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**. TOWN OF NORTH HEMPSTEAD
TOWN BOARD PUBLIC HEARING
NOVEMBER 12, 2024 7:00 P.M.**

COUNCILMEMBERS PRESENT:

JENNIFER DESENA- Town Supervisor
ROBERT J. TROIANO - District 1 Councilman
EDWARD SCOTT- District 2 Councilman
DENNIS J. WALSH- District 3 Councilman
CHRISTINE LIU- District 4 Councilwoman
DAVID A. ADHAMI- District 5 Councilman
MARIANN DALIMONTE- District 6 Councilwoman

ALSO PRESENT:

RAGINI SRIVASTAVA - Town Clerk
NISHI SEHGAL - Deputy Town Clerk
NANCY SHAHVERD - Planning Commissioner
RICHARD NICOLELLO, ESQ. - Town Attorney

a normal conversation, and you're still not at the property line. The property line is 28.5 feet from the speaker. So when you get to the rear property line, the decibel level will be below 36 decibels. We also submitted a revised fence plan, and what I'd like to do is; Tom? Tom Whitney? We have a sample of a fence that is designed and manufactured to absorb sound, and I would like the Board -- I would like to pass this around so you can see how solid this is.

SUPERVISOR DESENA: Okay.

COUNCILWOMAN DALIMONTE: And that would go above the brick wall; correct?

MR. MIGATZ: This would go on top of the brick wall.

COUNCILWOMAN DALIMONTE: Brick wall.

COUNCILMAN WALSH: Good.

SUPERVISOR DESENA: I'd like to see it.

COUNCILMAN SCOTT: Could have made smaller pieces.

SUPERVISOR DESENA: Okay.

MR. MIGATZ: So I also did submit some data from the manufacturer, and that data from the manufacturer attests to the fact that that type of fence will block 98 percent of the sound that is directed at it. Now, that will be in the top of the 5-foot wall that will go up 7 feet high. We also submitted a revised landscape plan, that is your next sheet, L-1. This was designed by a licensed landscape architect. There was a lot of talk at the last hearing about what kind of plantings work best to absorb sound, and the landscape architect's opinion is that eastern red cedar trees would be the best for this site to help absorb the sound.

COUNCILMAN SCOTT: What type of trees did you say?

MR. MIGATZ: Eastern red cedar. It's an evergreen tree. The landscape plan shows that there are 52 of them to be planted along the rear property line on 4 feet centers. The landscape architect, Michael Michel cannot be here tonight but I did speak with him, and I asked him what is the mature height of these trees, and he said they will grow to 25 feet high. So those trees will be in front of the 5-foot wall which has on top of it a 7-foot sound reducing fence.

COUNCILMAN SCOTT: Is that an arborvitae plant or is that a different type -- eastern cedar; is it an arborvitae?

MR. MIGATZ: I would defer to Mike Rant, our engineer. Perhaps you can answer that question; Mike?

MR. RANT: Good evening, Councilmembers. For the record, Michael Rant, Northcoast Civil, 39 West Main Street, Oyster Bay, New York. It's not an arborvitae, it is a different type of evergreen. This was prepared by a landscape architect. It's a cedar, eastern red cedar, that has foliage all year round, and as mentioned, it would grow to a height of about 25 feet tall.

COUNCILMAN SCOTT: Is that the plant -- plant, whatever you want to call it, arborvitae, that's in the photo?

MR. RANT: What's the photo? He's asking me about the photo.

MR. MIGATZ: Well, no, no. That rendering was prepared -- it's a rendering. It was prepared before we changed the landscape plan to this type of tree. The renderings are just that, a rendering, mainly to show you what the building looks like.

MR. RANT: It would -- again, it would be a green, all year round, evergreen screening material that would have foliage and grow to a height of about 25 feet tall.

MR. MIGATZ: And I did submit -- thank you, Michael -- I did submit a letter from the landscape architect that he does say that, yes, these trees do help to deflect sound in addition to the wall and the fence. Lastly, we did receive the traffic report prepared by LYRU Engineering on behalf of the town. It was reviewed by our engineer, VHB. VHB is not in agreement with the method that LYRU used to predict traffic generation and queuing, but they do agree with the conclusion of LYRU that, and I'll quote from LYRU's report, "queue backup on Powerhouse Road should be minimal since it is for brief periods, and thus, has a minimal impact on the potential for collisions and the level of service." We also agree with LYRU's conclusion that no mitigation measures are recommended for this development. Aaron Machtay is here tonight if you want him to go into any more detail about his opinions on the report. Now, that's up to you, but that's all we have to say at this time.

COUNCILMAN SCOTT: What are your hours of operation?

MR. MIGATZ: Typical hours of operation are from --

COUNCILMAN SCOTT: No, what are the -- not typical, I got typical. What are the hours of operation that are going to be there?

MR. BERTRAM: They're not set until the store opens.

COUNCILMAN SCOTT: Say one more time?

MR. BERTRAM: They're not set until the store opens.

COUNCILMAN SCOTT: So do you want to come on up to the mic?

MR. BERTRAM: Hey, Cory Bertram with Starbucks.

COUNCILMAN SCOTT: Yes.

MR. BERTRAM: We don't set the hours until we open a store.

COUNCILMAN SCOTT: So this could be -- what's the worst case scenario, you're telling me it could be --

MR. BERTRAM: Worst case is --

COUNCILMAN SCOTT: -- 24 hours? It could be --

MR. BERTRAM: -- 4:30 a.m. to 12:00 p.m. is the worst case scenario. We don't have any 24 hour stores on Long Island.

COUNCILMAN SCOTT: Twelve p.m. you said?

MR. BERTRAM: A.M.

COUNCILMAN SCOTT: A.M., so midnight.

SUPERVISOR DESENA: Midnight.

MR. BERTRAM: Would be the worst case, yes.

COUNCILMAN WALSH: Six a.m. to midnight.

SUPERVISOR DESENA: Four thirty.

COUNCILWOMAN DALIMONTE: Four thirty.

SUPERVISOR DESENA: Four thirty a.m. to midnight.

MR. BERTRAM: Is the worst case scenario.

SUPERVISOR DESENA: Is the worst case scenario.

COUNCILMAN SCOTT: And the delivery trucks, it's going to be two part, the delivery trucks. What time are the delivery trucks going to be delivering, and where would they be dropping off? And the time, also.

MR. BERTRAM: They either come before opening or after close, they're not --

COUNCILMAN SCOTT: So they can come at 3:30 in the morning if it goes to the worst case scenario; right?

COUNCILWOMAN DALIMONTE: No.

MR. BERTRAM: Yes.

COUNCILWOMAN DALIMONTE: Not based on our code.

COUNCILMAN SCOTT: Well, that's what I'm trying to get him --

COUNCILWOMAN DALIMONTE: Not based on our code you can't.

MR. BERTRAM: Then it would follow code but it comes before we open or after we close not to interrupt operations.

COUNCILMAN SCOTT: Not to interrupt operations --

MR. BERTRAM: Yeah.

COUNCILMAN SCOTT: -- for Starbucks.

MR. BERTRAM: Yes.

COUNCILMAN SCOTT: And where would you be doing all loading and unloading?

MR. BERTRAM: I believe here it was --

MR. MIGATZ: Pardon me, I can answer that. It depends upon how the merchandise is brought on the route. If it is brought by a small box truck, it is done onsite. If it's brought by a tractor-trailer, Nassau County Department of Highways has agreed that we can unload on the service road during hours that the Starbucks is not open.

COUNCILMAN WALSH: Yeah, but Nassau County did not agree -- didn't speak to whether it's a safety issue or not; correct?

MR. MIGATZ: Well, in approving it, I think they spoke to the safety issue, Councilman. They would not approve that if they did not think it was safe.

COUNCILMAN WALSH: So in other words, if there's a tractor-trailer parked taking up a lane on a two lane service road for the Long Island Expressway, you feel that that's safe.

MR. MIGATZ: There's a shoulder on that road.

COUNCILMAN WALSH: I know there's a shoulder.

MR. MIGATZ: If you look at the site plan, DPW called out for that to be hatched so nobody parks there. You can park along the service road, but that, that is hatched so nobody can park there, and that is where Nassau County says we can unload tractor-trailers during off-hours.

COUNCILMAN WALSH: However, if a large box truck or a tractor-trailer puts -- let's say a large box truck puts the tires on the right side of the vehicle on the sidewalk. The remainder of the box truck is in the first lane, the slow lane of the service road to the Long Island Expressway so cars that make a right coming off of -- heading south on Jericho Turnpike will have to get into the left lane immediately into the fast lane, and it's just, to me, it looks unsafe. That's how I see it.

MR. MIGATZ: Well, apparently, the traffic engineers at Nassau County don't agree with you, Councilman, and they have jurisdiction over that road.

COUNCILMAN WALSH: Yeah, it just looks unsafe to me, that's all.

COUNCILMAN SCOTT: Well, I just want to -- Town Attorney, in regards, and I don't know if - - I'm definitely not -- I understand the noise, which is bothering my residents, you know. Would you guy be opposed to conditions?

COUNCILMAN WALSH: Are you going to ask him?

COUNCILMAN SCOTT: Yeah, I was going to ask, applying conditions to this, 12 o'clock at night.

ATTORNEY NICOLELLO: I would have to look at the town code specifically for that issue, but yes, if the Board, in its discretion, wants to impose reasonable conditions, it could do so.

COUNCILMAN WALSH: If you're willing to accept them.

COUNCILMAN SCOTT: Right.

MR. MIGATZ: Well, you can impose reasonable conditions, the -- your Planning Department gave me a courtesy copy last week of their recommended conditions, and we have no objection to what the Planning Department has recommended. As your esteemed counsel said, you can impose other conditions, but as the law says, they have to be rationally related to the proposed use of the site.

COUNCILMAN WALSH: Okay, so my second question is, what is the distance between the exit for the gas station and the entrance to your proposed facility? In other words, the gas station that's on the corner of Roslyn Road and the service road to the Long Island Expressway between

Powerhouse and -- has the exit, has the -- the exit looks to me like 2 feet away from the entrance to your facility, and to me, that -- this just looks like a dangerous situation, I may be wrong, but in other words, cars coming out of the gas station, if you have cars lined up, and you say that you'll have enough space inside, but if you don't and people are cuing up on the service road, they could block that exit to the gas station because it's immediately next to the gas station. So how far -- what is the distance between those two?

MR. MIGATZ: Well, it's not 2 feet but Mike Rant can answer that.

MR. RANT: The distance from our extreme west -- easterly part of our curb cut -- feet.

COUNCILMAN WALSH: Yes.

MR. RANT: -- to the neighbor's curb cut is approximately 10

COUNCILMAN WALSH: Ten feet.

MR. RANT: Yeah.

COUNCILMAN SCOTT: Approximately 10 feet; you said?

MR. RANT: Approximately 10 feet.

COUNCILMAN SCOTT: So it could be shorter.

MR. RANT: It could be more, but it's approximately -- it's about -- it's probably between 9 and 11 feet.

MR. MIGATZ: So Councilman, you know, this is not an issue raised by --

SUPERVISOR DESENA: Mr. Migatz, can you go back to the microphone; please?

MR. MIGATZ: Councilman, this is not an issue raised by New York State, Nassau County or your engineers in their traffic report.

COUNCILMAN WALSH: Yeah, but I'm just asking questions, I mean, I'm here to learn; right? I mean, I'm not here to teach, I'm here to learn. So I'm asking questions, and I don't know if you resent the fact that I'm asking questions, but to me, it's not necessarily the way I'm going to vote, but it looks like an unsafe condition when cars come out of a gas station, 9 feet to 10 feet to 11 feet from your entrance, and whether Nassau County thinks it's a problem or not, that's their opinion, but we're also entitled to consider safety issues.

MR. MIGATZ: And it's the opinion of your traffic engineers that you -- -

COUNCILMAN WALSH: Yeah, but I have a different opinion than them, and I think it looks unsafe, you know, and our traffic engineer. Our traffic engineer, who? Vishak (phonetic)? Which traffic engineer? We don't have a traffic engineer.

SUPERVISOR DESENA: No, we hired somebody.

MR. MIGATZ: The report from --

COUNCILMAN WALSH: Oh, we hired somebody, okay. So that person doesn't vote here. So I'm trying to learn this, that's all; right? We vote. The traffic engineer that we hired doesn't vote. He advises; right?

MR. MIGATZ: What I'm saying to you, Councilman, is that you think it's a safety issue. I'm pointing out to you that your traffic engineer did not raise that as a safety issue.

COUNCILMAN WALSH: I heard that. I get that.

COUNCILMAN SCOTT: Well, my concerns are with the delivery trucks at 4:30 and the quality of life for the residents around the area, those are my concerns. To come up here and willy-nilly say we got to see what the spot's doing, you know, we might do this at 12 o'clock, and we might be unloading and offloading because we don't want to do it on our peak hours to interfere with the business, but yet you'll interfere with somebody's quality of life at 4:30 in the morning. So I definitely want to know those hours, and I would like to, and if I'm being remiss, I'd like the conditions to be put in whether which way I'm going to vote on this or not but conditions be put in, what time you're going to make your delivery and the hours of operation.

MR. MIGATZ: We will not consent to a limit on the hours of operation. That has been upheld by the courts -- it's a very, very, very unusual situation where a court will uphold limitations on the hours of operation. Zoning addresses land use, it does not address the operation of a business. So we -- Starbucks will agree that they will not be 24 hours, but the hours of their stores depends upon demand of your residents. If your residents are coming home late at night from work and they want a cup of coffee, they'll stay open. It's the residents who are going, for the most part, to the store. As far as the unloading, we'll comply with any limitations set forth in the town code. You know, bear in mind, again, any retail store can go in there as of right, stay open 24 hours as of right and have deliveries as of right subject to whatever limitations set forth in your town code. There's no reason to treat Starbucks any differently.

SUPERVISOR DESENA: Okay, are there any cards?

COUNCILMAN TROIANO: Sorry, I just have a couple of questions.

SUPERVISOR DESENA: Yup.

COUNCILMAN TROIANO: Bruce, I got a little confused, but the box trucks are going to -- they're going to pull off on the power side -- on Powerhouse? I thought they were going to go into the --

MR. MIGATZ: A box -- box trucks can -- there is enough room for them to maneuver. Part of the plans we submitted is a turning radius diagram for a box truck. So when the store is closed, they can enter onto the site and unload. A tractor-trailer cannot maneuver onsite, so Nassau County agreed that they can unload on Powerhouse Road when the store is not open.

COUNCILMAN TROIANO: So I thought, as you were presenting, that you said that the box truck was also going to be on Powerhouse. So I misheard that.

MR. MIGATZ: No, I don't -- if I said that, I didn't mean to say that.

COUNCILMAN TROIANO: Thank you, and then the 60 decibels that you mentioned at the point of the order, the order location, that's what you said is a level that's conversational?

MR. MIGATZ: Yes.

COUNCILMAN TROIANO: And so, at the property line, when it drops to, I think, 36 --

MR. MIGATZ: Well it's 36 -- it's 36, 8 feet before the property line.

COUNCILMAN TROIANO: Eight feet before. So that's less than conversational, and then -- maybe that's it. Oh, no the -- so I understand the -- from the Planning Department summary that you've applied for water availability from Roslyn's Water District. Do we have any -- expect any -- that not to happen?

MR. MIGATZ: They do not issue letters of water availability.

MR. RANT: We got it.

MR. MIGATZ: Oh, we did get it.

MR. RANT: Yeah.

MR. MIGATZ: We had to submit an application -- yes, we have water. Most water districts give you a letter of water availability. They made you submit a full application with plans and everything else, but Mike Rant says we have the letter now.

COUNCILMAN TROIANO: You've gotten a letter saying that?

MR. RANT: Yes, we have a letter of water availability, we have approval from the Nassau County Health Department for the sanitary system. So both of those approvals are in place.

COUNCILMAN TROIANO: Is there any level of hours limitation that you can agree to tonight?

MR. MIGATZ: You would have to ask Cory Bertram that. I can't speak for Starbucks.

MR. BERTRAM: My operations partners ask for the 4:30 to 12 so that way they have the ability to build their business when the store opens. Obviously, in the morning, we're much busier. But that is the earliest store that opens on Long Island, at 4:30, and the latest one that closes is at midnight.

COUNCILMAN TROIANO: Where are they -- where are those two located?

MR. BERTRAM: That I don't know, I don't know which ones it is. But that is the -- that is the longest hours we have. Typical, you know, typical.

COUNCILMAN TROIANO: Do you know if those locations are anywhere near residences?

MR. BERTRAM: I do not.

COUNCILMAN TROIANO: You do not know.

MR. BERTRAM: No.

COUNCILMAN TROIANO: Did you say your partners?

MR. BERTRAM: Our employees.

COUNCILMAN TROIANO: Oh, sorry.

THE WITNESS: Everybody owns stock at Starbucks.

COUNCILMAN TROIANO: Thank you.

CLERK SRIVASTAVA: We have a card here.

COUNCILWOMAN LIU: Actually, can I just ask a couple of follow-up questions? You have described the type of delivery trucks that come, either the tractors or the box trucks. But did you explain, are these going to be on a daily basis, Monday through Sunday, and if so, how many trucks do you expect?

MR. MIGATZ: I believe it depends upon business, but let me have Cory Bertram respond to that; if you can?

COUNCILWOMAN LIU: As best as you can foresee for this location.

MR. BERTRAM: Sorry, what was the question? I was checking some hours for you. So the newest store that we just opened, actually, in Port Washington, is open from five to nine, but that's based on what that store needs. This one's closer to the freeway so operations kind of -- it's standard operating procedure that once the store opens, they see where the business falls, and then they set the hours to not waste labor in the morning and not waste labor at night. But what was the last question to answer? I'm sorry.

COUNCILWOMAN LIU: Yes, your deliveries, your trucks that come, are they expected to come every day to deliver?

MR. BERTRAM: Food comes daily, yes. Food and milk, yes.

COUNCILWOMAN LIU: And then how many trucks or how many deliveries?

MR. BERTRAM: One.

COUNCILWOMAN LIU: So one tractor-trailer and one box truck?

MR. BERTRAM: The tractor-trailer is generally what brings the food products.

COUNCILWOMAN LIU: Mm-hmm.

MR. BERTRAM: And the paper products generally comes from a box truck twice a week. But food is generally daily.

COUNCILWOMAN LIU: Okay, so the tractor-trailer is daily?

MR. BERTRAM: Yes.

COUNCILWOMAN LIU: The box trucks are twice a week.

MR. BERTRAM: Yes.

COUNCILWOMAN LIU: Okay, thank you.

COUNCILMAN WALSH: What size box truck?

MR. BERTRAM: Excuse me?

COUNCILMAN WALSH: What size box truck? Thirty-two feet? Forty feet?

MR. BERTRAM: That I don't know, it's by our service provider.

COUNCILMAN WALSH: A larger box truck can't get inside the property just like the tractor-trailer. It's based upon the turning radius, as you said, and depends on the size of the box truck.

MR. BERTRAM: Yeah, it comes from our service provider.

COUNCILMAN WALSH: Okay, thank you.

COUNCILMAN TROIANO: Before you go, do you know how long the average stay is for either a box truck or a tractor-trailer?

MR. BERTRAM: How long the average day is?

COUNCILMAN WALSH: Stay.

COUNCILMAN TROIANO: The stay.

MR. BERTRAM: Oh, it's maybe 10, 15 minutes because they're delivering to all the stores along the route. So they try to be in and out as quickly as possible.

COUNCILMAN TROIANO: Okay.

MR. BERTRAM: Should I stay?

COUNCILMAN TROIANO: I think you're good.

SUPERVISOR DESENA: Okay. We have a comment from the public?

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

SUPERVISOR DESENA: Oh, okay.

CLERK SRIVASTAVA: Yes.

SUPERVISOR DESENA: Does anybody have any other questions?

MR. MIGATZ: Well, let me just also say, the gentlemen, Mr. Lieberman, who was here last time, I did mail him a copy of the fence plan and a copy of the decibel plan, and I asked him if he has any questions to contact me, and I did not hear back from him.

SUPERVISOR DESENA: Okay. If there are no more question from the Town Board or from the public, I move to close the public hearing and offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: No.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN LIU: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN LIU: I'm sorry, the vote was to close and to move it?

SUPERVISOR DESENA: Yeah.

COUNCILWOMAN LIU: I'm sorry, I just heard to close.

SUPERVISOR DESENA: No, and move for its adoption.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN LIU: I'm sorry, can I -- can we revote on that? I thought it was just to close.

SUPERVISOR DESENA: Okay. You want to change your vote?

COUNCILWOMAN LIU: Yes. So I'm going to defer to Councilman Scott because it's his district, and he's been working hard with his residents, and he has these concerns, so I apologize for my vote previously, I thought it was just to close the public hearing but now it's moving for its adoption. So I say no.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: So I usually go with the Councilperson in that district, and I will be voting no.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item number 2.

MR. MIGATZ: Is that 4-3? Did I count that right?

COUNCILMAN WALSH: You counted correct. Yes, no, yes, yes, no, yes, no.

SUPERVISOR DESENA: Yeah.

MR. MIGATZ: Thank you.

CLERK SRIVASTAVA: Thank you.

SUPERVISOR DESENA: Thank you.

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

RESOLUTION NO. 497 - 2024

A PUBLIC HEARING TO CONSIDER THE APPLICATION OF 9 POWERHOUSE ROAD, LLC FOR A SPECIAL USE PERMIT FOR THE PREMISES LOCATED AT 9 POWERHOUSE ROAD, ROSLYN HEIGHTS AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 7, BLOCK 72, LOTS 71 AND 72.

WHEREAS, 9 Powerhouse Road, LLC (the "Applicant") is seeking to construct a 983 s.f. one-story drive-through coffee shop on a 16,870 s.f. (0.39 acres) parcel at the property located at 9 Powerhouse Road, Roslyn Heights, New York, and identified on the Nassau County Land and Tax Map as Section 7, Block 72, Lots 71 and 72 (the "Application" or "Action"); and

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

WHEREAS, the Town Clerk, pursuant to and in accordance with Town Code, has published notice of a public hearing scheduled for September 10, 2024, continued to November 12, 2024 (the "Public Hearing"), as authorized and directed by the Town Board pursuant to Resolution No. 329-2024, adopted on July 2, 2024, to consider the Application; and

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

WHEREAS, the Town's Department of Building Safety, Inspection and Enforcement (the "Building Department") issued a notice of disapproval on December 1, 2023 citing the following items: (1) proposed parking spaces having dimensions less than 10' x 20' as required by § 70-103(B); (2) no provision for off-street loading and unloading as required pursuant to § 70-103(F); (3) one parking space proposed in the required front yard setback in violation of § 70-103(M); (4) 12' aisle width angled at 60 degrees in violation of § 70-103(O) which requires 18' wide aisle width where parking is angled at 60 degrees; (5) construction of a building to be used for a retail food use which is a conditional use under § 70-126(F); (6) a proposed dumpster in the required 20' setback in violation of § 70-134; (7) proposed dumpster, bypass lane, and handicap access aisle located within the required 15' rear landscape buffer in violation of § 70-203(G); (8) the construction of a drive-through facility requiring Town Board approval pursuant to § 70-203(T)(1); (9) two vehicle standing spaces which interfere with the ability to use the adjacent parking spaces in violation of § 70-203(T)(2)(a)(3); (10) failure to provide a landscape buffer of at least 15' in depth as required by § 70-203(T)(2)(b); (11) proposed vehicle standing spaces positioned where headlights of vehicles awaiting service are visible from adjacent rear residential property in violation of § 70-203(T)(2)(c); (12) pedestrian walkway in conflict with

vehicle standing spaces, drive-through lane and drive-through aisle in violation of § 70-203(T)(2)(f); (13) no provision for a bypass lane for each vehicle standing space as required pursuant to § 70-203(T)(2)(j); (14) proposed number of wall signs in excess of permitted, wall signs that exceed permitted vertical measurement and are too high above the ground in contravention of §§ 70-196(J)(1)(a), 70-196(J)(1)(b) and 70-196(J)(1)(f); and (15) proposed number of detached ground signs in excess of permitted, a detached ground sign that is too large, and detached ground signs located too close to the property line, and detached ground signs that are too close to the ground in contravention of §§ 70-196(J)(2)(a), 70-196(J)(2)(b), 70-196(J)(2)(c) and 70-196(J)(2)(d); and

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

WHEREAS, pursuant to Resolution No. 10556-24, adopted January 11, 2024, the Commission recommended that the Town take action as the Town deems appropriate; and

WHEREAS, On March 20, 2024, pursuant to Appeal No. 21505, the Town of North Hempstead Board of Zoning Appeals (“BZA”) granted variances to the above-referenced code sections (except Town Code § 70-203(T)(1)) and the conditional use permit, subject to standard restaurant conditions; and

WHEREAS, subsequent to BZA approval, on July 15, 2024 the Building Department issued a second notice of disapproval citing two additional items requiring BZA approval, as follows: (1) an ordering station facing a residentially zoned property in violation of § 70-203(T)(2)(e); and (2) the installation of a fence that exceeds seven feet in height in violation of § 70-135 (the “Additional Variances”); and

WHEREAS, pursuant to General Municipal Law § 239-m, on July 15, 2024 the Additional Variances were referred to the Commission; and

WHEREAS, pursuant to Resolution No. 10582-24, adopted July 18, 2024, the Commission recommended that the Town take action as the Town deems appropriate, but notified the Town by letter dated July 19, 2024 that the Commission had concerns regarding the impact of the audio equipment serving the drive-through and the perceived inadequacy of the queuing capacity of the drive-through lane, and suggested that consideration be given to relocating the ordering station by several car lengths to the west side of the property, noting that the project still had to undergo traffic review by Nassau County Department of Public Works (NCDPW) pursuant to General Municipal Law § 239-f; and

WHEREAS, by letter dated August 14, 2024, the Commission corrected a misstatement in its July 18, 2024 letter by reporting that the project was reviewed and approved by the NCDPW Traffic Engineering Unit in February 2024; and

WHEREAS, On August 14, 2024, pursuant to Appeal No. 21505.A, the BZA granted the Additional Variances; and

WHEREAS, the Department of Planning and Environmental Protection (the “Planning Department”) has reviewed the Application and recommends its approval subject to the following conditions:

- 1) No deliveries can stop on Powerhouse Road between the property’s curb-cuts (white-hatched-area) during operating hours;
- 2) All pick-up of sanitation shall be performed after 8:00 a.m.;
- 3) All site lighting along the perimeter of the property must have back light shields to mitigate glare on the neighboring residential properties;
- 4) Any security lighting along the north building wall must be shielded and positioned as to not glare on the neighboring residential properties; and
- 5) Signage that reminds vehicles to be curious to the neighbors and turn down car speakers if windows are open; and
- 6) Trees in front of building, similar to rendering including other native plantings other than grass; and
- 7) Irrigation shall be provided in a manner which is sufficient to maintain the health of the vegetation; and

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

WHEREAS, the BZA has established itself as “lead agency” and issued a Negative Declaration concluding that the Application constitutes an “unlisted” action pursuant to Section 617.2 (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 SEAF Parts 1, 2, and 3, for the reasons that the proposed Action is not anticipated to cause: (1) an adverse change in ground or surface water quality or quantity or air quality; (2) a substantial increase in solid waste production; (3) a substantial increase in the potential for erosion, flooding, leaching or drainage problems; (4) a significant impact to vegetation or wildlife; (5) an adverse effect on aesthetic resources; (6) and adverse impact on the character of the community or neighborhood; (7) a major change in the use of either the quantity or type of energy; (8) a hazard to human health; or (9) a significant impact as a result of an increase in local traffic; and

WHEREAS, this Board has carefully considered the Application, testimony and other relevant evidence at the Public Hearings held on September 10, 2024 and November 12, 2024, and afforded all interested persons the opportunity to be heard; and

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

NOW, THEREFORE, BE IT

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

RESOLVED that, pursuant to Town Code §§ 70-203(T)(1) and 70-225.B(1), the Application is hereby granted and the Special Use Permit is hereby approved with the following conditions:

- 1) No deliveries can stop on Powerhouse Road between the property’s curb-cuts (white-hatched-area) during operating hours;
- 2) All pick-up of sanitation shall be performed after 8:00 a.m.;
- 3) All site lighting along the perimeter of the property must have back light shields to mitigate glare on the neighboring residential properties;
- 4) Any security lighting along the north building wall must be shielded and positioned as to not glare on the neighboring residential properties; and
- 5) Signage that reminds vehicles to be curious to the neighbors and turn down car speakers if windows are open; and
- 6) Trees in front of building, similar to rendering including other native plantings other than grass; and
- 7) Irrigation shall be provided in a manner which is sufficient to maintain the health of the vegetation

; and be it further

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: Councilperson Dalimonte, Councilperson Liu, Councilperson Scott.

