \$100 for the purchase of a paver through the Animal Shelter Paver Program; and

WHEREAS Jeffrey and Barbara Michaels have generously offered, as a gift, \$100 for the purchase of a paver through the Animal Shelter Paver Program; and

WHEREAS, the Code Enforcement Safety Foundation has generously offered, as a gift, seven body armor vests; and

WHEREAS, the NHP Lyons Club has generously offered, as a gift, \$300 for tree planting at Michael J. Tully Park; and

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

NOW, THEREFORE, BE IT

RESOLVED that this Board hereby gratefully accepts the Gifts.

Dated: Manhasset, New York

April 4, 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 number 18. 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. 214 - 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 Appropriation") as follows:

1. \$200.00 to be recorded to revenue line A.2705 with the offsetting expense to be recorded to expense code A.06.3510.4970 for the purpose of procuring two new pavers on behalf of Gordon Lewis and Lisa Castillo, and Jeffrey and Barbara Michaels, as part of the Animal Shelter Paver Program; and

2. \$300.00 to be recorded to revenue line A.2705 with the offsetting expense to be recorded to expense code A.05.7181.4743 for the purpose of procuring a tree at Michael J. Tully Park, 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

April 4, 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 number 19. A resolution authorizing the preparation and submission of a grant application to the New York State historic preservation offices annual certified local government grant for 2023 and the taking of a related action.

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

COUNCILMAN WALSH: Hold on, hold on, hold, hold on.

CLERK SRIVASTAVA: Do we have a card?

COUNCILMAN WALSH: There's a card.

MALE VOICE: Well, I have been sitting here for 23 years, see all the board meetings of the years I've never seen a board change town rules like these guys been doing here. Please let me finish.

COUNCILMAN WALSH: You know, I'm going -- I'm having trouble because I have to read your lips. Thank you. I'm sorry but I, you know, I

MALE VOICE: As I said --

COUNCILMAN WALSH: I have these problems.

MALE VOICE: For 23 years I've been here in this board meeting, I've never seen (unintelligible), you're voting on something, you stop or you can do anything you wanted to. Yeah, I agree with Councilman Walsh, should they get a freebie. I had to pay for the sewage, you have to pay for the sewage.

COUNCILMAN TROIANO: You agree with me?

MALE VOICE: Yes.

COUNCILMAN TROIANO: Oh.

MALE VOICE: Yes, you had a damn good point. And just a little aside, someone dropped the ball on this hall. How many months have we been sitting -- listening to this. How many hours? Tonight is almost two hours. Listening to this --

SUPERVISOR DESENA: Is this --is your comment about this agenda item.

MALE VOICE: Yes. I am leaning right onto it supervisor.

SUPERVISOR DESENA: Okay. Thank you.

MALE VOICE: Because a lot of brouhaha is going on tonight. My point tonight, make it short and brief, because I'm not going to drop the ball. Someone dropped the ball on your sewer project. On historic preservation, I hope some of these funds is going to go for the Schumacher House which is sitting in Clinton Martin Park. Money was expended previously on the supervisor's Bosworth program and nothing further has been done on this historic monument. Mainly because where it sits below the express way. (Unintelligible) your guys from the north. As we sit down below the express way, you getting to what, the Schumacher House is sitting there, and you allow it to deteriorate further. I think they finally fixed the roof. It's a historic monument for the community. And I was just (unintelligible). I hope some of this funds, is going to go there and continue the restoration of this historic building. Once these historic buildings are gone, they are gone. To refer to now King Charles, he understood this project, we can't lose a historic building. It's gone and never comes back. Thank you.

SUPERVISOR DESENA: Thank you. I offer the resolution to move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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. 215 -2023

A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE HISTORIC PRESERVATION OFFICE'S ANNUAL CERTIFIED LOCAL GOVERNMENT GRANT FOR 2023 AND THE TAKING OF RELATED ACTION.

WHEREAS, the Town Board (the "Board") of the Town of North Hempstead (the "Town") has designated, pursuant to Chapter 27 of the Town Code, two historic districts, identified as the Port Washington Heights Historic District and the Roslyn Heights Historic District (together, the "Districts"); and

WHEREAS, the Town's Grants Coordinator, has recommended that the Town, on behalf of the Town's Historic Landmarks Commission, apply to the State Historic Preservation Office (SHPO) for its annual "Certified Local Government" (CLG) Grant for 2023 for funding to cover historic district resident stakeholder education activities for the period covering the remainder of 2023, 2024, and through September 30, 2025 (the "Project"); and

WHEREAS, the grant (the "Grant") for the Project shall not exceed Ten Thousand and 00/100 Dollars (\$10,000.00) over the course of the grant period with a Four Thousand and 00/100 Dollars (\$4,000.00) local match in in-kind salaries for Town employees to assist with the Project (the "Application"); and

WHEREAS, the Board wishes to authorize the preparation and submission of the Application.

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby authorizes the preparation and submission of the Application; and be it further

RESOLVED that the Board hereby authorizes the Supervisor and/or her designee to execute any and all contracts, project agreements and other instruments or documents required in connection with the awarding and receipt of the Grant ("Contract Documents"), file the Contract Documents in the Office of the Town Clerk, submit 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

April 4, 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 number 20. A resolution authorizing the preparation and submission of the grant application to the New York State Department of Agriculture and Markets companion and --

COUNCILMAN ZUCKERMAN: Madam Clerk, -- item -- 19, that works. 20.

COUNCILWOMAN DALIMONTE: This is

CLERK SRIVASTAVA: Can you hear? (Unintelligible cross-talk).

COUNCILMAN ZUCKERMAN: That was

CLERK SRIVASTAVA: Yes, this is

COUNCILMAN WALSH: This is 20.

CLERK SRIVASTAVA: --of Agriculture and Markets Companion Animal Capital Projects Fund and the taking of related action.

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. 216 - 2023

A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS' COMPANION ANIMAL CAPITAL PROJECTS FUND AND THE TAKING OF RELATED ACTION.

WHEREAS, the Town Board (the "Board") of the Town of North Hempstead (the "Town") is desirous of replacing the HVAC system at its Animal Shelter (the "Project"); and,

WHEREAS, the Grants Coordinator has recommended that the Town submit a grant application to the New York State Department of Agriculture & Markets' Companion Animal Capital Fund (the "Grant") to advance the Project; and

WHEREAS, the Grant, for the Project is in the amount of Two Hundred Thousand and 00/100 Dollars (\$200,000.00), with a Town match of Two Hundred Thousand and 00/100 Dollars (\$200,000.00); and

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Board hereby authorizes the Supervisor or her designee to execute any and all contracts, project agreements and other instruments or documents required in connection with the awarding and receipt of the Grant ("Contract Documents"), file the Contract Documents in the Office of the Town Clerk, submit 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

April 4, 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 number 21. A resolution authorizing the award of a bid for the removal and scraping of vehicles.

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

CLERK SRIVASTAVA: Councilman Troiano?

CLERK SRIVASTAVA: Item number 15.

SUPERVISOR DESENA: Hold on. We just --we just completed the hearings. I request a 10-minute recess before we get into the resolutions. Thank you

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.

(A short recess was taken)

CLERK SRIVASTAVA: We are back. Councilman Troiano.

COUNCILMAN TROIANO: Am I present, Ragini?

CLERK SRIVASTAVA: Yes.

COUNCILMAN TROIANO: Yes. Aye.

CLERK SRIVASTAVA: Just added. Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami.

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. 217 - 2023

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE REMOVAL AND SCRAPPING OF VEHICLES (TNH233-2023).

WHEREAS, the Director of Purchasing (the "Director") has solicited bids for the removal and scrapping of vehicles; 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 duly executed and certified claims therefor.

Dated: Manhasset, New York

April 4, 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

TNH233-2023 Removal and Scrapping of Vehicles		Gershow Recycling 71 Peconic Ave. Medford, NY 11763 David Seiler 631-774-1867 Daves@gershow.com	NIC Scrap Metal Recycling 63 Sewell St. Hempstead, NY Nicholas Cohen 631-277-2727 ncohen@nicrecycling.com	
Class #	Description	# to be scrapped annually (Approx.)	Price Paid per Vehicle	Total Cost per Class (# to be Scrapped x Price Paid per Vehicle)
1	Motorcycles	5	100	500
2	Passenger Cars	30	800	24000
3	Other Two-Axle, Four-Tire Single Unit Vehicles	20	800	16000
4	Buses	2	1200	2400
5	Two-Axle, Six-Tire Single Unit Trucks	10	2500	25000
6	Three-Axle Single Unit Trucks	10	2500	25000
7	Four or More Axle Single Unit Trucks	5	2500	12500
8	Four or Fewer Axle Single Trailer Trucks	2	3500	7000
9	Five Axle Single Trailer Trucks	2	3500	7000
10	Six or More Axle Single Trailer Trucks	1	5000	5000
11	Five or Fewer Axle Multi-Trailer Trucks	1	5000	5000
12	Six Axle Multi-Trailer Trucks	1	5000	5000
13	Seven or More Axle Multi-Trailer Trucks	1	5000	5000
	TOTAL		**	139,400.00

** total in bid shows as \$141,400 due to calculation error

Price Paid per Vehicle	Total Cost per Class (# to be Scrapped x Price Paid per Vehicle)
5.00	25.00
400.00	12,000.00
415.00	8,300.00
500.00	1,000.00
500.00	5,000.00
500.00	5,000.00
500.00	2,500.00
500.00	1,000.00
500.00	1,000.00
500.00	500.00
500.00	500.00
500.00	500.00
500.00	500.00
5,820.00	37,825.00

TNH233-2023 Removal and Scrapping of Vehicles	
Winning Vendor	Items Won
Gershow Recycling	All Items
71 Peconic Ave.	
Medford, NY 11763	
631-774-1867	
David Seiler	
Daves@gershow.com	

CLERK SRIVASTAVA: Item number 22. A resolution authorizing the award for bid for a signed shop printer.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 218 -2023

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR A SIGN SHOP PRINTER (TNH298-2023).

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

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

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

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

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York

April 4, 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

TNH298-2023 Sign Shop Printer		S&F Supplies, Inc. 93 Emerson Pl Brooklyn, NY 11205 Yitzchok Karpen david@sfsupplies.com (718)399-3333	Technology International, Inc. 1331 S. International Pkwy. Suite 2251 Lake Mary, FL 32746 Rifat Habib tji@tji-usa.com (407)359-2373	Twinsprint 188 Atlantic Avenue. Garden City Park, NY 11040 Carlos Taveras twinsprint@gmail.com (929)299-7575
No.	DESCRIPTION	UNIT	Price	Price
1	Roland SG3-540 Printer with VersaWorks 6 RIP	each	\$15,995.00	\$19,650.00
2	Hourly rate for Non-Warranty Labor	hour	225.00 1st hour additional hour \$175.00	TBD
3	Parts, supplies, equipment not otherwise listed.	each	Fifteen percent above certified cost	Fifteen percent above certified cost
				\$19,500.00
				\$250.00
				Fifteen percent above certified cost

5% Local preference was taken into consideration for Twinsprint, but it wasn't enough to reach the lowest bid.

TNH298-2023 Sign Shop Printer	
Winning Vendor	Items Won
S&F Supplies Inc.	All Items
93 Emerson PL	
Brooklyn, NY 11205	
Yitzchock Karpen	
david@sfsupplies.com	
(718)399-3333	

CLERK SRIVASTAVA: Item number 23. A resolution authorizing the award of a bid for hazardous waste removal and disposal.

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. 219 - 2023

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR HAZARDOUS WASTE REMOVAL AND DISPOSAL (TNH299-2023).

WHEREAS, the Director of Purchasing (the "Director") has solicited bids for hazardous waste removal and disposal; 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 duly executed and certified claims therefor.

Dated: Manhasset, New York

April 4, 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

TNH299-2023 Hazardous Waste Removal		Radiac Research Corp. 261 Kent Ave. Brooklyn, NY 11249 John V. Tekin (718)963-2233 x201 Jtekin@radiacenv.com
Item	Service	Bid
1	Location, Removal, Identification and Disposal of Hazardous Waste from Transfer Station, Price Per Service Call	\$3,994
2	Location, Removal and Identification of Radiological Waste from Vehicle at Transfer Station for On-Site Decay, Price Per Vehicle	\$3,794
2A.	Location, Removal and Identification of Radiological Waste from Two (2) Vehicles at the same service call at Transfer Station for On-Site Decay, Price Per Vehicle	\$3,415
2B.	Location, Removal and Identification of Radiological Waste from Three (3) Vehicles at the same service call at Transfer Station for On-Site Decay, Price Per Vehicle	\$3,320
2C.	Location, Removal and Identification of Radiological Waste from Four (4) Vehicles at the same service call at Transfer Station for On-Site Decay, Price Per Vehicle	\$3,225
2D.	Removal of Radiological Waste from Transfer Station and Disposal at Authorized Disposal Facility, Per Item Per Service Call	\$1,890

**TNH299-2023
Hazardous Waste Removal**

Radiac Research Corp.
261 Kent Ave.
Brooklyn, NY 11249
John V. Tekin
(718)963-2233 x201
Jtekin@radiacenv.com

ALL ITEMS

CLERK SRIVASTAVA: Item number 24. A resolution authorizing the award for bid for street trees with planting.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 220 - 2023

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR STREET TREES WITH PLANTING (TNH300-2023).

WHEREAS, the Director of Purchasing (the "Director") has solicited bids for street trees with planting; and

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

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

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

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York

April 4, 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

No.	Name of Tree	UNIT	Price	Price	Price	Price	Price	Price	Price
1	Trident Maple (Acer buergerianum)	each	1,485.00	1,207.50	2,000.00	1,304.70	1,040.00	395.00	1,200.00
1a	Aaryn	each	1,485.00	1,207.50	2,000.00	1,304.70	1,040.00	395.00	1,200.00
1b	Blood Moon	each	1,485.00	1,207.50	2,000.00	1,304.70	1,040.00	395.00	1,200.00
1c	Valynor	each	1,485.00	1,207.50	2,000.00	1,304.70	1,040.00	395.00	1,200.00
2	Hedge Maple (Acer campestre)	each	1,485.00	1,207.50	2,000.00	1,304.70	1,040.00	395.00	1,200.00
2a	Queen Elizabeth	each	1,485.00	1,207.50	2,000.00	1,304.70	1,040.00	395.00	1,200.00
2b	St. Gregory	each	1,485.00	1,207.50	2,000.00	1,304.70	1,040.00	395.00	1,200.00
2c	Streetside	each	1,485.00	1,207.50	2,000.00	1,304.70	1,040.00	395.00	1,200.00
3	Freeman Maple (Acer freemanii)	each	1,550.00	1,207.50	2,000.00	1,263.05	1,040.00	395.00	1,200.00
3a	Celebration	each	1,550.00	1,207.50	2,000.00	1,263.05	1,040.00	395.00	1,200.00
3b	Marmo	each	1,550.00	1,207.50	2,000.00	1,263.05	1,040.00	395.00	1,200.00
3c	Scarlet Sentinel	each	1,550.00	1,207.50	2,000.00	1,263.05	1,040.00	395.00	1,200.00
3d	Sienna Glen	each	1,550.00	1,207.50	2,000.00	1,263.05	1,040.00	395.00	1,200.00
4	American Linden (Tilia Americana)	each	1,800.00	1,069.50	2,000.00	1,328.50	1,040.00	395.00	1,200.00
4a	True North	each	1,800.00	1,069.50	2,000.00	1,328.50	1,040.00	395.00	1,200.00
5	Serviceberry (Amelanchier spp.)	each	1,800.00	1,368.50	1,800.00	1,382.05	1,040.00	326.00	1,200.00
5a	Aurum Brilliance	each	1,800.00	1,368.50	1,900.00	1,382.05	1,040.00	326.00	1,200.00
5b	Robin Hill	each	1,800.00	1,368.50	1,900.00	1,382.05	1,040.00	326.00	1,200.00
5c	Snowcloud	each	1,800.00	1,368.50	1,900.00	1,382.05	1,040.00	326.00	1,200.00
5d	Spring Flurry	each	1,800.00	1,368.50	1,900.00	1,382.05	1,040.00	326.00	1,200.00
6	American Hornbeam (Carpinus caroliniana)	each	1,650.00	1,495.00	2,000.00	1,417.75	1,040.00	395.00	1,200.00
6a	Firespire	each	1,650.00	1,495.00	2,000.00	1,417.75	1,040.00	395.00	1,200.00
6b	Native Flame	each	1,650.00	1,495.00	2,000.00	1,417.75	1,040.00	395.00	1,200.00
6c	Palisade	each	1,650.00	1,495.00	2,000.00	1,417.75	1,040.00	395.00	1,200.00
6d	Rising Fire	each	1,650.00	1,495.00	2,000.00	1,417.75	1,040.00	395.00	1,200.00
7	Northern Hackberry (Celtis occidentalis)	each	1,750.00	1,173.00	1,900.00	1,328.50	1,040.00	326.00	1,200.00
7a	Chengoland	each	1,750.00	1,173.00	1,900.00	1,328.50	1,040.00	326.00	1,200.00
8	Eastern Redbud (Cercis canadensis)	each	1,500.00	1,265.00	2,000.00	1,304.70	1,040.00	326.00	1,200.00
8a	Appalachian Red	each	1,500.00	1,265.00	2,000.00	1,304.70	1,040.00	326.00	1,200.00
8b	Northern Herald	each	1,500.00	1,265.00	2,000.00	1,304.70	1,040.00	326.00	1,200.00
8c	Royal White	each	1,500.00	1,265.00	2,000.00	1,304.70	1,040.00	326.00	1,200.00
8d	Summer's Tower	each	1,500.00	1,265.00	2,000.00	1,304.70	1,040.00	326.00	1,200.00
8e	Texas White	each	1,500.00	1,265.00	2,000.00	1,304.70	1,040.00	326.00	1,200.00
9	Ginkgo (Ginkgo biloba)	each	2,200.00	1,690.50	2,300.00	1,501.05	1,040.00	395.00	1,200.00
9a	Fastigata	each	2,200.00	1,690.50	2,300.00	1,501.05	1,040.00	395.00	1,200.00
9b	Golden Columnade	each	2,200.00	1,690.50	2,300.00	1,501.05	1,040.00	395.00	1,200.00
9c	Magyar	each	2,200.00	1,690.50	2,300.00	1,501.05	1,040.00	395.00	1,200.00
9d	Princeton Sentry	each	2,200.00	1,690.50	2,300.00	1,501.05	1,040.00	395.00	1,200.00
9e	Sky Tower	each	2,200.00	1,690.50	2,300.00	1,501.05	1,040.00	395.00	1,200.00
10	Golden Rain Tree (Koeleria paniculata)	each	1,700.00	1,138.50	2,000.00	1,328.50	1,040.00	326.00	1,200.00
10a	Golden Candle	each	1,700.00	1,138.50	2,000.00	1,328.50	1,040.00	326.00	1,200.00

TNH300-2023 Street Trees with Planting

Arbor Pro Inc
40 Prospect Street
Williston Park, NY 11596
arbortoproinc@gmail.com
Attn: Gerard Arnold
516-873-1744

Dom's Lawn Maker Inc.
101 Harbor Road
Port Washington, NY 11050
gornstreez@aol.com
Attn: Dominick D'Alonzo
516-944-6497

Elegant Lawns and Landscaping
260 Doughty Blvd
Inwood, NY 11096
Office@elegantlawns.com
Attn: John D'Ambrosia
516-234-5236

Hall Enterprises Inc.
52 Bayview Avenue
East Patchogue, NY 11772
info@hallenterprises.com
Attn: Charriet Hall
(631) 665-1744

HTC Landscaping Inc.
44 Meadow Road
Kings Park, NY 11754
htclandscaping@gmail.com
(631) 427-1659
Attn: Heidi Christopherson