Roslyn News
East Second Street
Mineola, NY, 11501
Phone: 5167478282 Fax: 5167426376



Affidavit of Publication

Town Of North Hempstead - Town Clerk - RACHEL NABAVIAN
200 Plandome Rd
Manhasset, NY, 11030

Legal Notice 958191, 9 POWERHOUSE

State of NY

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} SS:
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County of Nassau

The undersigned is the authorized designee of Victoria Schneeps-Yunis/Publisher of The Roslyn News, a Weekly newspaper published in Mineola, NY. A notice was published in said newspaper once in each Day for 1 consecutive Days, commencing on 08/29/2024 and ending 08/29/2024. The text of the notice as published in said newspaper is as set forth below, or in the annexed exhibit. This newspaper has been designated by the Clerk of Nassau County for this purpose.

Sworn to me on this 29th day of August 2024

By

Ralph D'Onofrio

Authorized Designee of the
Publisher

Shari M. Egnasko
Notary Public, State of NY
No. 01EG6119807
Qualified in Nassau County
My commission expires on
December 6, 2024

**NOTICE OF HEARING
PLEASE TAKE**

NOTICE that a public hearing will be

held by the Town Board of the Town of North Hempstead on September 10, 2024, at 10:00 A.M.

in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, on the application for a special use permit submitted

by 9 Powerhouse Road, LLC to construct a 983 s.f. one-story drive-through coffee shop on a 16,870 s.f. (0.39 acres) parcel.

PLEASE TAKE

FURTHER NOTICE that the property which is the subject of this

application is located at 9 Powerhouse Road, Roslyn Heights, New York, and identified on the

Nassau County Land and Tax Map as Section 7, Block 72, Lots 71 and 72.

Dated: Manhasset,
New York

July 2, 2024

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

IX/ROS #958191

CLERK SRIVASTAVA: Item number 2. A public hearing to consider the adoption of a local law amending Chapter 70 of the town code entitled Zoning.

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

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

COUNCILWOMAN DALIMONTE: So I offer to close the public hearing and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: I'm sorry.

COUNCILMAN SCOTT: He was talking.

COUNCILMAN TROIANO: I was talking to you.

COUNCILMAN WALSH: Don't point your finger at him. You were talking to him.

SUPERVISOR DESENA: Item number 2, there are no comments, and Councilwoman has moved to close the public hearing and move for its adoption.

COUNCILWOMAN DALIMONTE: And move for its adoption. Sorry, I moved for its adoption.

COUNCILMAN TROIANO: And you called my name?

SUPERVISOR DESENA: Yes.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN LIU: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: I would like to thank the new Planning Commissioner and the Building Department and the Town Attorney's office for working with me on amending Chapter 70 of the town code. Thank you for the PIP down in the industrial park. Thank you very much, and 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. 498 - 2024

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

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend Chapter 70 of the Town Code entitled "Zoning" in order to add accessory retail use in the Planned Industrial Park District; and

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

WHEREAS, due notice was heretofore given of a public hearing to be held on September 10, 2024, which hearing was continued to November 12, 2024, 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, pursuant to General Municipal Law § 239-m, the Nassau County Planning Commission (the "Commission") was furnished with a copy of the proposed local law; and

WHEREAS, pursuant to Resolution No. 10595-24, adopted October 22, 2024, the Commission recommended that the Town take action as the Town deems appropriate; and

WHEREAS, the Town Board has carefully considered the proposed Local Law during the seven-day period, conducted a public hearing on November 12, 2024, with respect to the Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

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

WHEREAS, this Board, through action of the Town Department of Planning and Environmental Protection (the "Planning Department") pursuant to Town Code §20-4, and following a process of coordinated review pursuant to Section 617.6(b)(3) of the SEQRA Regulations, has established itself as lead agency and wishes to render a determination of significance pursuant to the SEQRA regulations; and

WHEREAS, the Board has reviewed the determination of the Planning Department, and the Negative Declaration indicating that the Action constitutes a Type 1 Action pursuant to Section 617.4(b)(2) of the SEQRA Regulations which will not result in any significant adverse impacts on the environment based upon the analysis set forth in the Full Environmental Assessment Form (the “FEAF”) Parts 1, 2, and 3 for the reasons stated in the FEAF; and

WHEREAS, the Board wishes to conclude that the action constitutes a Type 1 Action pursuant to Section 617.4(b)(2) of the SEQRA Regulations and that it will not result in any significant adverse impacts on the environment; and

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Town Board determines that the adoption of the Local Law is a Type 1 Action pursuant to Section 617.4(b)(2) of the SEQRA Regulations and that it will not result in any significant adverse impacts on the environment; and be it further

RESOLVED that Local Law No. 10 of 2024 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 10 OF 2024**

**A LOCAL LAW AMENDING CHAPTER 70 OF
THE TOWN CODE ENTITLED ZONING**

Section 1. Legislative Intent.

The Board finds that it is in the best interest of the Town of North Hempstead to amend Chapter 70 of the Town Code entitled “Zoning” to permit accessory retail use in the Planned Industrial Park District under certain circumstances, when that use is accessory and incidental to the principal use.

Section 2.

Article XVIII (Planned Industrial Park District) of Chapter 70 of the Town Code is hereby amended as follows:

§ 70-152 Accessory uses.
[Added 1-30-1973]

A. ~~[Employee restaurants and employee cafeterias, provided that such uses shall be located within the main building of the use served.]~~ **Uses clearly accessory and incidental to principal uses permitted in the Planned Industrial Park District, except that accessory buildings or outdoor storage of materials or equipment shall not be permitted.**

B. ~~[Uses clearly accessory and incidental to principal uses permitted in the Planned Industrial Park District, except that accessory buildings or outdoor storage of materials or equipment shall not be permitted.]~~ **For all uses authorized under § 70-150:**

(1) Employee restaurants and employee cafeterias, provided that such uses shall be located within the main building of the use served.

(2) Accessory retail use provided the retail goods are manufactured, processed, assembled, or warehoused on the premises, in accordance with the following:

(a) The area devoted to the retail use, including the sales area, shall not exceed 10% of the gross floor area of the particular tenant space or 1,000 square feet, whichever is less. In no case shall a building have more than 1,000 square feet of accessory retail in total.

(b) No food preparation is permitted. All food must be prepackaged for off-site consumption only; no warming, heating, or cooking except coffee, tea, or cocoa.

(c) Branded merchandise or associated goods incidental to the retail goods being sold shall be permitted.

(d) Hours are limited to the operating hours of the primary use.

C. For all uses authorized under §70-151(B), retail and retail food use accessory and incidental to the primary use may be provided, in accordance with the following:

(1) Retail food use, as defined in §70-231, shall comply with the provisions of §70-203(W).

(2) The area devoted to the retail use and retail food use, including the sales area, shall not exceed 10% of the gross floor area of the particular tenant space or 1,000 square feet, whichever is less. In no case shall a building have more than 1,000 square feet of accessory retail in total.

(3) Hours are limited to the operating hours of the primary use.

[€] **D.** For all uses authorized under § 70-151(C):
[Added 9-9-2008 by L.L. No. 8-2008; amended 5-13-2014 by L.L. No. 8-2014]

(1) Meeting/conference rooms or exhibit area may be provided not to exceed 4,000 square feet.

(2) A restaurant/bar/lounge may be provided not to exceed 2,500 square feet.

(3) Pools/saunas, exercise rooms and business/computer centers, provided they are accessible only to registered guests.

Section 3.

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

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on November 12, 2024, Local Law No. 10 of 2024 was adopted. The Local Law amends Chapter 70 of the Town Code entitled “Zoning” in order to add accessory retail use in the Planned Industrial Park District.

Dated: Manhasset, New York

November 12, 2024

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, 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.

0021872119

: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

August 30, 2024

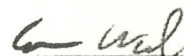
Nassau

By: 

Print Name: Samantha Robinson

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
03 Day of September, 2024.



Notary Public

Connor Wack
Notary Public - State of New York
No. 01WA0024608
Qualified in Erie County
Commission Expires 05/10/2028

Ad Content

Legal Notice # 21872119
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 10th day of September, 2024, at 10:00 A.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, to consider the adoption of a Local Law amending Chapter 70 of the Town Code entitled "Zoning" in order to add accessory retail use as a conditional use in the Planned Industrial Park District.
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 August 13, 2024
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021872119

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

SUPERVISOR DESENA: All right, good evening, everybody. If you could all please stand and place your right hand to you heart.

(WHEREUPON, the Pledge of Allegiance was recited.)

SUPERVISOR DESENA: Thank you, and we get to thank our veterans one more time today. Thank you to the veterans who made this beautiful country. Thank you. Will you please call the roll?

CLERK SRIVASTAVA: Good evening, everyone, Town of North Hempstead Town Board meeting, November 12th, 2024.

Councilman Troiano?

COUNCILMAN TROIANO: Present.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: Here.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Here.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN LIU: Here.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Here.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Here.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Here.

CLERK SRIVASTAVA: Thank you. We'll start public comments, we have 30 minutes for public comment.

(WHEREUPON, there was 45 minutes of public comment.)

SUPERVISOR DESENA: So we're going to move now into our business agenda. If you could call the first Item, please.

CLERK SRIVASTAVA: Item number 1. A public hearing to consider the adoption of 9 Powerhouse Road, LLC, for a special-use permit for the premises located at 9 Powerhouse Road, Roslyn Heights --

SUPERVISOR DESENA: I think you --

CLERK SRIVASTAVA: -- and designated on the Nassau County Land and Tax --

SUPERVISOR DESENA: I think you need to speak --

CLERK SRIVASTAVA: -- Map as Section 7, Block 72, Lots --

SUPERVISOR DESENA: Madam Clerk, Madam Clerk, can you speak closer into the microphone? Sorry.

CLERK SRIVASTAVA: Can you hear me now?

SUPERVISOR DESENA: Yeah.

CLERK SRIVASTAVA: Now?

SUPERVISOR DESENA: Yeah.

CLERK SRIVASTAVA: Now?

SUPERVISOR DESENA: Try again. Go ahead.

CLERK SRIVASTAVA: Okay. Item number 1. Item number 1. A public hearing to consider the application of 9 Powerhouse Road, LLC, for a special-use permit for the premises located at 9 Powerhouse Road, Roslyn Heights, and designated on the Nassau County Land and Tax Map as Section 7, Block 72, Lots 71 and 72. We have a card.

SUPERVISOR DESENA: And good evening. Do we have an applicant who would like to speak first?

CLERK SRIVASTAVA: Hello, hello, hello. Yes, we have a card on this.

SUPERVISOR DESENA: Well, first we'll hear from the applicant, please.

CLERK SRIVASTAVA: Yes. SUPERVISOR DESENA: Yeah.

MR. MIGATZ: Good evening. For the applicant, Bruce W. Migatz, law firm of Albanese & Albanese, 1050 Franklin Avenue, Garden City, New York. I'd like to hand in to the Board, I made copies of some of the plans that were submitted. They are part of the record, no need to mark these, but this is for -- so you can look at these rather than the small screen on your computers. As the Clerk read, this is an -- it's a continued application for a proposed drive-through Starbucks at 9 Powerhouse Road which is the service road of the expressway. With me this evening is Cory Bertram from Starbucks, Tom Whitney from Catapano Engineering for Starbucks and Michael Rant from Northcoast Civil Engineering and Aaron Machtay, traffic engineer from VHB. Since the last hearing, we listened to some of the concerns that the Board had and the one resident that spoke, and we submitted some revised plans and some revised documents, I hope you had a chance to look at them. The first plan that we submitted is a revised site plan, and that is the second page of your handout. The revised site plan shows the decibel, the projected decibel levels of the speaker system.

COUNCILMAN WALSH: One second. Are you talking about drawing C-2 or C-10?

MR. MIGATZ: C-2. Those projections are based upon the manufacturer of the equipment, and I highlighted in yellow the decibel level at the speaker, 1-foot from the speaker, is measured at 60. The normal speaking voice in a normal conversation, perhaps not what you heard earlier this evening, but the normal speaking voice is between 40 and 60 decibels. Now, as you project from the speaker, when you get to 16 feet from the speaker, the decibel level is at 36 which is less than

NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021884132

: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

November 15, 2024

Nassau

By: 

Samantha Robinson

Print Name:

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
15 Day of November, 2024.


Notary Public

Connor Wack
Notary Public - State of New York
No. 01WA0024608
Qualified in Erie County
Commission Expires 05/10/2028

Ad Content

Legal Notice # 21884132
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 November 12, 2024, Local Law No. 10 of 2024 was adopted. The Local Law amends Chapter 70 of the Town Code entitled "Zoning" in order to add accessory retail use in the Planned Industrial Park District.
Dated: Manhasset, New York November 12, 2024
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK

NEWSDAY PROOF

Ad Number: 0021884132

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

CLERK SRIVASTAVA: Thank you. As agreed by all the members of the Town Board, we have a consent calendar, and the following Items can be called together: Item number 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 66, 67, 68, 69, 70 and 71.

COUNCILMAN TROIANO: Madam Clerk, would you mind repeating that? But can I ask you, if you can, or if somebody could tell me what Items are not on the consent calendar?

CLERK SRIVASTAVA: Yes, I was reading it.

SUPERVISOR DESENA: 16 and 17.

CLERK SRIVASTAVA: 22, 29 and 65.

SUPERVISOR DESENA: So now, if anybody wishes to be heard on any of the resolutions that were included in the consent calendar, you still may speak on those --

CLERK SRIVASTAVA: Yeah.

SUPERVISOR DESENA: -- if anybody wishes to or any --

CLERK SRIVASTAVA: We have a card here. Jack Genicoff, 22, Item number 22.

COUNCILWOMAN DALIMONTE: I don't think 22 --

SUPERVISOR DESENA: Item 22 -- Item 22 we're going to call separately.

CLERK SRIVASTAVA: It is not in the consent. Yeah, sorry about that.

SUPERVISOR DESENA: So please wait a moment. Yes?

AUDIENCE MEMBER: Tabled Items --

SUPERVISOR DESENA: Hold on. We're not talking about that.

AUDIENCE MEMBER: I'm just asking what -- tabled Items are not going to be discussed tonight?

SUPERVISOR DESENA: We are not at that point.

AUDIENCE MEMBER: Okay.

CLERK SRIVASTAVA: Holly Byrne. What Item is this?

COUNCILWOMAN DALIMONTE: 32.

MS. BYRNE: Hello, I'm Holly Byrne, I am representing the Greater Port Washington Business Improvement District, and I'm really here just to thank our Councilperson Dalimonte and our Supervisor for helping support this project. We are proposing that the BID purchase a street clock that would be placed at the railroad station in Port Washington. So quick history, 20 year ago, the BID put one in. It has lived it's life span, it is time for a new one, and we are very excited to do this as one of our many beautification programs that we offer to Port Washington So again, it's in thanks for your support and for the department's because we know that it has to work together, and the collaboration is the only way we find success. So we thank you for that.

SUPERVISOR DESENA: Thank you.

COUNCILWOMAN DALIMONTE: I just want the Board to know -- so the BID, I am on the BID board, I will be voting on this, I did put this agenda on the -- I did put this Item on the agenda but there are some things that we do need to discuss internally. Cost, which they're getting the printout now of how much all the cost is going to be and also the location. There are two proposed locations. One is taking down a crape myrtle and one is not. So the location is still not determined. So in the agreement that we're doing with the BID, it's -- they need this agreement so they can apply for this grant and get this money, but the location is not determined, and also, we have to get the additional costs because the Port Washington Parking District does not have those funds to pay for that additional cost. So we have to make sure. We have to know where those funds are coming from. So I just want to make sure that everyone is aware of that.

SUPERVISOR DESENA: Okay, are there any other comments on any -- oh, did you have a -- Mr. Mott?

MR. MOTT: 54, can you refer to 54? Are those dates correct?

CLERK SRIVASTAVA: Do we have a card?

COUNCILWOMAN DALIMONTE: No, we're --

SUPERVISOR DESENA: So what we're doing in this one is, we are removing the December 10th, ten a.m., meeting from what had been approved back in February. So in December, we will have just an evening meeting, December 3rd.

MR. MOTT: Okay, very good.

SUPERVISOR DESENA: Okay.

CLERK SRIVASTAVA: Tom McDonough? Item number 33.

SUPERVISOR DESENA: 33?

MR. McDONOUGH: Good evening, Tom McDonough.

COUNCILMAN WALSH: What Item?

COUNCILWOMAN DALIMONTE: 33.

MR. McDONOUGH: 33. I'm probably going to speak on several, so if you want me to do it all at once, I'll do it all at once. Tom McDonough, president, CSEA 7555, North Hempstead, representing the union employees. Number one, instead of going 33, I'm going to say thank you. This affects not only the union employees, but all the employees of the Town of North Hempstead that are able to go to this medical mobile and get physicals done, and I think that is really important, that's why we approached you last year, and I thank you for allowing this to be done. The clock needs to go right where it is right now. Trim back the trees, but why would you put a clock on -- 70 feet down Haven Avenue that nobody can see it. It's ridiculous. It's totally ridiculous. We're going to cut down the crape myrtle, which, it's a tree from North Carolina, been transplanted up here, and we're going to cut it down to put a clock over there that nobody's going

to be able to see unless you're coming down to the train station. So that's my opinion. You want me to keep going?

CLERK SRIVASTAVA: Yes, Item number 47.

MR. McDONOUGH: Item 47 is the website. How come the calendar wasn't included in the original quote?

SUPERVISOR DESENA: Can you explain your question?

MR. McDONOUGH: So it states in the synopsis that the -- it's with Revize -- Software System developed the website and that they're paying an additional \$1,250 for a calendar and templates to be added to the homepage calendar and news templates. It wasn't included in the original quote? We already have a calendar on our website now, and right now we're paying for two websites and two hosts. So it costs us an extra 16 grand because this isn't online yet, so -- because nobody's going to know about that. Number 58.

CLERK SRIVASTAVA: Item number 58.

MR. McDONOUGH: Item number 58 was the duplicated transfer requests we inadvertently submitted and adopted. So this comes out of the Comptroller's office. When are we going to get a Comptroller? It shows. It shows that we don't have a Comptroller, and they're making mistakes that aren't being caught, and this should have been caught by -- oh, that's right, the person that's no longer with the Comptroller's office, the office manager, should have caught this, but it wasn't caught.

CLERK SRIVASTAVA: Item number --

MR. McDONOUGH: And the Comptroller should be submitting these to the -- should be submitting the resolutions, not the office manager.

CLERK SRIVASTAVA: Item number 72.

SUPERVISOR DESENA: No, that we haven't called.

MR. McDONOUGH: No, 72 is the --

SUPERVISOR DESENA: Did you have anything else on the consent calendar?

MR. McDONOUGH: No, that's it.

SUPERVISOR DESENA: All right, thank you.

CLERK SRIVASTAVA: Thank you.

SUPERVISOR DESENA: All right, if there are no other comments on the consent calendar, I offer the resolutions and move for their adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN LIU: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

Item 3

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

RESOLUTION NO. 499 - 2024

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

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

WHEREAS, this Board wishes to set a date for a public hearing to consider the adoption of a Local Law amending Chapter 70 of the Town Code entitled "Zoning" in order to establish a process for deeming certain applications made pursuant to this chapter abandoned after a set period of time with no activity.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on December 3, 2024, 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 70 of the Town Code entitled "Zoning" in order to establish a process for deeming certain applications made pursuant to this chapter abandoned after a set period of time with no activity; 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 December 3, 2024, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, to consider the adoption of a Local Law amending Chapter 70 of the Town Code entitled "Zoning" in order to establish a process for deeming certain applications made pursuant to this chapter abandoned after a set period of time with no activity.

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

November 12, 2024

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Town Clerk Buildings

Item 4

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

RESOLUTION NO. 500 - 2024

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW ESTABLISHING CHAPTER 76 OF THE TOWN CODE ENTITLED "TEMPORARY MORATORIUM ON BATTERY ENERGY STORAGE SYSTEMS FACILITIES."

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

WHEREAS, the State of New York has yet to formally adopt and amend new rules and regulations for the Uniform Fire Prevention and Building Code to address fire and safety concerns as they arise from the use of Battery Energy Storage Systems Facilities; and

WHEREAS, this Board wishes to set a date for a public hearing to consider the adoption of a Local Law establishing Chapter 76 of the Town Code entitled "Temporary Moratorium on Battery Energy Storage Systems Facilities" in order to establish a one (1) year moratorium on the issuance or approval of any building permits, variances, or special exceptions from any agency, board or employee of the Town of North Hempstead for the utilization of parcels of land for Battery Energy Storage Systems Facilities.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on December 3, 2024, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, for the purpose of considering the adoption of the Local Law establishing Chapter 76 of the Town Code entitled "Temporary Moratorium on Battery Energy Storage Systems Facilities" to establish a one (1) year moratorium on the issuance or approval of any building permits, variances, or special exceptions from any agency, board or employee of the Town of North Hempstead for the utilization of parcels of land for Battery Energy Storage Systems Facilities; 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 December 3, 2024, 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 76 of the Town Code entitled “Temporary Moratorium on Battery Energy Storage Systems Facilities” in order to establish a one (1) year moratorium on the issuance or approval of any building permits, variances, or special exceptions from any agency, board or employee of the Town of North Hempstead for the utilization of parcels of land for Battery Energy Storage Systems Facilities.

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

November 12, 2024

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Town Clerk

Item 5

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. 501 - 2024

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF BAYVIEW COLONY CLUB FOR A STRUCTURE (DOCK) APPLICATION PURSUANT TO CHAPTER 42 OF THE TOWN CODE FOR THE PROPERTY LOCATED AT 437 SOUTH COURT, PORT WASHINGTON, NEW YORK 11050 AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 5, BLOCK C, LOT 451.

WHEREAS, the Bayview Colony Club (the "Applicant"), 437 South Court, Port Washington, New York 11050, identified on the Nassau County Land and Tax Map as Section 5, Block C, Lot 451 (the "Premises"), has applied to the Town Clerk (the "Town Clerk") of the Town of North Hempstead (the "Town") for a permit under Chapter 42-7(B) of the Code of the Town of North Hempstead (the "Town Code") for the repair of a seawall and reconstruction of a dock (the "Application"); and

WHEREAS, the Town Clerk referred the Application to the Commissioner of Building Safety, Inspection and Enforcement (the "Building Commissioner"), the Commissioner of Planning and Environmental Protection (the "Planning Commissioner") and the Department of Public Safety/Bay Constable (the "Department"), pursuant to Town Code § 42-7(B)(1); and

WHEREAS, by determination dated October 18, 2023, the Deputy Building Commissioner approved the Application as substantially compliant with Chapter 42 of the Town Code of the Town of North Hempstead (the "Determination"); and

WHEREAS, at a duly called meeting of the Waterfront Advisory Commission (the "Commission") on November 6, 2024, the Planning Department and the Bay Constable recommended approval of the Application; and

WHEREAS, after considering the Application, the Determination, and the recommendations of the Planning Department and Bay Constable, the Commission recommended the Application be approved by the Town Board; and

WHEREAS, Town Code §42-7(B) requires that the Town Board hear the appeal at a public hearing.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing (the "Hearing") be held by this Board on December 3, 2024 at 7:00 P.M. (the "Hearing Date") in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, for the purpose of considering the Application, and to hear all interested persons concerning the same; and be it further

RESOLVED that the Applicant shall provide notice of the Hearing in accordance with Town Code §42-11(G); and be it further

RESOLVED that the Town Clerk be and hereby is authorized and directed to publish a notice of said hearing no fewer than 10 and no more than 20 days prior to the Hearing Date, which notice shall be in substantially the following form:

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on December 3, 2024 at 7:00 P.M. in the Town Board Meeting Room at Town Hall, 220 Plandome Road, Manhasset, New York, to consider an application by the Bayview Colony Club, 437 South Court, Port Washington, New York 11050, identified on the Nassau County Land and Tax Map as Section 5, Block C, Lot 451, for a structure permit under Chapter 42-7(B) of the Town Code of the Town of North Hempstead to repair of a seawall and reconstruction of a dock.

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

Dated: Manhasset, New York

November 12, 2024

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Planning Town Clerk Buildings

Item 6

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

RESOLUTION NO. 502 - 2024

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING ATLANTIC AVENUE IN CARLE PLACE, NEW YORK.

WHEREAS, it has been requested that the Town Board of the Town of North Hempstead (the "Town") enact an ordinance, pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space on the south side of Atlantic Avenue, Carle Place, New York, from a point 336 feet west from the west curblineline of Cherry Lane, west, for a distance of 20 feet; and

WHEREAS, it is a requirement of law that a public hearing be held by the Board concerning the proposed ordinance.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on December 3, 2024, at 7:00 P.M., to consider an ordinance establishing a reserved parking space as described in the notice of hearing set forth below; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on December 3, 2024, at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the enactment of an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

PLEASE TAKE FURTHER NOTICE that the proposed ordinance would establish a reserved parking space on the south side of Atlantic Avenue, Carle Place, New York, from a point 336 feet west from the west curblineline of Cherry Lane, west, for a distance of 20 feet; and

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

Dated: Manhasset, New York

November 12, 2024

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

**PROPOSED ORDINANCE AFFECTING
ATLANTIC AVENUE, 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, August 5, 2021, October 21, 2021, November 18, 2021, September 1, 2022, April 4, 2023, June 6, 2023, July 11, 2023, August 8, 2023, September 5, 2023 and February 6, 2024, is further amended by adding thereto a new subdivision as follows:

“134” A reserved parking space is established on the south side of Atlantic Avenue, Carle Place, New York, from a point 336 feet west from the west curblineline of Cherry Lane, west, 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

November 12, 2024

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

Item 7

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. 503 - 2024

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING GARDEN AVENUE IN CARLE PLACE, NEW YORK.

WHEREAS, it has been requested that the Town Board of the Town of North Hempstead (the "Town") enact an ordinance, pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space on the north side of Garden Avenue, Carle Place, New York, from a point 403 feet east from the east curblineline of Cherry Lane, east, for a distance of 20 feet; and

WHEREAS, it is a requirement of law that a public hearing be held by the Board concerning the proposed ordinance.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on December 3, 2024, at 7:00 P.M., to consider an ordinance establishing a reserved parking space as described in the notice of hearing set forth below; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on December 3, 2024, at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the enactment of an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

PLEASE TAKE FURTHER NOTICE that the proposed ordinance would establish a reserved parking space on the north side of Garden Avenue, Carle Place, New York, from a point 403 feet east from the east curblineline of Cherry Lane, east, for a distance of 20 feet; and

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

Dated: Manhasset, New York

November 12, 2024

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

**PROPOSED ORDINANCE AFFECTING
GARDEN AVENUE, 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, August 5, 2021, October 21, 2021, November 18, 2021, September 1, 2022, April 4, 2023, June 6, 2023, July 11, 2023, August 8, 2023, September 5, 2023 and February 6, 2024, is further amended by adding thereto a new subdivision as follows:

“135” A reserved parking space is established on the north side of Garden Avenue, Carle Place, New York, from a point 403 feet east from the east curblineline of Cherry Lane, 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

November 12, 2024

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

Item 8

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

RESOLUTION NO. 504 - 2024

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING SECOND STREET IN GARDEN CITY PARK, NEW YORK.

WHEREAS, a recommendation has been made for the adoption of an ordinance affecting Second Street in Garden City Park, New York.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by the Town Board of the Town of North Hempstead on December 3, 2024 at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

PROPOSAL:

ADOPT:

1. 2nd STREET – NORTH SIDE – NO PARKING ANYTIME
From a point 190 feet from the east curblineline of Denton Avenue, east, for a distance of 45 feet.

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

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller DOITT

Item 9

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

RESOLUTION NO. 505 - 2024

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING SEVENTH AVENUE IN GARDEN CITY PARK, NEW YORK.

WHEREAS, a recommendation has been made for the adoption of an ordinance affecting Seventh Avenue in Garden City Park, New York.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by the Town Board of the Town of North Hempstead on December 3, 2024 at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

PROPOSAL:

ADOPT:

- 1. 7th AVENUE – WEST SIDE – NO STOPPING ANYTIME
From a point 20 feet from the south curblineline of Jericho Turnpike, south, for a distance of 70 feet.

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

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller DOITT

Item 10

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. 506 - 2024

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING SWALM STREET IN WESTBURY, NEW YORK.

WHEREAS, it has been requested that the Town Board of the Town of North Hempstead (the "Town") enact an ordinance, pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space on the west side of Swalm Street, Westbury, New York, from a point starting from the south curblineline of Prospect Avenue, south, for a distance of 275 feet; and

WHEREAS, it is a requirement of law that a public hearing be held by the Board concerning the proposed ordinance.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on December 3, 2024, at 7:00 P.M., to consider an ordinance establishing a reserved parking space as described in the notice of hearing set forth below; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on December 3, 2024, at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the enactment of an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

PLEASE TAKE FURTHER NOTICE that the proposed ordinance would establish a reserved parking space on the west side of Swalm Street, Westbury, New York, from a point starting from the south curblineline of Prospect Avenue, south, for a distance of 275 feet; and

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

Dated: Manhasset, New York

November 12, 2024

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

**PROPOSED ORDINANCE AFFECTING
SWALM STREET, 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, August 5, 2021, October 21, 2021, November 18, 2021, September 1, 2022, April 4, 2023, June 6, 2023, July 11, 2023, August 8, 2023, September 5, 2023 and February 6, 2024, is further amended by adding thereto a new subdivision as follows:

“136” A reserved parking space is established on the west side of Swalm Street, Westbury, New York, from a point starting from the south curblineline of Prospect Avenue, south, for a distance of 275 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

November 12, 2024

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

Item 11

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. 507 - 2024

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING 6TH STREET IN WESTBURY, NEW YORK.

WHEREAS, it has been requested that the Town Board of the Town of North Hempstead (the "Town") enact an ordinance, pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space on the north side of 6th Street, Westbury, New York, From a point starting from the west curblin of 2nd Avenue, west, for a distance of 48 feet; and

WHEREAS, it is a requirement of law that a public hearing be held by the Board concerning the proposed ordinance.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on December 3, 2024, at 7:00 P.M., to consider an ordinance establishing a reserved parking space as described in the notice of hearing set forth below; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on December 3, 2024, at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the enactment of an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

PLEASE TAKE FURTHER NOTICE that the proposed ordinance would establish a reserved parking space on the north side of 6th Street, Westbury, New York, from a point starting from the west curblin of 2nd Avenue, west, for a distance of 48 feet; and

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

Dated: Manhasset, New York

November 12, 2024

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

**PROPOSED ORDINANCE AFFECTING
6th STREET, 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, August 5, 2021, October 21, 2021, November 18, 2021, September 1, 2022, April 4, 2023, June 6, 2023, July 11, 2023, August 8, 2023, September 5, 2023 and February 6, 2024, is further amended by adding thereto a new subdivision as follows:

“137” A reserved parking space is established on the north side of 6th Street, Westbury, New York, from a point starting from the west curblines of 2nd Avenue, west, for a distance of 48 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

November 12, 2024

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

Item 12

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. 508 - 2024

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING WARNER AVENUE IN ROSLYN HEIGHTS, NEW YORK.

WHEREAS, a recommendation has been made for the adoption of an ordinance affecting Warner Avenue in Roslyn Heights, New York.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by the Town Board of the Town of North Hempstead on December 3, 2024 at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

PROPOSAL:

ADOPT:

1. WARNER AVENUE – NORTH SIDE – NO PARKING – LOADING ZONE

From a point starting 890 feet east of the east curblineline of Edwards Street, east, for a distance of 45 feet.

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

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller DOITT

Item 13

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. 509 - 2024

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

WHEREAS, The Fanny Dwight Clark Memorial Garden, Inc. has generously offered, as a gift, a new Sensory Garden at Clark Botanic Garden in Albertson made possible by the following generous gifts:

- Fanny Dwight Clark Memorial Garden, Inc. - \$34,929.00
- Auxiliary of the Fanny Dwight Clark Memorial Garden, Inc.- \$10,000.00
- Hicks Wholesale Nursery, in memory of Monica Pavlidis - \$425.00
- Roellyn Armstrong - \$927.00 for the purchase and installation of a Wind Harp for the Sensory Garden
- Members of the Auxiliary Fanny Dwight Clark Memorial Garden, Inc, in memory of Monica Pavlidis and Andrea Kochman - \$220.00
- Venezia Garden Center – installation of hardscaping and all plant material for the Sensory Garden; and

WHEREAS, the Soccer Advisory Committee, has generously offered as a gift, \$3,885.71 for the overtime expenses incurred by the Town for its Annual North Hempstead Columbus Day Soccer Tournament at Harbor Links Park, Michael J. Tully Park, and Manhasset Valley Park; and

WHEREAS, Northwell Health has generously offered, as a gift, \$300.00 for food for the Town’s Diwali Celebration; 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

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Dept. Parks & Rec.

Item 14

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. 510 - 2024

A RESOLUTION AUTHORIZING SUPPLEMENTAL BUDGET APPROPRIATIONS PURSUANT TO TOWN LAW SECTION 112.

WHEREAS, pursuant to Town Law § 112, the Town Board (“the Board”) of the Town of North Hempstead (“the Town”) has the authority to make supplemental appropriations under certain circumstances; and

WHEREAS, the Office of the Comptroller has requested that the Town Board authorize supplemental appropriations in year 2024 (the “Supplemental Appropriations”), as follows:

(1) \$1,063.93 to be recorded to revenue line A.2701 with the corresponding increase in expenses for this appropriation to be recorded to expense code A.05.7181.1300; and

(2) \$3,885.71 to be recorded to revenue line A.2705 with the corresponding increase in expenses for this appropriation to be recorded to expense code A.05.7181.1300, for overtime expenses incurred from the Annual North Hempstead Columbus Day Soccer Tournament held at the Town’s Harbor Links Park, Michael J. Tully Park, and Manhasset Valley Park; and

WHEREAS, the Board wishes to authorize the Supplemental Appropriations.

NOW, THEREFORE, BE IT

RESOLVED that this Board hereby authorizes the Supplemental Appropriations in year 2024 as requested by Comptroller; and be it further

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Town Clerk

Item 15

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. 511 - 2024

A RESOLUTION AUTHORIZING SUPPLEMENTAL BUDGET APPROPRIATIONS PURSUANT TO TOWN LAW SECTION 112.

WHEREAS, pursuant to Town Law § 112, the Town Board (“the Board”) of the Town of North Hempstead (“the Town”) has the authority to make supplemental appropriations under certain circumstances; and

WHEREAS, the Office of the Comptroller has requested that the Town Board authorize supplemental appropriations in year 2024 (the “Supplemental Appropriations”), as follows:

(1) \$1,956,244.30 to be recorded to revenue line A.2130.002 with the corresponding increase in expenses for this appropriation to be recorded to expense code A.08.8164.4933.003 to account for additional expenses resulting from increased revenue collections by the Town’s Department of Solid Waste Management for the 2024 fiscal year; and

WHEREAS, the Board wishes to authorize the Supplemental Appropriation.

NOW, THEREFORE, BE IT

RESOLVED that this Board hereby authorizes the Supplemental Appropriation in year 2024 as requested by the Office of the Comptroller; and be it further

RESOLVED that the Office of the Comptroller be and hereby is authorized and directed to undertake the Supplemental Appropriation.

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Town Clerk

Item 18

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. 512 - 2024

A RESOLUTION AUTHORIZING THE AWARD OF A MINIBID FOR CISCO MERAKI LICENSES.

WHEREAS, the Director of Purchasing (the “Director”) has solicited a Request for Quotes for computer software and hardware pursuant to the New York State Office of General Services, Group 73600 Information Technology Umbrella Contract – Manufacturer Based (Statewide), Award Number: 22802; 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

November 12, 2024

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

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Purchasing

Item 19

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

RESOLUTION NO. 513 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ARCHITECTURAL PRESERVATION STUDIO, DPC FOR PROFESSIONAL SERVICES RELATED TO THE RESTORATION OF THE HICKS MEMORIAL CENTRE IN GERRY PARK, ROSLYN, NY. DPW PROJECT NO. 20-06 CM.

WHEREAS, the Town of North Hempstead (the “Town”) Department of Public Works (the “Department”) requires the services of an engineering consulting firm to provide construction management services related to the Restoration of The Hicks Memorial Centre, Gerry Park, Roslyn, DPW Project No. 20-06 CM (the “Services”); and

WHEREAS, the Commissioner of the Department (the “Commissioner”) has recommended that the Town enter into an agreement with Architectural Preservation Studio, DPC, 594 Broadway, Suite 919, New York 10012 to provide the Services in consideration of an amount not to exceed Nineteen Thousand Three Hundred Thirty and 00/100 Dollars (\$19,330.00) (the “Agreement”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Item 20

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. 514 - 2024

A RESOLUTION AUTHORIZING THE TOWN BOARD TO SUBMIT AN APPLICATION TO THE COUNTY OF NASSAU FOR APPROVAL OF RECREATIONAL AND YOUTH SERVICE PROGRAMS WITHIN THE TOWN OF NORTH HEMPSTEAD FOR THE 2024 CALENDAR YEAR AND TO AUTHORIZE THE EXECUTION OF AGREEMENTS WITH THE COUNTY OF NASSAU, THE VILLAGE OF WESTBURY, THE VILLAGE OF NEW HYDE PARK AND VARIOUS YOUTH SERVICES AGENCIES IN CONNECTION THEREWITH.

WHEREAS, the Town of North Hempstead (the “Town”) has heretofore appropriated funds for recreational and youth service programs; and

WHEREAS, the Port Washington Community Action Council, Inc., the Port Washington Youth Council, Inc., the Manhasset-Great Neck Youth Council, Inc., the Herricks Youth Council, Inc., the Village of New Hyde Park, the Village of Westbury and the Town have created programs for Town youth; and

WHEREAS, the Town intends to file an application with the County of Nassau for partial funding for these programs; and

WHEREAS, the following sums represent the estimated costs of such programs for 2024 and the approximate amount for which the Town will be reimbursed by the County of Nassau:

Youth Program	2024 Town Contract Amount	2024 County Reimbursement
Port Washington Community Action Council, Inc.	\$8,436	\$3,411
Port Washington Youth Council, Inc.	\$19,026	\$3,411
Manhasset Great Neck Youth Council, Inc.	\$8,472	\$3,410
Herricks Youth Council, Inc.	\$16,994	\$3,410
Village of New Hyde Park	\$2,000	\$2,000

Village of Westbury	\$1,549	\$1,549
Town of North Hempstead Youth and Human Resources	\$59,800	\$8,411
Town of North Hempstead Department of Parks and Recreation	\$626,784	\$23,684

; and

WHEREAS, the Department of Parks and Recreation has requested that the Town be authorized to enter into agreements with the Port Washington Community Action Council, Inc., the Port Washington Youth Council, Inc., the Manhasset-Great Neck Youth Council, Inc., the Herricks Youth Council, Inc., the Village of New Hyde Park, and the Village of Westbury to operate programs for youth within the Town in the amounts indicated in the chart above (the “Agreements”); and

WHEREAS, this Board finds it to be in the best interests of the Town to continue to support the recreation and youth service programs enumerated above.

NOW, THEREFORE, BE IT

RESOLVED that the Town be and hereby is authorized to enter into the Agreements with the above-referenced organizations to provide youth services within the Town in the amounts as written above; and be it further

RESOLVED that the Town be and hereby is authorized to file applications with the County of Nassau for funding for the above-referenced programs, to enter into an agreement with the County of Nassau for the receipt of such funding and to take any other actions and execute any other documentation necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney is hereby authorized to supervise the negotiation and execution of the above-referenced agreements and any grant applications and other agreements necessary to receive funding for the above-referenced programs from the County of Nassau; and be it further

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute the above-referenced agreements and any grant applications and agreements referenced in this resolution on behalf of the Town, copies of which will be on file in the office of the Town Clerk; and be it further

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Parks & Rec.

Item 21

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. 515 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF A RENTAL AGREEMENT FOR THE RENTAL OF EQUIPMENT FROM UNITED RENTAL FOR HARBOR LINKS GOLF COURSE, PORT WASHINGTON.

WHEREAS, the Town requires the rental of an air compressor to clear the irrigation system at Harbor Links Golf Course in Port Washington (the “Equipment”); and

WHEREAS, the Commissioner of the Department of Parks and Recreation (the “Commissioner”) has recommended that the Town rent the Equipment from United Rentals, 699 Burnside Avenue, Lawrence, New York 11559 (“United”) in consideration of an amount not to exceed Nine Hundred Ten and 00/100 Dollars (\$910.00) (the “Rental”); and

WHEREAS, the Commissioner has requested that the Board authorize the Town to enter into an Agreement with United for the Rental (the “Agreement”); and

WHEREAS, this Board wishes to authorize the execution of the Agreement.

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee is authorized to execute the Agreement, and a copy of the Agreement shall be on file in the Office of the Town Clerk, and take such further action as may be necessary to effectuate the foregoing; and be it further

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

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Admin Services Comptroller

Item 23

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

RESOLUTION NO. 516 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH FMX SOLUTIONS IN CONNECTION WITH A TICKETING AND INVENTORY MANAGEMENT SYSTEM FOR TOWN DEPARTMENTS.

WHEREAS, the Town of North Hempstead (the “Town”) Department of Parks and Recreation and Department of Information Technology and Telecommunications (the “Departments”) require implementation, setup, and training support for a new ticketing and inventory management system, EasyVista software (the “Services”); and

WHEREAS, the Director of Purchasing has requested that the Town Board authorize the Town to enter into an agreement with FMX Solutions US Inc., 2426 34th Avenue, San Francisco, CA 94116 to perform the Services in consideration of an amount not to exceed Nineteen Thousand Eight Hundred and 00/100 Dollars (\$19,800.00) (the “Agreement”); 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 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 hereby is authorized; and be it further

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

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

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Department of Parks and Recreation

Item 24

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. 517 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH COMMANDER FLEET CORP. FOR THE INSTALLATION OF SAFETY LIGHTS ON MARINE VESSELS.

WHEREAS, the Town of North Hempstead (the “Town”) Department of Public Safety (the “Department”) requires the purchase and installation of safety lights for Town Boats M5 and M6 (the “Services”); and

WHEREAS, the Department of Public Safety (the “Department”) solicited two quotes for the Services, in accordance with the Town’s Procurement Policy; and

WHEREAS, the Commissioner of the Department (the “Commissioner”) has recommended that the Town enter into an agreement with Commander Fleet Corporation, 50 Roebling Ct., Ronkonkoma, NY 11779 (“the Contractor”) to perform the Services in consideration of an amount not to exceed One Thousand Six Hundred Eighty and 00/100 Dollars (\$1,680.00) (the “Agreement”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Parks

Item 25

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. 518 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CARGILL INC. FOR MAINTENANCE AND REPAIR OF THE TOWN'S BRINE UNITS.

WHEREAS, the Town Department of Highways (the "Department") requires the maintenance and repair of the brine units owned by the Town in advance of the 2024 winter season (the "Services"); and

WHEREAS, the Director of Purchasing has requested that the Town Board authorize the Town to enter into an agreement with Cargill Incorporated, 24950 County Club Blvd., Suite 450, North Olmstead, Ohio 44070 (the "Contractor") to perform the Services in consideration of an amount not to exceed Twelve Thousand Seven Hundred Forty-Four and 35/100 Dollars (\$12,744.35) (the "Agreement"); 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 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 hereby is authorized; and be it further

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

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

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Parks

Item 26

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

RESOLUTION NO. 519 - 2024

A RESOLUTION RATIFYING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH FLEET PUMP AND SERVICE GROUP, INC. FOR THE REPAIR OF A FLOWMETER AT THE DEPARTMENT OF SOLID WASTE MANAGEMENT.

WHEREAS, the Town of North Hempstead (the "Town") Department of Solid Waste Management (the "Department") required the emergency replacement of a flowmeter at its administration building in Port Washington (the "Services"); and

WHEREAS, the Commissioner of the Department retained Fleet Pump and Service Group, Inc., 455 Knollwood Road, White Plains, NY 10603 (the "Contractor"), the sole source certified to sell and service the flowmeter, to provide the Services for a total amount not to exceed Four Thousand Seventy-One and 00/100 Dollars (\$4,071.00) (the "Contract Amount"); and

WHEREAS, it has been recommended that this Board ratify the Department's actions in using the Contractor to provide the Services and to further authorize the execution of an agreement with the Contractor for the Services for the Contract Amount (the "Agreement"); and

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

NOW, THEREFORE, BE IT

RESOLVED that the actions of the Department in using the Contractor to provide the Services be and hereby are ratified; and be it further

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

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute, 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

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

Item 27

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

RESOLUTION NO. 520 - 2024

A RESOLUTION RATIFYING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH DATA-STRUCTION FOR ONSITE SHREDDING AT THE TOWN'S STOP EVENT.

WHEREAS, the Town of North Hempstead (the "Town") Department of Solid Waste Management (the "Department") required onsite shredding services at the Town's Stop Throwing Out Pollutants ("STOP") event on October 13, 2024 at North Hempstead Beach Park in Port Washington (the "Services"); and

WHEREAS, following the receipt of two quotes for the Services in accordance with the Town's procurement policy, the Commissioner of the Department retained Data-Struction, 3550 Hampton Road, Oceanside, NY 11572 (the "Contractor") to provide the Services for an amount not to exceed Three Thousand Seven Hundred Fifty and 00/100 Dollars (\$3,750.00) (the "Contract Amount"); and

WHEREAS, it has been recommended that this Board ratify the Department's actions in using the Contractor to provide the Services and to further authorize the execution of an agreement with the Contractor for the Services for the Contract Amount (the "Agreement"); and

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

NOW, THEREFORE, BE IT

RESOLVED that the actions of the Department in using the Contractor to provide the Services be and hereby are ratified; and be it further

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

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute, 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

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

Item 28

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. 521 - 2024

A RESOLUTION RATIFYING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HARRIS GOVERN FOR UPGRADES TO THE TOWN'S TAX APPLICATION GOVERN.

WHEREAS, the Office of the Tax Receiver (the "Receiver") required upgrades to the Town's tax application system, Govern (the "Services"); and

WHEREAS, the Receiver and the Commissioner of the Department of Information Technology and Telecommunications (the "Department") purchased the upgrades, and accompanying training and maintenance, from Harris Govern, 2721 Council Tree Avenue, Suite 248, Fort Collins, Colorado 80525 (the "Contractor"), the sole source for the Services under the Town's procurement policy, in consideration of an amount not to exceed Thirty One Thousand Seven Hundred Eighty-Eight and 33/100 Dollars (\$31,788.33) (the "Contract Amount").

WHEREAS, it has been recommended that this Board ratify the actions of the Receiver and the Department in using the Contractor to provide the Services and to further authorize the execution of an agreement with the Contractor for the Services for the Contract Amount (the "Agreement"); and

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

NOW, THEREFORE, BE IT

RESOLVED that the actions of the Receiver and the Department in using the Contractor to provide the Services be and hereby are ratified; and be it further

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

November 12, 2024

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

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Town Clerk

Item 30

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

RESOLUTION NO. 522 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE ROSLYN UNION FREE SCHOOL DISTRICT IN CONNECTION WITH THE SCHOOL BUS STOP ARM PROGRAM.

WHEREAS, the Town of North Hempstead (the "Town") has entered into an agreement with BusPatrol America, LLC for a School Bus Stop Arm Enforcement Program; and

WHEREAS, in furtherance of the Program's implementation, BusPatrol has negotiated supplemental agreements with participating school districts for the installation of camera equipment on the district's school busses to allow for the enforcement of Vehicle Traffic Law § 1174-a; and

WHEREAS, the Town, as the enforcement arm of the Vehicle and Traffic Law, must also consent to any agreement entered into between BusPatrol and a participating school district; and

WHEREAS, the Board of Education of the Roslyn Union Free School District has voted to execute the agreement with BusPatrol America, LLC, which agreement requires the Town's consent (the "Agreement"); and

WHEREAS, the Board finds it in the best interest of the Town to consent to the executed agreement.

NOW, THEREFORE, BE IT NOW

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Admin Services Comptroller

Item 31

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

RESOLUTION NO. 523 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE UNITED STATES 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 on October 1, 2024 and terminating on September 30, 2025, in consideration of an amount not to exceed Six Thousand Five Hundred Sixty-Six and 00/100 Dollars (\$6,566.00) (the “Agreement”); and

WHEREAS, as part of the terms of the Agreement, USGS will provide a grant in the amount of One Thousand Sixty-Six and 00/100 Dollars (\$1,066.00) (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 Five Thousand Five Hundred and 00/100 Dollars (\$5,500.00); 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

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

Item 32

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. 524 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE GREATER PORT WASHINGTON BUSINESS IMPROVEMENT DISTRICT TO REPLACE THE CLOCKS AT THE PORT WASHINGTON LONG ISLAND RAILROAD STATION AND AT BLUMENFELD FAMILY PARK.

WHEREAS, the Greater Port Washington Business Improvement District (the "District") is applying for a grant to cover the cost of replacing clocks located at the Port Washington Long Island Railroad Station and at Blumenfeld Family Park (together, the "Premises"); and

WHEREAS, the District (the "Licensee") has requested a license (the "License") to access a portion of the Premises in order to replace the clocks (the "Use"); 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 "Agreement"); and

NOW, THEREFORE, BE IT

RESOLVED that the License be and hereby is 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 is hereby authorized to execute on behalf of the Town, the Agreement, a copy of which will be on file in the Office of the Town Clerk, is authorized further 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 is hereby authorized and directed to negotiate and supervise the execution of the agreement; and be it further claim therefor.