Louis Barbato Landscaping Inc.
1600 Railroad Ave.
Hoboken, NY 11741
barbatolandscaping@aol.com
Attn: Debra Barabato
(631) 285-6767

Paul Bunyan Tree Care, Inc.
33 Kirkwood Road
Port Washington, NY 11050
paulbunyantrees@hotmail.com
Attn: Beth Boehm
(516) 974-5345

11	Crape myrtle (Lagerstromia indica)	each	\$	2,400.00	\$	885.50	2,200.00	\$	1,328.50	\$	1,040.00	\$	326.00	\$	1,200.00
11a	Miami	each	\$	2,400.00	\$	885.50	2,000.00	\$	1,328.50	\$	1,040.00	\$	326.00	\$	1,200.00
11b	Muskogee	each	\$	2,400.00	\$	885.50	2,000.00	\$	1,328.50	\$	1,040.00	\$	326.00	\$	1,200.00
11c	Natchez	each	\$	2,400.00	\$	885.50	2,000.00	\$	1,328.50	\$	1,040.00	\$	326.00	\$	1,200.00
12	Flowering Crabapple (Malus hybrids)	each	\$	1,450.00	\$	931.50	2,000.00	\$	1,328.50	\$	1,040.00	\$	326.00	\$	1,200.00
12a	Raspberry Spear	each	\$	1,450.00	\$	931.50	2,000.00	\$	1,328.50	\$	1,040.00	\$	326.00	\$	1,200.00
12b	Royal Raindrops	each	\$	1,450.00	\$	931.50	2,000.00	\$	1,328.50	\$	1,040.00	\$	326.00	\$	1,200.00
12c	Velvet Pillar	each	\$	1,450.00	\$	931.50	2,000.00	\$	1,328.50	\$	1,040.00	\$	326.00	\$	1,200.00
13	Black Tupelo (Nyssa sylvatica)	each	\$	1,675.00	\$	1,437.50	2,000.00	\$	1,382.05	\$	1,040.00	\$	326.00	\$	1,200.00
13a	Altavater	each	\$	1,675.00	\$	1,437.50	2,000.00	\$	1,382.05	\$	1,040.00	\$	326.00	\$	1,200.00
13b	Firestarter	each	\$	1,675.00	\$	1,437.50	2,000.00	\$	1,382.05	\$	1,040.00	\$	326.00	\$	1,200.00
13c	Green Gable	each	\$	1,675.00	\$	1,437.50	2,000.00	\$	1,382.05	\$	1,040.00	\$	326.00	\$	1,200.00
13d	Red Rage	each	\$	1,675.00	\$	1,437.50	2,000.00	\$	1,382.05	\$	1,040.00	\$	326.00	\$	1,200.00
13e	Tupelo Tower	each	\$	1,675.00	\$	1,437.50	2,000.00	\$	1,382.05	\$	1,040.00	\$	326.00	\$	1,200.00
14	Eastern Hophornbeam (Ostrya virginiana)	each	\$	1,700.00	\$	908.50	2,200.00	\$	1,328.50	\$	1,040.00	\$	326.00	\$	1,200.00
14a	Autumn Treasure	each	\$	1,700.00	\$	908.50	2,200.00	\$	1,328.50	\$	1,040.00	\$	326.00	\$	1,200.00
15	Sagehen Cherry (Prunus sargentii)	each	\$	1,450.00	\$	885.50	1,800.00	\$	1,304.70	\$	1,040.00	\$	326.00	\$	1,200.00
15a	Pink flair	each	\$	1,450.00	\$	885.50	1,800.00	\$	1,304.70	\$	1,040.00	\$	326.00	\$	1,200.00
16	Chokeberry (Prunus virginiana)	each	\$	1,450.00	\$	1,000.50	1,900.00	\$	1,382.05	\$	1,040.00	\$	395.00	\$	1,200.00
16a	Sucker Punch	each	\$	1,450.00	\$	1,000.50	1,900.00	\$	1,382.05	\$	1,040.00	\$	395.00	\$	1,200.00
17	English Oak (Quercus robur)	each	\$	1,800.00	\$	1,115.50	2,200.00	\$	1,417.75	\$	1,040.00	\$	395.00	\$	1,200.00
17a	Kindred Spirit	each	\$	1,800.00	\$	1,115.50	2,200.00	\$	1,417.75	\$	1,040.00	\$	395.00	\$	1,200.00
17b	Regal Prince	each	\$	1,800.00	\$	1,115.50	2,200.00	\$	1,417.75	\$	1,040.00	\$	395.00	\$	1,200.00
18	Japanese Tree Lilac (Syringa reticulata)	each	\$	2,900.00	\$	1,368.50	2,000.00	\$	1,328.50	\$	1,040.00	\$	326.00	\$	1,200.00
18a	Ivory Pillar	each	\$	2,900.00	\$	1,368.50	2,000.00	\$	1,328.50	\$	1,040.00	\$	326.00	\$	1,200.00
18b	Ivory Silk	each	\$	2,900.00	\$	1,368.50	2,000.00	\$	1,328.50	\$	1,040.00	\$	326.00	\$	1,200.00
19	Chinese Elm (Ulmus parviflora)	each	\$	3,200.00	\$	1,207.50	2,000.00	\$	1,304.70	\$	1,040.00	\$	326.00	\$	1,200.00
19a	Allée	each	\$	3,200.00	\$	1,207.50	2,000.00	\$	1,304.70	\$	1,040.00	\$	326.00	\$	1,200.00
19b	Bosque	each	\$	3,200.00	\$	1,207.50	2,000.00	\$	1,304.70	\$	1,040.00	\$	326.00	\$	1,200.00
19c	Everchae	each	\$	3,200.00	\$	1,207.50	2,200.00	\$	1,304.70	\$	1,040.00	\$	326.00	\$	1,200.00
19d	Emerald Flair	each	\$	3,200.00	\$	1,207.50	2,200.00	\$	1,304.70	\$	1,040.00	\$	326.00	\$	1,200.00
20	Japanese Zelkova (Zelkova serrata)	each	\$	1,950.00	\$	1,138.50	2,100.00	\$	1,382.05	\$	1,040.00	\$	395.00	\$	1,200.00
20a	City Sprite	each	\$	1,950.00	\$	1,138.50	2,100.00	\$	1,382.05	\$	1,040.00	\$	395.00	\$	1,200.00
20b	Wireless	each	\$	1,950.00	\$	1,138.50	2,100.00	\$	1,382.05	\$	1,040.00	\$	395.00	\$	1,200.00
20c	Green Vase	each	\$	1,950.00	\$	1,138.50	2,100.00	\$	1,382.05	\$	1,040.00	\$	395.00	\$	1,200.00
20d	Halka	each	\$	1,950.00	\$	1,138.50	2,100.00	\$	1,382.05	\$	1,040.00	\$	395.00	\$	1,200.00
20e	Murashino	each	\$	1,950.00	\$	1,138.50	2,100.00	\$	1,382.05	\$	1,040.00	\$	395.00	\$	1,200.00
21	Pin Oaks (Quercus palustris)	each	\$	1,950.00	\$	1,035.00	2,100.00	\$	1,417.75	\$	1,040.00	\$	395.00	\$	1,200.00
21a	Green Pillar Pin Oak (Quercus palustris Pringreen)	each	\$	1,950.00	\$	1,035.00	2,100.00	\$	1,417.75	\$	1,040.00	\$	395.00	\$	1,200.00
	TOTAL		\$	111,085.00	\$	73,646.00	118,700.00	\$	79,958.25	\$	61,360.00	\$	21,235.00	\$	70,800.00

*Note that the bid incorrectly included pricing on the species of tree where it was not required. Instructions were to bid on cultivars. We recalculated without the species pricing.

Notes

TNH300-2023-Street Trees with Planting	
Winning Vendor	Items Won
Louis Barbato Landscaping Inc.	
1600 Railroad Ave.	All
Holbrook, NY 11741	
barbatolandscape@aol.com	
Attn: Debra Barbato	
(631) 285-6767	

CLERK SRIVASTAVA: Item number 25. A resolution authorizing the award of a mini bid for vehicles.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 221 - 2023

A RESOLUTION AUTHORIZING THE AWARD OF A MINIBID FOR VEHICLES.

WHEREAS, the Director of Purchasing (the "Director") has solicited a Request for Quotes for Ford Escapes, a Ford Ranger and Ford Explorers pursuant to the New York State Office of General Services Vehicles, Class 1-8 Contract, Group, 40440, Award 23166; and

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

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

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

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York

April 4, 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

<p>TNH - March 2023 OGS Vehicle Minibid</p>		<p>John D'Alessandro Hempstead Ford - Lincoln 301 North Franklin Street Hempstead, NY 11550 cell phone# 516-587-3073 email: johndtower@aol.com</p>		<p>Award/No Award</p>
ITEM	Units to be purchased	Description		
1	1	2023 FORD RANGER XLT SUPER CREW	\$ 56,945.00	
2	2	2023 FORD EXPLORER XLT	\$ 49,930.00	
3	2	2022 FORD ESCAPES	\$ 36,957.00	

<p>OGS Vehcile Minibid March 2023 (12809, 12808, 12807)</p>	<p>Vendor</p>
<p>1 Ford Ranger 2 Ford Explorers 2 Ford Escapes</p>	<p>John D'Alessandro Hempstead Ford - Lincoln 301 North Franklin Street Hempstead, NY 11550 cell phone# 516-587-3073 email: johndtower@aol.com</p>

CLERK SRIVASTAVA: Item number 26. A resolution authorizing the execution of a professional services agreement with D & B Engineers and Architects, P.C. To provide compliance consulting services related to the New York State Department of Environmental Conservation Storm Water Management Program.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item number 27. A resolution authorizing the execution of an agreement with the Zoda LLC D/B/A, Mad science of Long Island for Summer Science Program at Tully Park and Broadway 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. 223 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ZODA LLC D/B/A MAD SCIENCE OF LONG ISLAND FOR A SUMMER SCIENCE PROGRAM AT TULLY PARK AND BROADWAY PARK.

WHEREAS, the Town has previously contracted with Zoda LLC d/b/a Mad Science of Long Island, 216 East Meadow Avenue, East Meadow, New York 11554 (the "Contractor") for summer science programs at Town parks; and

WHEREAS, the Commissioner of the Department of Parks and Recreation has recommended that the Town enter into an agreement with the Contractor to provide summer science programs at Michael J. Tully Park in New Hyde Park, commencing on June 26, 2023 and terminating on August 18, 2023, and at Broadway Park in Garden City Park, commencing on August 8, 2023 and terminating on September 1, 2023, in consideration of payment to the Town of ten percent (10%) of the gross revenue generated by the Contractor, with a guaranteed minimum payment to the Town of Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00) (the "Agreement"); and

WHEREAS, the Town Board deems it to be in the best interests of the residents of the Town to enter into the Agreement as described above.

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 the Agreement on behalf of the Town, as more particularly set forth in a copy of the agreement which will be on file in the Office of the Town Clerk, and to take such other related action as may be necessary to effectuate the foregoing resolution; 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.

Dated: Manhasset, New York

April 4, 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 Parks and Recreation

CLERK SRIVASTAVA: Item number 28. A resolution authorizing the execution of an agreement with High-Tech Computer Power Inc for APC 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. 224 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HI-TEC COMPUTER POWER, INC. FOR APC MAINTENANCE AND REPAIR.

WHEREAS, the Department of Information Technology and Telecommunications (the "Department") requires annual hardware maintenance on the APC air conditioning units in the information technology data center and at the "Yes We Can" Community Center (the "Services"); and

WHEREAS, the Director of Purchasing (the "Director") has recommended that the Town enter into an agreement with Hi-Tec Computer Power, Inc., Suite 205, Packett's Landing, Fairport, New York 14450 (the "Contractor"), to provide the Services for a period of one (1) year in consideration of an amount not to exceed Thirteen Thousand Five Hundred Ninety-Two and 00/100 Dollars (\$13,592.00) (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

April 4, 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 DOITT Purchasing

CLERK SRIVASTAVA: Item number 29. A resolution authorizing the execution of an agreement with Helping Promote Animal Welfare, PAW Inc for veterinary services for feral cats.

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. 225 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HELPING PROMOTE ANIMAL WELFARE (PAW), INC. FOR VETERINARY SERVICES FOR FERAL CATS (TNH004-2023).

WHEREAS, the Town of North Hempstead (the "Town") requires veterinary services for feral cats on an as needed basis (the "Services"); and

WHEREAS, the Director of Purchasing (the "Director") issued a Request for Proposals (the "RFP") for the Services, in accordance with the Town's Procurement Policy; and

WHEREAS, following the review and analysis of proposals submitted in response to the RFP, the Director has recommended that the Town enter into an agreement with Helping Promote Animal Welfare, Inc., 58 Tammys Lane, Syosset, NY 11791 (the "Contractor") to provide the Services for a term beginning retroactively on April 1, 2023 and ending on March 31, 2024, with the option to renew the agreement for two (2) additional one (1) year periods on the same terms and conditions including price, in consideration of an amount not to exceed Eighty-Eight and 00/100 Dollars (\$88.00) per feline for spay/neuter services (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

April 4, 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 number 30. A resolution authorizing the execution of an agreement with Joe Johnson Equipment LLC for the rental of a catch basin cleaner.

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. 226 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH JOE JOHNSON EQUIPMENT LLC FOR THE RENTAL OF A CATCH BASIN CLEANER.

WHEREAS, the Town of North Hempstead (the "Town") requires the rental of a catch basin cleaner (the "Rental"); and

WHEREAS, the New York State Office of General Services awarded contract #23182 entitled "Group 72007- Heavy Equipment Rental" (the "Agreement") to, among other vendors, Joe Johnson Equipment LLC, 62 LaGrange Avenue, Rochester, New York 14613 (the "Contractor"); and

WHEREAS, under New York General Municipal Law §104, the Town is authorized to contract for purchases and services through municipal or quasi-municipal entities in the State of New York; and

WHEREAS, the Director of Purchasing (the "Director") has recommended that the Town utilize the Agreement for the rental of a catch basin cleaner in consideration of an amount not to exceed Eight Thousand One Hundred and 00/100 Dollars (\$8,100) per month for four (4) months in addition to a transportation charge; and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

April 4, 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 number 31. A resolution authorizing the execution of an agreement with AAA Northeast to conduct its Carfit program at Clinton G. Martin Park, New Hyde Park.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN WALSH: I thought I put

that one in. Am I wrong here? Maybe I did. Okay. Yeah, yeah.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN WALSH: No, no, no, no. I have not. This is for defensive driving quest.

COUNCILWOMAN DALIMONTE: That's 32.

COUNCILMAN WALSH: Okay. All right.

COUNCILMAN ZUCKERMAN: That's the next one?

COUNCILMAN WALSH: Yeah. Yeah. All right.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN WALSH: I'm getting mixed up with these.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: They're both good programs. 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. 227 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH AAA NORTHEAST TO CONDUCT ITS CARFIT PROGRAM AT CLINTON G. MARTIN PARK, NEW HYDE PARK.

WHEREAS, AAA New York ("AAA") has asked the Town to co-sponsor its "CarFit" vehicle safety program at Clinton G. Martin Park (the "Park") to be held on Thursday, April 27, 2023 (the "Event"); and

WHEREAS, the Town owns and operates the Park for the use and enjoyment of Town residents; and

WHEREAS, this Board wishes to co-sponsor the Event by granting a license to AAA to host the Event at the Park (the "License").

NOW, THEREFORE, BE IT

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to grant the License to, and execute an agreement with, AAA for the License (the "Agreement"), a copy of which will 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 negotiate and supervise the execution of the Agreement and to take such further action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

April 4, 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 DOSA

CLERK SRIVASTAVA: Item number 32. A resolution authorizing the execution of an agreement with Empire Safety Council Inc., for the use of town hall for a defensive driving safety course.

COUNCILMAN WALSH: Should Port Washington-- this is item number 33.

(Unintelligible cross-talk).

COUNCILMAN WALSH: 32. That's -- okay. You know something, I'm getting mixed up on these numbers. We have several people village employee, town employees, that have already signed up for this. I signed up for it myself. I offer the resolution to move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Will this get me a lower rate on my insurance?

COUNCILMAN WALSH: Yes. 10 percent.

COUNCILWOMAN DALIMONTE: Yes.

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

COUNCILWOMAN DALIMONTE: Thank you Dennis for offering this.

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

RESOLUTION NO. 228 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH EMPIRE SAFETY COUNCIL, INC. FOR THE USE OF TOWN HALL FOR A DEFENSIVE DRIVING SAFETY COURSE.

WHEREAS, the Town of North Hempstead (the "Town") desires to provide a defensive driving safety course (the "Services"); and

WHEREAS, Councilman Dennis Walsh has recommended that the Town enter into an agreement (the "Agreement") with Empire Safety Council, 176 Terry Road, Smithtown, NY 11787 (the "Contractor"), granting the Contractor a license to use a portion of Town Hall for the Services on Tuesday April 11, 2023 from 9AM to 3PM at a cost of \$30 per participant (the "License"); and

WHEREAS, it has been recommended that the License be granted; and

WHEREAS, the Board wishes to grant the License and to authorize the Town to execute an agreement with the Licensee for the License (the "License Agreement").

NOW, THEREFORE, BE IT

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

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

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute the 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.

Dated: Manhasset, New York

April 4, 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 number 33. A resolution verifying the execution of an agreement with the United States Department of the Interior US Geological Survey of Groundwater well monitoring throughout the Port Washington Peninsula.

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. 229 - 2023

A RESOLUTION RADIFYING THE EXECUTION OF AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR US GEOLOGICAL SURVEY FOR GROUNDWATER WELL MONITORING THROUGHOUT THE PORT WASHINGTON PENINSULA.

WHEREAS, the Town Board (the "Board") of the Town of North Hempstead (the "Town"), is committed to environmental conservation; and

WHEREAS, the Town desires to complete annual groundwater testing throughout the Port Washington Peninsula, as part of the Nassau County groundwater monitoring network, in order to monitor possible salt water intrusion into the aquifers (the "Project"); and

WHEREAS, in order to facilitate completion of the Project, the Grants Coordinator (the "Coordinator") has recommended that the Town enter into agreement with the United States Department of the Interior U.S. Geological Survey ("USGS") for a term beginning retroactively on October 1, 2022 and terminating on September 30, 2023, in consideration of an amount not to exceed Six Thousand Two Hundred and 00/100 Dollars (\$6,200.00) (the "Agreement"); and

WHEREAS, as part of the terms of the Agreement, USGS will provide a grant in the amount of One Thousand Two Hundred Sixty and 00/100 Dollars (\$1,260.00) (the "Grant") to the Town towards the cost of the Project and the Town will be responsible for the remainder, an amount not to exceed Four Thousand Nine Hundred Forty and 00/100 Dollars (\$4,940.00); and

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Town is authorized to accept the Grant; and be it further

RESOLVED that the Supervisor be and hereby is authorized 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 Project upon receipt of duly executed Agreement and certified claims therefor.

Dated: Manhasset, New York

April 4, 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 number 34. A resolution --a resolution authorizing the execution of an agreement with North Shore Animal League America for the use of Port Washington parking District lot seven.

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. 230 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH NORTH SHORE ANIMAL LEAGUE AMERICA FOR THE USE OF PORT WASHINGTON PARKING DISTRICT LOT 7.

WHEREAS, the Town of North Hempstead (the "Town") owns certain real property known as Lot 7 within the Port Washington Parking District located in Port Washington, New York (the "Premises"); and

WHEREAS, the North Shore Animal League, 16 Lewyt Street, Port Washington, New York 11050 (the "Licensee") has requested a license to use the Premises on Saturday, May 6, 2023 from 6:30 AM until 10:00 PM to hold its annual Adopt-A-Thon event (the "Licensed Use") in consideration of payment to the Town in an amount not to exceed Eight Hundred and 00/100 Dollars (\$800.00) (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 or Deputy Supervisor is authorized take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

April 4, 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 number 35. A resolution authorizing the execution of an agreement with Cashin Associates P.C. to conduct a selfish -- shellfish survey on behalf of the Manhasset Bay Protection Committee.