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

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Item 33

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

RESOLUTION NO. 525 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BASELINE HEALTH FOR THE USE OF TOWN OWNED PROPERTY FOR EMPLOYEE HEALTHCARE SCREENINGS.

WHEREAS, CSEA Local 1000, Town of North Hempstead Unit No. 7555 has requested that the Town allow Baseline Health, PO Box 742, Smithtown, New York 11787 to provide medical screening events through its mobile healthcare unit on Town-owned properties for the benefit of employees of the Town (the "Screening Events"); and

WHEREAS, the Screening Events will be provided on such dates and at such Town facilities as may be agreed to between the Town and Baseline Health; and

WHEREAS, this Board wishes to authorize the Screening Events by granting a license to Baseline to host the Screening Events at Town facilities (the "License") for a term commencing November 13, 2024 and terminating on December 31, 2025.

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, Baseline Health for the Screening Events (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

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller DOSA

Item 34

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

RESOLUTION NO. 526 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH SOKOLOFF STERN, LLP FOR LEGAL SERVICES FOR THE OFFICE OF THE TOWN ATTORNEY.

WHEREAS, the Town Attorney's Office required legal services in connection with the matter of *Matthew Davis v. LiRo Engineers, Inc.*, *The County of Nassau*, *Nassau County Department of Public Works*, *Nassau County Traffic Management*, *Nassau County Planning Department*, *Nassau County Traffic Safety Board*, *The Town of North Hempstead*, *The Town of North Hempstead Department of Public Works*, *The Town of North Hempstead Community Development Agency*, (the "Services"); and

WHEREAS, pursuant to Resolution No. 394-2024, duly adopted on August 13, 2024, the Town entered into an agreement with Milber Makris Plousadis & Seiden, LLP, 1000 Woodbury Road, Suite 402, Woodbury, New York 11797 ("Milber") to provide the Services; and

WHEREAS, an endorsement contained in the Town's excess insurance policy with U.S. Specialty Insurance Company ("USSIC"), the excess carrier in this action, allows USSIC the right to assume the defense of any claim and appoint defense counsel of its choice, and further provides for the Town to cooperate with USSIC and counsel so appointed; and

WHEREAS, USSIC has appointed Sokoloff Stern, LLP as defense counsel in this action and, in accordance with such appointment, the Town terminated its agreement with Milber and has tendered the litigation file to Sokoloff Stern, LLP effective September 25, 2024; and

WHEREAS, the Town Attorney has now recommended that the Town enter into an agreement with Sokoloff Stern, LLP, 179 Westbury Avenue, Carle Place, New York 11514 ("Counsel") to provide the Services, retroactive to September 25, 2024 (the "Agreement"); and

WHEREAS, Counsel is listed in the Town Attorney's panel of outside legal counsel, having submitted a proposal in response to the Town's request for proposals for legal services; 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

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

Item 35

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. 527 - 2024

A RESOLUTION RATIFYING AND AUTHORIZING THE EXECUTION OF USE AGREEMENTS WITH LANDMARK ON MAIN STREET FOR USE OF THE FACILITY AT 232 MAIN STREET, PORT WASHINGTON FOR THE TOWN OF NORTH HEMPSTEAD HISTORIC LANDMARK COMMISSION COMMUNITY OUTREACH PROGRAM.

WHEREAS, the Town of North Hempstead (the “Town”) Historic Landmarks Commission (the “Commission”) previously received funding from the State Historic Preservation Office’s annual “Certified Local Government” Grant for 2023 (the “Grant”), to cover resident stakeholder education activities through September 30, 2025 in the Town’s two historic districts; and

WHEREAS, the Commission has requested that the Town enter into use agreements with Landmark on Main Street, 232 Main Street, Port Washington, New York (“Landmark”) for the occasional use of its facility in connection with the conduct of outreach educational activities for residents of the Port Washington Historic District for a term commencing on November 13, 2024 and terminating on December 31, 2025, with costs to be covered by the Grant (the “Use Agreements”); and

WHEREAS, the Town has entered into the first use agreement with Landmark for a meeting to be held on November 13, 2024 in consideration of an amount not to exceed One Thousand Six Hundred and 00/100 Dollars (\$1,600.00), with payment for the use to be reimbursed to the Town by the Grant (the “First Agreement”); and

WHEREAS, it has been requested that this Board ratify the Town’s actions in executing the First Agreement and authorize the Use Agreements; and

WHEREAS, this Board finds it to be in the best interests of the Town to ratify the Town’s action in executing the First Agreement and to authorize the Use Agreements.

NOW, THEREFORE, BE IT

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

RESOLVED that the Use Agreements be and are hereby authorized; and

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute the Use Agreements on behalf of the Town, which Use Agreements shall be

on file with the Office of the Town Clerk, and to take such other action as may be necessary to effectuate the foregoing; and be it further

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

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs under the Use Agreements upon receipt of a duly executed Use Agreements and certified claims therefor and to accept the Grant funds as reimbursement in accordance with the foregoing.

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

Item 36

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. 528 - 2024

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE STATE OF NEW YORK OFFICE OF GENERAL SERVICES AND W.B. MASON CO., INC. FOR THE PURCHASE OF RECYCLED COPY PAPER.

WHEREAS, the Town of North Hempstead (the "Town") requires the purchase of copy paper (the "Purchase"); and

WHEREAS, the New York State Office of General Services awarded contract #23078-GR-RS entitled "Group 50211 - Recycled Copy Paper (Less than Truckload Lots) (Statewide)" to W.B. Mason Co. Inc., 59 Centre Street, Brockton, MA 02301 (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 (the "Agreement").

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Admin Services Comptroller

Item 37

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. 529 - 2024

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE STATE OF NEW YORK OFFICE OF GENERAL SERVICES AND ATLANTIC SALT, INC. FOR THE PURCHASE OF ROAD SALT.

WHEREAS, the Town of North Hempstead (the "Town") requires the purchase of road salt (the "Purchase"); and

WHEREAS, the New York State Office of General Services awarded a contract entitled "Group 01800 - Road Salt, Treated Salt & Emergency Standby Road Salt" to various vendors including Atlantic Salt, Inc., contract number PC70462 (the "Agreement"); and

WHEREAS, under New York General Municipal Law §104, the Town is authorized to contract for purchases through the New York State Office of General Services; and

WHEREAS, the Board wishes to authorize the use of the Agreement for the Purchase 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 Services upon receipt of the Agreement and certified claims therefore.

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Admin Services Comptroller

Item 38

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. 530 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH SAVIK AND MURRAY FOR ENGINEERING SERVICES FOR REHABILITATION OF EROSION AT THE HEMPSTEAD HARBOR SHORELINE TRAIL (TNH256-2021).

WHEREAS, pursuant to a resolutions, duly adopted by this Board, the Town of North Hempstead (the “Town”) entered into an agreement with Savik & Murray, 35 Carlough Road, Suite 3, Bohemia, New York 11716 (the “Consultant”), to provide professional engineering services related to erosion engineering work at the Hempstead Harbor Shoreline Trail (TNH256-2021) (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 provide additional engineering services including performing a wave and erosion analysis and updating design documents in response to a request by the New York State Department of Environmental Conservation in consideration of an amount not to exceed Nineteen Thousand Nine Hundred Fifty and 00/100 Dollars (\$19,950.00) (the “Amendment”); and

WHEREAS, 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 that the Supervisor or her designee be and hereby 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 to take such further action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Item 39

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

RESOLUTION NO. 531 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENTS TO AGREEMENTS WITH VARIOUS VENDORS FOR CONCRETE, FINE SAND AND MASONRY (TNH012-2023).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into agreements with various vendors (the “Contractors”), for concrete, fine sand, and masonry (the “Original Agreement”); and

WHEREAS, the Original Agreements contained the option to renew the Original Agreements for one (1) additional one (1) year period with the same terms and conditions, including price (the “Option”); and

WHEREAS the Director of Purchasing (the “Director”) has recommended that the Town exercise the Option to amend the Original Agreements to extend the term of the Original Agreements for an additional one (1) year period commencing on December 6, 2024 and ending December 5, 2025 (the “Amendments”);

WHEREAS, this Board wishes to authorize the Amendments as requested by the Director.

NOW, THEREFORE, BE IT

RESOLVED that the Amendments be and hereby are authorized; and be it further

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

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Purchasing Comptroller

Item 40

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

RESOLUTION NO. 532 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH CHEMUNG SUPPLY CORP. FOR GUARDRAILS AND CHANNEL POSTS (TNH051-2022).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Chemung Supply Corp., PO Box 527, Elmira, NY 14902, for guardrails and channel posts (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 (the “Options”); and

WHEREAS, the Director of Purchasing (the “Director”) 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 December 16, 2024 and terminating on December 15, 2025 (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

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

Item 41

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. 533 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH RADIAC RESEARCH CORP. FOR HAZARDOUS WASTE REMOVAL AND DISPOSAL (TNH299-2023).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Radiac Research Corp., 261 Kent Ave., Brooklyn, NY 11249, for hazardous waste removal and disposal (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 (the "Director") has recommended that the Town amend the Original Agreement to exercise the first of these Options to extend the term of the Agreement for an additional one (1) year period, commencing on January 1, 2025 and terminating on December 31, 2025 (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

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

Item 42

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. 534 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH DELL TRANSPORTATION FOR SENIOR BUS SERVICES (TNH035-2021).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Dell Transportation Corp., 20 Haven Avenue, Port Washington, New York 11050 (the "Contractor"), to provide bus transportation for seniors (the "Original Agreement"); and

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

WHEREAS the Director of Purchasing (the "Director") has recommended that the Town exercise the first Option to amend the Original Agreement to extend the term of the Original Agreement for an additional one (1) year period commencing on December 17, 2024 and ending December 16, 2025 (the "Amendment");

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

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

Item 43

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

RESOLUTION NO. 535 -2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH LOUIS BARBATO LANDSCAPING INC. FOR STREET TREES WITH PLANTING (TNH300-2023).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Louis Barbato Landscaping Inc., 1600 Railroad Avenue, Holbrook, NY 11741 (the “Contractor”) for Street Trees with Planting (the “Original Agreement”); and

WHEREAS, the Original Agreement contained the option to renew the Original Agreement for one (1) additional one (1) year period on the same terms and conditions including price (the “Option”), and

WHEREAS, the Director of Purchasing (the “Director”) has recommended that the Town exercise the Option to amend the Original Agreement to extend the term of the Original Agreement for an additional one (1) year period commencing on January 1, 2025 and ending December 31, 2025 (the “Amendment”); and

WHEREAS, this Board wishes to authorize the Amendment as requested by the Director.

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

November 12, 2024

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

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Purchasing Administrative Services

Item 44

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

RESOLUTION NO. 536 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH BREAKWATER MARINE LLC FOR DOCK INSTALLATION, REMOVAL, REPAIR AND MAINTENANCE (TNH295-2022).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into, and amended, an agreement with Breakwater Marine LLC, 1750 New Highway, Farmingdale, NY 11735, to provide dock installation, removal, repair and maintenance 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 (the “Director”) 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 December 16, 2024 and terminating on December 15, 2025 (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 Amendments, 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

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

Item 45

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

RESOLUTION NO. 537 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH MOVIES IN THE MOONLIGHT FOR THE RENTAL OF EQUIPMENT FOR OUTDOOR MOVIE SETUP (TNH238-2022).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into, and amended, an agreement with Movies in the Moonlight, 200 S. Oakwood Road, Laurel, NY 11948, for the rental of equipment for outdoor movie setups (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 (the “Director”) 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 January 1, 2025 and terminating on December 31, 2025 (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

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

Item 46

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

RESOLUTION NO. 538 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH SAFE HARBOR CAPRI MARINA FOR MARINE EQUIPMENT REPAIR SERVICES (TNH294-2022).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Safe Harbor Capri Marina, 15 Orchard Beach Blvd., Port Washington, NY 11050, for marine equipment repair services (the "Original Agreement"); and

WHEREAS, the Original Agreement contained the option to renew the Original Agreement for three (3) additional one (1) year periods with the same terms and conditions, including price (the "Options"); and

WHEREAS, the Director of Purchasing (the "Director") has recommended that the Town exercise the first Option to extend the term of the Original Agreement for an additional one (1) year period commencing on November 17, 2024 and ending November 16, 2025 (the "Amendment");

WHEREAS, this Board wishes to authorize the Amendment as requested by the Director.

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

November 12, 2024

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

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Purchasing

Item 47

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

RESOLUTION NO. 539 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH REVIZE LLC D/B/A REVIZE SOFTWARE SYSTEMS FOR WEBSITE DEVELOPMENT SERVICES.

WHEREAS, the Town of North Hempstead (the "Town") entered into an agreement with Revise LLC d/b/a Revise Software Systems, 150 Kirts Boulevard, Troy, Michigan 48084 (the "Contractor") for website development, hosting and maintenance (the "Services") in consideration of an amount not to exceed Seventeen Thousand Seven Hundred and 00/100 Dollars (\$17,700.00), payable in specified amounts upon completion of specific phases of the Services (the "Original Agreement"); and

WHEREAS, it has been requested that the Town amend the Original Agreement to incorporate Homepage Calendar/News template changes in consideration of payment in an amount not to exceed One Thousand Two Hundred Fifty and 00/100 Dollars (\$1,250.00) and additional department templates in consideration of payment in an amount not to exceed Nine Hundred Seventy-Five and 00/100 Dollars (\$975.00) for a total increase in an amount not to exceed Two Thousand Two Hundred Twenty-Five and 00/100 Dollars (\$2,225.00) (the "Amendment"); and

WHEREAS, this Board finds it in the best interests of the Town 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 be and is hereby authorized to execute on behalf of the Town, the Amendment, 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 Amendment; 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; and be it further

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Public Safety

Item 48

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

RESOLUTION NO. 540 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH LOCATION POWER SOURCE, LTD. FOR THE USE OF PARKING SPACES IN A PORT WASHINGTON PARKING DISTRICT LOT.

WHEREAS, the Town of North Hempstead (the “Town”) entered into an agreement with Location Power Source LTD, 20 Beechwood Avenue, Port Washington, New York 11050 (the “Licensee”) granting the Licensee a license for the use of five (5) numbered parking spaces on the north side of Port Washington Public Parking District Lot 7 located in Port Washington, New York (the “Premises”) from May 13, 2024 through November 15, 2024, including overnight parking, in consideration of payment at a rate of Three and 00/100 Dollars (\$3.00) per parking space per day (the “Original Agreement”); and

WHEREAS, it has been requested that the Town amend the Original Agreement to extend the term of the Original Agreement through December 31, 2025 on the same terms and conditions (the “Amendment”); and

WHEREAS, this Board finds it in the best interests of the Town 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 be and is hereby authorized to execute on behalf of the Town, the Amendment, 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 Amendment; 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

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Public Safety

Item 49

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

RESOLUTION NO. 541 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH OMNI RECYCLNG OF WESTBURY, INC. FOR OPERATION OF THE TRANSFER STATION AND SOLID WASTE TRANSPORT, RECYCLING AND DISPOSAL.

WHEREAS, the Town of North Hempstead (the “Town”) has previously entered into, and amended, an agreement (the “Original Agreement”) with Omni Recycling of Westbury, Inc., 7 Portland Avenue, Westbury, New York 11590 (“Omni”) for operation of the Town’s transfer station and solid waste transport, recycling, and disposal, which Original Agreement expires on April 30, 2025; and

WHEREAS, the Agreement permits the Town to extend the term of the Agreement for three (3) additional five (5) year periods (the “Options”); and

WHEREAS, the Commissioner of the Department of Solid Waste Management (the “Commissioner”) has recommended that the Town exercise the second Option, extending the term of the Agreement for a period of five (5) years commencing May 1, 2025 and ending April 30, 2030, Omni having fulfilled its obligation to pay the Town the amount of Two Hundred Fifty Thousand and 00/100 Dollars (\$250,000.00) as provided for in the Original Agreement (the “Amendment”); and

WHEREAS, this Board finds it in the best interests of the Town 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, on behalf of the Town, the Amendment, 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 Amendment; and be it further

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Treasurer Executive Director

Item 50

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. 542 - 2024

A RESOLUTION AUTHORIZING THE PURCHASE OF WESTERN PLOWS FOR THE DEPARTMENT OF PARKS AND RECREATION.

WHEREAS, the Town of North Hempstead (the “Town”) Department of Parks and Recreation (the “Department”) requires the purchase of three (3) Western Poly Spreaders (the “Purchases”); and

WHEREAS, the Director of Purchasing (the “Director”) has recommended that the Town utilize an agreement between Sourcewell and Douglas Dynamics, LLC d/b/a Western Products, 11270 W. Park Place, Suite 300, Milwaukee, Wisconsin 53224 (RFP# 062222) for “Snow and Ice Handling Equipment, Supplies, and Accessories” for the Purchase in consideration of an amount not to exceed Twenty-Six Thousand One Hundred Seventy-Eight and 00/100 Dollars (\$26,178.00), which Purchase will be made from Trius Inc., 458 Johnson Avenue, PO Box 158, Bohemia, NY 11716 as Western Products’ authorized distributor; 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 Town Board finds it in the best interest of the Town to authorize the use of the contract described above (the “Agreement”) for the provision of the Purchase.

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 Purchase upon receipt of certified claims therefore.

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

Item 51

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

RESOLUTION NO. 543 - 2024

A RESOLUTION AUTHORIZING THE PURCHASE OF AN AIR COMPRESSOR FOR THE DEPARTMENT OF PARKS AND RECREATION.

WHEREAS, the Town of North Hempstead (the “Town”) Department of Parks and Recreation (the “Department”) requires the purchase of a tow behind air compressor (the “Purchase”); and

WHEREAS, the Director of Purchasing (the “Director”) has recommended that the Town utilize an agreement between Sourcewell and Power Technique North America LLC, 1059 Paragon Way, Rock Hill, South Carolina (Contract #020923-PWT) for “Portable Construction Equipment” for the Purchase in consideration of an amount not to exceed Thirty-Two Thousand Two Hundred Fifty-Eight and 89/100 Dollars (\$32,258.89), which Purchase will be made from Malvese Equipment Company Inc., 1 Henrietta Street, Hicksville, NY 11801 as Power Technique North America LLC’s authorized distributor; 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 Town Board finds it in the best interest of the Town to authorize the use of the contract described above (the “Agreement”) for the provision of the Purchase.

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 Purchase upon receipt of certified claims therefore.

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Dept. Park & Rec.

Item 52

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

RESOLUTION NO. 544 - 2024

A RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE MAINTENANCE AND TECHNICAL SUPPORT SERVICES FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS.

WHEREAS, the Department of Information Technology and Telecommunications (the “Department”) requires annual software maintenance and technical support services for the Town’s Financial Management System New World (the “Tyler Support”) and the Town’s public financial data reporting software (the “OpenGov Support”); and

WHEREAS, the Commissioner of the Department has recommended that the Town purchase the Tyler Support from Tyler Technologies, Inc., One Tyler Drive, Yarmouth, Maine 04096 for a term commencing December 1, 2024, and terminating November 30, 2025 in consideration of an amount not to exceed Sixty-Two Thousand Two Hundred Forty-Eight and 73/100 Dollars (\$62,248.73) (the “Tyler Purchase”); and

WHEREAS, the Commissioner of the Department has recommended that the Town purchase the OpenGov Support from OpenGov Inc., 660 3rd Street, Suite 100, San Francisco, California 940107 for a one (1) year term commencing December 15, 2024 and terminating December 14, 2025 in consideration of an amount not to exceed Eight Thousand Nine Hundred Twenty-Five and 00/100 Dollars (\$8,925.00) (the “OpenGov Purchase”); and

WHEREAS, this Board finds it to be in the best interest of the Town to authorize the Tyler Purchase and the OpenGov Purchase (collectively the “Purchases”).

NOW, THEREFORE, BE IT

RESOLVED that the Purchases be and are hereby authorized; and be it further

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller DOITT

Item 53

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. 545 - 2024

A RESOLUTION ESTABLISHING A NEW PROPERTY ADDRESS OF 80 CLAPHAM AVENUE, MANHASSET, NEW YORK 11030 FOR THE PREMISES IDENTIFIED ON THE NASSAU COUNTY TAX MAP AS SECTION 3, BLOCK 132, LOT 19.

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

WHEREAS, Frank Huang and Rebecca Tsai, (the “Applicants”) own real property located on Clapham Avenue, Manhasset, New York and identified on the Nassau County Land and Tax Map as Section 3, Block 132, Lot 19, created from the subdivision of a larger lot (the “Property”); and

WHEREAS, the Applicants have requested that the Property be assigned a new street address of 80 Clapham Avenue, Manhasset, New York 11030 (the “Address Designation”); and

WHEREAS, the Manhasset Postmaster has approved the Address Designation sought by the Applicant; and

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

NOW, THEREFORE, BE IT

RESOLVED that subject to the Determination of the Nassau County Fire Marshal, the Town Board of the Town of North Hempstead hereby authorizes and directs that the real property located on Clapham Avenue, Manhasset, New York and identified on the Nassau County Land and Tax Map as Section 3, Block 132, Lot 19, (the “Property”), be assigned the street address of 80 Clapham Avenue, Manhasset, New York 11030; and be it further

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

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

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

Item 54

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. 546 - 2024

A RESOLUTION AMENDING RESOLUTION NO. 90-2024, ADOPTED FEBRUARY 6, 2024, SETTING DATES FOR MEETINGS OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD FOR CALENDAR YEAR 2024.

WHEREAS, pursuant to Resolution No. 90-2024, duly adopted on February 6, 2024, the Town Board set revised dates for meetings of the Town Board of the Town of North Hempstead for calendar year 2024 (the "Resolution"); and

WHEREAS, the Supervisor has requested that the Resolution be amended to remove December 10, 2024 at 10:00 am from the list of Town Board meeting dates for the calendar year 2024 (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

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney

Item 55

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. 547 - 2024

A RESOLUTION AMENDING RESOLUTION NO. 431-2024, ADOPTED SEPTEMBER 3, 2024, RATIFYING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ALTECH ELECTRONICS INC. FOR THE PURCHASE AND INSTALLATION OF A MARINE RADIO.

WHEREAS, pursuant to resolution No. 431-2024, duly adopted on September 3, 2024, the Town Board authorized the execution of an agreement with Altech Electronics Inc., 2234 McDonald Ave, Brooklyn, New York 11223 (the "Contractor") for the purchase and installation of a new marine radio for the Town of North Hempstead Department of Public Safety, Division of Harbor Patrol and Marine Enforcement in consideration of an amount not to exceed Ten Thousand Three Hundred Seventy-One and 75/100 Dollars (\$10,371.75) (the "Resolution"); and

WHEREAS, it has been requested that the Resolution be amended to clarify there the contract amount includes a direct payment to Motorola Solutions for the purchase of the radio in the amount of Eight Thousand Eight Hundred Seventy-One and 75/100 Dollars (\$8,871.75) and a payment to the Contractor for the installation of the radio in an amount of One Thousand Five Hundred and 00/100 (\$1,500.00) (the "Amendment"); and

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

NOW, THEREFORE, BE IT

RESOLVED that the Resolution be and hereby is amended to reflect the Amendment.

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Parks and Recreation

Item 56

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. 548 - 2024

A RESOLUTION AUTHORIZING THE ASSIGNMENT OF AN AGREEMENT FOR FIRE SUPPRESSION SYSTEMS AND SPRINKLER SYSTEM SERVICES (TNH020-2022) TO ENCORE HOLDINGS LLC.

WHEREAS, pursuant to Resolution No. 642-2022, duly adopted by this Board on December 15, 2022, the Town entered into an agreement with Fire Command Co., Inc., 457 Long Beach Boulevard, Long Beach, N.Y. 11561 ("Fire Command") for Fire Extinguishers, Fire Suppression Systems and Sprinkler System Services (TNH020-2022) (the "Original Agreement"); and

WHEREAS, Fire Command has been acquired by Encore Holdings LLC, 70 Bacon Street, Pawtucket, Rhode Island 02860 ("Encore") and has assigned all its rights, obligations and interests under the Original Agreement to Encore ("the Assignment"); and

WHEREAS, the Original Agreement requires the consent of the Town for the Assignment; and

WHEREAS, the Director of Purchasing has recommended that the Town consent to the Assignment; and

WHEREAS, the Town Board finds it in the best interests of the Town to authorize the Supervisor to consent to the Assignment.

NOW, THEREFORE, BE IT

RESOLVED that this Board hereby authorizes the Supervisor to consent to the Assignment; and be it further

RESOLVED the Supervisor or her designee and the Office of the Town Attorney be and hereby are authorized and directed to take any action necessary and appropriate to implement the Assignment; and be it further

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

Item 57

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

RESOLUTION NO. 549 - 2024

A RESOLUTION AUTHORIZING THE ASSIGNMENT OF AGREEMENTS WITH DEJANA INDUSTRIES LLC FOR THE COLLECTION AND DISPOSAL OF ACCEPTABLE WASTE AND RECYCLABLES IN THE MANHASSET AND ALBERTSON-SEARINGTOWN-HERRICKS GARBAGE DISTRICTS.

WHEREAS, pursuant to resolutions, duly adopted by this Board, the Town entered into, and amended, agreements with Dejana Industries, LLC, 30 Sagamore Hill Drive, Port Washington, NY 11050 (“Dejana”) for the collection of acceptable waste and recyclables from the Albertson-Searingtown-Herricks and Manhasset Garbage Districts (the “Original Agreements”); and

WHEREAS, Dejana has entered into an asset purchase agreement with Jamaica Ash and Rubbish Removal Co., Inc., 172 School Street, Westbury, NY 11590 (“Jamaica Ash”) and has assigned all its rights, obligations and interests under the Original Agreements to Jamaica Ash (“the Assignment”); and

WHEREAS, the Original Agreements require the consent of the Town for the Assignment; and

WHEREAS, the Director of the Department of Solid Waste Management has recommended that the Town consent to the Assignment; and

WHEREAS, the Town Board finds it in the best interests of the Town to authorize the Supervisor to consent to the Assignment.

NOW, THEREFORE, BE IT

RESOLVED that this Board hereby authorizes the Supervisor to consent to the Assignment; and be it further

RESOLVED the Supervisor or her designee and the Office of the Town Attorney be and hereby are authorized and directed to take any action necessary and appropriate to implement the Assignment; and be it further

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

Item 58

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

RESOLUTION NO. 550 - 2024

A RESOLUTION RESCINDING RESOLUTION NO. 202-2024, ADOPTED APRIL 2, 2024, AND RESOLUTION NO. 259-2024, ADOPTED MAY 7, 2024, AND AMENDING RESOLUTION NO. 260-2024, ADOPTED MAY 7, 2024, RELATING TO CERTAIN FUND TRANSFERS.

WHEREAS, pursuant to Resolution No. 36-2024, duly adopted by the Town Board (the "Board") of the Town of North Hempstead (the "Town") on January 9, 2024, this Board authorized the transfer of funds from the Town's Insurance Reserve Fund to the tort reserve/litigation expense line to pay for a previously approved settlement (A.11.1420.4620); and

WHEREAS, a duplicate transfer request was inadvertently submitted to, and duly adopted by, the Board on April 2, 2024 as Resolution No. 202-2024; and

WHEREAS, it has been recommended that Resolution No. 202-2024 be rescinded as an inadvertent duplicate transfer request; and

WHEREAS, at a duly convened meeting held on May 7, 2024, this Board adopted Resolution Nos. 259-2024 and 260-2024; and

WHEREAS, Resolution No. 259-2024 authorized the transfer of Sidewalk District's Unallocated Fund Balance to the Sidewalk District's Insurance Reserve Fund, in relation to payment of a settlement previously approved pursuant to Resolution No. 204-2024; and

WHEREAS, the fund transfer authorized by Resolution No. 259-2024 is incorrect, not needed and will be corrected through the amendments proposed for Resolution No. 260-2024 below; and

WHEREAS, it has been recommended that Resolution No. 259-2024 be rescinded; and

WHEREAS, Resolution No. 260-2024 authorized certain other transfers also to fund the settlement previously approved pursuant to Resolution No. 204-2024; and

WHEREAS, the Board desires to amend the transfers authorized by Resolution No. 260-2024 to authorize a transfer of \$100,000 from the Highway Fund Insurance Reserve (DA.0863) to the Highway Fund, General, Other Transportation, Other Operating Expenses account (DA.00.5989.4970), and \$323,203.14 from the High Fund Unreserved account (DA.0909) to the Highway Fund, General, Other Transportation, Other Operating Expenses account (DA.00.5989.4970), and \$190,000 from the Sidewalk District Fund Unreserved

account (SM017.0909) to the Sidewalk District Fund, Tort Reserve/Litigation account (SM017.4620) (collectively, the “Amended Transfers”); and

WHEREAS, after careful consideration, the Board finds it in the best interests of the Town to rescind Resolutions Nos. 202-2024 and 259-2024 and to amend Resolution No. 260-2024 to authorize the Amended Transfers.

NOW, THEREFORE, BE IT

RESOLVED that Resolutions Nos. 202-2024 and 259-2024 be and are hereby rescinded; and be it further

RESOLVED that the Board hereby amends Resolution No. 260-2024 to authorize the Amended Transfers; 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

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

Item 59

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. 551 - 2024

A RESOLUTION AUTHORIZING A TRANSFER FROM THE TOWN OF NORTH HEMPSTEAD GENERAL FUND UNRESERVED FUND BALANCE TO AN OPERATING ACCOUNT.

WHEREAS, the Town of North Hempstead (the “Town”) desires to use moneys from the Town’s General Fund Unreserved Fund Balance (A.0909) in order to pay the cost of a settlement approved by the Town Board; and

WHEREAS, pursuant to Town Law §§ 112 and 113, the Board desires to transfer \$450,737.41 from the General Fund Unreserved Fund Balance to the Tort Reserve/Litigation operating account (A.11.1420.4620) (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

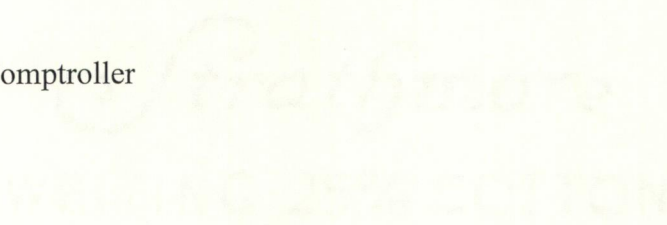
November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller



Item 60

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. 552 - 2024

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND CAPITAL PROJECTS RESERVE FUND AND AMENDING RESOLUTION NO. 640-2023, ADOPTED NOVEMBER 14, 2023, RESOLUTION NO. 155-2024, ADOPTED MARCH 5, 2024, AND RESOLUTION NO. 310-2024, ADOPTED JUNE 4, 2024.

WHEREAS, the Town Board (the "Board") of the Town of North Hempstead (the "Town") has heretofore established a General Fund Capital Projects Reserve Fund (A.0890), pursuant to applicable law, and

WHEREAS, the Town desires to fund purchases for certain information technology projects, including a threat monitoring appliance/application, and a cashiering system implementation for the Office of the Receiver of Taxes (the "Purchases"); and

WHEREAS, to fund the Purchases, the Board desires to transfer monies from the General Fund Capital Projects Reserve Fund to a capital fund (HA2311), in the amount of One Hundred Ten Thousand and 00/100 Dollars (\$110,000.00) as follows:

- Threat Monitoring Appliance Application..... \$75,000.00
- Cashiering Implementation..... \$35,000.00

(the "Transfer") and;

WHEREAS, the Town further desires to amend Resolution No. 640-2023, adopted November 14, 2023, Resolution No. 155-2024, adopted March 5, 2024, and Resolution No. 310-2024, adopted June 4, 2024 to repurpose unspent funds transferred for other IT purchases in the following amounts:

- (i) Resolution No. 640-2023 - \$11.66 from "Westshore Yard VPN Appliance";
- (ii) Resolution No. 155-2024 - \$9,262.91 from "Surface Pros"; and
- (iii) Resolution No. 310-2024 - \$2,725.43 from "Town Hall II Switch" and "Boardroom Switch" (the "Amendments"); and

WHEREAS, after careful consideration, the Board finds it in the best interests of the Town to make the Transfer of monies as outlined above and to authorize the Amendments.

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby authorizes the Transfer as outlined above; and be it further

RESOLVED that the Amendments be and hereby are authorized; 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

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

Item 61

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. 553 - 2024

A RESOLUTION AUTHORIZING THE TRANSFER OF VEHICLES BETWEEN THE TOWN GENERAL FUND AND THE TOWN OUTSIDE VILLAGE FUND.

WHEREAS, the Department of Building, Safety Inspection and Enforcement (the "Building Department") of the Town of North Hempstead (the "Town") has two surplus vehicles that it wishes to transfer to the Department of Parks and Recreation (the "Parks Department") and two other surplus vehicles that it wishes to transfer to the Department of Administrative Services, and the Parks Department and the Department of Administrative Services wish to receive such vehicle transfers (collectively, the "Vehicle Transfers"); and

WHEREAS, the Town Comptroller's Office has determined that the total depreciated value of such vehicles is \$13,063.48; and

WHEREAS, to enable the transfer of these vehicles, the Town wishes to transfer \$13,063.48 from the Town's General Fund to the Town's Outside Village Fund (the "Funds Transfer"); and

WHEREAS, after careful consideration, the Town Board finds it in the best interests of the Town to proceed with the Vehicle Transfers and the Funds Transfer outlined above.

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby authorizes the Vehicle Transfers and the Fund 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

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

Item 62

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. 554 - 2024

A RESOLUTION AUTHORIZING THE TOWN CLERK TO TRANSMIT TO THE NASSAU COUNTY LEGISLATURE AND THE BOARD OF ASSESSMENT OF THE COUNTY OF NASSAU THE LISTS OF UNPAID WATER RENTS FILED BY SPECIAL DISTRICTS IN THE TOWN OF NORTH HEMPSTEAD FOR THE PURPOSE OF HAVING SAME LEVIED AGAINST THE PROPERTY LIABLE.

WHEREAS, the Board of Commissioners of certain water districts of the Town of North Hempstead have, pursuant to Section 215 of the Town Law, as amended, filed with the Town Board statements showing unpaid water rents and requesting the Town Board to submit such statements to the Nassau County Legislature at their next meeting in order that the unpaid sums may be levied against the property where the water was used.

NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk is hereby authorized and directed to forward to the Nassau County Legislature and the Department of Assessment of the County of Nassau copies of the annexed statements of the following water districts filed in the Town Clerk's Office showing unpaid water rents for the purpose of having same levied against the property liable:

Albertson Water District	\$127,633.53
Carle Place Water District	\$9520.71
Garden City Park Water District	\$166,770.38
Glenwood Water District	\$10,351.15
Jericho Water District	\$504.87
Manhasset-Lakeville Water District	\$199,158.44
Port Washington Water District	\$224,713.44
Roslyn Water District	\$147,134.75
Westbury Water District	\$182,189.41

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney, Comptroller, NC Legislature, NC Dept. of Assessment

Item 63

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. 555 - 2024

A RESOLUTION AUTHORIZING THE SETTLEMENT OF A CLAIM MADE BY THE TOWN OF NORTH HEMPSTEAD AND AUTHORIZING THE COMPTROLLER OR DEPUTY COMPTROLLER TO ACCEPT PAYMENT THEREOF.

WHEREAS, the Town Attorney has requested the approval of the Town Board to enter into a Settlement Agreement in order to settle certain claims made on behalf of the Town for the reasons set forth in a memorandum to the Board on file in the Office of the Town Attorney; and

WHEREAS, after careful consideration, the Board finds it in the best interests of the Town to enter into the proposed Settlement Agreement.

NOW, THEREFORE, BE IT

RESOLVED that the settlement and acceptance of payment of the following claim, in the amount set forth herein, be and the same are approved by this Board in all respects:

<u>Claimant</u>	<u>File Number.</u>	<u>Amount</u>
McKinsey & Company National Opiate Litigation	KT-19-0234	\$8,865.95

; and be it further

RESOLVED that the Supervisor is authorized to execute the necessary settlement documents, on behalf of the Town, the Comptroller is authorized to accept payment for same and the Town Attorney may take further action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

Item 64

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. 556 - 2024

A RESOLUTION AUTHORIZING AND APPROVING THE PAYMENT OF CLAIMS AGAINST THE TOWN OF NORTH HEMPSTEAD AND AUTHORIZING AND DIRECTING THE COMPTROLLER OR DEPUTY COMPTROLLER TO PAY THE COSTS THEREOF.

WHEREAS, the Town Attorney has requested the approval of the Town Board for settlement and payment of claims as more particularly described herein below, for the reasons set forth in a memorandum to the Board on file in the Office of the Town Attorney; and

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

NOW, THEREFORE, BE IT

RESOLVED that the settlement and payment of the following claims, in the amount set forth herein, be and the same is approved by this Board in all respects:

RESOLVED that the Office of the Comptroller be and hereby is authorized and directed to pay the amounts set forth above upon receipt of properly executed and certified claims therefor.

<u>Claimant</u>	<u>File Number.</u>	<u>Amount</u>
Phillip LoRusso v. TONH	TD-22-0091	\$1,004.29
Janet Forst v. TONH	TI-20-0030	\$1,000,000.00
Ramesh Kumar v. TONH	TD-24-0072	\$4,437.53

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller

Stetson
WRITING ON COTTON

Item 66

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. 557 - 2024

A RESOLUTION APPROVING THE ACTION OF THE PROTECTION ENGINE COMPANY 1, PORT WASHINGTON, NEW YORK IN ADDING JAYDEE LIANA VALLEGO TO MEMBERSHIP AND REMOVING ROBERT J. PAPE III FROM MEMBERSHIP.

WHEREAS, the Protection Engine Company 1, 14 S. Washington Street, Port Washington, New York, 11050 has advised of adding Jaydee Liana Vallejo to membership and removing Robert J. Pape III from membership.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Protection Engine Company 1, 14 S. Washington Street, Port Washington, New York 11050, in adding Jaydee Liana Vallejo to membership and removing Robert J. Pape III from membership hereby is approved and the Town Clerk directed to record their names in the Minutes of the Town Board.

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Protection Engine Company 1 Town Attorney Comptroller

Item 67

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. 558 - 2024

A RESOLUTION APPROVING THE ACTION OF THE FIRE-MEDIC CO., NO. 1, PORT WASHINGTON, NEW YORK, IN ADDING ELLIE ROSS TO MEMBERSHIP.

WHEREAS, the Fire-Medic Co. No. 1, Port Washington, New York, has advised of adding Ellie Ross to membership.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Fire-Medic Co. No. 1, 65 Harbor Rd, Port Washington, NY 11050, in adding Ellie Ross, 16 Overlook Drive, Port Washington, NY 11050 to membership hereby is approved and the Town Clerk directed to record the name in the Minutes of the Town Board.

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

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

Item 68

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. 559 - 2024

A RESOLUTION APPROVING THE ACTION OF THE ATLANTIC HOOK & LADDER CO. NO. 1, PORT WASHINGTON, NEW YORK, IN REMOVING RAGIB HAQUE AND JOHN BARRERA FROM MEMBERSHIP.

WHEREAS, the Atlantic Hook & Ladder Company No. 1, Port Washington, New York, has advised of removing Ragib Haque and John Barrera 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 Ragib Haque and John Barrera from membership hereby is approved and the Town Clerk is directed to record their names in the Minutes of the Town Board.

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Atlantic Hook & Ladder Co. No. 1 Town Attorney Comptroller

Item 69

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. 560 - 2024

A RESOLUTION APPROVING THE ACTION OF THE ALBERTSON HOOK & LADDER, E&H, CO. 1, INC, ALBERTSON, NEW YORK, IN ADDING GREG SCHELLENBERG, MEHDI ZAFAR, AND ALEX SKERIES TO MEMBERSHIP AND REMOVING JOSEPH MARCHICA FROM MEMBERSHIP.

WHEREAS, the Albertson Hook & Ladder, E&H, Co. 1, Inc, Albertson, New York, has advised of adding Greg Schellenberg, Mehdi Zafar, and Alex Skeries to membership and removing Joseph Marchica from membership.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Albertson Hook & Ladder, E&H, Co. 1, Inc, 100 I U Willets Rd., Albertson NY 11507, in adding Greg Schellenberg, 220 Campbell Ave, Williston Park, NY 11596, Mehdi Zafar, 72 Amherst Rd, Albertson, NY 11507 and Alex Skeries, 7 Oak Place, Albertson, NY, 11507, to membership and removing Joseph Marchica from membership hereby is approved and the Town Clerk is directed to record their names in the Minutes of the Town Board.

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Albertson Hook & Ladder

Town Attorney

Comptroller

Item 70

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. 561 - 2024

A RESOLUTION APPROVING THE ACTION OF THE FLOWER HILL HOSE COMPANY, NO. 1, PORT WASHINGTON, NEW YORK, IN ADDING JAQUELINE DILIO TO MEMBERSHIP.

WHEREAS, the Flower Hill Hose Company, No. 1, Port Washington, New York, has advised of adding Jaqueline Dilio to membership.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Flower Hill Hose Company, No. 1, 12 Haven Avenue, Port Washington, New York, 11050 in adding Jaqueline Dilio, 82 Irma Ave, Port Washington, NY 11050 to membership hereby is approved and the Town Clerk directed to record the name in the Minutes of the Town Board.

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Flower Hill Hose Co., No. 1 Town Attorney Comptroller

Item 71

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. 562 - 2024

A RESOLUTION APPROVING THE ACTION OF THE ALERT ENGINE, HOOK, LADDER AND HOSE CO. NO. 1 INC., GREAT NECK, NEW YORK, IN ADDING YAN LIU, EDWIN SANCHEZ, ELIZABETH CASTILLO AND LUIS TORRES TO MEMBERSHIP.

WHEREAS, the Alert Engine, Hook, Ladder and Hose Co. No. 1, Inc., Great Neck, New York, has advised of adding Yan Liu, Edwin Sanchez, Elizabeth Castillo, and Luis Torres to membership.

NOW, THEREFORE, BE IT

RESOLVED that the action of Alert Engine, Hook, Ladder and Hose Co. No. 1, Inc., 555 Middle Neck Rd., Great Neck, NY 11023, in adding Yan Liu, 49 Warwick Road, Great Neck, NY 11023, Edwin Sanchez, 70 Knightsbridge Rd, #3F, Great Neck, NY, 11021, Elizabeth Castillo, 437 Middle Neck Rd, Great Neck, NY 11023, and Luis Torres, 117 Steamboat Road, Great Neck, NY 11024 to membership hereby is approved and the Town Clerk directed to record their names in the Minutes of the Town Board.

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Alert Engine Town Attorney Comptroller

CLERK SRIVASTAVA: Item number 16. A resolution authorizing the award of a bid for the restoration of the Hicks Memorial Centre, Gerry Park, Roslyn, DPW Project number 20-06.

SUPERVISOR DESENA: Okay, this is -- this marker will recognize contributions of the Hicks family to the Town of North Hempstead. They have been one of the founding families, and we have a monument that was secured with grant money. When we went to put the marker on it, the commemorative monument plaque on it, the monument had eroded too much to be able to hold up the marker. So, this is now going to fix the monument, and it will be a wonderful commemoration of our town history, and we are able to do this with a combination of grant money and town money. So, I'm very glad that this will finally be done, and if there are no other comments.

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

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN LIU: 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. 563 - 2024

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE RESTORATION OF THE HICKS MEMORIAL CENTRE, GERRY PARK, ROSLYN, DPW PROJECT NO. 20-06.

WHEREAS, the Town Clerk solicited bids for the Restoration of the Hicks Memorial Centre at Gerry Park, Roslyn, DPW Project No. 20-06 (the “Project”); and

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

Bidder	Bid Dep	Bid Amount
Henry Restoration Ltd. 120 Lake Avenue South, Suite 14 Nesconset, NY 11767	5%	Total Gross Bid: \$345,000.00 Add Alt 1: \$21,000.00 Add Alt 2: \$7,000.00
Related Services LLC 21 Deforest Street Amityville, NY 11701	5%	Total Gross Bid: \$246,625.00 Add Alt 1: \$9,800.00 Add Alt 2: \$6,000.00

WHEREAS, after a review of the bids, the Commissioner of the Town’s Department of Public Works (the “Commissioner”) has recommended that the contract for the Project be awarded to Henry Restoration Limited, 120 Lake Avenue South, Suite 14, Nesconset, New York 11767 (the “Contractor”) as the lowest responsible bidder at its bid price of Three Hundred Seventy-Three Thousand and 00/100 Dollars (\$373,000.00), inclusive of the Contractor’s Total Gross Bid, Add Alternate 1 and Add Alternate 2; and

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

NOW, THEREFORE, BE IT

RESOLVED that a Contract for the Project is hereby awarded to the Contractor, as the lowest responsible bidder, at its bid price of Three Hundred Seventy-Three Thousand and 00/100 Dollars (\$373,000.00), as more particularly set forth in an agreement which will be filed in the Office of the Town Clerk (the “Award”); and be it further

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

RESOLVED that the Office of the Town Attorney is hereby authorized and directed to supervise the execution of the contract documents to effectuate the Award; and be it further

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller DPW

CLERK SRIVASTAVA: Item 17. A resolution authorizing the award of a bid for the Town Dock restrooms improvement, Port Washington, New York, New York DPW Project number 20-05.

COUNCILWOMAN DALIMONTE: I know the Supervisor asked for this to be off the consent calendar. Two years ago, I reached out to the DPW Department, and when we were doing the Town Dock, I was like, why are we not doing these bathrooms? If anyone's been to Town Dock, the restrooms, they are like a third world country, they are so bad. So, I would like to thank the DPW Department for taking this on. We've had many meetings down there, and the two bathrooms are turning into one bathroom, and one bathroom's turning into going inside to the house for our employees. So, it'll be a unisex bathroom, but I am really, really excited about getting these bathrooms redone at Town Dock, it's going to be great for our community. There are a lot of people that use Sunset Park, and there's no bathrooms over there. So, they rely on the Town Dock bathrooms a great deal.

SUPERVISOR DESENA: And I also want to thank our Department of Public Works for finding a way to do this that is cost effective and compliant. This -- people have been complaining about these bathrooms for 10 to 20 years, and this Town Dock is used by everyone in the whole town. So, these will be available now for all of our residents who come and visit the Town Dock, and they will be finished in time for next year's boating season.

COUNCILMAN WALSH: And is there going to be a changing table in there?

COUNCILWOMAN DALIMONTE: I don't know, but I will --

SUPERVISOR DESENA: I don't have that answer.

COUNCILWOMAN DALIMONTE: I will --

COUNCILMAN WALSH: Because there hasn't been a changing table in there for 20 or 30 years either, and I hope they include a changing table. We had that done in Broadway Park. There was no changing table, and it's a necessity nowadays.

COUNCILWOMAN DALIMONTE: But you know what; Councilman? That is a great idea. We will make sure that they put a changing table in there. I will send an e-mail.

COUNCILMAN SCOTT: For babies.

COUNCILWOMAN DALIMONTE: Yes, for babies. I will send an e-mail to DPW, but I am really happy about this project. I'm glad they listened to me, I'm really glad that we worked together, and that's what being a team is all about. I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN LIU: 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. 564 - 2024

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR TOWN DOCK RESTROOMS IMPROVEMENT, PORT WASHINGTON, NY. DPW PROJECT NO. 23-05.

WHEREAS, the Town Clerk solicited bids for Town Dock Restrooms Improvement, DPW Project No. 23-05 (the “Project”); and

WHEREAS, a bid in response to the solicitation (the “Bid”) was received and opened, which Bid is as follows; and

Bidder	Bid Dep	Bid Amount
Talty Construction 108 Powell Avenue Rockville Centre, NY 11570	5%	Total Gross Bid: \$189,600.00

WHEREAS, after a review of the bid, the Commissioner of the Town’s Department of Public Works (the “Commissioner”) has recommended that the contract for the Project be awarded to Talty Construction, 108 Powell Avenue, Rockville Centre, New York 11570 (the “Contractor”) as the sole bidder at its total gross bid price of One Hundred Eighty-Nine Thousand Six Hundred and 00/100 Dollars (\$189,600.00); and

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

NOW, THEREFORE, BE IT

RESOLVED that a Contract for the Project is hereby awarded to the Contractor, as the sole bidder, at its bid price of One Hundred Eighty-Nine Thousand Six Hundred and 00/100 Dollars (\$189,600.00), as more particularly set forth in an agreement which will be filed in the Office of the Town Clerk (the “Award”); and be it further

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

RESOLVED that the Office of the Town Attorney is hereby authorized and directed to supervise the execution of the contract documents to effectuate the Award; and be it further

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller DPW

CLERK SRIVASTAVA: Item number 22. A resolution authorizing the execution of an agreement with Brooke Holdings, LLC, d/b/a Brooke Management Group, LLC, for concession services at Harbor Links Golf Course, Port Washington. We have a card on this.

SUPERVISOR DESENA: This is a great bid to operate Harbor Links. This gives us continuity of service. It is to begin January 1st, and there'll be great investments in our property. So, we have our Director of Purchasing here to explain a few of the highlights of the bid.

MR. NISSAN: So, as you know, I'm recommending that you approve execution of a contract or moving to execute a contract with Brooke Holdings. Brooke Holdings operates Montauk Downs, and more famously, the Bethpage golf courses, the most famous municipal golf course in the country is Bethpage Black. They, I believe, have submitted a solid offer on a few levels. From a financial point of view, I think their rent structure and percentage rent is a solid indication of their commitment to the -- to Harbor Links. They're also going to invest a significant amount of money in their first year for renovations which includes the renovations of the driving range, the adding of a high tech modernized structure for the driving range, continuous line tee mats, complete renovation of our miniature golf course which will be not just replacing of the carpeting but a complete renewal of the entire facility, renovations of the cart paths that need to be done, and they're going to propose to take down or change the existing Snack Shack into a golf performance building, they're going to bring golf simulators, make it really -- I think they have a vision to make this a much improved structure, and I think it'll be a real credit to the Town of North Hempstead. On another level, they've addressed our concerns. They've indicated that they're willing to honor the present resident rates for three years, they know they have to come back to you for approval for rate increases. Besides that, they're offering discounted rates for seniors, juniors and first responders, and I think it will be a real credit to the town.

SUPERVISOR DESENA: Thank you.

MR. NISSAN: If there are any questions.

SUPERVISOR DESENA: Do we have any questions? Comments? I believe we have a --

COUNCILMAN WALSH: Wait one second before you --

CLERK SRIVASTAVA: We have a card on this.

COUNCILMAN WALSH: I just want to make a comment. I read all your e-mails back and forth today, and they were very to the point, in my opinion, and I agree with what you just said.

MR. NISSAN: Thank you, thank you, Councilman.

COUNCILWOMAN DALIMONTE: I just want to make a comment just about you're -- the memo we got on the revenues and expenses. Just go back to 2021 and 20 -- you're not off by a lot but it's -- you have to get the numbers for after the audit. Your numbers are off compared to what's in the book.

MR. NISSAN: Okay.

COUNCILWOMAN DALIMONTE: I just wanted to let you know that.

MR. NISSAN: Okay.

COUNCILWOMAN DALIMONTE: Not by much, but your numbers are off.

MR. NISSAN: Okay, I received them, I can look into it further.

SUPERVISOR DESENA: Okay, we have a comment?

CLERK SRIVASTAVA: Yes.