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: I would like to thank the Manhasset Bay Protection Committee for doing this. It was brought up in a meeting that I had with them and they went back to their board and their board voted for this, and I would like to just say thank you to their board for doing this. I vote, 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. 231 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CASHIN ASSOCIATES, P.C. TO CONDUCT A SHELLFISH SURVEY ON BEHALF OF THE MANHASSET BAY PROTECTION COMMITTEE.

WHEREAS, the Town Board (the "Board") of the Town of North Hempstead (the "Town") owns and maintains certain areas of the underwater land in Manhasset Bay (the "Harbor Bottom") pursuant to the Dongan and Kieft Patents; and

WHEREAS, the Manhasset Bay Protection Committee (the "Committee"), of which the Town is a member and serves as business agent for, requires a shellfish survey in Hempstead Harbor from the Kings Point peninsula to Barker's Point encompassing approximately 2000 acres of the Harbor Bottom (the "Services"); and

WHEREAS, the Commissioner of the Department of Planning and Environmental Protection (the "Commissioner") has recommended that the Town enter into an agreement, on behalf of and as fiscal agent for the Committee, with Cashin Associates, P.C., 1200 Veterans Memorial Highway, Hauppauge, New York 11788 to perform the Services (the "Consultant"), in consideration of an amount not to exceed Fifty Thousand and 00/100 Dollars (\$50,000.00) funded entirely by the Committee (the "Agreement") and grant the Consultant a license to perform the Services on the Harbor Bottom (the "License"); and

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

NOW, THEREFORE, BE IT

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

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

RESOLVED, that the Supervisor or her designee be and hereby is authorized 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

April 4, 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 number 36. A resolution authorizing the execution of an agreement with Samantha Wilder on behalf of the Manhasset Bay Protection Committee.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 232 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH SAMANTHA WILDER ON BEHALF OF THE MANHASSET BAY PROTECTION COMMITTEE.

WHEREAS, the Manhasset Bay Protection Committee (the "Committee") requires assistance with a water quality monitoring program, performing data analysis and maintaining related equipment (the "Services"); and

WHEREAS, the Commissioner of the Department of Planning and Environmental Protection (the "Commissioner") has recommended that the Town enter into a professional services agreement, on behalf of and as fiscal agent for the Committee, with Samantha Wilder to provide the Services in consideration of an amount not to exceed Four Thousand Five Hundred and 00/100 Dollars (\$4,500.00) for a term commencing on April 5, 2023 and ending on April 4, 2026 (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

April 4, 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 number 37. A resolution authorizing an agreement with ACRT for tree planting training.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: I'd like to thank Councilwoman Lurvey, for putting this together with your tree advisory committee, and I know that my resident town is very happy about this. I vote aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: This is great training for our highway department employees. So I'm happy that they have it and I vote, 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. 233 - 2023

A RESOLUTION AUTHORIZING AN AGREEMENT WITH ACRT FOR TREE PLANTING TRAINING.

WHEREAS, Councilperson Veronica Lurvey has recommended that this Board authorize the retention of a firm to provide forty-hour line clearance arborist certification training workshops for up to fifteen (15) Town employees (the "Services"); and

WHEREAS, the Councilperson has recommended the retention of ACRT, 4500 Courthouse Boulevard, Suite 150, Stow, Ohio 44244 to provide the Services in consideration of an amount not to exceed Thirteen Thousand Three Hundred Seventy-Five and 00/100 Dollars (\$13,375.00) (the "Agreement"); and

WHEREAS, the Councilperson 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

April 4, 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 number 38. A resolution authorizing the use of an agreement between the New York State Office of General Services and Traffic Safety Products, a division of EBERL Iron Works Inc., for the purchase of a attenuators for the highway 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. 234 - 2023

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN NEW YORK STATE OFFICE OF GENERAL SERVICES AND TRAFFIC SAFETY PRODUCTS, A DIVISION OF EBERL IRON WORKS, INC., FOR THE PURCHASE OF ATTENUATORS FOR THE HIGHWAY DEPARTMENT.

WHEREAS, the Town of North Hempstead (the "Town") Depart of Public Works requires the purchase of attenuators for the Highway Department (the "Purchase"); and

WHEREAS, the New York State Office of General Services awarded contract #23244 entitled "Group 38650-Safety Equipment & Products for Transportation & Public Works- Comprehensive Crash Mitigation [including Attenuators, Barricades, Bridge Rails, Crash Cushions and Guide Rails" (the "Agreement") to Traffic Safety Products, a division of Eberl Iron Works, Inc., 128 Sycamore Street, Buffalo, New York 14204 (the "Contractor"); and

WHEREAS, under New York General Municipal Law §104, the Town is authorized to contract for purchases and services through municipal or quasi-municipal entities in the State of New York; and

WHEREAS, the Board wishes to authorize the use of the Agreement for the Purchase in consideration of an amount not to exceed Forty-Two Thousand Three Hundred Forty-Two and 08/100 Dollars (\$42,342.08).

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

April 4, 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 number 39. A resolution authorizing the use of an agreement between the New York State Office of General Services and IDSC Holdings LLC DBA Snap-on Industrial for professional-grade tools.

SUPERVISOR DESENA: I offer for 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: I just ask if the audience, if you guys are speaking, it's very hard to hear her if you guys -- thank you. I vote, aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 235 - 2023

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE NEW YORK STATE OFFICE OF GENERAL SERVICES AND IDSC HOLDINGS, LLC DBA SNAP-ON INDUSTRIAL FOR PROFESSIONAL GRADE TOOLS.

WHEREAS, the Town of North Hempstead (the "Town") requires professional grade tools (the "Purchases"); and

WHEREAS, the New York State Office of General Services awarded contract # PGB-23144 entitled "Group 39000 – Professional Grade Tools (Snap-On)" (the "Agreement") to IDSC Holdings, LLC d/b/a Snap-On Industrial, 2801 80th Street, Kenosha, WI 53143 (the "Contractor"); and

WHEREAS, under New York General Municipal Law §104, the Town is authorized to contract for purchases and services through municipal or quasi-municipal entities in the State of New York; and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

April 4, 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 number 40. A resolution authorizing the use of an agreement between the county of Suffolk County and various vendors for asphalt and bituminous materials, sand and stone, Aggr, topsoil, mulch, disposal of road metal.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 236 - 2023

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE COUNTY OF SUFFOLK COUNTY AND VARIOUS VENDORS FOR ASPHALT AND BITUMINOUS MATERIAL, SAND AND STONE AGGR, TOPSOIL, MULCH, DISPOSAL OF ROAD METAL.

WHEREAS, the Town of North Hempstead (the "Town") requires the purchase of asphalt and bituminous material, sand and stone aggregate, topsoil, mulch, and the disposal of road metal (the "Purchases"); and

WHEREAS, the County of Suffolk awarded contract #ABM032119 entitled "Asphalt and Bituminous Materials, Sand and Stone Aggr, Topsoil, Mulch, Disposal of Road Metal" (the "Agreement") to various vendors (the "Contractors"); and

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

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

April 4, 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 number 41. A resolution authorizing the use of an agreement between the town of Hempstead and the various vendors for animal medical supplies.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 237 - 2023

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE TOWN OF HEMPSTEAD AND VARIOUS VENDORS FOR ANIMAL MEDICAL SUPPLIES.

WHEREAS, the Town of North Hempstead (the "Town") requires the purchase of animal medical supplies (the "Purchases"); and

WHEREAS, the Town of Hempstead awarded contract #82-2021 entitled "Animal Medical Supplies" to various vendors for the Purchases (the "Agreement"); and

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

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

April 4, 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 Purchasing

CLERK SRIVASTAVA: Item number 42. A resolution authorizing the use of an agreement between the town of Islip and American Recreational Products Inc. for playground, public play equipment, and site amenities.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 238 -2023

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE TOWN OF ISLIP AND AMERICAN RECREATIONAL PRODUCTS, INC. FOR PLAYGROUND/PLAY EQUIPMENT AND SITE AMENITIES.

WHEREAS, the Town of North Hempstead (the "Town") requires playground/play equipment and site amenities (the "Purchases"); and

WHEREAS, the Town of Islip awarded Contract #0223-52 entitled "Playground/Play Equipment & Site Amenities Catalogs Playworld Systems; Little Tikes; Mid-Atlantic Products; Burke Premier Play Environments [or equal]" (the "Agreement") to American Recreational Products, Inc., 144-1 Remington Blvd., Ronkonkoma, NY 11779 (the "Contractor"); and

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

WHEREAS, the Director of Purchasing (the "Director") has recommended that the Town utilize the Agreement for the purchase and installation of playground equipment and site amenities at Merriman Park in consideration of an amount not to exceed Thirty-Seven Thousand Nine Hundred Seventy and 58/100 Dollars (\$37,970.58); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

April 4, 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 number 43. A resolution authorizing the use of an agreement between Sourcewell and Playpower Inc., for residential, commercial, government, and industrial waterfront solutions.

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. 239 - 2023

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN SOURCEWELL AND PLAYPOWER, INC. FOR RESIDENTIAL, COMMERCIAL, GOVERNMENT, AND INDUSTRIAL WATERFRONT SOLUTIONS.

WHEREAS, the Town of North Hempstead requires the purchase and installation of docks at Harbor Hills Park in Great Neck (the "Purchase and Services"); and

WHEREAS, Sourcewell awarded contract #010521-LTS-2 entitled "Residential, Commercial, Government & Industrial Waterfront Solutions" (the "Agreement") to PlayPower, Inc., 11515 Vanstory Drive #100, Huntersville, NC 28078 ("Playpower"); and

WHEREAS, the utilization of certain public entity contracts in lieu of competitive bidding is permitted by New York General Municipal Law Section 103(16); and

WHEREAS, the Director of Purchasing has recommended that the Town utilize the Agreement for the purchase and installation of the docks from EZ Dock of Long Island, 3596 Ocean Avenue, Seaford, New York 11783, a contracted vendor for Playpower, in consideration of an amount not to exceed Five Thousand Ninety and 76/100 Dollars (\$5,090.76); and

WHEREAS, the Town Board finds it in the best interest of the Town to authorize the use of the Agreement for the Purchase and Services.

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

April 4, 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 Comptroller

CLERK SRIVASTAVA: Item number 44. A resolution authorizing the execution of an amendment to an agreement with Posillico Civil, Inc. for on-call services for milling and paving various town roadways, DPW project number 19-01.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 240 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH POSILICO CIVIL, INC. FOR ON CALL SERVICES FOR MILLING AND PAVING VARIOUS TOWN ROADWAYS, DPW PROJECT NO. 19-01.

WHEREAS, pursuant to resolutions duly adopted by this Board, the Town entered into and amended an agreement with Posillico Civil, Inc., 1750 New Highway, Farmingdale, New York 11735 (the "Contractor"), to provide on call services for milling and paving Town roadways (the "Original Agreement"); and

WHEREAS, the Commissioner of the Department of Public Works (the "Commissioner") has recommended that the Town authorize the extension of the term of the Original Agreement for a period of one (1) year such that the Original Agreement shall terminate 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

April 4, 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 number 45. A resolution authorizing the execution of an amendment to an agreement with Laurel Tennis and Sports Inc., DBA Gold Coast Tennis for annual reconditioning of Harbor Hills Park tennis courts.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 241 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH LAUREL TENNIS AND SPORTS, INC DBA GOLD COAST TENNIS FOR ANNUAL RECONDITIONING OF HARBOR HILLS PARK TENNIS COURTS (TNH213-2019).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town of North Hempstead (the "Town") entered into, and amended, an agreement with Laurel Tennis & Sports, Inc., d/b/a Gold Coast Tennis, 31 Prospect Street, Huntington, New York 11743, (the "Contractor"), to recondition the tennis courts at Harbor Hills Park (the "Original Agreement"); and

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

WHEREAS, the Director of Purchasing (the "Director") has recommended that the Town amend the Original Agreement to exercise the second of the Options to extend the term of the Agreement for an additional one (1) year period, commencing April 10, 2023, and terminating April 9, 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 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 associated with the Amendment upon receipt of a duly executed Amendment and certified claims therefor.

Dated: Manhasset, New York

April 4, 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 Purchasing

CLERK SRIVASTAVA: Item number 46. A resolution authorizing the execution of an amendment to an agreement with Labor Education and Community Services Agency Inc., for employee assistant program 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. 242 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH LABOR EDUCATION AND COMMUNITY SERVICES AGENCY INC. FOR EMPLOYEE ASSISTANCE PROGRAM SERVICES(TNH057-2019).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement, as amended, with Labor, Education & Community Services Agency, Inc., 390 Rabro Drive, Hauppauge, New York 11788 (the "Contractor"), for employee assistance services (the "Original Agreement"); and

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

WHEREAS, the Director of Purchasing has recommended that the Town amend the Original Agreement to exercise the second of these Options to extend the term of the Agreement for an additional one (1) year period, commencing on July 1, 2023 and terminating on June 30, 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 or her designee is authorized and directed to execute, on behalf of the Town, the Amendment, all as more particularly set forth in a copy of the Amendment, which shall be on file in the Office of the Town Clerk; and be it further

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

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

Dated: Manhasset, New York

April 4, 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 number 47. A resolution authorizing the execution of an amendment to an agreement with Textron Specialized Vehicles for the rental of utility cards.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 243 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH TEXTRON SPECIALIZED VEHICLES FOR THE RENTAL OF UTILITY CARTS.

WHEREAS, the Town of North Hempstead Department of Parks and Recreation (the "Department") requires utility carts for use at various park locations; and

WHEREAS, pursuant to Resolution No. 136-2023, duly adopted on March 14, 2023, the Town awarded a bid for the lease of new utility carts for the Department to Fairway Golf Car Corp., 8 Commercial Boulevard, Medford, New York 11763 ("Fairway"); and

WHEREAS, due to supply chain delays the carts will not be delivered for approximately eleven months; and

WHEREAS, the Department remains in possession of utility carts previously leased from Textron Specialized Vehicles, 21202 Town Green Drive, Elmsford, New York 10523 (the "Original Agreement"); and

WHEREAS, the Director of Purchasing has recommended that the Town amend the Original Agreement to extend the term of the Original Agreement for the used carts until such time as the new carts are delivered in consideration of payment in the amount of One Thousand Two Hundred Sixty-Seven and 30/100 Dollars (\$1,267.30) per month for the carts (the "Amendment"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

April 4, 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 number 48. A resolution authorizing the execution of an amendment to an agreement with Andrews Technology HMS, Inc., for additional Novatime modules.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 244 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH ANDREWS TECHNOLOGY HMS, INC. FOR ADDITIONAL NOVATIME MODULES.

WHEREAS, the Town of North Hempstead (the "Town") entered into an agreement, as amended, with Andrews Technology HMS, Inc., 1213 Culbreth Drive, Wilmington, North Carolina 28405 to upgrade the Town's time and attendance software Novatime (the "Original Agreement"); and

WHEREAS, the Director of Purchasing (the "Director") has recommended that the Original Agreement be amended to include the purchase of the Novatime Advanced Scheduling Manager module for use by the Town's Department of Parks and Recreation for scheduling part-time and seasonal employees, and the SFTP Reports module to allow for the reporting function of the Scheduling Manager module (the "Services") in consideration of the following costs which are inclusive of annual software maintenance:

1) Novatime Advanced Scheduling Manager Module:

- One time Implementation Cost - \$5,000.00
- Twelve-month Vendor Hosting - \$8,400.00 per year
- User License Fee - \$3.50 per user per month for a minimum of 300 licenses per month during the 4 summer months for a monthly cost of \$1,050.00, and a minimum of 200 licenses per month for the remainder of the year at a monthly cost of \$700.00.

2) SFTP Reports Module:

- One time Implementation Cost - \$795.00
- Twelve-month Vendor Hosting - \$1,200.00 per year

(the "Amendment"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

April 4, 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 Purchasing

CLERK SRIVASTAVA: Item number 49. A resolution authorizing the execution of an amendment to a license agreement with Kyra's champions for the placement of pinwheels at various town parks in recognition of National Child Abuse Prevention Month.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 245 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO A LICENSE AGREEMENT WITH KYRA'S CHAMPIONS FOR THE PLACEMENT OF PINWHEELS AT VARIOUS TOWN PARKS IN RECOGNITION OF NATIONAL CHILD ABUSE PREVENTION MONTH.

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Kyra's Champions, 565 Plandome Road, #156, Manhasset, New York 11030 (the "Licensee"), granting the Licensee a license to place approximately 750 pinwheels and signage at Mary Jane Davies Green in Manhasset and Blumenfeld Family Park in Port Washington, as well as an additional 36 pinwheels at Clark Botanic Garden in Albertson, in honor of National Child Abuse Prevention Month (the "Licensed Use") between April 1, 2023 and April 16, 2023 (the "Original Agreement"); and

WHEREAS, the Commissioner of the Department of Parks and Recreation (the "Commissioner") has recommended that the Town amend the Original Agreement to include Michael J. Tully Park in New Hyde Park as an additional location for the placement of 36 pinwheels and signage (the "Amendment"); and

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee be and 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 oversee the execution of the Amendment, and to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

April 4, 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 & Rec.

CLERK SRIVASTAVA: Item number 50. A resolution authorizing the execution of an amendment to an agreement with Blink Network LLC for Electric Vehicles charging stations.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 246 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH BLINK NETWORK, LLC. FOR ELECTRIC VEHICLE CHARGING STATIONS.

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with, and granted a license to, Blink Network, LLC, 605 Lincoln Road, 5th Floor, Miami Beach, Florida 33139 (the "Consultant") to install, develop and operate electric vehicle charging stations in locations throughout the Town (the "Original Agreement"); and

WHEREAS, the Department of Planning and Environmental Protection has recommended that the Town amend the Original Agreement to add to Schedule I of the Original Agreement the following locations: Mary Jane Davies Green Park Parking Lot in Manhasset (up to two (2) stations), Clinton G. Martin Park Lot in New Hyde Park (up to two (2) stations), Port Washington Public Parking District Lot 4 in Port Washington (up to four (4) stations) and Michael J. Tully Park Lot in New Hyde Park (up to two (2) stations) (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, if any, upon receipt of duly executed Amendment and certified claims therefor.

Dated: Manhasset, New York

April 4, 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 number 51. A resolution authorizing the purchase of Smart Deploy software and related maintenance from SHI.

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. 248 - 2023

A RESOLUTION AUTHORIZING THE PURCHASE OF NETWORK SWITCHES AND LICENSES FROM NWN CAROUSEL.

WHEREAS, the Department of Information Technology and Telecommunications (the "Department") requires the purchase of network switches, licenses and accompanying support (the "Purchase"); and

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

WHEREAS, the Director has recommended that the Town purchase the switches and licenses from NWN Carosuel, 659 South County Trail, Exeter, Rhode Island, 02822 (the "Contractor"), in consideration of an amount not to exceed Fourteen Thousand Six Hundred Eighty-Two and 00/100 Dollars (\$14,682.00); and

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

NOW, THEREFORE, BE IT

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

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

Dated: Manhasset, New York

April 4, 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 DOITT Purchasing

CLERK SRIVASTAVA: Item number 53. A resolution appointing Kristen Schwaner as comptroller for the town of North Hempstead.