MR. GENICOFF: Good evening, Jack Genicoff, I live in Harborview in Port Washington. I may be cherry picking the documents that have gone on for the last couple of months regarding Harbor Links but my understanding is that Kelly Brooke Holdings may be a concessionaire, they run the pro shop at Bethpage, and I think they are responsible for the driving range, but I don't believe they manage the golf course. Do they cut the grass? Do they rake the bunkers? Are they responsible for the maintenance of the actual golf course? I don't see anything on their website where that's what they're responsible for. Bethpage has five different crews for each of their golf courses, and it's managed by New York State. So, I don't know what their experience is managing a golf course. According to the document, they're supposed to spend \$2.7 million the first year of their contract. On what? Is 2 million going to go to a new ballroom, expanded ballroom, so that they can increase their catering revenue? Is any of it going to go to the golf course? Who manages that money? Who says yes? Who says no? On the addenda that went around, a question was asked, can you clarify the language regarding to golf outings? We interpret this as before Memorial Day and after Labor Day, the course can host as many events as the operator sees fit. This has been a pet project of mine for a few years, maybe some of you remember me coming to complain. Your response is, we are operating under the assumption that at max capacity we'll be approving a golf outing every week between Memorial Day and Labor Day on one of either Tuesday, Wednesday or Thursday plus Monday, I assume. Well, you haven't addressed the month of May before Memorial Day, and you haven't addressed September and October after Labor Day. Does that mean that this operator is going to be able to have three, four outings a week depending on what their revenue position is at that particular time? I don't know, unless it's buried somewhere in the proposal. Finally, in 2021, you folks approved money for the cart paths. You did four holes in 2022, 2023 did not get done because whoever had been approved to do the work was indicted. I don't know if you folks lost money on that contract, but nothing was ever done. I'd hoped that the 2023 work would've been done in 2024. I've asked Harbor Links management a few times, they have no information whatsoever, 2024 is gone. I thought that money had been allocated and was sitting somewhere, and you were just waiting for somebody, the right person, to do it. Now I hear that this new company is going to do the cart path repair. On what schedule? All of it at one time? Spread out over a period of years? If those details are buried in their proposal, that's fine, I'd love to be able to read it, but it just seems like there are a lot more questions than there are answers. Thank you.

SUPERVISOR DESENA: Thank you.

CLERK SRIVASTAVA: Thank you. We don't have any additional cards on this Item.

COUNCILMAN TROIANO: I'm sorry, he asked some questions I think are worthy of being answered. One of them was, does Brooke Holding have experience managing a golf course, and I

think you defined managing a golf course to be, in part, you know, cutting grass and maintaining greens, I guess.

MR. NISSAN: I guess the speaker was speaking --

SUPERVISOR DESENA: Doron, are you able to answer any of the questions that were raised?

MR. NISSAN: So, they do manage the ground -- the golf range, the pro shop, instruction carts, everything. As far as running the Bethpage, I believe they're in the process of taking over the management of the grounds as well for the course. The 2 million 7 being invested is entirely for golf related items which includes the golf cart paths. There is no money in that amount that's being allocated towards catering. As a matter of fact, their focus is going to be mostly on corporate events.

MR. GENICOFF: That's part of the problem.

MR. NISSAN: Okay. I don't recall the other questions.

COUNCILWOMAN DALIMONTE: But are you -- so you're saying Bethpage is being -- Brooke Holdings maintains Bethpage? Because I was told it's maintained by New York State.

MR. NISSAN: They operate it for New York State. New York State owns the --

COUNCILWOMAN DALIMONTE: No, no, no, I'm told New York State maintains that course.

MR. NISSAN: Right, and she's --

COUNCILWOMAN DALIMONTE: Not Brooke Holding.

MR. NISSAN: Right, and they're in the process of taking over that.

COUNCILWOMAN DALIMONTE: So, as we all know Bethpage as being beautiful, it's not being maintained by them, it's being maintained by New York State.

MR. NISSAN: At present.

COUNCILWOMAN DALIMONTE: Correct, and also, in Brooke, I see -- okay, so one, this is a --

MR. NISSAN: I will tell you that they've managed seven other properties fully, golf course properties, for many years. Our requirement was bidders that had substantial experience in this, and they certainly qualified on that level.

COUNCILWOMAN DALIMONTE: So, this is a town facility, just like Yes, We Can's a town facility, Tully's a town facility. But under the prior administration, under Supervisor Bosworth, she always brought in the Councilperson into that, any discussions. I have not been brought into any discussions. Thursday, when we had caucus on the agenda, it said it was blank. The Town Attorney and the Parks Commissioner did not even know Thursday at ten o'clock in the morning who this was going to. I don't know about any of you, but I found who it was going to when the agenda went live to the public on Friday. Monday was a holiday. So, I don't understand how anyone expects me to vote on a 20-year contract, 20 years. I could be dead in 20 years. Twenty years is very long time, a 20-year contract and just finding out Friday afternoon, I think at three or four o'clock, to vote on it on Tuesday at seven. There should have been a presentation made

by Brooke Holdings Company to the Town Board so we could evaluate this and really understand it because if Brooke was here, Brooke Holdings was here, I'm assuming they're not here, we could be asking them, do you cut the grass at Bethpage, do you do this, what are your plans on this? I mean, you are Commissioner of Purchasing, you did the RFP, and this is not against you, it's just about -- it's about the administration. It's very sad.

SUPERVISOR DESENA: It's about me.

COUNCILWOMAN DALIMONTE: Yeah, it's about your administration.

SUPERVISOR DESENA: You have a problem with me.

COUNCILWOMAN DALIMONTE: I have a problem with the administration not communicating with the Town Board. That's my problem.

SUPERVISOR DESENA: We are voting on this right now.

COUNCILWOMAN DALIMONTE: But Jen, Supervisor, I was -- I got this the same time the public got it. You're expecting me to vote on something for 20 years for this town. This is a 20-year contract. It's not a five year, it's not a ten year, it's 20 years. That is a very long time, and when I looked --

COUNCILMAN TROIANO: Just to add to your story, we didn't receive any analysis at all until over the weekend.

COUNCILWOMAN DALIMONTE: Correct.

COUNCILMAN TROIANO: And I do want to thank Doron for responding to my questions, and putting it into a format that was easier to read than the first memo you sent, but it is a problem that we don't actually get that until about noon on the day we're being asked to vote on a 20-year contract.

MR. NISSAN: I'd like to address the timing of it.

COUNCILWOMAN DALIMONTE: But can I just --

MR. NISSAN: Sure.

COUNCILWOMAN DALIMONTE: Wait, can I just finish? But also --

SUPERVISOR DESENA: You want feedback, and he's trying to give it to you.

COUNCILWOMAN DALIMONTE: I'm going to -- but I'm going to ask you more questions. Also, with Brooke Holdings, I see that they're spending \$2.7 million in year one on capital investments. Then I only have till year 10, and then 10 -- 11 to 20 I don't have anything. We only got 10 years; there's nothing being spent. Now we all know who owns a home, you own a home, you purchase a home. You are spending capital improvements on your home every year, even if it's brand new. I don't agree with not having anything year two through whatever, 20, not having anything in there that they're committing to spend on capital improvements. We all know, if this becomes like another Bethpage or anything like that, you are -- you're going to have to have capital improvements. Things happen, and I just -- and that really worries me that I don't see where the other two vendors, and I'm not -- had in the first year, a significant amount of

capital improvements, investments scheduled, but also had it for every single year, and I think that's really important, that I think there should be something, capital investment for every single year that they are there, and yes, Commissioner?

MR. NISSAN: So first let me address timing. I could not send out a memo recommending any one of the offerings until the scoring had been completed. As you know, our agreement with Century Golf expires at the end of December, so there a little bit of a rush to figure out how Harbor Links will proceed in the future. By Thursday morning was when the scoring committee had submitted all their submissions, and at that point, I was able to start writing my memo. Unfortunately, as some of you may know, I had a medical emergency on Wednesday. I ended up in the hospital Wednesday evening. I literally got home at four in the morning and began writing my memo. So, I apologize if it didn't get to you, Councilmembers, till late Friday. In that --

COUNCILMAN TROIANO: Doron, I want to thank you for stepping up and taking the responsibility, but had you written your memo on Wednesday, it wouldn't be enough time. That's the point that the Councilmember is trying to make, that this is a 20 year agreement that we're being -- let's just say it was Wednesday, that we are being asked to agree to, in six days, for, by the way an agreement that's not even written yet, and so we're being asked to give the Supervisor authority to sign an agreement we haven't seen, sight unseen, give that agreement for, you know, not for, you know, not for a, you know, a small contract but for a 20 year contract for what is probably the town's major asset; right? And so -- and so that -- so thank you for being willing to take the blame, but it wasn't really meant for you, and you know, even if you had not been ill, again, six days isn't enough.

SUPERVISOR DESENA: Councilman, do you often engage in negotiations of contracts?

COUNCILMAN TROIANO: Excuse me?

SUPERVISOR DESENA: I don't think that --

COUNCILMAN TROIANO: I'm not sure what the relevance of that is. I'm talking about --

SUPERVISOR DESENA: Because you're setting forth this idea that you -- that each one of you or that Councilwoman Dalimonte, because she lives in Port Washington, should have been involved in negotiations.

COUNCILMAN TROIANO: I didn't --

SUPERVISOR DESENA: Our job is to vote.

COUNCILMAN TROIANO: I didn't say anything about negotiations.

SUPERVISOR DESENA: Our job is to vote on the contract.

COUNCILMAN WALSH: One at a time. Let her speak.

SUPERVISOR DESENA: We're here to vote tonight, yes or no, that's all.

COUNCILMAN TROIANO: But I didn't say anything about negotiating. What I'm talking about is seeing the results of the RFP in full. So, you know, so Doron gave us some parts of the RFP.

SUPERVISOR DESENA: Mm-hmm, and we always have a scoring Committee that does that.

COUNCILMAN TROIANO: That's right.

SUPERVISOR DESENA: That's the process.

COUNCILMAN TROIANO: That's right, but that is the process. But we're -- what we're saying is, this is a 20-year contract for the town's major, most significant asset. It's even a tourist attraction. We're saying that in that case, to ask us to vote for a 20-year contract that's worth some \$20 million, I think, certainly \$11 million over the first 10 years, that it would be, in terms of being transparent and collaborative, that having more information than six hours, sorry, I don't mean to undercut that, more than nine hours of time to be able to evaluate that. That's what I'm asking, and Doron, there's also another way to do this, and I have engaged in contracts, and I have negotiated contracts, and so I also know that it's possible to have started to discuss the actual contract with all three of the vendors while you briefed the entire Town Council and the entire public about the RFP, and who won. So that's another way that this could have been approached.

MR. NISSAN: I actually consulted with our Town Attorney about whether it was within my purview to negotiate with more than one vendor, and I was advised that I could not do that.

COUNCILMAN WALSH: Thank you.

SUPERVISOR DESENA: Okay.

COUNCILMAN TROIANO: You could work on an agreement, though, not necessarily -- because I -- what's to negotiate? What else do you have to negotiate?

MR. NISSAN: I think once you go to a formal agreement like a lease or a license agreement, I think there are a lot of details that need to get worked out that --

COUNCILMAN TROIANO: Thank you for that, Doron, because that's exactly our problem is that there's still things to be negotiated.

MR. NISSAN: But --

SUPERVISOR DESENA: But that is not what we do as a Town Board.

COUNCILMAN TROIANO: But there's still things to be negotiated, and we're being asked to vote on what hasn't even been negotiated yet.

COUNCILMAN WALSH: Yeah, but we are not negotiators on this Town Board. We're asked to vote, not to negotiate, not to investigate, you know, we're not asked to negotiate --

COUNCILMAN TROIANO: But we're not asked to --

COUNCILMAN WALSH: It's a conflict of interest if we both negotiate and vote. That's a conflict of interest.

COUNCILMAN TROIANO: But we're being asked to -- now this is ridiculous. We're being asked to approve an agreement that hasn't even been negotiated yet.

COUNCILMAN WALSH: What's ridiculous? What I said or --

COUNCILMAN TROIANO: Well, I don't do that, Dennis. I don't -- I'm sorry, I don't. I don't just give my blanket authorization to anybody --

COUNCILMAN WALSH: So, you're entitled to vote.

COUNCILMAN TROIANO: -- to sign a document that hasn't been negotiated yet.

COUNCILMAN WALSH: Then vote, you know.

COUNCILMAN TROIANO: Because in the end, Doron, I may not appreciate what you negotiate. I'm not even privy to seeing that because I'm going to -- I'm being asked to, right now, this evening, give authority to the Supervisor to sign something I haven't seen.

SUPERVISOR DESENA: As we always do. I always sign the contracts after we vote as a Town Board. again, we do not negotiate.

SUPERVISOR DESENA: Do we have any more cards on this?

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

SUPERVISOR DESENA: Okay.

COUNCILMAN WALSH: The man in the back.

SUPERVISOR DESENA: Okay, do you have a question?

MR. HERBERT: I have a couple of questions.

MR. NISSAN: I'd just like to respond to --

COUNCILMAN WALSH: Please.

COUNCILMAN SCOTT: Go ahead.

MR. NISSAN: So, in their offer, they also submitted a -- as did the other offers, that they would allocate a certain percentage, I think it's 3 1/2 percent, towards a capital reserve fund for ongoing repairs over the period that they would put aside from revenue every year. At this point, the number of things that they're going to have to address, like the condition of the irrigation system which they know has to be done, there's going to be an ongoing commitment to address that, and that was in one of the footnotes that I submitted in my memo today. So, it's not that all the investment is going in in year one, but it will be spread out as items need to be addressed.

COUNCILWOMAN DALIMONTE: So, I probably missed that since I got this, and you know, this is what it comes down to, timing. A 20-year contract, and we have what? What did you say; Councilman? Nine hours to review it, and we all have lives, I mean, and we also had other appointments today. So that's why, in my opinion, I feel that this should have had a special meeting with the Town Board. We should have had a presentation, they should have come here, they should have presented, I think we would've felt better, a 20-year contract, and then we would have set up a separate meeting, and then voted on it, just that one particular item. It's a 20-year contract. This is an asset to the community, and I don't even know if our community knows that we're voting on this tonight. There could -- this could have been a packed house, I don't know. I just feel that transparency is very, very important.

COUNCILMAN WALSH: How can we vote on something if it wasn't noticed to the public?

SUPERVISOR DESENA: Right, it -- this has been noticed.

COUNCILWOMAN DALIMONTE: Do you go through the legal notices?

SUPERVISOR DESENA: That's what we do for every meeting.

COUNCILMAN WALSH: Counsel, was this noted to the public on time?

ATTORNEY NICOLELLO: Yeah, yes.

COUNCILWOMAN DALIMONTE: On Friday.

COUNCILMAN WALSH: Thank you.

COUNCILWOMAN DALIMONTE: On the website.

SUPERVISOR DESENA: Okay, all right, thank you. Are there any --

COUNCILWOMAN DALIMONTE: So, you're -- if you're -- if you go --

SUPERVISOR DESENA: We've been --

COUNCILWOMAN DALIMONTE: -- go check the website every Friday before our Board meeting, you would know.

SUPERVISOR DESENA: We have been discussing the next concessionaire for Harbor Links for two years. This has been a lengthy process, and obviously, the most important thing is that we have this continuity of service for our residents, keeping the same rates for the time being, and we are going to see very quickly a beautiful new driving range with 37 stalls, possibly even more.

MR. NISSAN: Right.

SUPERVISOR DESENA: All ready, hopefully, in the spring. So, I believe our residents are going to be very happy when they see the transformation, the investment in Harbor Links.

COUNCILWOMAN DALIMONTE: So, I would like to ask anyone on the Town Board, have you done a -- have you done a Google search on Brooke Holdings? Do a Google search. There's an article. Golf pro, Kelly Brooke, accuses partner at Bethpage golf course of stealing 300K and trying to frame others including an autistic teen. This was published on October 17th, 2024. This is in court. There's a legal active court case right now for embezzlement.

MR. NISSAN: Not by -- not by her but by her partner. She's accusing her --

COUNCILWOMAN DALIMONTE: Who's a part of Brooke Holdings.

MR. NISSAN: She was accusing her partner of --

COUNCILWOMAN DALIMONTE: Which was part of Brooke Holdings.

SUPERVISOR DESENA: So, Councilwoman, you're making statements against somebody who the town would very much would like do business with. So, I would suggest you --

COUNCILWOMAN DALIMONTE: No, I --

SUPERVISOR DESENA: -- tone it down.

COUNCILWOMAN DALIMONTE: No, I think that the public and the Councilmembers need to know that this was published on October 17th, 2024. This is not -- do you want to read it?

SUPERVISOR DESENA: Would you like the golf course to close December 31st?

COUNCILWOMAN DALIMONTE: No, but I'm just saying that --

SUPERVISOR DESENA: I'm just wondering what you're hoping to accomplish here.

COUNCILWOMAN DALIMONTE: What I'm hoping to accomplish here. I think that we should table this Item, we should look into that allegation, because that just came to me today, we should look at the allegation, and we should set up a special meeting for a vote for this.

SUPERVISOR DESENA: I think if you look into this more, you'll find that she was actually the victim of the problem. So, let's --

COUNCILMAN WALSH: These are allegations.

SUPERVISOR DESENA: Let's, please --

COUNCILMAN WALSH: Nobody's convicted of anything

SUPERVISOR DESENA: Is there anyone else here who wishes to be heard?

COUNCILMAN TROIANO: Yeah, can I -- I'm sorry, can I just speak to that if you don't mind? Because you said it was --

SUPERVISOR DESENA: Here we go, again. Here we go, again. We can't vote on our business.

COUNCILMAN TROIANO: She's accusing --

COUNCILWOMAN DALIMONTE: No, but it's a 20-year contract, Supervisor.

SUPERVISOR DESENA: Yes.

COUNCILMAN WALSH: We heard you say that five times now.

SUPERVISOR DESENA: That's standard.

COUNCILMAN WALSH: How many times are you going to say the same thing?

COUNCILWOMAN DALIMONTE: These are our residents.

COUNCILMAN WALSH: That's six times you said it.

COUNCILWOMAN DALIMONTE: They have a right --

COUNCILMAN WALSH: We heard you the first five times.

COUNCILWOMAN DALIMONTE: They have a right.

SUPERVISOR DESENA: You cannot get an investment in property without giving the leaseholder time to capitalize. This is standard, Mariann. You're making a big deal for some reason I can't figure out.

COUNCILMAN TROIANO: So, if I --

COUNCILWOMAN DALIMONTE: I can figure it out. One, the article --

SUPERVISOR DESENA: Okay, we --

COUNCILMAN TROIANO: Can I -- I'm sorry. You said that the allegations that have been reported in the paper, and also not just reported in the paper, there's also been a court filing about it, that that's an allegation by Brooke against her partner.

MR. NISSAN: Correct.

COUNCILMAN TROIANO: Which is, in fact, that's very accurate. The concern for me, though, is that he didn't steal from her. He stole from the cash and other proceeds at the golf course, and that's --

COUNCILMAN WALSH: So, you're saying that somebody stole money. Do you know that? You just accused somebody of stealing money. You didn't say allegation. You said, he stole money.

COUNCILMAN TROIANO: Okay, Councilman.

COUNCILMAN WALSH: Yeah, no, no, don't say okay, Councilman. Don't accuse people of stealing money when you don't know the facts. You don't know that. So don't say, okay, Councilman like you're pushing me aside.

COUNCILMAN TROIANO: Okay.

COUNCILMAN WALSH: Because you didn't say it was alleged, you said, he stole money from somebody else.

COUNCILWOMAN DALIMONTE: It's in court.

COUNCILMAN WALSH: You can't say that.

COUNCILMAN TROIANO: Okay, so let me say it's alleged, thank you, it's alleged that her partner stole money. It's alleged by her that her partner stole money. My concern is that he didn't steal it from her, he didn't take it out of her pocket, he took it from the actual golf operation and that seems, it seems to have gone on for a period of time, and so it concerns me about what kinds of controls Brooke Holdings has in place to be able to identify fraud before it amounts to \$300,000. So that's my feeling about the allegation, that it does have some relevance beyond just, it was her partner, because it was stolen from the golf operation which could happen at Harbor Links, as well. But I think the more pertinent question might be, or a pertinent question might be, was that known at the time that you -- the committee chose Brooke Holdings as the winner.

MR. NISSAN: I addressed that article with her. There are -- first of all, my understanding is that part --

COUNCILWOMAN LIU: I'm sorry, who's the her?

MR. NISSAN: Kelly Brooke is the founder of Brooke Holdings.

COUNCILWOMAN LIU: Okay.

MR. NISSAN: I addressed that with Ms. Brooke. They have -- my understanding is that that partner is no longer a part of Brooke Holdings, and they have put in a whole series of security measures to prevent that from happening, and that was actually contained in their response in the RFP -- to the RFP.

COUNCILMAN WALSH: If it happened at all because it's alleged.

COUNCILMAN TROIANO: But you can see that that --

COUNCILMAN WALSH: We're convicting people over here before anything has gone through the court system.

COUNCILMAN TROIANO: But you could see that, you know, that the person making the allegation is the person that we're bringing in; right? So, it has some relevance here. So, but you can see that the fact that they have installed controls after the fact is concerning. So let me ask, though. So, you -- you've talked to Brooke. Did you share that with any of the other committee members?

MR. NISSAN: Yes.

COUNCILMAN TROIANO: Okay. Did you share that with anybody in the Town Council?

MR. NISSAN: I haven't spoken to --

COUNCILMAN TROIANO: So, nobody on this Council was made aware after of these allegations.

MR. NISSAN: I did not.

COUNCILMAN TROIANO: Court filing.

MR. NISSAN: I did not make it.

COUNCILMAN TROIANO: No one on this Town Council was made aware that there was a court filing.

MR. NISSAN: I did not make anyone aware of that.

SUPERVISOR DESENA: Okay, we have another comment from the public.

COUNCILMAN WALSH: In the back.

MR. HERBERT: Good evening, my name is Ray Herbert, 78 Westgate Boulevard, Plandome, New York. You know, we've talked about the crown jewel and the major asset of the town, and the golf course, the whole complex, but particularly the golf course is the crown jewel. It is in very, very good shape now, the executive course and certainly the championship course. I haven't heard anything about their experience in golf course maintenance. It is a very, very serious matter. It takes real expertise, you know, I've known a number of greenskeepers over the years, and you know, they'll do a nice job on the driving range and the snack bar and all the other stuff, you know. I've been out to Kelly Brooke's driving range out at Bethpage, it's fine, it's a small operation. I don't see how that's the basis for a major contract for 20 years for the Town of North Hempstead. I have real concerns that the maintenance of the course will go downhill, and that golf course will be less desirable, not only to the residents, but nonresidents who come to

play. The other thing is, listening to the open-endedness with respect to outings, that's been a real problem for people who play there, I know we've talked about it or it's been raised before. We have -- the residents have had so many situations where we've come up to play, you know, at least make a reservation. No, there's an outing on Monday, there's an outing on Tuesday. One week there was outings on Monday, Tuesday, Wednesday and Thursday when we were trying to just set up a foursome. So, I think the open-endedness there is unacceptable, and I know there are a lot of residents who would have a real problem with that. So, as I said, I'm not sure that this operation is the right one, but I was not -- I didn't do the due diligence, I was not on the committee. But from what I've heard, I'm not so sure this is the right way to go. Thank you.

SUPERVISOR DESENA: Thank you. Yes?

MR. GENICOFF: It was mentioned that Kelly Brooke was in negotiations or might be taking over the operations at Bethpage Black. I may not know what I'm talking about, Bethpage Black is a world class operation. It is run like a little city, those five golf courses. They're closing the golf course next year for three months to entertain the Ryder Cup which will attract visitors from all over the world, and a company that doesn't advertise on their website operation of a golf course cannot possibly be under consideration to manage that golf course. I agree with the previous person that the golf outings have been an issue. I don't know if, as a resident, if I'm privy to what was in their RFP. I would love to read it and see what is specified and what is not specified. But I think that if I were voting on a 20-year contract, I would like to know what was in there and what I was voting on. Thank you.

MR. NISSAN: Just to address one point. It's not that Brooke Holdings doesn't have experience in managing, from soup to nuts, the operation of a golf course, including cutting of the grass and seeding, and they've run, for over 20 years, fully, golf -- the full operations of a number of golf courses. So, I know you're focusing on, or this gentleman is focusing on, the cutting of the grass of Bethpage Black, but that's not -- that's not the total experience we're looking at here.

COUNCILMAN SCOTT: So, they have done it in different areas.

MR. NISSAN: Absolutely.

COUNCILMAN SCOTT: They've managed this before.

MR. NISSAN: Absolutely.

SUPERVISOR DESENA: Okay.

COUNCILMAN WALSH: Thank you.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: No, I have a question, if you don't mind.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Can you come back up; please?

CLERK SRIVASTAVA: Councilman Scott?

SUPERVISOR DESENA: I have -- there's a motion.

CLERK SRIVASTAVA: We have a motion.

SUPERVISOR DESENA: No, there's a motion.

CLERK SRIVASTAVA: We have a motion and the voting started.

COUNCILMAN TROIANO: Are you really cutting off a Town Councilmember?

COUNCILWOMAN DALIMONTE: For a 20-year contract, yes.

COUNCILMAN TROIANO: Are you really just going to cut off discussion? Are you really going to do that?

COUNCILWOMAN DALIMONTE: Oh, my God.

COUNCILMAN TROIANO: So Doron, let me -- this may not be a question for you, this may be for the Commissioner because I don't really know, I'm not a golfer. I don't understand why people humiliate themselves like this.

SUPERVISOR DESENA: And I'm going to say, Councilman, can you really not respect the rules? This is Robert's rules of procedure. I mean, we've been through this, and you're just talking.

COUNCILMAN TROIANO: So, I just want to put on the record that Jen DeSena, Supervisor DeSena, will not allow one of her Councilmembers to finish up discussing a 20-year agreement for the crown jewel of the Town of North Hempstead. I just want to -- confirm that for me that you are cutting me off.

SUPERVISOR DESENA: And continue violating the rules. Go ahead.

CLERK SRIVASTAVA: Councilman Troiano? Councilman Scott?

COUNCILMAN TROIANO: I'm sorry, the Supervisor just said that I can go ahead.

COUNCILMAN SCOTT: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN TROIANO: The Supervisor just said I can go ahead, Town Clerk. Doran, so --

COUNCILMAN WALSH: Who's counsel?

COUNCILMAN TROIANO: -- let me understand because in -- so you, at my request, thank you, provided the NOI. Actually, you provided more than I asked for, and so, because I don't know much about how golf courses operate, I thought that all the money paid to us by the current operator of the golf course was just revenue to us with no offsetting expenses. But I see from your memo that there are offsetting expenses. So, in the charts you gave us today with the results for the RFP, I thought that everything that was presented on this chart was pure revenue with no expenses associated with it. So, is it actually the case there are going to be some expenses that are not shown here that the town continues to bear?

MR. NISSAN: For the operations?

COUNCILMAN TROIANO: Mm-hmm.

MR. NISSAN: Other than a grant that we were awarded for the repair of a pump station, I believe all the expenses will be operating expenses of the new operator.

COUNCILMAN TROIANO: So just to make sure you and I are communicating properly.

MR. NISSAN: Sure.

COUNCILMAN TROIANO: The memo you gave said, in 2023, total revenue to the town from the golf course, came to 6.8 million and total expenses came to 6.4 million. So that was in '23. I imagine in 2024, there was an expense base similar to that.

MR. NISSAN: Yeah, actually, the NOI ends up being very close to -- almost identical to --

COUNCILMAN TROIANO: In '24 so far.

MR. NISSAN: Yeah.

COUNCILMAN TROIANO: So those are -- that expense base of about \$6 million, that goes away in 2025 when we bring in one of these operators?

MR. NISSAN: That's my understanding.

COUNCILMAN TROIANO: So, what happens to those expenses?

MR. NISSAN: It's borne -- it's borne --

COUNCILMAN TROIANO: The operator takes --

MR. NISSAN: -- by the new operator.

COUNCILMAN TROIANO: Thank you. Now -- no, no, one more.

MR. NISSAN: Oh.

COUNCILMAN TROIANO: Just one more; okay? The capital. So who has responsibility for making capital investments in the golf course going forward?

MR. NISSAN: It would be the new operator.

COUNCILMAN TROIANO: Okay, so on an ongoing basis, the new operator has responsibility for making capital improvements in the golf course. So I'm going to go back then to Mariann's point because I didn't really understand that. I thought they were saying they're going to invest 2.7 million, and then we would have -- the town would have the responsibility for the rest of the term, for the remaining 19 years, to make additional capital investments. But in fact, then Brooke Holdings, unlike the other operators, is not committing to making any capital investments after year one.

MR. NISSAN: As I pointed out in my memo, there are certain items they haven't identified yet, they said they were going to make an assessment of certain areas. For example, I think I listed irrigation, and once they did that, they fully intended to address that, as well, and pay for it.

COUNCILMAN TROIANO: So let's use irrigation as an example. So if they get the contract, they'll repair the irrigation system. That's, again, year one, I would presume. So, okay, year two?

MR. NISSAN: Yeah.

COUNCILMAN TROIANO: Okay.

MR. NISSAN: I'm not a golfer either, so --

COUNCILMAN TROIANO: So but that means if the irrigation system breaks again, over the next 19 -- 18 or 19 years, they have no responsibility to fix that? If the -- let me ask you -- continue. If the golf cart paths deteriorate as asphalt will, they're going to have an obligation to repair that?

MR. NISSAN: I believe so.

COUNCILMAN TROIANO: You believe they do or they don't?

MR. NISSAN: I believe they have an obligation to maintain --

COUNCILMAN TROIANO: But they haven't specified that in their proposal. At least you haven't presented that to us.

MR. NISSAN: Correct.

COUNCILMAN TROIANO: So this is -- Doron, and I know you've been really great, you've been really transparent, you have answered every question I or anybody else has asked, but don't you see my concern that you can't present to us tonight that if the golf cart paths deteriorate that Brooke Holding will repair them?

MR. NISSAN: Except --

COUNCILMAN TROIANO: And then I'm being asked to vote on this.

MR. NISSAN: Except every year they're committing 3 1/2 percent of income towards a capital improvement fund to --

COUNCILMAN TROIANO: Well, that's not here.

COUNCILWOMAN DALIMONTE: Yeah, I looked. It's not there.

COUNCILMAN TROIANO: But that's the problem. Don't you see? I'm being asked -- it's not here, and if I don't ask the question, I don't ever know; right? And so I don't know, what other question haven't I asked that I should have asked; right? How do I know that True Golf isn't doing something beyond what's shown here? I don't know, because -- and I suppose KemperSports Management, suppose they're doing more. I don't know. Are there some expenses that are being passed on to us? We don't know because we maybe haven't thought to ask the right question, and that's unfair to the Town Council, and it's unfair to the people of this town to ask for us to vote on something that we just learned about on Friday with no information and an incomplete set of information delivered to us at 12 noon. That is beyond the bill in my mumble estimation, and I'm not putting that on you, Doron. It's the process.

SUPERVISOR DESENA: Thank you for the performance.

CLERK SRIVASTAVA: Can we continue --

COUNCILWOMAN LIU: Doron, can I ask --

ATTORNEY NICOLELLO: Wait, excuse me, Mr. Nicoletto would like to comment.

MR. NICOLELLO: Yeah, just one point is that this asset that they're getting is the golf course. They have obligations to pay the town a certain rent, and they have expectations of making a profit after they put various monies into the course. Their incentive is going to be to maintain that golf course. If they let the golf paths deteriorate, if they let the course deteriorate, they get less golfers. So the built-in incentive here is for Brooke Holdings to keep that golf course in as pristine shape as possible. If they don't, they're doing something against their own self interest, and they're going to be paying monies to the town while losing money because they're not maintaining the course.

COUNCILMAN TROIANO: So Rich, are you a golfer?

ATTORNEY NICOLELLO: Yes.

COUNCILMAN TROIANO: Do you -- have you ever played at Harbor Links?

ATTORNEY NICOLELLO: Yes.

COUNCILMAN TROIANO: Are you aware of the deterioration in the Harbor Links golf over the time that the current operator had control over it?

ATTORNEY NICOLELLO: Well, I know that the golf course is still in very good shape and is attractive to many golfers.

COUNCILMAN TROIANO: Right.

ATTORNEY NICOLELLO: Whether there's certain deterioration or not, it is still an attractive golf course.

COUNCILMAN TROIANO: You may not -- then you may not be aware that a lot of golfers won't even come to Harbor Links because of the way it's deteriorated, and so I would say to you that the current operator had the same motivation that you profess for Brooke Holdings, yet --

COUNCILMAN WALSH: I'd like to know where he gets his set of facts from.

COUNCILMAN TROIANO: I'd like you not to cut me off.

COUNCILMAN WALSH: I'd like to know where you get your set of facts from. All of a sudden, you're saying that a lot of people don't like to go there. You're just making this stuff up.

SUPERVISOR DESENA: The performances --

ATTORNEY NICOLELLO: I think you're raising an argument --

SUPERVISOR DESENA: The performances just keep going.

ATTORNEY NICOLELLO: You're raising an argument on behalf of a new operator for one thing.

COUNCILMAN TROIANO: Because I don't -- because I can't speak -- I'm raising an argument for a new operator.

ATTORNEY NICOLELLO: Right.

COUNCILMAN TROIANO: But I'm not making the argument for this operator.

ATTORNEY NICOLELLO: I didn't say that.

COUNCILMAN TROIANO: Because this operator, I don't know what they're planning, I don't know what their motivations are, and also, I don't know what their financial statements are, so I don't know what their capabilities are; right? We have not been presented financial statements.

CLERK SRIVASTAVA: Town Attorney, can you –

COUNCILMAN TROIANO: Which is part of an RFP process, typically; right? But we haven't been presented that. So I don't know that. I don't know that Brooke has the ability to make good on what we think would be 3 1/2 percent of something. I don't know even that Brooke has the capability to make the \$2.7 million investment in year one. I don't have no idea because that's not been presented to us.

ATTORNEY NICOLELLO: As is common with every bid that comes to us or RFP. The details get worked out in the contract.

COUNCILMAN TROIANO: That's right, but not –

ATTORNEY NICOLELLO: In every case.

COUNCILMAN TROIANO: That's right.

ATTORNEY NICOLELLO: In every case.

COUNCILMAN TROIANO: And some of those contracts –

COUNCILMAN WALSH: Will you let the guy speak.

COUNCILMAN TROIANO: Some of those contracts –

COUNCILMAN WALSH: You just don't let the people speak.

SUPERVISOR DESENA: Right.

COUNCILMAN WALSH: Let the guy finish his answer.

COUNCILMAN TROIANO: And this one lasts --

COUNCILMAN WALSH: If you're going to talk over him –

COUNCILMAN TROIANO: -- twenty years.

COUNCILMAN WALSH: -- I'm going to talk over you. You don't let people speak. So keep going, and I'm going to keep going. You're talking over other people.

COUNCILWOMAN LIU: Okay, can I ask a question; please? Thank you.

ATTORNEY NICOLELLO: It's up to counsel to make sure that the –

SUPERVISOR DESENA: Please let him finish.

ATTORNEY NICOLELLO: -- that the town's interests are protected in the contract.

COUNCILMAN WALSH: This guy just talks over everyone.

SUPERVISOR DESENA: Hold on, hold on.

CLERK SRIVASTAVA: Can we continue working?

SUPERVISOR DESENA: Please stop. Please stop. Stop, stop.

CLERK SRIVASTAVA: We have a motion on the floor.

COUNCILMAN TROIANO: I trust in you, but I'd like to see it first; okay?

SUPERVISOR DESENA: You're making up a scenario, I mean, this is not -- this is not --

COUNCILMAN TROIANO: I'm not making anything up.

SUPERVISOR DESENA: We are following -- we are following standard process, Robert, and you're just performing on and on. Do you have a question?

COUNCILWOMAN LIU: Yes, thank you.

COUNCILWOMAN DALIMONTE: I don't think it's a performance, I think it's a 20 year contract that has everyone worried.

COUNCILWOMAN LIU: I think we -- if we can just go back to a more general question about this bid because it's such a significant contract here and the management of our town golf course. Can you tell us what the vetting process -- what vetting process was done for all three companies?

MR. NISSAN: Part of the RFP stipulated that everybody had to have significant experience in operating golf courses. Every one of our bidders has managed a number of golf courses as I explained fully, in this case, for over 20 years.

COUNCILMAN WALSH: Twenty years experience.

COUNCILWOMAN LIU: So looking into their financials, potential lawsuits, was that part of the vetting process? Maybe that's not standard for all the regular contracts that, you know, the bids that go out for RFPs, but in this case, was any of that done?

MR. NISSAN: They submitted financials, they submitted a letter from a bank guaranteeing the funding of or indicating their willingness to fund the capital improvements.

COUNCILWOMAN LIU: Okay, so were you aware that they're being sued? Brooke Holdings, that they are involved in a lawsuit?

MR. NISSAN: I think --

COUNCILMAN SCOTT: I think that's a little unfair because any company -- that's a little unfair. Any -- I have a company, I've had a company for 20 years, and just because somebody's being sued doesn't take away from what they're doing.

COUNCILWOMAN LIU: It's just a question. It's not --

COUNCILMAN SCOTT: I got it's a question but it's almost -- Christine --

SUPERVISOR DESENA: It's an allegation.

COUNCILMAN SCOTT: -- listen, nobody --

COUNCILWOMAN LIU: It's not an allegation.

COUNCILMAN SCOTT: -- on any other thing that we ever put out there I've never heard you ask that.

COUNCILWOMAN LIU: That's only because of the significance of this contract, and that's what I said at the start of it. We don't normally ask this, but because of the significance of this contract we're asking this question. I think it's reasonable.

MR. NISSAN: You run this town, you Councilmembers run this town, us employees run this town with the best of interest, but we all have -- are subject to lawsuits from time to time that don't necessarily hold water. The only case that I became aware of was her allegations against a former employee who, by the way, I understand was not a partner in Brooke Holdings.

COUNCILMAN WALSH: And it's an allegation.

COUNCILWOMAN LIU: Thank you.

COUNCILMAN WALSH: So let's call the --

SUPERVISOR DESENA: Okay, I offer the --

CLERK SRIVASTAVA: Town Attorney, can we continue the voting process?

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: No.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN LIU: To me, this agenda item is very troubling. Again, we're deciding on a management company for our golf course for the next 20 years, and we only found out about this company late Friday afternoon, and we're asked to make this decision now. All we did was do an online research, just Googling it, because we didn't have any other information to go by, we didn't have any other presentations from this company, and we just found allegations of embezzlement. We found lawsuits against Brooke Holdings. So to decide the contract or to vote on this resolution today I think is premature before we find out more information about this company, and it -- the company could, you know, absolve itself from all these allegations. But at this point in time, it's very troubling to rush through this decision.

COUNCILMAN ADHAMI: Councilwoman, you keep saying they're being sued.

COUNCILWOMAN LIU: Right.

COUNCILMAN ADHAMI: Brooke Holdings seems to be the plaintiff.

COUNCILWOMAN LIU: No, no, no.

COUNCILMAN ADHAMI: They're the ones --

COUNCILWOMAN LIU: The lawsuit filed in March of 2024. It's not due to the embezzlement allegations. So I'm being very general in that, and everybody can search for it online themselves.

COUNCILMAN ADHAMI: What was that lawsuit for? Was it a trip and fall?

COUNCILWOMAN LIU: You can -- you can look that up.

COUNCILMAN ADHAMI: So you looked it up.

SUPERVISOR DESENA: Well, you want to talk about it.

COUNCILMAN WALSH: You just brought it up, so what's it about?

COUNCILWOMAN LIU: It's about their partnerships and their bids. So I don't want to get into the technicalities, you can look it up, March of 2024. So because of this, I vote no.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: So being the Councilwoman for District 6, this is a town facility in my district. I just feel that it is -- I think this Item should have been tabled. There should have been a presentation made to everyone on the Town Board from Brooke Management. We should have had a separate meeting on this, and I just feel that a 20 year -- I understand why it has to be a long agreement because of capital expenditures, but when you're voting on a 20 year agreement, this is not a five year agreement, it's a 20 year agreement. It cannot be rushed, and you cannot expect, and I'm really shocked by some of the answers. The Councilmembers asked questions, and there was not a full understanding of really what we're getting, and I feel like the --

SUPERVISOR DESENA: I thought it was pretty full.

COUNCILWOMAN DALIMONTE: -- I see the -- I'll wait till everyone's done. Okay, and I see the faces. I see your faces, and I see the stress on your faces, and I see that you are not happy with this, and agree with you, and I will be voting no.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: No, we're voting, we're voting.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you.

COUNCILMAN WALSH: Next Item.

SUPERVISOR DESENA: Okay, next Item, please.

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. 565 - 2024

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BROOKE HOLDINGS, LLC D/B/A BROOKE MANAGEMENT GROUP, LLC FOR CONCESSION SERVICES AT HARBOR LINKS GOLF COURSE, PORT WASHINGTON.

WHEREAS, the Town of North Hempstead requires concession services for the operation of Harbor Links Golf Course in Port Washington (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, a Town review committee has recommended the retention of Brooke Holdings, LLC d/b/a Brooke Management Group, LLC, 253 Beach 134th Street, Belle Harbor, New York 11694 (the "Contractor") to provide the Services for a term of twenty (20) years in consideration of payment to the Town of the rental fees as provided in the Contractor's response to the Town's RFP as follows:

- Year 1: Base Rent- \$350,000 plus 15% of any revenue above \$7 million
- Year 2-5: Base Rent- \$850,000 plus 15% of any revenue above \$7 million
- Year 6-10: Base Rent- \$900,000 plus 15% of any revenue above \$7 million
- Year 11-15: Base Rent- \$950,000 plus 15% of any revenue above \$7 million
- Year 16-20: Base Rent- \$1,000,000 plus 15% of any revenue above \$7 million

in addition to investments by the Contractor for capital improvements in a total amount of Two Million Seven Hundred Five Thousand and 00/100 Dollars (\$2,705,000.00) in the first year of the agreement (the "Agreement"); and

WHEREAS, the Director has requested that this Board authorize the Agreement.

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Scott, Councilperson Walsh, Supervisor DeSena.

Nays: Councilperson Dalimonte, Councilperson Liu, Councilperson Troiano.

cc: Town Attorney Comptroller Parks

S. Dalimonte
WRITING SUPPLY

CLERK SRIVASTAVA: Item number 29. A resolution authorizing the disbursement of ARPA funds for the Manhasset --

SUPERVISOR DESENA: 29.

CLERK SRIVASTAVA: -- Sewer Conversion Project and the execution of agreements with owners of properties adjoining Plandome Road to connect to the Great Neck Water Pollution Control District sewer main.

SUPERVISOR DESENA: So this a program -- this -- finally, after many, many, many, many years, our businesses are going to have the opportunity to connect to a sewer, and the main line already has been installed under Plandome Road, thanks to a New York State grant secured by Assemblywoman Gina Sillitti, and we are now describing an incentive program for the stores on Plandome Road to connect to that sewer. In order to participate in the incentive, the store must execute a contract with the Town of North Hempstead by December 20th. So we have notified the stores, we are always trying to get more information out there because the -- there is the potential for a rebate as well as the town repaving Plandome Road and restoring the sidewalks after the project is complete. So I hope that all of the stores will connect because this will not only be an environmental benefit, it will a financial benefit for them, as well. I offer the resolution --

COUNCILWOMAN DALIMONTE: Wait, I have a question.

SUPERVISOR DESENA: Oh.

COUNCILWOMAN DALIMONTE: Do you know the church that they added in at the end?

SUPERVISOR DESENA: The Shelter Rock Church?

COUNCILWOMAN DALIMONTE: Yes. Is that included in this, like they were received?

SUPERVISOR DESENA: They would have to contact the Great Neck Water Pollution Control District to find out.

COUNCILWOMAN DALIMONTE: No, because I know that Great Neck went down to connect for the sewer line, Assemblywoman Sillitti, that \$5 million, it went down. I just want to make sure that they received the paperwork so they could sign up.

SUPERVISOR DESENA: Well, I'll let everyone know right now. Again, including the Shelter Rock Church, they need to contact the Great Neck Water Pollution Control District. They have a portal established where the owner of the property can get the information and find out what's required to participate.

COUNCILWOMAN DALIMONTE: And in April of 2023, in this ARPA funds, we talked about the town also, Town Hall 1 and Town Hall 2. So we have to fill out the paperwork, as well.

SUPERVISOR DESENA: Yes.

COUNCILWOMAN DALIMONTE: Okay.

COUNCILMAN TROIANO: Is it the intent for the town to fill out the paperwork?

SUPERVISOR DESENA: It is the intent of the town to connect, yes.

COUNCILWOMAN DALIMONTE: To fill out the paperwork.

SUPERVISOR DESENA: To connect -- well, connect to the sewer.

COUNCILMAN TROIANO: And we're going to use this fund to help pay for that.

SUPERVISOR DESENA: We will -- we are -- first, we will make sure that the stores have the option, have the -- they have until December 20th to connect. We're aware of the deadline, so --

COUNCILWOMAN DALIMONTE: Because if it's 88 stores each -- if every store participates, they can get the minimum, the minimum that they can get is \$35,170.38. So is the 88, does that include Town Hall 1 and Town Hall 2?

SUPERVISOR DESENA: I do not believe it does. Mr. Bogle, would you like to add some information?

ATTORNEY BOGLE: Yeah. If I may, Councilwoman, there are 80 -- you say 82 businesses, but there's 182 connections along Plandome Road. I believe that the church is a part of one of those connections.

COUNCILWOMAN DALIMONTE: Okay.

ATTORNEY BOGLE: So if everyone participates, it's 3.94 million divided by the 182 connections. You get \$17,000 per connection, and that's presuming full participation. Your per connection rate goes up if there's less participation.

COUNCILWOMAN DALIMONTE: Oh, just so --

ATTORNEY BOGLE: So, sorry.

COUNCILWOMAN DALIMONTE: No, sorry. Just so you know, in the backup of it, it said 88, the max was 88.

SUPERVISOR DESENA: The 88 is the stores, but some stores might have multiple connections --

COUNCILWOMAN DALIMONTE: Oh.

ATTORNEY BOGLE: Yes.

SUPERVISOR DESENA: -- that they seek.

ATTORNEY BOGLE: So for example, Councilwoman, I did receive contact from an individual who has one storefront with four connections. So if you own, let's say four businesses, each one of those businesses is a separate connection to the water main.

COUNCILWOMAN DALIMONTE: Got it.

COUNCILMAN SCOTT: How many did you say was in total?

ATTORNEY BOGLE: One hundred and eighty-two connections for 86 businesses as the Councilwoman indicated.

COUNCILMAN TROIANO: Did you say that the fewer people that connect, the higher your -- the cost goes for everybody else?

SUPERVISOR DESENA: No.

ATTORNEY BOGLE: No, not the higher the cost. They get a larger grant.

COUNCILMAN TROIANO: They get a larger --

ATTORNEY BOGLE: So basically, we -- yeah, this is the money we have based on the number who participates. The number will reduce, but it will go no lower judging full participation than 17.5 per connection.

COUNCILMAN TROIANO: And I'm sorry, maybe -- so the 182, does that include Town Hall 1 and 2?

ATTORNEY BOGLE: I have to check if that's included in the calculations for the connections. I'm not sure, Councilman.

COUNCILMAN TROIANO: So does anybody here know whether or not the town's going to apply?

ATTORNEY BOGLE: Oh, I know the town is going to connect to the water main.

COUNCILMAN TROIANO: That's not the question I asked.

ATTORNEY BOGLE: I don't know if it's a part of this program or a separate program, Councilman.

COUNCILMAN TROIANO: So does anybody here know whether or not the town's going to apply to be part of this program?

ATTORNEY BOGLE: I do not.

COUNCILMAN TROIANO: You do not. The Supervisor doesn't know either.

COUNCILMAN SCOTT: No, I think --

SUPERVISOR DESENA: We are aware of the program, so we will participate.

COUNCILMAN TROIANO: That's as clear a nonanswer as I could ask for.

SUPERVISOR DESENA: I don't know, you're asking a question that's a little bit distorted, so I'm not sure --

COUNCILMAN TROIANO: It's easy to say, of course, the town's going to save the taxpayers money by being part of this program. That's an easy answer.

SUPERVISOR DESENA: Well, of course we're going to connect to the sewer system because it's good for the environment.

COUNCILMAN TROIANO: That's a benefit.

SUPERVISOR DESENA: Okay, all right, okay. I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN LIU: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: I would like to thank Assemblywoman Sillitti for securing that \$5 million grant. I would also like to thank former Councilwoman Veronica Lurvey who also was a huge supporter of this project since her taking office, and I vote aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: And I'll thank Senator Jack Martins for his help in getting us over the finish line, too, and of course, the Chamber of Commerce.

COUNCILWOMAN DALIMONTE: Oh, yeah –

SUPERVISOR DESENA: I vote aye.

CLERK SRIVASTAVA: Thank you.

COUNCILWOMAN DALIMONTE: Yeah, Ron O'Donnell (phonetic) did a great job on this. --

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. 566 - 2024

A RESOLUTION AUTHORIZING THE DISBURSEMENT OF ARPA FUNDS FOR THE MANHASSET SEWER CONVERSION PROJECT AND THE EXECUTION OF AGREEMENTS WITH OWNERS OF PROPERTIES ADJOINING PLANDOME ROAD TO CONNECT TO THE GREAT NECK WATER POLLUTION CONTROL DISTRICT SEWER MAIN.

WHEREAS, the Great Neck Water Pollution Control District ("GNWPCD") is a special district located within the jurisdictional borders of the Town of North Hempstead (the "Town") that provides sewer services to the residents of the Town of North Hempstead; and

WHEREAS, the GNWPCD has installed a sewer main along Plandome Road in Manhasset; and

WHEREAS, the Town of North Hempstead received \$10,114,021.27 under the State and Local Fiscal Recovery Fund program under American Rescue Plan Act (ARPA) (the "ARPA Funding"), 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, by Resolution No. 209-2023 duly adopted on April 4, 2023, this Board authorized the transfer of ARPA funds 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, this Board desires to authorize \$3,094,993.00 in ARPA funds for the purpose of providing financial grants to the owners of properties adjoining Plandome Road to assist and encourage those business to install spoke lines to connect to the GNWPCD sewer main; and

WHEREAS, local businesses that connect to the GNWPCD sewer main will no longer be using septic tanks for the disposal of waste, which will dramatically lessen the impact to the environment.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby approves the expenditure of \$3,094,993.00 in ARPA funds to provide financial grants to businesses adjoining Plandome Road to assist and encourage those business to install spoke lines to connect to the GNWPCD sewer main; and be it further

RESOLVED, that the Supervisor or her designee be and hereby is authorized and directed to execute contracts with the owners of properties adjoining Plandome Road to provide financial assistance to owners that agree to install spoke lines to connect to the GNWPCD

sewer main, 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 grants upon confirmation that the work has been completed to the satisfaction of the Town and upon receipt of a claim form from the grantee.

Dated: Manhasset, New York

November 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

cc: Town Attorney Comptroller Clerk

SUPERVISOR DESENA: 65.

CLERK SRIVASTAVA: the employment, appointment, transfer, adjustment -- correction, change in grade or salary --

SUPERVISOR DESENA: Employee resolution.

CLERK SRIVASTAVA: -- and/or termination of employees and/or officials in various departments of the town.

SUPERVISOR DESENA: Are there any cards on this?

CLERK SRIVASTAVA: Tom McDonough?

MR. McDONOUGH: Tom McDonough, president, CSEA 7555, representing the union employees of the town. We're back to hiring a bunch of part-timers again, but the one that I really don't understand is, why are we hiring a recreation aide, part-time recreation aide, for the Comptroller's office. You going to start doing calisthenics or something in the morning?

SUPERVISOR DESENA: It was determined by the Human Resources Director that that was the title available.

MR. McDONOUGH: That's the title. I think we should check with civil service because I don't think they're going to appreciate a recreation title being in the Comptroller's office.

COUNCILWOMAN LIU: Actually --

MR. McDONOUGH: And I will make sure that I call them tomorrow.

COUNCILWOMAN LIU: Mr. McDonough, last week at our caucus meeting, I learned that it was a college student that was going to be hired as an administrative intern for this position. But today, we see on the personnel that it's been changed to recreational aide, but it's still an intern as this is a college student.

MR. McDONOUGH: As far as I know is that they're using the recreation aide title, because there's one in public safety, instead of doing the required paperwork for administrative intern. Do it. Because recreation aide doesn't get them anything on their resume. It doesn't get them anything.

COUNCILWOMAN LIU: I completely agree.

MR. McDONOUGH: Administrative intern does. Stop hiding it.

COUNCILWOMAN LIU: Mm-hmm.

MR. McDONOUGH: Because that's not what civil service likes. Civil service don't like you putting people into something that they're not going to be.

COUNCILMAN TROIANO: Where should a recreation aide be?

MR. McDONOUGH: Parks Department.

COUNCILMAN TROIANO: Thank you.