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: A comptroller, aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: I'm proud that we are voting on this resolution nominating Kristen Schwaner as our town comptroller. As everyone is aware, our town has had an acting comptroller for approximately nine months, and we're proud to appoint a permanent comptroller. And we believe we are hiring the right candidate for the job. Kristen Schwaner is a great fit for this role and I'm confident that she will excel in her duties. She has over 15 years of experience in finance and accounting, having worked in several leadership positions in various organizations, including: Sight Growth Partners, New York Presbyterian, and ProHealth Medical Management. She has also held senior positions at EY, Ernst & Young, and Markham. Her wealth of experience in both finance and accounting will benefit our town greatly. She holds a bachelor's degree in accounting from the Frank G. Zarb School of Business at Hofstra University and is also a certified public accountant in New York State. I have great confidence that Kristen will serve North Hempstead with distinction and contribute to the continued growth and success of our town. And I expect that this will be a unanimous vote since the supervisor and I both put her on tonight and it was the outcome of a long bipartisan selection process. I vote, aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: I vote, aye. And I want to thank Paul Wood for serving for nine months in an acting controller capacity. It's way more than he anticipated. It was just supposed to be to get us through an audit season, but he has done the job of three people now for a very long time. So thank you Paul, and welcome to Kristen, aye.

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

RESOLUTION NO. 249 - 2023

A RESOLUTION APPOINTING KRISTEN SCHWANER AS COMPTROLLER FOR THE TOWN OF NORTH HEMPSTEAD.

WHEREAS, this Board has heretofore created and established the position of the Town Comptroller of the Town of North Hempstead ("Town Comptroller"); and

WHEREAS, a vacancy exists in the position of the Town Comptroller; and

WHEREAS, this Board wishes to appoint Kristen Schwaner to the position of Town Comptroller for a term commencing April 5, 2023 and ending on December 31, 2023.

NOW, THEREFORE, BE IT

RESOLVED that Kristen Schwaner be and he hereby is appointed to serve as the Town Comptroller for the term commencing on April 5, 2023 and terminating on December 31, 2023 pursuant to the provisions of the Town Law of the State of New York at a salary of \$160,000.00 per annum to be paid from the appropriate budget line in the budget of the Office of the Comptroller.

Dated: Manhasset, New York

April 4, 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: Human Resources

CLERK SRIVASTAVA: Item number 54.

SUPERVISOR DESENA: Why don't we strike 54?

CLERK SRIVASTAVA: No?

SUPERVISOR DESENA: Let's strike. We're going to - - we're going to strike 54.

CLERK SRIVASTAVA: Okay.

SUPERVISOR DESENA: That is when we're done with the resolution.

CLERK SRIVASTAVA: Okay. Item number 55. A resolution making appointments to the town of North Hempstead Waterfront Advisory Commission.

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: I vote, aye. But can you state who the names of the appointees.

COUNCILWOMAN DALIMONTE: They're in the --

SUPERVISOR DESENA: I know, just for the people.

COUNCILWOMAN DALIMONTE: Oh, Maria Branco, William Gordon, Steve Klyce, and Paul Meilink.

SUPERVISOR DESENA: Thank you.

COUNCILWOMAN DALIMONTE: They each have in the Waterfront Advisory Committee, there's certain requirements that you have to have in order to serve and they fit them.

SUPERVISOR DESENA: Thank you.

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

RESOLUTION NO. 250 - 2023

A RESOLUTION MAKING APPOINTMENTS TO THE TOWN OF NORTH HEMPSTEAD WATERFRONT ADVISORY COMMISSION.

WHEREAS, the Town Board is empowered to create non-compensated advisory boards pursuant to Town Law § 51; and

WHEREAS, the Town Board has heretofore established a Waterfront Advisory Commission (the "Commission") to advise the Town Board on issues relating to the waterfront; and

WHEREAS, vacancies exist on the Commission; and

WHEREAS, the Town Board desires to fill the existing vacancies on the Commission for a term commencing retroactively on April 1, 2023 and expiring on March 31, 2026, as follows:

<u>Name</u>	<u>Address</u>
Maria Branco	17 Shore Road Port Washington, NY 11050
William Gordon	403 Main Street, Suite 5 Port Washington, NY 11050
Steve Klyce	5 North Court Port Washington, NY 11050
Paul Meilink	P.O. Box 909 Plandome, NY 11030

NOW, THEREFORE, BE IT

RESOLVED that the persons listed above are appointed as members of the Waterfront Advisory Commission for the term specified above; and be it further

RESOLVED that the terms and appointments of all remaining members of the Commission not specified above continue in full force and effect.

Dated: Manhasset, New York

April 4, 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

Planning

CLERK SRIVASTAVA: Item number 56. A resolution making an appointment to the North Hempstead Housing Authority.

COUNCILWOMAN DALIMONTE: I offer the resolution and move for its adoption to reappoint in Kim Keiserman to the board.

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. 251 - 2023

A RESOLUTION MAKING AN APPOINTMENT TO THE NORTH HEMPSTEAD HOUSING AUTHORITY.

WHEREAS, the Town Board is authorized, pursuant to §30 of the Public Housing Law, to appoint members to the North Hempstead Housing Authority (the "Authority"); and

WHEREAS, the term of the appointment of Kimberly Keiserman, as a member of the Authority will expire on May 5, 2023; and

WHEREAS, Councilwoman Mariann Dalimonte has recommended the reappointment of Kimberly Keiserman to the Authority for a five-year term; and

WHEREAS, the Town Board finds Kimberly Keiserman to be an individual well qualified to continue to serve as a member of the Authority, and believes that said reappointment will further the purposes of the Authority and the welfare of the residents of the Town.

NOW, THEREFORE, BE IT

RESOLVED that Kimberly Keiserman be and hereby is reappointed to serve as a member of the Authority, for a term commencing May 6, 2023 and expiring May 5, 2028; and it is further

RESOLVED, that the Town Clerk is directed to file a certified copy of this resolution with the Commissioner of Housing and Community Renewal of the State of New York.

Dated: Manhasset, New York

April 4, 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 Comm., NYS Housing Exec Dir, North Hempstead Housing Authority

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. 247 - 2023

A RESOLUTION AUTHORIZING THE PURCHASE OF SMART DEPLOY SOFTWARE AND RELATED MAINTENANCE FROM SHI.

WHEREAS, the Department of Information Technology and Telecommunications (the "Department") requires the purchase of SmartDeploy software for desktop and laptop imaging (the "Purchase"); and

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

WHEREAS, the Director of Purchasing (the "Director") has recommended that the Town purchase the software and related maintenance from SHI, 290 Davidson Avenue, Somerset, NJ 08873 (the "Contractor"), for a one (1) year term in consideration of an amount not to exceed Nine Thousand Five Hundred Seventy-Three and 75/100 Dollars (\$9,573.75); and

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

NOW, THEREFORE, BE IT

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

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

Dated: Manhasset, New York

April 4, 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 DOITT Purchasing

CLERK SRIVASTAVA: Item number 52. A resolution authorizing the purchase of networks switches and licenses from NWN Carousel.

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.

CLERK SRIVASTAVA: Item number 57. A resolution authorizing the appointment to the board of the North Hempstead Housing Authority.

MR. CUOMO: Good evening, ladies and gentlemen. Sorry I didn't put a card in, but there were no cards available when I came in.

SUPERVISOR DESENA: Okay.

MR. CUOMO: I'd like to be heard on, I think it's 57 and 58. I know we haven't gotten to 58 yet. My name is Matthew Cuomo.

COUNCILMAN TROIANO: Mr. Cuomo, can you --

COUNCILWOMAN DALIMONTE: Talk closer in the mic.

MR. CUOMO: My name is Matthew Cuomo. I am the present chairman of the Board of Commissioners of the North Hempstead Housing Authority. I was informed on Friday that there's a vacancy in my position and a vacancy in the position of one of my co-board members, Tracy Caines. We were really appointed to the board for, I guess a five- or so-year term back in 2021. What did not happen at that point is no oath of office card was sent to either of us. I spoke with Tracy this morning, and we talked a little bit about this. I've been appointed, this is my third time being appointed. I've always received an oath of office card, which you fill out, you sign, you have it notarized and you send it back. That finalizes your appointment. In this case, we never received oath of office cards. Beyond that, we never received any notice that we didn't return oath of office cards, which is required under Public Office's Law Section 13.

COUNCILMAN WALSH: Could you tell me what date you didn't receive that card, please?

MR. CUOMO: It was -- I think we were reappointed in November of 2008 -- November 18th, of 2021. Now, my point, sir --

SUPERVISOR DESENA: Right before the new board.

MR. CUOMO: We were not sent the cards by the clerk's office.

COUNCILMAN WALSH: Okay.

MR. CUOMO: And it's the clerk's office that sends out these oath of office cards. Not just the commissioners of the board of the housing authority, but to the BZA members and the planning board members. And they were never sent to us, more significantly, there was no notice sent to us before we were declared vacant in our positions. And that's in violation of Public Office Law, Section 13. The law requires for there to be a vacancy that we either don't accept the appointment through neglect. I'm not certain how either Ms. Caines or myself could have been neglectful when the card was not sent to us by the clerk's office, and we certainly didn't refuse. So my position is, that both of those board positions are filled. There is no vacancy. My suggestion to this board is they figure out if there is a vacancy. I do not believe there is one, but if you vote now, regardless of the outcome of the vote, you're voting to fill not vacant positions, you don't have a vacancy to vote on. So I believe you should table this. You should figure out what the law means. I believe the law means that Ms. Caines and I are not vacant in our positions or that we have not vacated the positions. I know I speak for Tracy when I say we both want to continue our work on the board. I've been there for 14 or so years, and I seriously question why Ms. Caines, who's from the New Castle, Westbury area, is being replaced with someone from Plandome. Ms. Caines is the only member of our board who comes from that

part of the town. So --but my point is, most particularly, there is no vacancy. This should be tabled. You should understand that there's no vacancy. And both Ms. Caines and I would like to continue serving.

COUNCILMAN WALSH: I wonder if I could say something, Mr. Cuomo --

MR. CUOMO: Sure.

COUNCILMAN WALSH: -- before you walk away. And listen, I understand everything you're saying and you weren't given the card. You know, I was elected four times, and each time I had to fill out a card like expected to do. And I believe that if I didn't fill out the card, that within a period of time I would --my position would be negated. I wouldn't be allowed to be serving. But I'm an elected official. You're not an elected official. So I think there's different rules.

MR. CUOMO: It's an appointment.

COUNCILMAN WALSH: So there --it is an appointment. So it's a mistake. I understand.

MR. CUOMO: And there was no intent to not accept the appointment. And more importantly, neither Ms. Caines nor I control the sending of the card. That was at the clerk's office. And the subsequent notice should have come from the clerk's office. Why have you not returned the card? That never came as well.

COUNCILMAN WALSH: And that was in -- that was before this board sit here today. And all I want to say is that, and I won't cut you off again, but all I want to say is that I always made sure that I signed the card. And you know, I just wanted to make sure that I didn't depend on somebody else to make sure that I got the card. I always wanted to send it.

MR. CUOMO: I do too. If it's sent to me, the clerk sends the card. That's where

COUNCILMAN WALSH: I get it. You didn't get it. I get it.

MR. CUOMO: And the second piece of this is before you declare a vacancy, you have to give notice that the vacancy exists. And that was not done here either. Thank you.

COUNCILMAN TROIANO: I'm sorry. Mr. Cuomo you know, you mentioned that an element of this is -- is there neglect by the appointed or elected official?

MR. CUOMO: No, no. It's not --well, yes, okay.

COUNCILMAN TROIANO: And so I just want to follow up and say you've been attending meetings regularly --

MR. CUOMO: Oh, yeah.

COUNCILMAN TROIANO: Indicating

your -- in your active agreement to serve as a --as a -- as a board member.

MR. CUOMO: As has Tracy, yes.

COUNCILMAN TROIANO: Thank you.

MR. CUOMO: Any other questions?

SUPERVISOR DESENA: Mr. Cuomo, you served -- this is your third term you -- you've served?

MR. CUOMO: I believe so, yes.

SUPERVISOR DESENA: So you did know the requirement. I mean, it -- it's, you know, there are -- there are things that --

(Unintelligible cross-talk)

MR. CUOMO: Supervisor, hold on a second. You're not going to pass the buck, the --the clerk is supposed to send the card and did not.

SUPERVISOR DESENA: But you knew

MR. CUOMO: But more importantly, for there to be a vacancy --

SUPERVISOR DESENA: I'm not sure why you're pointing your finger at me like that.

MR. CUOMO: More importantly to --for there to be a vacancy, there has to be subsequent notice. And that didn't occur here. So there's no vacancy.

SUPERVISOR DESENA: And what -- and what law are you citing that says that notice had to be provided to you?

MR. CUOMO: Public Offices Law Section 13.

SUPERVISOR DESENA: My --

MR. CUOMO: So there's no vacancy.

SUPERVISOR DESENA: Well, I don't think that the failure to fill out the oath card, I don't think that that's something that can be cured.

COUNCILWOMAN DALIMONTE: So why don't we -- Why don't we reappoint him and have the clerk --or not really, just have the clerk send him an oath card. Him and Tracy should be sent an oath card. Yeah, no, I know, I know, I know that.

MR. CUOMO: No, I understand. It was a previous clerk but this present clerk didn't send the additional notice that there's been no oath card returned.

COUNCILMAN WALSH: So everybody kind of made a mistake because truthfully, you --this would be your third or fourth oath card that you're signing.

SUPERVISOR DESENA: Yes.

COUNCILMAN WALSH: And you could have just said to yourself, I didn't get this. I wonder, sometimes people make mistakes like the previous card, they made a mistake. We all make mistakes. And you know, I'm not saying you made a mistake but you could --

(Unintelligible cross-talk).

COUNCILMAN WALSH: You won't let me finish. You could have just, you know, said to the other clerk, I didn't get the card. If you remembered, maybe you didn't remember. I don't want to make a big deal about nothing here but --

MR. CUOMO: I understand your position, but the neglect rest with the official who did not send the card.

COUNCILMAN WALSH: Exactly.

MR. CUOMO: And the neglect then rest with the official who didn't send the follow-up notice.

SUPERVISOR DESENA: But did you have any responsibility to follow up with the clerk?

MR. CUOMO: No, I don't believe I did. I believe the clerks got to send it. Look, I run a small business. I get three, 400 e-mails a day. I forgot this one. Tracy forgot this one. But we've been attending these meetings and doing the business of the board for the last year and a half. There was no intent. There was no refusal. And I don't believe there's any neglect. But most importantly, after having served this long, that nobody reached out until we just found out about, oh, they're going to appoint a -- appoint somebody else because they believe there's a vacancy. There is no vacancy.

COUNCILWOMAN LURVEY: So how did you find out that you were on the agenda?

MR. CUOMO: My executive director called me.

COUNCILWOMAN LURVEY: When was that?

MR. CUOMO: Friday.

COUNCILWOMAN LURVEY: On Friday?

MR. CUOMO: Yeah.

SUPERVISOR DESENA: When I went --

COUNCILWOMAN LURVEY: So there was no notice to you, no call to you, no --

MR. CUOMO: Certainly, no notice from the clerk's office.

COUNCILWOMAN LURVEY: No, no, let's talk about this, let's fix this?

MR. CUOMO: No.

COUNCILWOMAN LURVEY: Instead, a name showed up to replace you.

MR. CUOMO: Yes.

COUNCILWOMAN LURVEY: I think that's premature. I think that's rushing to replace somebody that's been doing a good job.

COUNCILMAN TROIANO: You know, I think also there is a cure for this. And if there, you know, I don't accept that there -- your office is vacant, but if anyone wanted to make that case that it was vacant, the cure for it is to reappoint you, and then have you sign the oath part. But the idea of replacing you over what is at best a technical matter is I don't understand why we even -- how we even went there.

SUPERVISOR DESENA: Well, I mean these are all -- these are all conclusions that, you know, you're making up here that --

COUNCILMAN ZUCKERMAN: Well, how did the motion get on, Supervisor? How did -- how did it get on?

SUPERVISOR DESENA: Well, I put it on because there are vacancies. I mean, there is -- I'm sorry but there is an effect to certain -- there are consequences.

MR. CUOMO: Supervisor, I would ask you, what is the effect of the extra notice not coming to Ms. Caine's or I. It means there is no vacancy. It's that simple. If legal notice is not provided

--

SUPERVISOR DESENA: Mr. Cuomo, it's illegal question. It's illegal --

COUNCILMAN WALSH: Hold on, hold on.

MR. CHIARA: (Unintelligible)

MR. CUOMO: Supervisor, there are two steps to there being a vacancy. There has to be neglect or refusal to accept the appointment. And then there has to be additional notice to the person who has not accepted the appointment that your role will go vacant if you do not do this. That second thing, there is no dispute did not happen thus there is no vacancy. So you're trying to fill positions that are already filled.

SUPERVISOR DESENA: Are you, I mean, are you making a legal conclusion about whether it's vacant or not?

COUNCILMAN ADHAMI: So, should we -- should we table this or take a recess?

MR. CHIARA: I don't think we should (unintelligible)

SUPERVISOR DESENA: Mr. McQuair, do you want to -- well, enlighten us.

MR. MCQUAIR: Good evening, everyone. Charles McQuair. My research provides I think --

MR. CHIARA: I would also (unintelligible) speak, but I'm also advising that this issue is taken later differently by the town -- by the town board.

(Unintelligible cross-talk).

MR. CHIARA: I mean, I'm just -- as the town attorney, I just want -- I'm of course Mr. McQuair can say whatever he wants at your direction. But I just want to -- I just want him say that generally speaking, when we talk about letting these types of things, these should be --they should be done in an executive session.

COUNCILMAN ZUCKERMAN: But how about we have Ms. McQuair, and Mr. Chiara speak for a brief moment. Take a five-minute recess and have them speak. And then Mr. McQuair could speak his mind, but just for the purpose of allowing this to play out.

SUPERVISOR DESENA: Yeah. I don't want to waste the taxpayer's money in this.

COUNCILMAN ZUCKERMAN: Let them talk for five minutes.

MR. CHIARA: That's fine or you want to go into an executive session?

SUPERVISOR DESENA: Yeah, I truly, if he's talking about litigation, I don't want to be wasting the taxpayer's money.

MR. MCQUAIR: John, if you want to go into executive session and ask --

COUNCILMAN ZUCKERMAN: I'd like to make a motion for recess.

MR. CHIARA: I would prefer to go in executive session.

MR. MCQUAIR: Then, let's go.

COUNCILWOMAN DALIMONTE: I prefer -- right, you made a motion.

COUNCILMAN TROIANO: I make a motion for a recess.

SUPERVISOR DESENA: No, no. Mr. Chiara preferred Executive session.

COUNCILMAN ZUCKERMAN: Oh, executive session.

SUPERVISOR DESENA: Okay. Do you want to call a motion? Do I have to call a motion on that to go into executive session? You should.

COUNCILMAN ZUCKERMAN: Okay.

SUPERVISOR DESENA: Call the roll.

CLERK SRIVASTAVA: Councilman --

SUPERVISOR DESENA: I moved to go -- I thought people --

COUNCILMAN ZUCKERMAN: I make a motion to go to executive session.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: No.

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.

(A recess was taken).

SUPERVISOR DESENA: So we're ready? Okay, we move to come back into public hearing, public session.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: So we're moving to come out of executive session, right?

SUPERVISOR DESENA: Yes.

COUNCILMAN TROIANO: Okay. 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. So we're back to 57. I offer the resolution to move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: I am -- I am -- I am appalled, by this resolution and the one even more so by the one to follow. I don't believe a vacancy was created. But even if there was one, the move by the Supervisor should have been to appoint Mr. -- to reappoint Mr. Cuomo. The North Hempstead Housing Authority is one of the most highly recognized housing authorities not just on Long Island but in the entire country. The conversions they have done at Magnolia Gardens where I represent is nothing short of extraordinary. The Homestead Project is nothing short of extraordinary. The renovation at Laurel Homes in Roslyn has brought joy to all the residents there. And I do not know how Matt, Tracy, the other board members, and Executive Director Sean Rainey accomplish all that they do. I am the only council person here that remembers a time before Matt Cuomo and before Sean Rainey. I'm the only one here that lived through Magnolia Gardens being drug infested, being overcrowded with people who didn't belong there, living there. It was under Mr. Cuomo and Mr. Rainey's reign that Magnolia Gardens was cleared out. And the residents there are thankful for that. If there was a problem with the oath card, the fix was to reappoint Mr. Cuomo. With respect to Tracy Caines, I --and this is where I really get appalled, and I've given this lesson before the Town Council Councilmatic districts were formed to ensure that every part of this town had representation. In particular, and the cause of the -- the cause of Councilmatic Districts, was to ensure that New Cassel was represented on the town board. I've said that before in town council meetings. And that, that model, should be followed through with ethics committee appointments, with CDA appointments, and with housing authority appointments. The move by Supervisor DeSena to remove the only non-tenant representative on the Housing Authority Board that comes from New Cassel is not reflective of that history, and it denies the residents of the New Cassel, Westbury community an opportunity to have their voice heard within the halls of the North Hempstead Board Authority. That is a legacy seat that was first filled by my colleague, who I hold in high esteem, Nassau County Legislator Siela Bynoe. It was followed by Tracy Caines, who is a stalwart. In fact, her family is a -- are stalwarts of the New Cassel Westbury community. The idea that on a technicality of an oath part that Tracy Caines would be removed, the voice of New Cassel Westbury, that she would be removed and then replaced by someone from Plandome without even providing us with a resume, curriculum vitae, to show us that she's got some history that would support her being appointed to this board is as I started at the beginning of my monologue, is appalling. And I don't know why anybody who's charged with representing the entire town would seek to use a technicality as a rationale for removing the one New Cassel non-tenant board member on the North Hempstead Housing Authority. I vote affirmatively, no on 57,

and will do the same when we come to 58.

CLERK SRIVASTAVA: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: I echo the sentiments of Councilman Troiano. I vote, no.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: So the North Hempstead Housing Authority and its board members do outstanding work in providing top-notch affordable housing for low and moderate-income residents in our community that I am truly proud of. Only at the North Hempstead Housing Authority do we have Northwell doctors driving by the Spiny Hill homes and the Pond View homes and calling the management company and saying, are those condos for rent? I remember when I first walked in to the one of the community rooms and I first walked through the complexes, I was surprised that it was (unintelligible) affordable housing. That the housing authority's dedication to serving our community is truly commendable. And I look forward to their continued success under the leadership of executive director Sean Rainey and Chairman Matthew Cuomo and the Board of Commissioners. I vote no.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: No.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: The North Hempstead Housing Authority does amazing work. And the housing is beautiful. I have seen it. The residents are very blessed to have these beautiful homes. When there is a defect in the law, it's something that is outside of, you know, what we can do. So certainly -- I certainly admire the work that Mr. Cuomo and Tracy Caines have done. And the Caines family of course. I vote aye.

CLERK SRIVASTAVA: Item number 58. A resolution authorizing the appointment to the board of the North Hempstead Housing Authority. We have a card on this. Adrian Wolt (phonetic).

MS. WOLT: Adrian Wolt. Respectfully, Supervisor DeSena, there is another choice for (Unintelligible) and I will say to be reappointment. But I'm here to say, I don't live in any of the units. However, I have very -- so many friends who live in the Spiny Hill and Pond Hill homes. And I can only tell you how happy they are, how pleased they are with how things are being run. And that has so much to do with the current administration and the current board. Programs as well as support within the community is just outstanding. And I think that is just a travesty to, you know "If it isn't broken, don't try to fix it." And they are doing an outstanding job. Thank you.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: You know, I -- I've already spoken my piece but it bears repeating that this was an ill-conceived effort to remove the one New Cassel member of the North Housing -- North Hempstead Housing Authority Board. I have to repeat that over and over again. This is a community that --

SUPERVISOR DESENA: Councilman, there is no direction --

COUNCILMAN TROIANO: That makes -- I am speaking. That makes -- this is a community that more than so than any other community, relies on the great work done by the North Hempstead Housing Authority but not to have a voice on that board is repugnant to me. Now the supervisor wants to make a big deal about what she thinks is a defective law. Well, her resolution is defective, because it doesn't even cite the law correctly. So on that ground alone, I could vote no. But I'm voting no because I don't like the idea that you for some reason have chosen to try and disenfranchise the New Cassel community from having a voice on the North Hempstead Housing Authority Board. I again vote no.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: No.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Council Lurvey?

COUNCILWOMAN LURVEY: No.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: No.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Councilman Troiano, I'm certainly not trying to disenfranchise anybody. The law is the law.

COUNCILMAN TROIANO: The law is the law --

COUNCILMAN WALSH: Just --

COUNCILMAN TROIANO: I'm sorry. The law is the law but you could have -- if you felt the law was really being violated, you could have reappointed Mr. Cuomo and Ms. Caines. There was no requirement that you'd go and appoint these other two people who I don't even know who they are. You have the temerity to ask me to vote for them without providing a resume to say that they've got some knowledge either about the community or about housing or anything. I have no idea who those people are.

SUPERVISOR DESENA: If you need a resume --

COUNCILMAN TROIANO: The idea you think that you would get a yes vote, on that without even telling us. Caring to tell us who they are. You know, Barbara Donno talked about having consultation with her trustees. We get no consultation.

SUPERVISOR DESENA: You don't let me come to your meetings.

COUNCILMAN TROIANO: Because you thought - -

SUPERVISOR DESENA: Councilman Troiano, I didn't know you didn't have a resume. I certainly would've given you the resume.

COUNCILMAN TROIANO: Did you give me one.

SUPERVISOR DESENA: These resumes, these people -- these are people who work with the Housing Authority. These are people who we raise money. We pay rent. They know the housing authority.

COUNCILMAN TROIANO: They pay money. They pay rent.

SUPERVISOR DESENA: We -- yes, they are members of the St. Vincent de Paul Society. We raise money. We work with the North Hempstead Housing Authority. We work with the management company.

COUNCILMAN TROIANO: I'm sorry, I'm not quite sure I understand why they're raising money. Has anything to do with mine not getting a resume from you?

SUPERVISOR DESENA: If you had told me you didn't get a resume, I would've given it to you. But you don't let me come to your meetings. So we had no chance to discuss this.

COUNCILMAN TROIANO: No, I'm sorry, I'm sorry. There is a mail system here, there is an e-mail system here. Those could have been utilized to say, you know, my fellow council members, I am going to recommend that we -- that we appoint these two people. Here's their resume.

SUPERVISOR DESENA: Councilman --

COUNCILMAN TROIANO: For your consideration.

SUPERVISOR DESENA: Councilman, if you had told me that you didn't receive the resumes if you had -- e-mail works both ways. I didn't know you hadn't received them. I have them. I didn't know you didn't receive them. I certainly would've sent them.

COUNCILMAN TROIANO: Why didn't --well, you just -- you asked Mr. Cuomo --

SUPERVISOR DESENA: You didn't --he didn't get --

COUNCILMAN TROIANO: You asked Mr. Cuomo didn't you know you had an obligation. Supervisor, don't you know you have an obligation to inform me about your recommendation. It's my responsibility to come after you?

COUNCILWOMAN DALIMONTE: I do have a question for Mr. Cuomo. Do you know these two people?

COUNCILMAN WALSH: Don't get in a middle of a vote.

(Unintelligible cross-talk).

MR. CUOMO: I am not aware of their involvement with North Hempstead Housing Authority.

CLERK SRIVASTAVA: We're waiting for --

COUNCILMAN WALSH: I'd like to get the attorney to tell us we have to continue to vote, we vote.

COUNCILWOMAN DALIMONTE: We voted I thought.

COUNCILMAN WALSH: Supervisor did not vote.

CLERK SRIVASTAVA: Supervisor, we're waiting for your vote.

SUPERVISOR DESENA: Okay. Call the next item, please.

CLERK SRIVASTAVA: Okay. Item number 59. A resolution authorizing the placement of policies of insurance.

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. 252 - 2023

A RESOLUTION AUTHORIZING THE PLACEMENT OF POLICIES OF INSURANCE.

WHEREAS, the Town of North Hempstead's property insurance policy and boiler & machinery policy expired as of April 1, 2023; and

WHEREAS, the Town has received favorable pricing and a coverage quotation from Zurich American Insurance Co., for property insurance the period of April 1, 2023 through April 1, 2024 and from Hartford Steam Boiler for boiler and machinery coverage for the period of April 1, 2023 through April 1, 2024 (the "Policies"); and

WHEREAS, the Town's insurance broker has recommended placement of the Policies as quoted; and

WHEREAS, in order to avoid a lapse in coverage, the Town placed the Policies; and

WHEREAS, this Board desires to ratify the actions of the Town in placing the Policies.

NOW, THEREFORE, BE IT

RESOLVED that the Town's actions in placing the Policies be and hereby are ratified; and be it further

RESOLVED that the Supervisor, Deputy Supervisor, Comptroller and Town Attorney are hereby authorized 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 hereof upon receipt of duly executed and certified claims therefor.

Dated: Manhasset, New York

April 4, 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 Supervisor Comptroller

CLERK SRIVASTAVA: Item number 60. A resolution amending resolution number 33-2023 adopted January 24th, 2023, authorizing the execution of agreements with various instructors for fitness classes at various locations and virtually within the town in connection with project independence.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 253 - 2023

A RESOLUTION AMENDING RESOLUTION NO. 33-2023, ADOPTED JANUARY 24, 2023, AUTHORIZING THE EXECUTION OF AGREEMENTS WITH VARIOUS INSTRUCTORS FOR FITNESS CLASSES AT VARIOUS LOCATIONS AND VIRTUALLY WITHIN THE TOWN IN CONNECTION WITH PROJECT INDEPENDENCE.

WHEREAS, pursuant to Resolution No. 33-2023, duly adopted on January 24, 2023, the Town Board authorized the execution of an agreement with Elaine Hoskins, 151 S. Franklin Street, Hempstead, NY to provide Zumba Gold and Dance Fitness instruction for a term commencing January 1, 2023 and terminating December 31, 2023 in consideration of payment at a rate of Sixty and 00/100 Dollars (\$60.00) per hour for a total amount not to exceed One Thousand Seven Hundred Fifty and 00/100 Dollars (\$1,750.00) (the "Resolution"); and

WHEREAS, the Commissioner of the Department of Services for the Aging has requested that the Resolution be amended to authorize the agreement to be executed with Wellness Options for Living, Inc., the business entity under which Ms. Hoskins provides fitness instruction, on the same terms (the "Amendment"); and

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

NOW, THEREFORE, BE IT

RESOLVED that the Resolution be and hereby is amended to reflect the Amendment.

Dated: Manhasset, New York

April 4, 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 DOSA

CLERK SRIVASTAVA: Item number 62. A resolution amending the town of North Hempstead parks fee schedule.

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. 254 - 2023

A RESOLUTION AMENDING THE TOWN OF NORTH HEMPSTEAD PARKS FEE SCHEDULE.

WHEREAS, the Town Board of the Town of North Hempstead ("Town Board") is empowered pursuant to § 39-23 of the Town Code, upon recommendation of the Commissioner of Parks and Recreation (the "Commissioner"), to set the fees and charges for use of facilities and services in Town parks; and

WHEREAS, the Town Board adopted a schedule of user fees for the use of Town facilities and services, including certain facilities at various Town parks (the "Fee Schedule"); and

WHEREAS, the Commissioner has recommended that the Town Board approve a change in the Fee Schedule to charge a fee in the amount of Sixty and 00/100 Dollars (\$60.00) per week for a North Hempstead resident for each child ages 5 through 13 registered for the Summer Day Camp (the "Camp") program at the North Hempstead "Yes We Can" Community Center from July 3, 2023 through August 18, 2023 from 8:00 AM to 6:00 PM, and a fee in the amount of Two Hundred and 00/100 Dollars (\$200) per week for a non-resident for each child registered for the Camp during the season (the "Amendment"); and

WHEREAS, the Town Board wishes to approve the Amendment to the Fee Schedule as recommended by the Commissioner.

NOW, THEREFORE, BE IT

RESOLVED that the Fee Schedule shall be amended to reflect the Amendment; and be it further

RESOLVED that except as herein modified, the Fee Schedule shall remain unchanged and in full force and effect.

Dated: Manhasset, New York

April 4, 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 Parks and Recreation Comptroller

CLERK SRIVASTAVA: Item number 63. A resolution proclaiming April, 2023 as Parkinson's Awareness Month.

COUNCILWOMAN DALIMONTE: I would like to thank the Port Washington Police Commissioner, J.B. Meyer, and local Ambassador to the Parkinson Foundation, Dr. Randy Todd, for bringing this idea to my attention. I am honored to offer this resolution to raise greater public awareness of Parkinson's disease, increased understanding of its effects, and support those who are impacted by it. We are proud to declare the month of April to be Parkinson's Awareness Month in the town of North Hempstead. 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: You know, first of all, it was very nice in front of the building here. I guess it was yesterday or the day before. I get (unintelligible) these days. Just to have these folks down here and we all know people that have Parkinson's either in our family or personal friends. And I vote, yes, but I think the real way to support this is to send a check as well. I vote aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: I vote, aye. And I really like what Councilman Walsh said and also they are having fundraisers and I will get those information. I'll try and I'll pass it on to the board. I vote aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: I was very grateful to meet these advocates as my father suffers from Parkinson's and it's very hard on my whole family, especially my mother. So thank you for setting that up, Councilwoman Dalimonte. I vote aye.

CLERK SRIVASTAVA: Item number 64. A resolution authorizing a transfer from the town of North Hempstead Insurance Reserve Fund.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 256 - 2023

A RESOLUTION AUTHORIZING A TRANSFER FROM THE TOWN OF NORTH HEMPSTEAD INSURANCE RESERVE FUND.

WHEREAS, the Town Board (the "Board") of the Town of North Hempstead (the "Town") has heretofore established an Insurance Reserve Fund, pursuant to applicable law, for the payment of legal claims and related expenses; and

WHEREAS, the Town has available funds in the Insurance Reserve Fund; and

WHEREAS, the Board approved the settlement of claims, totaling \$225,000.00, which was paid or approved for payment from the tort reserve/litigation expense line (A.11.1420.4620) of the Town Attorney's 2023 budget; and

WHEREAS, after careful consideration, the Board finds it in the best interests of the Town to release monies from the Insurance Reserve Fund to replenish the monies expended.

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby authorizes a release of \$225,000.00 from the Insurance Reserve Fund, to be allocated to the tort reserve/litigation expense line designated as Account A.11.1420.4620, to replenish the funds for settlements paid or approved for payment during 2023; and be it further

RESOLVED that the Offices of the Town Attorney and Comptroller are hereby directed to take such action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

April 4, 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 number 65. A resolution establishing the list of titles of those required to file an annual statement of financial disclosure for reporting year 2022.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 257 - 2023

A RESOLUTION ESTABLISHING THE LIST OF TITLES OF THOSE REQUIRED TO FILE AN ANNUAL STATEMENT OF FINANCIAL DISCLOSURE FOR REPORTING YEAR 2022.

WHEREAS, the Town Code of Ethics lists officers, employees and board members who must file Annual Statements of Financial Disclosure ("Disclosure Statements") with the Town of North Hempstead Board of Ethics ("Board of Ethics"); and

WHEREAS, Town Code § 16A-7(A) authorizes the Town Board to determine those additional officers, employees and board members who hold policy-making positions or whose work involve the negotiation, authorization or approval of contracts, licenses, purchasing, obtaining of grants or money and/or the adoption of rules and regulations;

WHEREAS, employees involved in such work are required to file Disclosure Statements; and

WHEREAS, the Board of Ethics has reviewed the additional titles, and the names associated with those titles, that it believes should be required to file Disclosure Statements and those titles and names are listed below.

NOW, THEREFORE BE IT

RESOLVED that the Town Board has determined that, in addition to those titles set forth in the Town Code, the following employees in the following titles hold positions for purposes of requiring the filing of Disclosure Statements:

Building Department

Architect – Linda Stein Brickman

Building Inspector I - Raymond Oriol, Anthony Laurino, Paul Vetere, Thomas Prochilo, Victor Cornelius, Patrick Abramski, Domenick Russo, Paul Ehrbar, Dominick Pedulla, Charles Lombardo, Carlos Reyes, Dorys Rendon, Kiersten Gaertner

Building Inspector II – Bill Smalley, Gabe Garcia

Building Plans Examiner I – Ben Voutsinas, Anthony Raguseo, Michael Miano, Nicholas Vissichelli, Anthony Basile, Joseph Canzoneri, Michael Maracic

Building Plans Examiner II – Scott Kohler

Electrical Board Member – Luigi Amorese, Giuseppe Dibartolomeo, William Titterton

Multiple Residence Inspector I – Matt Cardone

Plumbing Inspector I – Frank Evangelista, Gennaro Delucia, Daniel Richards, Michael Pilo

Plumbing Inspector II – Dominick Frissora

Plumbing Board Member – John Bachor, John McCann, Ronald Sakowich

Secretary to the Commissioner of Bldg Safety Inspection/Enforcement – Donna Argila

Clerk Typist I Bilingual – John Angelaras

Community Services

Legal Typist I – Gia Montelbano

Department of Services for the Aging

Accounting I, P/D – James Allen

Director of Senior Citizen Affairs – Kristina Lew

Director of Community Relations – Chari Biton

Comptroller

Director of Governmental Research – Steve Pollack

Deputy Commissioner of Finance – Stephen Mazza

Grants Technician – Tom Devaney

Payroll Supervisor – Christina Magistro

Secretary to Comptroller – Diana Long

Auditing Assistant I – Deniqua Murray

Cashier I P/T – Tami Secunda

Department of Highways

Highway Maintenance Supervisor I – John Sullivan, Brian Waterson

Auto Lead Mechanic – Antonio Gianmarino, Bryan Borra, Anthony Maneri

Laborer I P/T - John Miller

Administrative Assistant - Barbara Tierney

Clerk I P/T - Lorena Gianmarino

Human Resources

Clerk Typist I P/T – Sherri Eisenstadt

Administrative Services

Building Maintenance Supervisor I – Paul Castigiola

Parks and Recreation

Recreation Aide – Patricia Rubinic, Elisabetta Veltri

Assistant to the Commissioner of Parks and Rec for Administration – Eileen Kraneburg

Equipment Supervisor – Arthur Gerhardt

Superintendent of Recreation – Kevin Hawkins

Public Safety Officer IV – Christina Lucia

Buyer I – Alexandra Kapetanos

Building Maintenance Supervisor I – Byron Johnson

Assistant to Comm Parks and Rec Cult Dev – Estefany Garay

Parks Construction Coordinator – Vincent J. Sacco

James Viras – Century Golf

Eileen Worth - Century Golf

Planning

Environmental Control Specialist – Kevin Braun, Meagan Fastuca

Planner II – Caroline Forger, Michael Tumbarello

Planner III – Neal Stone, Wesley Sternberg

Secretary to BZA – Virginia Wagner

Department of Public Works

Architect – Victor Thomas

Assistant to Comm of Public Works – Robert Fazio

Civil Engineer I – Donna Plante

Civil Engineer III – Jill Guiney

Secretary to Comm of Public Works – Pat Olive

Traffic Engineer I – Vishak Thomas

Clerk Typist I – Kerri-Ann Cucciniello

Receiver of Taxes

Accountant II – Ivan Ramirez

Secretary to Receiver of Taxes – Lynda Del Balzo

Tax Cashier I – Christine Vasquez, Pritibala Thakore, Laura Hansen, Susan Millosky

Administrative Officer I – Susan Sullivan

Supervisor

Buyer I – Vonda Henderson, Viviana Trabolisi

Director of Finance – Paul Wood

Director of Purchasing – Moira Labarbera

Procurement Coordinator – Georgina Carr

Special Counsel – Charles McQuair

Public Information Officer – Gordon Tepper

Town Attorney

Secretary to the Town Attorney – Jennifer Quinn

Clerk Typist 1 P/T – Paul Herzfeld

Town Board

Administrative Assistant to the Town Board – Rebecca Cheng, Kay Farrell, Romina Tehrany, Erin Molyneux, Brandon Gimpelman, Marissa Brown, Chrissy West

Secretary to the Commissioner of Finance – Mitchell Pitnick

Chief Research Assistant – Jeanine Dillon

Secretary to Commissioner of Parks and Recreation – Sagar Mehta

Secretary to Councilman – Rachel Brinn

Town Clerk

Public Safety Officer PT – Henry Krukowski

Public Safety

Director of Animal Shelter – Jenna Marie Givargidize

Public Safety Officer I – Pamela Rodney

Code Enforcement Inspector – Christopher Fay, Roxanna Escobar, Eric Jiminez

Bay Constable I – Steven Somma

Bay Constable I P/T – Aaron Tomlinson, William Moran, David Norman, Michael Green, Phillip Purcell, Victor Fuentes

Bay Constable II – Mal Nathan

Safety Coordinator – Tom McDonough

Senior Code Enforcement Officer – Ron Shannon

Parking Meter Servicer – Noreen Murphy, Silmara Marciano, George Bakogiannis, Daniel Miller, Thomas Tiernan II, Kevin O'Reilly, Vincent Faccuito, Zachary Abondondelo, Laura Deacetis, Brian Kilgannon

Clerk Typist 1 – Kristen Leto

Information Technology and Telecommunications

Commissioner of IT – George Morfessis

Info Tech Manager – Steve Bauer, Donna Farrell

Solid Waste Management

Commissioner – Marshah-Reaff Barrett

Secretary to Executive Director – Joanne Kenney

Secretary – Donelle Benjamin

311

Commissioner of 311 – Vincent Malizia

Secretary to the Commissioner of IT – Monique John

Secretary to Councilman – Stephanie Sajous

Secretary to Councilman – Lucie Delva-Bolden

Secretary to Councilman – Delaynee Santos

; and be it further

RESOLVED, that the Board of Ethics is hereby authorized to exempt those holding any of the above titles from the annual statement of financial disclosure filing requirement in the event the individual is otherwise not subject to Section 16A-7(C) of the Town Code; and be it further

RESOLVED, that the individuals holding the titles identified herein shall have until May 15, 2023 to file their financial disclosure forms, unless an extension for filing is otherwise authorized by the Board of Ethics in accordance with Chapter 16A of the Town Code.

Dated: Manhasset, New York

April 4, 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 number 66. A resolution authorizing a cost of living, COLA increase for exempt employees. We have a card. Noreen Murphy.

MS. MURPHY: Hi, good evening. Supervisor, Councilmembers, I was going to say good evening, but I'm --

COUNCILMAN TROIANO: I'm sorry can you speak into the mic.

MS. MURPHY: I was going to say good evening, but I --

COUNCILWOMAN LURVEY: Good morning.

MS. MURPHY: And happy birthday to Michael. It's his birthday.

SUPERVISOR DESENA: Happy birthday.

MS. MURPHY: I'm Noreen Murphy. I'm with the CSEA unit 7555. I understand this was brought up at the last meeting. But we the members, are feeling very strongly that you should take Tom's thoughts under consideration. And we find it heartfelt that few of your employees may be receiving raises and reduced insurance contribution this evening. Our union members in good faith are working under the same inflation and same financial hardships and the employees of the town should all be receiving the same benefits. So we would hope that maybe you would hold off all these changes until we can all, you know, benefit from them. Because either we have members here of (unintelligible) through the night. Unfortunately. But you know it's late and I don't want to take so much more of your time, but I know that Tom is watching. But if you can consider what we're saying for -- without going into any more detail, we would really appreciate it, okay. And I'm not going to go --

COUNCILMAN TROIANO: Can I -- I'm sorry. Can I ask?

MS. MURPHY: Sure.

COUNCILMAN TROIANO: Did you get STEP increases earlier this year?

MS. MURPHY: I'm sorry?

COUNCILMAN TROIANO: Did you get STEP increases earlier this year?

MS. MURPHY: Yes, we did.

COUNCILMAN TROIANO: Okay. Thank you.

MS. MURPHY: You're welcome. Thank you.

SUPERVISOR DESENA: Thank you for your advocacy for your members. Obviously, that negotiations we cannot discuss. So we do -- we do -- need to take care of all of our employees. I offer the resolution and move for its adoption.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Oh, sorry. I'm so excited.

SUPERVISOR DESENA: You're so anxious to join me.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN TROIANO: Well, we should talk.

CLERK SRIVASTAVA: Councilman --

COUNCILMAN ZUCKERMAN: No.

CLERK SRIVASTAVA: Councilman Walsh?

SUPERVISOR DESENA: You're voting, no?

COUNCILMAN WALSH: Voting (unintelligible).

SUPERVISOR DESENA: You know, it's Robert's, you know, this is Robert's Resolution.

CLERK SRIVASTAVA: Council --

SUPERVISOR DESENA: Yeah. I just want to make sure.

CLERK SRIVASTAVA: Councilman Walsh?

(Unintelligible cross-talk).

CLERK SRIVASTAVA: Councilman Walsh?

(Unintelligible cross-talk)

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: No.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: No. And thank you for your comments.

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. 258 -2023

A RESOLUTION AUTHORIZING A COST OF LIVING (COLA) INCREASE FOR EXEMPT EMPLOYEES.

WHEREAS, the Town Board desires to adopt an annual cost of living wage adjustment for exempt employees that are not covered under a collective bargaining agreement for 2023.

NOW, THEREFORE, BE IT

RESOLVED, that all exempt employees of the Town of North Hempstead hired on or before March 31, 2023 shall receive a 4.5% cost of living adjustment in their salary, retroactive to January 1, 2023, or retroactive to their date of commencing employment if after January 1, 2023.

Dated: Manhasset, New York

April 4, 2023

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: Councilperson Dalimonte, Councilperson Lurvey, Councilperson Zuckerman.

cc: Town Attorney Town Clerk Comptroller HR

CLERK SRIVASTAVA: Item number 69. A resolution reducing the healthcare contribution for certain employees of the town of North Hempstead.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: One second. Supervisor, did you vote on 66? I didn't hear the vote. You did?

SUPERVISOR DESENA: Yeah. Hold on. We, we just did 66.

COUNCILMAN TROIANO: 66.

SUPERVISOR DESENA: So we're on 67.

COUNCILMAN TROIANO: 67.

SUPERVISOR DESENA: Okay. I was looking at 68. No, 67, we already voted on it.

CLERK SRIVASTAVA: Yeah.

(Unintelligible cross-talk).

COUNCILMAN TROIANO: So we're on 69?

SUPERVISOR DESENA: So 69.

COUNCILMAN TROIANO: You went --okay.

COUNCILWOMAN LURVEY: Did you read it? I didn't hear her read it.

CLERK SRIVASTAVA: I read it.

COUNCILMAN WALSH: I didn't either.

COUNCILWOMAN DESENA: I didn't --can you repeat it, please? I didn't hear.

CLERK SRIVASTAVA: You want me to read 69 again?

COUNCILWOMAN DALIMONTE: 69.

COUNCILMAN TROIANO: So it's 69, we're on.

CLERK SRIVASTAVA: Okay.

COUNCILMAN WALSH: 69. Okay.

CLERK SRIVASTAVA: Item number 69. A resolution reducing the healthcare contribution for certain employees of the town of North Hempstead.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: No.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Abstain.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Abstain.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Abstain.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: I think, and you said that you don't all vote the same, but you just did.

COUNCILWOMAN DALIMONTE: We don't?

SUPERVISOR DESENA: Okay.

COUNCILWOMAN DALIMONTE: No, no. I don't want to vote no. I want to abstain. And then my reasons for us - -

SUPERVISOR DESENA: You don't have to explain.

COUNCILMAN TROIANO: You don't have to explain.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item number 70. A resolution amending resolution number 10-2023 at adopted January 12th, 2023. Establishing the list of designated newspapers for publication of notices, resolutions, ordinances, and/or 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 LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 259 - 2023

A RESOLUTION AMENDING RESOLUTION NO. 10-2023, ADOPTED JANUARY 12, 2023, ESTABLISHING THE LIST OF DESIGNATED NEWSPAPERS FOR PUBLICATION OF NOTICES, RESOLUTIONS, ORDINANCES AND/OR LOCAL LAWS BY THE TOWN CLERK DURING THE YEAR 2023.

WHEREAS, pursuant to Resolution No. 10-2023, duly adopted on January 12, 2023, the Town Board designated certain newspapers for the publication of notices, resolutions or ordinances and local laws as may be required by law, or directed by this Board for the 2023 calendar year (the "Resolution"); and

WHEREAS, the Supervisor has requested that the Resolution be amended to add Noticia Long Island as a designated newspaper for the publication of notices, resolutions or ordinances and local laws as may be required by law, or directed by this Board, for the 2023 calendar year (the "Amendment"); and

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

NOW, THEREFORE, BE IT

RESOLVED that the Resolution be and hereby is amended to reflect the Amendment; and be it further

RESOLVED that the Supervisor and Town Clerk are hereby authorized to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

April 4, 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 number 71. A resolution amending the town board Rules of Procedure.

SUPERVISOR DESENA: I'd like to ask Mr. McQuair, to explain this rule -- proposed rule change.

MR. MCQUAIR: Good evening, everyone. I know it's late. There're two proposed rule changes. The first rule change deals with placeholder resolutions. In the spirit of transparency, the last meeting that we had. Because we meet in caucus and placeholder resolutions are put up by both sides. We have a situation that's kind of recurring where, because of our town board rules and because of the fact that we can put placeholder resolutions up, what's happening is by the time we have our caucuses, those positions or those resolutions aren't fully vetted. They're not explained because the rules allow us more time to put the resolutions up. So the first rule changes that no placeholder resolution shall be submitted without containing a short synopsis, which clearly defines the content, the subject matter it addresses. And in no event shall the placeholder resolution remain on the calendar more than five days prior to the posting of the town board calendar. That allows both sides to see the resolution. Like I said, we had 11 placeholder resolutions. Not all of them were filled. Some were filled, but we're meeting in caucus. We're not meeting together as one body prior to tonight's meeting. So it -- it -- it's creating issues. And some of our councilmen, I'll even address Mr. Walsh. Mr. Walsh, brought up at the meeting that we don't really know the sum and substance of these resolutions with the placeholder resolutions that are -- that are being put up. So one of the ways to solve that is to know that there is an actual deadline to fill placeholder resolutions rather than just one squib placeholder. The second resolution deals with motions for reconsideration. A little while ago, we had an issue as to whether it was proper for a motion for -- motion for reconsideration, could be even made by the board. And I disagreed with the result that we had that night because the members that were offering the Motion for Reconsideration had abstained. And Robert's rules says that you can't make a motion for reconsideration if you didn't vote on the original measure. And we didn't have that. So this rule or this amendment says that no motion for reconsideration shall be voted on by any member who did not vote for the original member, or excuse me, original measure being considered. So if you don't -- if you vote aye or you vote no, you can vote for reconsideration. But if you abstain from it, you can't. And that's the rules without it being put in our rules of procedure anyway. Or at least it's supposed to be if you follow Robert's rules. So those are the two amendments that are being offered by the supervisor at this time. I hope you'll -- I hope you'll consider them. I think they benefit both sides of the aisle here. It's for the sake of transparency. I think both sides deserve to know before they go into their caucuses what's being considered, rather than have like a late -- a late addition to a resolution being fully vetted after the meeting. So that's what our proposal is.

COUNCILWOMAN DALIMONTE: So I have a question for you. So the agenda goes live on Friday.

MR. MCQUAIR: Uh-huh.

COUNCILWOMAN DALIMONTE: So you have Saturday, Sunday, and Monday and Tuesday...

MR. MCQUAIR: Right.

COUNCILWOMAN DALIMONTE: And for us to go in and we can look and do our research, I mean, I know it's both -- it's both sides that do it, the placeholders. But sometimes, you know, you put a placeholder in because you think something's going to happen and then you'll pull it. But the -- you do have four days to do -- to get your research.

MR. MCQUAIR: But --

SUPERVISOR DESENA: But we have already had a -- our meeting, you know. We are meeting -- you're forcing us to have these caucus meetings and --

COUNCILWOMAN DALIMONTE: I'm not forcing you to have the --

SUPERVISOR DESENA: Yes. I want us to meet as a board. I want us to meet just all we have -- the open meeting law requires us to be open to the public not meet in separate Republican and Democratic caucuses.

COUNCILMAN TROIANO: The open meeting law provides caucus meetings. Don't misstate the law because it specifically says you can have caucus meetings.

SUPERVISOR DESENA: Well, you can't have -- you can't have a political --

COUNCILMAN TROIANO: People are watching on Zoom. We don't have many people --

SUPERVISOR DESENA: Okay, well --

COUNCILMAN TROIANO: And you are misrepresenting the law.

SUPERVISOR DESENA: Okay. Well, I'm going to talk to the people on Zoom. Should we be having our government workers, our commissioners forced to attend a political meeting during the business day?

COUNCILWOMAN DALIMONTE: Not political.

SUPERVISOR DESENA: A caucus -- a caucus is a political meeting. Excuse me. A caucus is a political caucus. That's what it is. That's the -- that's the exception to the open meeting law. So if you're going to meet as a political caucus, you then we can't have our staff being forced to attend your meetings.

COUNCILWOMAN DALIMONTE: So, Jen, I know that you're new in this and I've been here

SUPERVISOR DESENA: No, the open meeting law. Excuse me. No, don't -- and don't--you can call me supervisor.

COUNCILWOMAN DALIMONTE: No.

SUPERVISOR DESENA: Yeah.

COUNCILWOMAN DALIMONTE: Jen, I know that you've been here longer --

SUPERVISOR DESENA: The open meeting law is a new law. I don't think you're familiar with its requirements.

COUNCILMAN WALSH: And that was condescending. I know you're new here, but you know, you --

COUNCILWOMAN DALIMONTE: No, no, no, no. For two years, so what happens is that we -- you have the -- you have the agenda and you have the backup. And that's why I'm really tired today because I have been doing the research on how I would want to vote. That's it --

that's just the way it works. I just -- I don't understand this. So, I mean, let's take a vote. Call it for a motion.

SUPERVISOR DESENA: So you'd rather have the practice where you put placeholders on two weeks before the meeting and we don't find out until three days before the meeting what it is that you're putting on the agenda? We don't find out until Friday before we -- our meetings are --

COUNCILWOMAN DALIMONTE: No, it has to be -- it has to be put in. It has to be put in by Friday by 1:00 o'clock. And I know you guys like --

SUPERVISOR DESENA: So you're -- so I'm the supervisor and I don't get information on an item on the agenda until Friday afternoon about something we're going to be voting on three days later. And I have to work through the weekend. Or we can just all put the information on there so that we and the public have the information.

COUNCILWOMAN DALIMONTE: So this item that you're proposing, I didn't find out about it until Friday afternoon. There was no information in there.

SUPERVISOR DESENA: That's why we're proposing to change the law. It benefits both sides.

COUNCILWOMAN DALIMONTE: But I -- it was -- I was fine with it because I looked it up and I was -- and I -- I read it and then he explained it --

SUPERVISOR DESENA: Well, I'm glad you're fine with it. I hope you vote yes because it's going to improve --

COUNCILWOMAN DALIMONTE: No, I'm

SUPERVISOR DESENA: transparency.

COUNCILWOMAN DALIMONTE: I'm fine with not having the detail until -

COUNCILMAN WALSH: To tell you the truth I'm not fine with sitting at a caucus and having 11 items that have no explanation and then quarter to 1:00 on Friday because they have to begin by 1:00 or round quarter to 1:00. The information comes out. I just -- that makes it difficult for me as far as -- anybody can decide how they have. It makes it very difficult. And why are we waiting? Are we trying to hide something from me and the caucus? I don't know.

SUPERVISOR DESENA: I mean, if you have something to put on the agenda, then you should have all the information. It shouldn't have to be delayed so long until three days before the Board meeting.

COUNCILWOMAN DALIMONTE: Why wasn't this put on? All this information put on. The item we're voting on right now, was not put on until Friday afternoon. What did -- why did you wait so long to put it on?

MR. MCQUAIR: We were still working on the rules. It's not --

COUNCILWOMAN DALIMONTE: Right, exactly right --

MR. MCQUAIR: But I'm --

COUNCILWOMAN DALIMONTE: You're still working on it.

MR. MCQUAIR: Look, I'm --

COUNCILWOMAN DALIMONTE: You're still working on it.

MR. MCQUAIR: I'm saying -- I'm saying that it's a double-edged sword here.

COUNCILWOMAN DALIMONTE: Yeah.

SUPERVISOR DESENA: It's both ways.

MR. MCQUAIR: It doesn't work for us either.

SUPERVISOR DESENA: The benefit --

MR. MCQUAIR: The problem is that, I don't know when your caucuses are, you know, we're not invited to them. You're not invited to ours. But the bottom line is that I think there has to be a definition here where both sides know what the resolution is going to be. You put a placeholder in -- I've done it. We all do it here. You put a placeholder in, then the meat and the potatoes should be from, should be behind it. And the problem is that we're going into meetings, we're going into these caucus meetings, and the resolution isn't complete yet. So all I'm saying to you is I think there should be a rule that both sides should adhere to that says basically that you're going to have this information up so everybody can see it. That's all. It's a transparency issue. I don't think either side should really have a problem with it. But, you know, you're the board.

COUNCILWOMAN LURVEY: So can you just explain five days prior to the posting of the town board calendar, the posting is the Friday at 1:00?

MR. MCQUAIR: Right.

COUNCILWOMAN LURVEY: So it'd be five days prior. So it would be Thursday, Wednesday, Tuesday, the prior Friday?

MR. MCQUAIR: Yeah. That's --

COUNCILWOMAN LURVEY: Or five business days.

MR. MCQUAIR: I didn't say. I said five days is five days. So it's not. But at least everybody knows what the item's going to be. You know, we have placeholder resolutions, you know, sometimes you don't have the information. I understand that also, you know.

COUNCILWOMAN LURVEY: So five days prior is Sunday. Does that work?

MR. MCQUAIR: Well then, a general construction law go to Monday.

COUNCILWOMAN DALIMONTE: So I think this is your item to implement it.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: So Charles, the portion that relate to placeholders, I need to get comfortable with the timeframes, but I understand what you're going with that -- with that. But I have a difficulty with the prior part that you talked about. And I, you know, it's now -- it's now Wednesday morning. But it's finally becoming clear to me what you're contemplating here. So maybe it's -- maybe I have a problem if I understand it, but earlier today I couldn't understand this. I don't see the logic in it. It's if somebody has voted a certain way, and then there's a motion to reconsider that the point of that the motion to reconsider is to give everybody a chance to reconsider their vote. But this seems to be saying that if you voted a certain way, you don't

get the same opportunity to reconsider your vote.

MR. MCQUAIR: Like the contrary. Under our rules, an abstention is not a vote. It's not a vote.

COUNCILMAN TROIANO: An abstention is not a vote.

MR. MCQUAIR: So you didn't vote on the measure. You can't have the measure reconsidered. It's not depriving anybody but you didn't vote on it in the first place.

COUNCILMAN TROIANO: That's not what it says.

MR. MCQUAIR: It says --

COUNCILMAN TROIANO: You're defining that further. It has to be an abstention

MR. MCQUAIR: No, (unintelligible) under our board rules, which was passed by the --by this board. An abstention is not a vote in favor of or against this.

COUNCILMAN TROIANO: Right.

MR. MCQUAIR: It's like a nothing.

COUNCILMAN TROIANO: Right.

MR. MCQUAIR: Okay. And that's what this says. If you -- if you abstained or if you didn't vote for the measure --

COUNCILMAN TROIANO: You didn't vote for it. So you could have voted no, that's not an abstention.

MR. MCQUAIR: If you didn't vote for it, you can't be part of --

COUNCILMAN TROIANO: That's my point. So if I voted, no --

MR. MCQUAIR: No, no, no. It --it's if you voted -- if you voted for Councilman Troiano, either no or yes, you can vote. But if you abstain from it --

COUNCILMAN TROIANO: Yes. So I hear what you're saying now but see that's the writing is not clear.

MR. MCQUAIR: But it's vote, it's not -- it's not --

COUNCILMAN TROIANO: I hear what you're saying, Charles. Charles, if you have to spend five minutes explaining one sentence --

MR. MCQUAIR: Right, but --

COUNCILMAN TROIANO: There's --

MR. MCQUAIR: I know what you're saying.

COUNCILMAN TROIANO: No but, there's a problem with the writing, okay. And so because this is the way I -- the way I read this is that if you didn't vote for the resolution, then you vote for or vote against, right? This is saying to where I read it is we didn't vote for it. Meaning you were voted in the affirmative, then you don't get to reconsider your vote. So this is not written well. My vote --

MR. MCQUAIR: I -- okay.

COUNCILMAN TROIANO: And so – and because, you know, somebody a year from now or two years from now, five years from now, won't have you to explain what the intent was, I vote, no.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: No.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: I think the idea of doing away with so many placeholders is good but I agree that the language in the first portion is too vague and I kind of want to think through the five days. I vote, no.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: No.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item number 72. A resolution amending the town of North Hempstead procurement and payment policy to require the installation of water-efficient fixtures.

COUNCILMAN ZUCKERMAN: In honor of my birthday, I'm proud to submit the resolution establishing a town policy requiring the installation of water-efficient fixtures in all town projects. By requiring the use of water-sense labeled products, we can ensure that we are conserving water and reducing our carbon footprint. This action aligns with our municipal climate action plan, and I am excited to see the positive impact it will have on our community. I'd like to 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: We're proud to lead the way in promoting a sustainable future for generations to come. And as council member Zuckerman said, this action is a key component of our municipal Climate Action plan and will have a significant positive impact on our community. 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. 260 - 2023

A RESOLUTION AMENDING THE TOWN OF NORTH HEMPSTEAD PROCUREMENT AND PAYMENT POLICY TO REQUIRE THE INSTALLATION OF WATER-EFFICIENT FIXTURES.

WHEREAS, the Town of North Hempstead (the "Town") has heretofore adopted a procurement policy as required by Section 104-b of the New York State General Municipal Law (the "Procurement Policy"); and

WHEREAS, the Town desires to amend its Procurement Policy to require the installation of water-efficient fixtures, where feasible, in Town projects, as set forth in the amended Procurement Policy annexed hereto as Exhibit A (the "Amended Procurement Policy"); and

WHEREAS, the Board wishes to adopt the Amended Procurement Policy.

NOW, THEREFORE, BE IT

RESOLVED that the Amended Procurement Policy be and hereby is adopted; and be it further

RESOLVED that the Amended Procurement Policy be effective as of April 5, 2023.

Dated: Manhasset, New York

April 4, 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 number 74. A resolution amending resolution number 154-2023 adopted March 14th, 2023 authorizing the execution of a license agreement with the Port Washington Fire Department for their installation dinner at North Hempstead Beach Park, Port Washington, and waiving the fees for the use thereof.

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. 261 - 2023

A RESOLUTION AMENDING RESOLUTION NO. 154-2023, ADOPTED MARCH 14, 2023 AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH THE PORT WASHINGTON FIRE DEPARTMENT FOR THEIR ANNUAL INSTALLATION DINNER AT NORTH HEMPSTEAD BEACH PARK, PORT WASHINGTON AND WAIVING THE FEES FOR THE USE THEREOF.

WHEREAS, pursuant to Resolution No. 154-2023, duly adopted on March 14, 2023 (the "Resolution"), the Town Board authorized the execution of a license agreement with the Port Washington Fire Department (the "Department") for the use of a portion of North Hempstead Beach Park ("NHBP") to host its annual Installation Dinner on June 10, 2023 and waiving the fee for the Department's use of NHBP; and

WHEREAS, the Commissioner of the Department of Parks and Recreation has requested that the Resolution be amended to provide that the license commence on June 9, 2023 and extend through June 12, 2023 to allow the Department's contractor, Ace Party and Tent Rental, to erect and maintain a tent for the Installation Dinner (the Amendment); and

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

NOW, THEREFORE, BE IT

RESOLVED that the Resolution be and hereby is amended to reflect the Amendment.

Dated: Manhasset, New York

April 4, 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 number 75. A resolution authorizing the communications director to create North Hempstead TV sustainability programming for residents.

COUNCILWOMAN LURVEY: I offer the resolution --

SUPERVISOR DESENA: Hold on. I have a -- I have comments on this. Oh. I am in favor of sustainability programming and our North Hempstead TV crew is great. They make wonderful programs. What I don't understand is why you are directing the staff that reports to the supervisor's office. I find it very strange that you're putting before the board something that is directing someone who reports the supervisor's office what to do. I mean, and if you had asked me, I of course I would love for them to do sustainability programming. If you would ask me, I certainly would've said, yes, you should do that. I'm in favor of it. I mean, that is, you know, that's the respect I think past supervisors have been given around here. So I think it's a problem that you are now taking over the authority of the supervisor's office and directing staff as to what they should do.

COUNCILWOMAN LURVEY: So I would like to ask town\ attorney if there's a problem with the town board directing a entity that the town contracts with to create sustainability programs.

MR. CHIARA: Well, is this authorizing or is it directing?

SUPERVISOR DESENA: Directing.

MR. CHIARA: It says --

COUNCILWOMAN DALIMONTE: You're authorizing.

MR. CHIARA: You're authorizing.

SUPERVISOR DESENA: It says authorizing. But what -- but why do that? I mean this -- although even if it is an independent contractor if you look at the you know, the charts and the, you know, the reports, the -- they report to the supervisor's office. So why would this board now be authorized to direct without just even asking me to do it?

MR. CHIARA: Well, I think I would have to take a closer look but I thought its authorizing, I can authorize but not directing. You could amend a contract. (Unintelligible) the board authority to amend a contract if they wanted to is -- it's not -- it's (unintelligible) --

(Unintelligible cross-talk)

COUNCILWOMAN LURVEY: I can't access my Nova, so I can't pull up the is there somebody who can speak to it?

MR. CUOMO: The question was, is it authorizing an employee or is authorizing a contract, was that the question?

COUNCILMAN WALSH: (Unintelligible) take a wrap.

MR. CUOMO: Are we in the (unintelligible) that says that the director of communications and the department of planning and the environmental protection, be authorized to create the sustainability programming, from North Hempstead TV, as described in this resolution. So the word authorize is being used there. Can you hear me all right?

SUPERVISOR DESENA: Well, yeah, that just doesn't sound like what's written here. This says a resolution authorized in the communications director.

MR. CUOMO: Are you reading the caption or are you reading the resolve clause and the resolution?

SUPERVISOR DESENA: I'm reading the agenda.

MR. CUOMO: Okay. I think the resolution itself would be controlling, and that's the item before the board tonight.

MR. CHIARA: But the resolution to the (unintelligible). I don't view the word authorizing it's directing.

SUPERVISOR DESENA: Well, the -

MR. CHIARA: I think directing would be a problem, yes.

SUPERVISOR DESENA: Uh-huh.

MR. CHIARA: I don't view authorized -- authorizing is permitting it's not (unintelligible)

SUPERVISOR DESENA: Well. Why does the board need to take -- why does the board need to take that authority instead of just asking -- instead of just --

COUNCILWOMAN LURVEY: Just a different way --

MR. CHIARA: That would be the question to ask.

COUNCILWOMAN LURVEY: So supervisor, honestly, I send you e-mails about initiatives. I send you e-mails about meeting, about grant programs. I stopped sending you e-mails because you don't answer them. So this is the way to get your attention.

SUPERVISOR DESENA: Oh, so just go around me?

COUNCILWOMAN LURVEY: No, we're voting on it as a board.

SUPERVISOR DESENA: Okay. Well, I'm expressing my reservations about this board going around me and taking authority from the supervisor's office.

COUNCILMAN LURVEY: Authorizing is not taking authority.

SUPERVISOR DESENA: Authority. Authorizing, authorities.

MR. CHIARA: I think, I mean, I don't want to get any leads here, but I think you have every right to direct them not to do this if you don't want them to. (Unintelligible)

SUPERVISOR DESENA: I just don't think this should be a board resolution. I think that you can continue to make suggestions. I'm certainly open to suggestions about ideas. You've never -- I don't think you've ever asked me, you know, to -- about an idea to work on together. I don't recall that.

COUNCILWOMAN LURVEY: I have sent you plenty of e-mails. Plenty. Everything from --

COUNCILMAN WALSH: Having to do with the television.

COUNCILWOMAN LURVEY: Not about this.

COUNCILMAN WALSH: Okay. So that's the subject.

COUNCILWOMAN LURVEY: I gave up. There was no response.

COUNCILMAN WALSH: We're talking about the television here now.

COUNCIL WOMAN LURVEY: There's just no response.

COUNCILMAN WALSH: We're talking about the television. Is there no response to things that you want put on the television?

COUNCIL WOMAN DALIMONTE: But Councilman Walsh, I understand what Councilwoman Lurvey is saying. We send e-mails to the supervisor, we don't get a response.

SUPERVISOR DESENA: Okay. Let's not --

COUNCILMAN WALSH: I'm glad you understand that. But that's not -- that's not the subject matter.

SUPERVISOR DESENA: Let's not try to talk about my e-mail.

COUNCILMAN WALSH: See, you're just --

SUPERVISOR DESENA: This is actually about -- this is actually about the communications director who --

COUNCIL WOMAN LURVEY: Governing by e-mail is actually a good way to govern because there's a record.

SUPERVISOR DESENA: No.

COUNCIL WOMAN LURVEY: There's a record of what transpires.

SUPERVISOR DESENA: Okay. So you care more about weaponizing e-mail, and governing that way when we can -- we can talk --

COUNCIL WOMAN LURVEY: Not weaponizing, making sure that the public can access what actually happened.

SUPERVISOR DESENA: Well --

COUNCILMAN WALSH: This is a power grab.

SUPERVISOR DESENA: Sending a barrage of e-mails is not actually doing anything to benefit the public. But anyway, the communications director --

COUNCIL WOMAN LURVEY: Not answering, that's not the --

COUNCILMAN WALSH: This is a power grab.

SUPERVISOR DESENA: The communications director is still in the reporting line of the supervisor's office. So this resolution I see now the sustainability program made me think about the TV, but this is the communications director is still within the reporting lines to the supervisor's office. So this resolution where you are off trying to authorize yourself to take control, I believe is wrong.

COUNCILMAN WALSH: I believe it's what they've been doing all of them. They're trying to grab power. It's a power grab.

COUNCIL WOMAN DALIMONTE: Just getting things done.

COUNCILMAN WALSH: It's a power grab.

COUNCIL WOMAN DALIMONTE: It's getting things done.

COUNCILMAN WALSH: Yeah. Getting things -- getting things done by going past the supervisor. It's getting things done by going past the supervisor. And that's what you've been doing all along. You've been trying to go past the supervisor and that's what's going on here too.

COUNCILWOMAN DALIMONTE: When you -- but you know what, Councilman Walsh --

COUNCILMAN WALSH: I do know what.

COUNCILWOMAN DALIMONTE: You don't get a response and you keep on trying. You got to do what you have to do because we're here for the people of the town of North Hempstead.

COUNCILMAN WALSH: You're here to -- you're here to maintain power.

COUNCILWOMAN DALIMONTE: Excuse me. Excuse me.

COUNCILMAN WALSH: No, I won't excuse you because you cut me up. You're here to maintain power.

COUNCILWOMAN DALIMONTE: 40,000 residents. And you know what, I have residents calling me all the time that they don't get answers from their e-mails or their phone calls. So, you know what, if we have to put a resolution on, put the resolution on, let's work for the people. You please --

COUNCILMAN WALSH: Everybody up here works for the people. This is a power grab. They don't want to lose (unintelligible) their power. And this is what they're doing.

COUNCILWOMAN LURVEY: This is about sustainability programs on North --

SUPERVISOR DESENA: And I'm happy I didn't

COUNCILMAN WALSH: We don't like sustainability, but --

SUPERVISOR DESENA: I agree with sustainability programming. But let's not circumvent the supervisor's office. Let's not change the reporting. You know, you had a whole year if you wanted to change the reporting line of the communications director to the town board, you should have done that. But this is now altering that and it's not right.

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

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: So, I don't see that there's any redirection of reporting lines or usurping of the supervisor's authority. Had the -- actually said directing, I might have been sympathetic to that argument, but it doesn't say that it just authorizes this to happen. The supervisor is still free to -- if she would've wanted to, to tell the communication director that he shall not work on any sustainability program. So her authority has in no way been usurped or was there a power grab. I vote aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: This is an absolute power grab, and I vote, no.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Now we have to look at the word authorizing. It's not directing, it's authorizing and it's the only way to communicate with the supervisor. I vote, aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: No.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: No.

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. 262 - 2023

A RESOLUTION AUTHORIZING THE COMMUNICATIONS DIRECTOR TO CREATE NORTH HEMPSTEAD TV SUSTAINABILITY PROGRAMMING FOR RESIDENTS.

WHEREAS, Councilperson Veronica Lurvey and Councilperson Mariann Dalimonte have recommended that the Director of Communications be authorized to create sustainability programming for North Hempstead TV in conjunction with the Department of Planning and Environmental Protection; and be it further

WHEREAS, such programming will be developed by members of the staffs of the Director of Communications and the Planning Department to be aired on the North Hempstead TV station, focusing on educating residents on sustainability practices, including energy efficiency in the home, renewable energy, eco-friendly best practices, recycling, electric vehicles and other sustainability-related topic that such departments deem relevant.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of Communications and the Department of Planning and Environmental Protection be authorized to create the sustainability programming for North Hempstead TV as described in this Resolution.

Dated: Manhasset, New York

April 4, 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 Human Resources

CLERK SRIVASTAVA: Item number 77. A resolution--

COUNCILMAN WALSH: I'm sorry because this is wrong. Would you repeat the number, please?

(Unintelligible cross-talk)

CLERK SRIVASTAVA: No, no.

COUNCILWOMAN DALIMONTE: We're on 77.

COUNCILMAN WALSH: I got it. I get it. Yeah, I -- 76.

COUNCILWOMAN DALIMONTE: Yes.

COUNCILMAN WALSH: I can't hear.

CLERK SRIVASTAVA: Yeah, 77.

COUNCILMAN WALSH: 77.

CLERK SRIVASTAVA: A resolution authorizing a transfer of funds from the Manhasset Bay Park District Fund to the Capital Project Fund.

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. 263 - 2023

A RESOLUTION AUTHORIZING A TRANSFER OF FUNDS FROM THE MANHASSET BAY PARK DISTRICT FUND TO THE CAPITAL PROJECT FUND.

WHEREAS, the Town of North Hempstead desires to complete a playground project at Merriman Park within the Manhasset Bay Park District; and

WHEREAS, the capital fund to be used for the project has a funding deficiency in the amount of \$23,233.45 between the cost of the project and the amount of funding available in the capital fund (the "Deficiency"); and

WHEREAS, the Manhasset Bay Park District has fund balance available to pay for the Deficiency; and

WHEREAS, pursuant to Town Law §§ 112 and 113, the Board desires to transfer \$23,233.45 from fund balance of the Manhasset Bay Park District to capital account HC1201 with an expense to be recorded to expense code HC1201.00.7197.2000 for the Merriman Park Playground Project (the "Transfer"); and

WHEREAS, after careful consideration, the Board finds it in the best interests of the Town to complete the Transfer.

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby authorizes the Transfer as outlined above; and be it further

RESOLVED that the Offices of the Town Attorney and Comptroller are hereby directed to take such action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

April 4, 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 number 78. A resolution of the town of North Hempstead authorizing the expenditure of an amount not in excess of \$112,000 currently available in the town's capital reserve fund entitled Capital Reserve Fund-General improvements, to provide funding for various IT equipment purchases.

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: Brian, can you please close the doors, Brian and Mitch? Brian and Mitch, we can't hear I -- I've asked this twice already. Can you guys close the doors? Please close the doors. I vote, aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 264 - 2023

A RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD AUTHORIZING THE EXPENDITURE OF AN AMOUNT NOT IN EXCESS OF \$112,000 CURRENTLY AVAILABLE IN THE TOWN'S CAPITAL RESERVE FUND ENTITLED "CAPITAL RESERVE FUND - GENERAL IMPROVEMENTS" TO PROVIDE FUNDING FOR VARIOUS IT EQUIPMENT PURCHASES.

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 \$112,000.00 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 purchase of desktops, laptops, docking stations, monitors and related equipment, and cash drawers and receipt printers for use in the Department of Parks and Recreation.

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 April 4, 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 AUTHORIZING THE EXPENDITURE OF AN AMOUNT NOT IN EXCESS OF \$112,000 CURRENTLY AVAILABLE IN THE TOWN'S CAPITAL RESERVE FUND ENTITLED "CAPITAL RESERVE FUND - GENERAL IMPROVEMENTS" TO PROVIDE FUNDING FOR VARIOUS IT EQUIPMENT PURCHASES.

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 \$112,000.00 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 purchase of desktops, laptops, docking stations, monitors and related equipment, and cash drawers and receipt printers for use in the Department of Parks and Recreation; and

SECOND: DETERMINING that such resolution is subject to a permissive referendum.

DATED: April 4, 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.

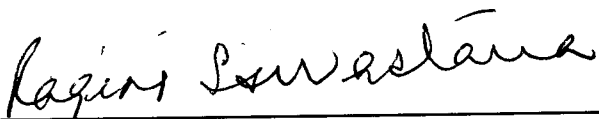
Nays: None.

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 April 4, 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 4th day of April, 2023.

(SEAL)



Town Clerk

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

Nays: None.

CLERK SRIVASTAVA: Item number 79. A resolution authorizing the transfer of funds from the Workers Compensation Reserve Funds in the General Fund and Highway Fund for tail claim expenses for fiscal 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 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 number 80. A resolution authorizing the employment, appointment, transfer, adjustment, correction, change in grade or salary, and/or termination of employees and/or officials in various departments of the town.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: I vote, aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: I vote, aye on items 80-1 through 80-83.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: One second. I vote -- thank yeah, I vote, aye on items 80-1 through 80-83.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: I vote, aye on items numbers 80-1 through 80-83.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: I vote, aye on item numbers 80-1 through 80-83.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: I vote, aye on item numbers 80-1 through 80-83.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: I vote, aye on items 80-1 through 80-83.

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. 266 - 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: 266 -1

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of Jamal Nazeer to the title of Recreation Aide in the amount of \$22.82 hourly / \$47,471 annually in the Department of Parks & Recreation - Yes We Can effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -2

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to full-time hire of Perry Dukes to the title of Laborer I in the amount of \$22.82 hourly / \$47,471 annually in the Department of Parks & Recreation - Tully Park effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -3

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of Chappelle Greene to the title of Laborer 1 in the amount of \$22.82 hourly / \$47,471 annually in the Highways Department effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -4

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Christian Brewer to the title of Attendent/311 Call Rep in the amount of \$18.00 hourly in the 311 Call Center effective 04/05/23.

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

Nays: None.

RESOLUTIONNO: 266 -5

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Kamran Qureshi to the title of Lifeguard Trainee in the amount of \$18.00 hourly in the Department of Parks & Recreation - Tully Park effective 05/01/23.

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

Nays: None.

RESOLUTION NO: 266 -6

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Christian Alexander to the title of Laborer PT in the amount of \$15.00 hourly in the Highways Department effective 03/18/23.

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

Nays: None.

RESOLUTION NO: 266 -7

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Vincent Pannullo to the title of Laborer I in the amount of \$15.00 hourly in the Department of Parks & Recreation - Tully Park effective 05/01/23.

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

Nays: None.

RESOLUTION NO: 266 -8

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Jamie Kanarek to the title of Laborer I in the amount of \$15.00 hourly in the Department of Parks & Recreation - Tully Park effective 05/01/23.

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

Nays: None.

RESOLUTION NO: 266 -9

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Mackenzie Moon to the title of Attendant in the amount of \$15.00 hourly in the Department of Parks & Recreation - Tully Park effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -10

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Anthony Sfiroudis to the title of Attendant in the amount of \$15.00 hourly in the Department of Parks & Recreation - Manorhaven effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -11

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Louisa Portnoy to the title of Attendant in the amount of \$15.00 hourly in the Department of Parks & Recreation - CGM effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -12

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Agumjot Singh to the title of Attendant in the amount of \$15.00 hourly in the Department of Parks & Recreation - Tully Park effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -13

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Jake Grusso to the title of Lifeguard I in the amount of \$18.00 hourly in the Department of Parks & Recreation - NHBP effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -14

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Annette Reo to the title of Attendant in the amount of \$16.00 hourly in the Department of Parks & Recreation - CGM effective 05/01/23.

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

Nays: None.

RESOLUTION NO: 266 -15

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Jack George to the title of Attendant in the amount of \$15.00 hourly in the Department of Parks & Recreation - Manorhaven effective 05/01/23.

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

Nays: None.

RESOLUTION NO: 266 -16

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Jon Zebitsch to the title of Lifeguard I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Tully Park effective 05/01/23. Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor DeSena.

Nays: None.

RESOLUTION NO: 266 -17

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Isabella Yardeni to the title of Attendant in the amount of \$15.00 hourly in the Department of Parks & Recreation - Manorhaven effective 05/01/23.

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

Nays: None.

RESOLUTION NO: 266 -18

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Peter Barry to the title of Attendant in the amount of \$15.00 hourly in the Department of Parks & Recreation - Whitney Pond Park effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -19

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Alexandra Marks to the title of Clerk Typist 1 Seasonal in the amount of \$15.00 hourly in the Town Board effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -20

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Isabella Marks to the title of Clerk Typist 1 Seasonal in the amount of \$15.00 hourly in the Town Board effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -21

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time status change (60% to 100%) for Samantha Flores in the title of Assistant Town Attorney to the amount of \$2,800.38 bi-weekly / \$72,810 annually in the Town Attorney effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -22

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 Hector Montalvo to the title of Labor Supervisor 1 to the amount of \$28.45 hourly / \$59,166 annually in the Highways Department effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -23

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 Kevin Casey to the title of Equipment Operator 3 to the amount of \$28.45 hourly / \$59,166 annually in the Highways Department effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -24

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 Connor Jacoby to the title of EO trainee to the amount of \$24.05 hourly / \$50,026 annually in the Highways Department effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -25

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 John Aronson to the title of Labor Supervisor 1 to the amount of \$28.45 hourly / \$59,166 annually in the Highways Department effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -26

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Christopher Tomasino in the title of Groundskeeper II to the amount of \$37.20 hourly / \$77,371 annually in the Department of Parks & Recreation - NHBP effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -27

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Connor Holzmann in the title of Public Safety Officer I to the amount of \$26.92 hourly / \$56,003 annually in the Department of Parks & Recreation - Parks Public Safety effective 04/15/23.

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

DeSena.

Nays: None.

RESOLUTIONNO: 266 -28

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Patricia Rubinic in the title of Recreation Aide to the amount of \$2,748.80 bi-weekly / \$71,468 annually in the Department of Parks & Recreation - Administration effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -29

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Christine Roberts in the title of Law

Clerk to the amount of \$3,581.10 bi-weekly / \$93,108 annually in the Department of Parks & Recreation - Administration effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -30

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Thomas Medina in the title of Laborer I to the amount of \$24.41 hourly / \$50,763 annually in the Department of Parks & Recreation - Yes We Can effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -31

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the hourly rate change for part-time employee Thomas Rubinic in the title of Recreation Aide to the amount of \$18.00 hourly in the Department of Parks & Recreation - Tully Park effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -32

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title change for part-time employee Joseph Reo to the title of Lifeguard I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Tully Park effective 04/15/23.

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

Nays: None.

RESOLUTION NO: 266 -33

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the location change for part-time employee Juon Hodge in the title of Laborer I in the amount of \$16.00 hourly to the Department of Parks & Recreation - Martin "Bunky" Reid effective Retro to 3/18/2023.

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

Nays: None.

RESOLUTION NO: 266 -34

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status change for Alexis Pieters in the title of Rec Aide in the amount of \$20.00 hourly in the Community Services effective 05/01/23.

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

Nays: None.

RESOLUTION NO: 266 -35

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status change for Thomas DiGiuse in the title of Laborer in the amount of \$19.00 hourly in the Highways Department effective 05/01/23.

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

Nays: None.

RESOLUTION NO: 266 -36

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status change for Drew Nicholson in the title of Laborer in the amount of \$20.00 hourly in the Highways Department effective 05/01/23.

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

Nays: None.

RESOLUTION NO: 266 -37

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status change for Anthony Calo in the title of Laborer in the amount of \$15.00 hourly in the Highways Department effective 05/01/23.

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

Nays: None.

RESOLUTION NO: 266 -38

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status change for John Miller in the title of Laborer in the amount of \$19.00 hourly in the Highways Department effective 05/01/23.

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

Nays: None.

RESOLUTION NO: 266 -39

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status change for Lorena Giammarino in the title of Clerk 1 in the amount of \$19.00 hourly in the Highways Department effective 05/01/23.

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

Nays: None.

RESOLUTION NO: 266 -40

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status change for Sherri Marx- Eisenstadt in the title of Clerk Typist Part time in the amount of \$50.00 hourly in the Human Resources effective 05/01/23.

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

Nays: None.

RESOLUTION NO: 266 -41

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status change for Lisa Cioffi in the title of Attendant in the amount of \$20.00 hourly in the Public Safety - Animal Shelter effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -42

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status change for Paula Kellner in the title of Clerk 1 in the amount of \$16.00 hourly in the Public Safety - Animal Shelter effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -43

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status change for Sana Farooqi

in the title of Rec Aide in the amount of \$15.00 hourly in the Public Safety - Code Enforcement effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -44

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status change for Brian Lackner in the title of Laborer 1 in the amount of \$15.00 hourly in the Public Safety - Harbor Patrol effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -45

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status

change for Joshua Gersman in the title of Laborer 1 in the amount of \$15.00 hourly in the Public Safety - Harbor Patrol effective 04/15/23.

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

Nays: None.

RESOLUTION NO: 266 -46

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status change for David Norman in the title of Bay Constable in the amount of \$25.00 hourly in the Public Safety - Harbor Patrol effective 04/15/23.

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

Nays: None.

RESOLUTION NO: 266 -47

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status change for Aaron Tomlinson in the title of Bay Constable in the amount of \$25.00 hourly in the Public Safety - Harbor Patrol effective 04/15/23.

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

Nays: None.

RESOLUTION NO: 266 -48

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status change for Willaim Moran in the title of Bay Constable in the amount of \$25.00 hourly in the Public Safety - Harbor Patrol effective 04/15/23.

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

Nays: None.

RESOLUTION NO: 266 -49

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status change for Kevin Lang in the title of Bay Constable in the amount of \$25.00 hourly in the Public Safety - Harbor Patrol effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -50

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status change for Victor Fuentes in the title of Bay Constable in the amount of \$25.00 hourly in the Public Safety - Harbor Patrol effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -51

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status change for Michael Green in the title of Bay Constable in the amount of \$25.00 hourly in the Public Safety - Harbor Patrol effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -52

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status change for Laura DeAcetis in the title of Parking Meter Servicer in the amount of \$17.00 hourly in the Public Safety - Parking Enforcement effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -53

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to seasonal status change for Brian Kilgannon in the title of Parking Meter Servicer in the amount of \$17.00 hourly in the Public Safety - Parking Enforcement effective 04/15/23.

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

Nays: None.

RESOLUTIONNO: 266 -54

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire of Madeline Menke to the title of Attendant to the amount of \$15.00 hourly to the Department of Parks & Recreation - Whitney Pond Park effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -55

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire of Luke Gruosso to the title of Lifeguard I to the amount of \$18.00 hourly to the Department of Parks & Recreation - NHBP effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -56

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire of Jack Koubek to the title of Lifeguard I to the amount of \$18.00 hourly to the Department of Parks & Recreation - Harbor Hills effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -57

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire of Andrew Koubek to the title of Lifeguard I to the amount of \$18.00 hourly to the Department of Parks & Recreation - Harbor Hills effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -58

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire of Christian Sikiric to the title of Lifeguard I to the amount of \$18.00 hourly to the Department of Parks & Recreation - CGM effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -59

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire and hourly rate change for Orlando Ward to the title of Laborer I to the amount of \$21.00 hourly to the Department of Parks & Recreation - Martin "Bunky" Reid effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -60

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire of Olivia Montoni to the title of Lifeguard I to the amount of \$18.00 hourly to the Department of Parks & Recreation - CGM effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -61

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire of Shue-Uong Chu to the title of Lifeguard I to the amount of \$18.50 hourly to the Department of Parks & Recreation - NHBP effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -62

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire of Jada Battle to the title of Lifeguard I to the amount of \$18.00 hourly to the Department of Parks & Recreation - Martin "Bunky" Reid effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -63

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire of Brandon Donnelly to the title of Laborer I to the amount of \$15.00 hourly to the Department of Parks & Recreation - CGM effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -64

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire of Emilia Schneiderman to the title of Attendant to the amount of \$15.00 hourly to the Department of Parks & Recreation - CGM effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -65

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire of Morgan Sapinski to the title of Lifeguard I to the amount of \$18.00 hourly to the Department of Parks & Recreation - Whitney Pond Park effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -66

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire of Dominic Cotsonas to the title of Attendant to the amount of \$15.00 hourly to the Department of Parks & Recreation - Manorhaven effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -67

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire of Michael Frising to the title of Attendant to the amount of \$15.00 hourly to the Department of Parks & Recreation - CGM effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -68

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire of Daniel Mattei to the title of Lifeguard I to the amount of \$18.00 hourly to the Department of Parks & Recreation - Whitney Pond Park effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -69

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire of Maxwell Meehan to the title of Recreation Aide to the amount of \$16.00 hourly to the Department of Parks & Recreation - Manorhaven effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -70

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire of Jack Jacobs to the title of Attendant to the amount of \$15.00 hourly to the Department of Parks & Recreation - Manorhaven effective 05/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -71

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire of Chloe Chang to the title of

Lifeguard I to the amount of \$18.00 hourly to the Department of Parks & Recreation - Martin "Bunky" Reid effective 05/01/23.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey,
Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor
DeSena.
Nays: None.

RESOLUTIONNO: 266 -72

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire of Sydney Venezia Livingston to the title of Attendant to the amount of \$15.00 hourly to the Department of Parks & Recreation - Manorhaven effective 05/01/23.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey,
Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor
DeSena.
Nays: None.

RESOLUTIONNO: 266 -73

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire and hourly rate change for Spencer Lane to the title of Rec Aide to the amount of \$19.00 hourly to the Department of Community Services effective 05/01/23.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey,
Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor
DeSena.
Nays: None.

RESOLUTIONNO: 266 -74

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire and location change for Jaden Battle to the title of Attendant to the amount of \$15.00 hourly to the Department of Parks & Recreation - Tully Park effective 05/01/23.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey,
Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor
DeSena.
Nays: None.

RESOLUTIONNO: 266 -75

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the returning seasonal hire and location change for Samuel Capuano to the title of Lifeguard Trainee to the amount of \$18.00 hourly to the Department of Parks & Recreation - NHBP effective 05/01/23.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey,
Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor
DeSena.
Nays: None.

RESOLUTIONNO: 266 -76

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the budget code change for Britney Hakimian in the title of PT Clerk/Typist in the amount of \$18.00 hourly in the Office of the Town Clerk effective 01/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -77

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the budget code change for Beth Bradley in the title of PT Rec Aide in the amount of \$20.00 hourly in the Office of the Town Clerk effective 01/01/23.

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

Nays: None.

RESOLUTIONNO: 266 -78

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the termination of part-time employee Douglas Lyons in the title of Laborer in the amount of \$20.00 hourly in the Highways Department effective 03/24/23.

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

Nays: None.

RESOLUTIONNO: 266 -79

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the termination of full-time employee Kevin Rodriguez in the title of Laborer 1 in the amount of \$22.82 hourly / \$47,471 annually in the Highways Department effective 04/05/23.

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

Nays: None.

RESOLUTIONNO: 266 -80

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Christopher Dolkhani in the title of Lifeguard I in the amount of \$19.50 hourly in the

Department of Parks & Recreation - Tully Park effective 10/28/22.

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

Nays: None.

RESOLUTION NO: 266 -81

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of full-time employee Ratna Bhalla in the title of Deputy Town Clerk in the amount of \$3,846.15 bi-weekly / \$100,000 annually in the Office of the Town Clerk effective 03/28/23.

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

Nays: None.

RESOLUTION NO: 266 -82

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves merit raise and budget code change for Rachel Nabavian in the title of Clerk Laborer to the amount of \$2,097.70 bi-weekly / \$54,541 annually in the Office of the Town Clerk effective 4/15/2023, budget Code 1/1/2023.

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

Nays: None.

RESOLUTION NO: 266 -83

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the personnel action relating to the passing of Ann Marie Allen in the title of Clerk Typist 1 in the amount of \$2,925.20 bi-weekly / \$76,054 annually in the Office of the Town Clerk effective 03/25/23.

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

Nays: None.

CLERK SRIVASTAVA: Item number 80 -- item number 82. A resolution approving the action of the Atlantic Hook & Ladder Company number one, Port Washington, New York in removing Christopher Nielsen 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. 267 - 2023

A RESOLUTION APPROVING THE ACTION OF THE ATLANTIC HOOK & LADDER CO. NO. 1, PORT WASHINGTON, NEW YORK, IN REMOVING CHRISTOPHER NIELSEN FROM MEMBERSHIP.

WHEREAS, the Atlantic Hook & Ladder Company No. 1, Port Washington, New York, has advised of removing Christopher Nielsen 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 Christopher Nielsen 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

April 4, 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 number 83. A resolution approving the action of the Fire-Medic Company number one, Port Washington, New York in removing Rashid England from membership.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

Councilperson 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. 268 - 2023

A RESOLUTION APPROVING THE ACTION OF THE FIRE-MEDIC CO., NO. 1, PORT WASHINGTON, NEW YORK, IN REMOVING RASHID ENGLAND FROM MEMBERSHIP.

WHEREAS, the Fire-Medic Co. No. 1, Port Washington, New York, has advised of removing Rashid England from membership.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Fire-Medic Co. No. 1, 65 Harbor Rd, Port Washington, NY 11050, in removing Rashid England 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

April 4, 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: Fire-Medic Co. No. 1

Town Attorney

Comptroller

COUNCILWOMAN LURVEY: I move to untable Item 84.

SUPERVISOR DESENA: Okay. Before you vote on this, there was a -- we were notified that the town had commenced construction on the Lighthouse Project in August, 2019 without a permit. And so we were contacted and forced to return the Maritime Heritage Grant which expired on December 31st, 2021, because we did not have -- we did not have approval when this -- when it was authorized. We did not have approval from the Army Corps of Engineer and we did not have a permit. So in order to be eligible to apply for future grants, we had to rescind that back. So there was no money we -- there was no return of money because we didn't have it. But that grant is no longer in existence.

COUNCILWOMAN LURVEY: Which grant is that?

SUPERVISOR DESENA: It was the Maritime Heritage grant. We had no choice, but --if we did not rescind it, we would not be eligible for applying for eligible grants.

COUNCILWOMAN LURVEY: So we rescinded the 2017 National Maritime Heritage Grant of \$165,000.

SUPERVISOR DESENA: I don't have the dollar figure but Maritime Heritage Grant MG15 L -

COUNCILWOMAN DALIMONTE: Can we get a copy of that letter?

SUPERVISOR DESENA: Yes.

COUNCILWOMAN LURVEY: Okay. That's -- and when did this happen?

SUPERVISOR DESENA: We were just contacted about this at the end of March.

COUNCILWOMAN LURVEY: And we had to rescind it?

SUPERVISOR DESENA: Yes.

COUNCILWOMAN LURVEY: So I'm also going to read a letter from the chair of the Lighthouse Restoration Committee, Vice President of the Great Neck Historical Society. They're both advocating to move forward with this item. This item is \$6,800 reimbursable. \$6,800 would not be town money. We continue to apply for grants from the federal government. The news about losing the Maritime grant is really too bad that we -- and I look forward to finding out exactly what happened to lose that.

SUPERVISOR DESENA: Well, apparently the board mistakenly proceeded with the work before the permit was issued.

COUNCILWOMAN LURVEY: So the Great Neck Historical Society, they write that they remain dedicated to restoration of the lighthouse through our partnership with the town. Final construction of the dock will demonstrate much-needed forward progress. We're confident that this will open doors towards additional funding through grants and donations with public and private. This will enable us to reach our goal, therefore we urge you to approve this resolution for our (unintelligible) Great Neck in a historical society, private donors have indicated a willingness to contribute additional funds to the project if the town signaled the serious commitment to the project, that signal is the allocation of already attained grant funds. The town has also received indications that sizable further grants can be obtained if work on the lighthouse were to begin. The Great Neck Historical Society and the Great Neck Park districts

have been willing partners in the Lighthouse Restoration project through the years and have repeatedly looked to work with the town on this effort. But the Lighthouse is a town property and is up to the supervisor and town board to take the initiative and make the project move forward. Several past North Hempstead supervisors and town boards have pledged to complete this project. It is up to the board to make it happen now. So even though it's deeply distressing to hear about the loss of this grant, this particular item is for \$6,800 and I urge us to move forward. I offer the resolution and move for its adoption.

SUPERVISOR DESENA: Okay. And I just want to be clear that we did not have the permit to proceed with the contract at that time when we - - when we did in August --

COUNCILWOMAN LURVEY: With the work?

SUPERVISOR DESENA: Right in --

COUNCILWOMAN LURVEY: Okay. Yup. This is not actual work and this is not --

SUPERVISOR DESENA: You're going to vote to spend the money anyway. Go ahead.

CLERK SRIVASTAVA: We have a motion, but first is to be untabled, right?

COUNCILMAN ADHAMI: We're untabling first.

CLERK SRIVASTAVA: So we are voting to untable --

COUNCILWOMAN LURVEY: I don't think we voted on untabling it. I wanted to make that clear.

SUPERVISOR DESENA: Yeah, please make the motion to untable this. Okay.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: No. The motion was to untable.

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: No.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: No.

CLERK SRIVASTAVA: Councilwoman Lurvey?.

COUNCILWOMAN LURVEY: I want to stress that the -- both the Historical Society and the Lighthouse Committee have indicated that grants could be forthcoming. That they believe that private donations could be forthcoming if some progress is made on this project. I vote, aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: I mean, I think this is an excellent situation of let's do some research and find out what's going on. If there was work done without permits, which would prohibit us. And there are no permits still standing. I don't see how it can move forward in any meaningful way. Therefore, I vote, no.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: I vote no

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: I vote no. I think we cannot spend town money on something that we're not permitted to do. Okay, thank you. I move to adjourn.

CLERK SRIVASTAVA: Motion to adjourn.

COUNCILMAN WALSH: So hold on.

SUPERVISOR DESENA: Move to adjourn.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: I'm sorry. We're moving to adjourn?

SUPERVISOR DESENA: Yes. (Unintelligible cross-talk).

COUNCILMAN TROIANO: Aye.

COUNCILWOMAN LURVEY: Are you calling the roll call? We have to call the roll call.

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.

(At 12:30 p.m., on April 5th, 2023, the hearing was concluded.)



Town Clerk