MR. McDONOUGH: Those are community services. Those are the three departments.

COUNCILMAN SCOTT: Have any other titles been -- gone to another location that was out of title?

MR. McDONOUGH: Sorry, say that again?

COUNCILMAN SCOTT: Have any titles, a person with one title, been anywhere else where that title didn't fit and they worked there?

MR. McDONOUGH: Has it been done in the past?

COUNCILMAN SCOTT: Yes.

MR. McDONOUGH: Yeah, sure.

COUNCILMAN SCOTT: It has been. Okay, thank you.

COUNCILMAN TROIANO: Councilman Walsh complained about it.

MR. McDONOUGH: And have I stood up there and complained about it? Yes, I have.

COUNCILMAN SCOTT: Thank you.

COUNCILMAN TROIANO: As did Councilman Walsh complained about that.

COUNCILMAN WALSH: I missed that, what was that?

COUNCILMAN TROIANO: That's okay.

COUNCILMAN WALSH: Yeah, no, that's not okay. This guy's a wise guy.

COUNCILWOMAN LIU: So I do see scores of recreational aides being hired in the Parks Department usually, but questioning the hiring of a recreation aide in the Comptroller's office is very fitting today because last month there was an administrative intern on the personnel to be hired during winter break, another college student, and that was supposed to be hired for my office, and it was voted down by four members here on the dais. Councilman Scott, Councilman Walsh, the Supervisor and Councilman Adhami here. So perhaps this is a way of circumventing the whole intern issue of why a Town Board member wasn't allowed or was denied an intern during a winter break, and so having that title today may cause an issue. So to circumvent it, maybe that's what happened and a recreational aide was the substitute to work around it. So it kind of only teaches us that we need to change titles in order to hire certain people for certain positions, and I don't think that's what our Town Board or our town should be in the business of doing.

COUNCILMAN SCOTT: Well, Christine, I, you know, since you decided to put my name, that I, you know, our names out there.

COUNCILWOMAN LIU: Yes.

COUNCILMAN SCOTT: Have you spoken to Bob, the Commissioner of HR?

COUNCILWOMAN LIU: I did, at the caucus meeting.

COUNCILMAN SCOTT: You did, and I've also had a long conversation with him, and the difference between what we're hiring now and your intern, I was never told that I can get an

intern. So if we're going to go down this road, let's go down this road. I was never told that I can get an intern. I can get -- I can use summer help in the summer and then get an intern afterwards. As a matter of fact, I have an e-mail dated from 2019 that I had to go look at it, and it's very specific on when you can get an intern, the title that you're talking about, and it ends September 30th. There is nothing else afterwards.

COUNCILWOMAN LIU: Actually, I did ask our personnel, Human Resource Commissioner, policy, and he said that there was no policy on when interns could be hired.

COUNCILMAN SCOTT: I have it written out --

COUNCILMAN WALSH: Well, wait a minute, let me ask.

SUPERVISOR DESENA: It's a summer --

COUNCILMAN WALSH: Let me ask.

SUPERVISOR DESENA: -- intern program.

COUNCILMAN WALSH: There is an e-mail from May 1st, 2019, that says -- from Bob Weitzner saying that you can begin to hire people on May 1st, and it all has to conclude on September 30th. There is that e-mail out there, and it is --

COUNCILWOMAN LIU: I've never seen that e-mail.

COUNCILMAN WALSH: Mr. Weitzner, please come to the microphone.

SUPERVISOR DESENA: No --

COUNCILWOMAN LIU: And have there been interns hired outside of that timeframe? Maybe we can ask that, as well.

COUNCILMAN SCOTT: Under a different title is it?

COUNCILWOMAN LIU: No, as an intern, as an administrative intern.

COUNCILMAN WALSH: Can I please speak to Mr. Weitzner, the Commissioner of Human Resources?

COMMISSIONER WEITZNER: Bob Weitzner, Commissioner of HR.

COUNCILMAN WALSH: Hello, Mr. Weitzner.

COMMISSIONER WEITZNER: Good evening.

COUNCILMAN WALSH: Can I ask you, do you recall or did you see the e-mail that you sent to all Board members on May 1st 2019, saying that you can hire somebody May 1st, and it all has to conclude on September 30th?

COUNCILWOMAN LIU: Who was here in 2019?

COUNCILMAN WALSH: Because I have that e-mail.

COUNCILWOMAN LIU: Okay.

SUPERVISOR DESENA: Let's let him answer.

COUNCILMAN WALSH: Can he answer the question?

COUNCILWOMAN DALIMONTE: In 2019 we weren't here.

COUNCILMAN WALSH: Can he answer the -- but it's an e-mail.

SUPERVISOR DESENA: It might be an e-mail that existed from then.

COUNCILMAN WALSH: Do I have to be here to read an e-mail? I wasn't here. Why should I be here in 2019? I wasn't --

SUPERVISOR DESENA: The e-mail exists.

COUNCILMAN WALSH: Please.

SUPERVISOR DESENA: Whether you were here or not.

COUNCILMAN WALSH: Do you recall that e-mail.

COMMISSIONER WEITZNER: So I don't recall that e-mail. What I will tell you is that it would be very common for either myself or my office to send an e-mail out to all departments including Council people and telling everyone that the season for seasonal hires where there are a lot of positions and titles available starts May 1 and ends September 30th. That is a standard practice that this town has abided by before I was here roughly 15 1/2 years ago. So that's --

COUNCILMAN WALSH: Yes.

COMMISSIONER WEITZNER: I don't need to see that e-mail to tell you that if you ask me next year what the typical period would be to hire interns at the town, it would be starting May 1st, ending September 30th.

COUNCILMAN SCOTT: Ending September 30th, thank you.

COUNCILMAN TROIANO: So does that have the force --

COUNCILMAN WALSH: We do have that e-mail, and by the way, I don't have to be working here to read an e-mail. I wasn't here in 2019, but I did the research, and I saw that that e-mail existed.

COUNCILMAN TROIANO: Mr. Commissioner --

COUNCILWOMAN LIU: Can I --

COUNCILMAN TROIANO: -- whatever guidance you might have provided, does that have the force of law behind it?

COMMISSIONER WEITZNER: I am not in the position to make policy, I'm here to serve.

COUNCILMAN TROIANO: That's not what I asked you. Did any lawyer tell you that the only time you can hire an intern or seasonal is from May to September?

COMMISSIONER WEITZNER: This is more based on civil service and openings of positions.

COUNCILMAN TROIANO: So is that a civil service requirement that you can't have anybody past, you said, September 19th?

COUNCILWOMAN DALIMONTE: September 30th.

COMMISSIONER WEITZNER: There's a seasonal opening starting May 1st to September --

COUNCILMAN TROIANO: Is that a civil service requirement?

COMMISSIONER WEITZNER: That is a civil service --

COUNCILMAN TROIANO: You can't have an intern in December.

COUNCILMAN WALSH: He doesn't --

COMMISSIONER WEITZNER: There are positions available from May 1st to September 30th. Once September 30th hits, those positions vanish, at which point there are very few, if any, positions available after that that could be used. Certainly not for seasonals. They would refer -- be referred to as part-time employees at that point.

COUNCILMAN TROIANO: That's per civil service.

COMMISSIONER WEITZNER: That's pretty much -- that's what -- that's exactly what they would be referred to for civil service, would be part-time employees.

COUNCILMAN TROIANO: So civil service would object to us hiring an intern in December.

COMMISSIONER WEITZNER: I don't think it's -- it would be up to them to state that, I would -

COUNCILMAN TROIANO: That's what I'm trying to get at.

COMMISSIONER WEITZNER: Yeah, I'm, you know --

SUPERVISOR DESENA: I just want to -- I would like to clarify something. The person on the agenda is a student in accounting, full-time student at Hofstra, I believe, and so this is not an intern, you know, like an intern like you wanted for two weeks or it's not even a summer intern. This is part-time employment, so -- and the help is needed in the Comptroller's office.

COMMISSIONER WEITZNER: Correct, and it's a long, from my understanding, a longstanding commitment, not for a very short period of time.

SUPERVISOR DESENA: Right, this is not an intern.

COUNCILMAN SCOTT: So it's like a full-time/part-time.

COUNCILWOMAN LIU: It's not a full-time/part-time.

SUPERVISOR DESENA: It's a part-time employee.

COMMISSIONER WEITZNER: It's a part-time employee. I would hate to say full-time. It's a part-time employee who expects to be here for the foreseeable future. Obviously, things are subject to change both with the town as well as her situation, but yes.

COUNCILWOMAN LIU: So Commissioner, I've not seen the e-mail that Mr. Walsh and Scott have been referring to, but can you answer, and I'm sorry to put you on the spot, have there been interns hired outside of that season that you have just said from May to September?

COMMISSIONER WEITZNER: From time to time it is possible that there could be a handful over the last 15 years that I could recall that might have been hired that way.

COUNCILWOMAN LIU: Thank you.

COMMISSIONER WEITZNER: Generally speaking, it's May 1st to September 30th.

SUPERVISOR DESENA: Right. Our regular practice that we've all --

COMMISSIONER WEITZNER: Yeah.

SUPERVISOR DESENA: -- that I've been here three years is we have summer interns, and Councilwoman Liu, you feel that because your interns, and you had five of them.

COUNCILWOMAN LIU: Excuse me?

SUPERVISOR DESENA: Because your interns wanted to receive community service, that you still would be able to also hire an intern now, and that is just not the way we have been doing things.

COUNCILWOMAN LIU: My five -- okay, so just to clarify, because you said that this intern being hired now or on the personnel resolution is a college student from Hofstra University. The intern that I had on the resolution was a college student from Duke University.

SUPERVISOR DESENA: But you're talking -- you were talking about like winter --

COUNCILWOMAN LIU: Excuse me, can I finish?

SUPERVISOR DESENA: -- you're talking about winter break, a few weeks during winter break. We're talking about a part-time employee who is here for the indefinite future.

COUNCILWOMAN LIU: Well, we don't know that, and when the person --

SUPERVISOR DESENA: As far as we know.

COUNCILWOMAN LIU: -- was on the personnel last week, that person was on as an administrative intern. So it was the same situation --

SUPERVISOR DESENA: Administrative aide.

COUNCILWOMAN LIU: -- but just for -- administrative aide, but just for the Comptroller's office. So I can see that it is not out of the realm that these things do happen, that we do have interns outside of that timeframe of the seasonal timeframe. So I'd like to see that e-mail that Councilman Walsh --

COUNCILMAN SCOTT: He just told you straight up.

SUPERVISOR DESENA: He sends it every year.

COUNCILWOMAN LIU: He says he doesn't remember, but it could have happened. So I'd like to actually read the actual e-mail.

COUNCILMAN SCOTT: Bob, sorry, Mr. Commissioner.

COUNCILWOMAN LIU: That's okay, we can just have the e-mail. Since you have it, you can just share it with us.

COUNCILMAN SCOTT: Oh, no, I know I could share it, but you're getting it from the horse's mouth.

COUNCILWOMAN DALIMONTE: But she'd like to have it for her records. I wrote an e-mail but he concurred with the fact that that would come out of his office, and that's what happened.

COUNCILWOMAN LIU: So again, I'd also like to clarify that interns that I had over the summer were not paid. I've never had a paid intern this entire year where pretty much everybody else on this dais has. So I really still don't understand why my intern was denied.

SUPERVISOR DESENA: They were -- they chose community service. You actually had -- you had someone on the agenda to hire but then you changed your mind and said --

COUNCILWOMAN LIU: I did not.

SUPERVISOR DESENA: -- they all want community service.

COUNCILWOMAN LIU: No, I did not have anybody on the agenda.

SUPERVISOR DESENA: Well, if you had wanted --

COUNCILWOMAN LIU: But --

SUPERVISOR DESENA: It's a summer intern program. So if you want to have them paid, you put it on the agenda as a summer intern, a seasonal employee during the summer.

COUNCILWOMAN DALIMONTE: But Supervisor --

COUNCILWOMAN LIU: There is no policy that it's only a summer --

SUPERVISOR DESENA: That doesn't mean that you can change the --

COUNCILMAN WALSH: -- Councilwoman Liu from having a volunteer?

COUNCILWOMAN LIU: There is no policy, there's no written policy.

SUPERVISOR DESENA: Well, why should you change the rule that we all seem to follow?

COUNCILWOMAN DALIMONTE: But wait, wait, wait, I have a question. If our budget has not been fully used, why can't she use our budget? Why can't we have -- why can't she have an intern for two weeks in December? What is the big deal?

COUNCILMAN SCOTT: But I don't think that --

SUPERVISOR DESENA: Because then we all need to have interns in December.

COUNCILWOMAN DALIMONTE: Right, but no, it doesn't go back in, but she was going to ask for it in December. We did not use our intern.

COUNCILWOMAN LIU: If you want an intern over the winter and you didn't use it or exhaust the budget --

COUNCILWOMAN DALIMONTE: That's right.

COUNCILWOMAN LIU: -- then go for it. These are college students who want an opportunity to have an experience at the Town Board; right?

COUNCILMAN SCOTT: We got that, Christine, and we gave them these. Don't make it sound like because you didn't get yours because you didn't or you didn't read an read e-mail or you weren't familiar --

COUNCILWOMAN LIU: There's no e-mail. There was no e-mail.

COUNCILMAN SCOTT: But don't make it sound like we're taking away from college students.

COUNCILWOMAN LIU: That's what it is.

COUNCILMAN WALSH: No, we're not.

SUPERVISOR DESENA: To add a two or three week intern in December and have everyone's --

COUNCILWOMAN LIU: Please don't discount my intern.

SUPERVISOR DESENA: I'm not discounting.

COUNCILMAN SCOTT: Nobody's --

SUPERVISOR DESENA: I know he's distinguished and everything but for everyone to start now having two or three weeks of interns around Christmas break, it's just not really --

COUNCILWOMAN LIU: It's in the budget.

SUPERVISOR DESENA: No, it's the taxpayers money.

COUNCILMAN SCOTT: Just a quick --

SUPERVISOR DESENA: You don't get to keep it. It's taxpayer money.

COUNCILMAN SCOTT: Mr. Commissioner --

COUNCILWOMAN LIU: Excuse me.

COUNCILMAN SCOTT: -- after September 30th --

COUNCILWOMAN LIU: Never.

COUNCILMAN SCOTT: -- does the money go back?

COMMISSIONER WEITZNER: I am not aware of budgetary process in that respect in terms of --

COUNCILMAN WALSH: So it just sits there.

COMMISSIONER WEITZNER: -- interns. I don't --

COUNCILMAN SCOTT: So if I don't hire an intern for three or four years, I get all of that money.

COUNCILWOMAN DALIMONTE: No.

COUNCILMAN SCOTT: All right.

COUNCILWOMAN DALIMONTE: Every year the budget changes.

COUNCILMAN WALSH: No, it doesn't.

COUNCILWOMAN DALIMONTE: Every year --

COUNCILMAN WALSH: Does the budget change for interns every year?

COUNCILWOMAN DALIMONTE: It could.

COUNCILMAN WALSH: Does the budget turn -- you just said every year it changes. It doesn't change. It stayed the same.

SUPERVISOR DESENA: It hasn't changed in many years.

COMMISSIONER WEITZNER: For a number of years I believe the six --

COUNCILMAN WALSH: People just say whatever they want to say up here to sound good.

COMMISSIONER WEITZNER: The six, yeah --

COUNCILMAN WALSH: Please call the vote and get this over with.

SUPERVISOR DESENA: Okay.

COUNCILWOMAN DALIMONTE: Councilman, wait, wait, I just want to clarify this.
Councilman Walsh --

COUNCILMAN WALSH: It could change, you said it could change.

COUNCILWOMAN DALIMONTE: -- every year you go through a budget process; okay? So if you don't -- so say in the budget is \$3,000 for the Town Board to have an intern, whether we use it or we don't use it, then it just -- it doesn't carry over January 1st. Whatever our new budget is, whatever we vote on, that would be our new budget. It wouldn't be 3,000 from 2024 plus the 2025 budget.

COUNCILMAN SCOTT: So it goes back into the --

COUNCILMAN WALSH: So it goes back to the taxpayers.

COUNCILWOMAN DALIMONTE: Yes.

COUNCILMAN WALSH: Thank God. The money goes back to the taxpayers when it's not used.

COUNCILWOMAN DALIMONTE: It goes -- no, it goes back to the General Fund, not the --

COUNCILMAN WALSH: Which is the taxpayer's money.

COUNCILMAN TROIANO: Oh, remember that.

COUNCILWOMAN DALIMONTE: No, remember that then, remember what you just said.

COUNCILMAN WALSH: Yeah, I do remember what I just said.

COUNCILMAN TROIANO: So I'm just wondering, like, what's the objection to having an intern here in December? What's the objection to that? Why is that a problem?

COUNCILWOMAN LIU: I don't know, I'll just put it on the resolution, again.

COUNCILMAN WALSH: There wasn't an objection. Why are we bringing something up that was voted on two weeks ago?

SUPERVISOR DESENA: You don't have -- you don't have a winter intern. None of us have winter interns.

COUNCILMAN TROIANO: Why not?

SUPERVISOR DESENA: Why are we going to add something?

COUNCILMAN TROIANO: What's wrong with that?

COUNCILWOMAN DALIMONTE: I would love to have a fall intern.

SUPERVISOR DESENA: No, no.

COUNCILMAN WALSH: Why was I not notified that there was an intern program the first two years I was here? I wasn't notified.

COUNCILWOMAN LIU: You have to go back to 2019 and look for some e-mails.

COUNCILMAN TROIANO: Ask your Supervisor.

SUPERVISOR DESENA: All right.

COUNCILMAN WALSH: The Supervisor didn't know either. The Supervisor wasn't notified about the intern program.

COUNCILWOMAN DALIMONTE: She had -- oh, my God.

SUPERVISOR DESENA: I didn't have an -- I didn't have an intern my first year. I offer the resolution and move for its adoption.

COUNCILMAN WALSH: Let's go.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN LIU: I'd like to say that even though there was this discussion here about the interns, this does not, in any way, shape and form -- shape or form, discount this intern who's on -- I'm sorry, the person who's on the personnel for the Comptroller's office. I wish this person all the best in the Comptroller's office, and I'm glad that the Comptroller's office can provide this wonderful opportunity for this college student in her major. I vote aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye. I move to adjourn.

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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. 567 - 2024

A RESOLUTION AUTHORIZING THE EMPLOYMENT, APPOINTMENT, TRANSFER, ADJUSTMENT, CORRECTION, CHANGE IN GRADE OR SALARY AND/OR TERMINATION OF EMPLOYEES AND/OR OFFICIALS IN VARIOUS DEPARTMENTS OF THE TOWN.

WHEREAS, approval of this Board has been requested for the employment, appointment, transfer, adjustment, correction, change in grade or salary and/or termination of certain individuals, employees and/or officials in various departments of the Town of North Hempstead (the "Town") as more particularly set forth in the below resolutions; and

WHEREAS, that employments, appointments, transfers, adjustments, corrections, changes in grade or salary, and/or terminations (the "Employment Actions") that have been adopted are subject to completion of paperwork and civil service approval and are subject to the rules and regulations of the Nassau County Civil Service Commission and New York State Civil Service Law; and be it further

WHEREAS, that the term of appointment and employment of any person to an exempt position shall be at the pleasure of the Town Board.

WHEREAS, this Board finds it to be in the best interest of the Town to authorize the Employment Actions as follows:

RESOLVED

cc: Town Attorney Human Resources

RESOLUTION NO: 567 -1

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 Terri Machado to the title of Administrative Assistant to the amount of \$3,306.40 bi-weekly / \$85,967 annually in the Highways Department effective 11/23/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -2

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 Owens to the title of Labor Supervisor 1 to the amount of \$31.00 hourly / \$64,485 annually in the Highways Department effective 11/23/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -3

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time title, grade, step and salary change for Kevin Casey to the title of Labor Supervisor 1 to the amount of \$32.03 hourly / \$66,616 annually in the Highways Department effective 11/23/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -4

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 Brian McManus to the title of Labor Supervisor 1 to the amount of \$33.40 hourly / \$69,463 annually in the Highways Department effective 11/23/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -5

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 Joseph Iannotti to the title of Park Supervisor 1 to the amount of \$57.09 hourly / \$118,747 annually in the Department of Parks & Recreation - Administration effective 10/26/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -6

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 Joseph Iannotti to the title of Park Supervisor 2 Provisional to the amount of \$57.87 hourly / \$120,375 annually in the Department of Parks & Recreation - Administration effective 11/23/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -7

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time location change for Joseph Brautigam in the title of Laborer II in the amount of \$26.93 hourly / \$56,014 annually to the Department of Parks & Recreation - Whitney Pond Park effective 11/01/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -8

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Priscilla Franzese to the title of Attendant/311 Call Rep in the amount of \$18.0 hourly in the 311 Call Center effective 11/13/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -9

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Alisia Harrigan to the title of Attendant/311 Call Rep in the amount of \$18.0 hourly in the 311 Call Center effective 11/13/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -10

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Beatriz Umanzor to the title of Attendant/311 Call Rep in the amount of \$18.0 hourly in the 311 Call Center effective 11/13/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -11

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Ariyanna Robinson Aristilde to the title of Attendant/311 Call Rep in the amount of \$18.0 hourly in the 311 Call Center effective 11/13/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -12

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Immani Sandefur to the title of Attendant/311 Call Rep in the amount of \$18.0 hourly in the 311 Call Center effective 11/13/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -13

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Kiana Joyner to the title of Recreation Aide in the amount of \$18.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 11/23/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -14

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of George Mack to the title of Recreation Aide in the amount of \$18.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 11/23/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -15

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Christopher Bernard to the title of Recreation Aide in the amount of \$18.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 11/23/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -16

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Justin Bailey to the title of Recreation Aide in the amount of \$18.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 11/23/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -17

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Robert Niemczyk to the title of Public Safety Officer I in the amount of \$20.00 hourly in the Department of Parks & Recreation - Parks Public Safety effective 11/23/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -18

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Daniel Rung to the title of Public Safety Officer I in the amount of \$20.00 hourly in the Department of Parks & Recreation - Parks Public Safety effective 11/23/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -19

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of James Anfolisi to the title of Laborer I in the amount of \$16.00 hourly in the Department of Parks & Recreation - NHBP effective 11/23/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -20

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the location change for part-time employee Nailah Allen in the title of Recreation Aide in the amount of \$17.50 hourly to the Department of Parks & Recreation - Yes We Can Community Center effective 11/23/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -21

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 Marion Sossi in the title of Recreation Aide to the amount of \$21.00 hourly in the Department of Parks & Recreation - Clark Gardens effective 11/23/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -22

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee John Nacewicz in the title of Public Safety Officer I in the amount of \$17.75 hourly in the Department of Parks & Recreation - Parks Public Safety effective 02/26/22.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -23

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Kenneth Quinn in the title of Public Safety Officer I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Parks Public Safety effective 09/11/22.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -24

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Jack Nichols in the title of Lifeguard I in the amount of \$21.00 hourly in the Department of Parks & Recreation - Tully Park effective 02/28/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -25

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Bridget Koenig in the title of Lifeguard I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Tully Park effective 01/04/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -26

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Carolyn Moglia in the title of Lifeguard II in the amount of \$22.00 hourly in the Department of Parks & Recreation - Tully Park effective 05/13/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -27

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Molly Espey in the title of Lifeguard I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Tully Park effective 12/29/23.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -28

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Jenne Biunno in the title of Lifeguard I in the amount of \$23.00 hourly in the Department of Parks & Recreation - Tully Park effective 05/09/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -29

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Bryan Lo in the title of Lifeguard I in the amount of \$19.25 hourly in the Department of Parks & Recreation - Tully Park effective 08/21/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -30

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Nicolas Marino in the title of Lifeguard I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Tully Park effective 05/06/23.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -31

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Jordan Stoner in the title of Recreation Aide in the amount of \$19.00 hourly in the Department of Parks & Recreation - Tully Park effective 08/22/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -32

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Ciara Piscioneri in the title of Lifeguard I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Tully Park effective 05/20/23.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -33

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Michael Judge in the title of Lifeguard I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Tully Park effective 11/09/23.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -34

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Nathan Gaysynsky in the title of Lifeguard I in the amount of \$19.00 hourly in the Department of Parks & Recreation - Tully Park effective 06/01/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -35

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Emily Weiss in the title of Attendant in the amount of \$16.00 hourly in the Department of Parks & Recreation - Tully Park effective 07/25/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -36

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Madeline Kelly in the title of Lifeguard I in the amount of \$17.00 hourly in the Department of Parks & Recreation - Manorhaven effective 09/07/20.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -37

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Sean Stagnari in the title of Lifeguard I in the amount of \$21.50 hourly in the Department of Parks & Recreation - NHBP effective 09/01/21.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -38

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Daniel Galante in the title of Laborer I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 09/28/23.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -39

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Tiffany Wong in the title of Recreation Aide in the amount of \$18.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 08/19/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -40

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Ciara Byrne in the title of Lifeguard I in the amount of \$18.25 hourly in the Department of Parks & Recreation - CGM effective 08/22/22.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -41

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Katherine Demeo in the title of Lifeguard II in the amount of \$22.00 hourly in the Department of Parks & Recreation - CGM effective 09/05/22.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -42

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the termination of full-time employee Roxana Escobar in the title of Senior Code Enforcement Inspector in the amount of \$3,184.10 bi-weekly / \$82,786 annually in the Department of Public Safety - Code Enforcement effective 10/18/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -43

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the termination of part-time employee Vincent Pannullo in the title of Laborer I in the amount of \$16.00 hourly in the Department of Parks & Recreation - Tully Park effective 09/04/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -44

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the termination of part-time employee Logan Yiu in the title of Lifeguard I in the amount of \$18.25 hourly in the Department of Parks & Recreation - Tully Park effective 06/19/23.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -45

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the termination of part-time employee Timothy McGoldrick in the title of Lifeguard I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Tully Park effective 04/16/23.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -46

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the termination of part-time employee Michael Rhindress in the title of Lifeguard I in the amount of \$19.75 hourly in the Department of Parks & Recreation - Tully Park effective 09/11/21.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -47

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the termination of part-time employee Kaitlyn Hand in the title of Lifeguard I in the amount of \$18.75 hourly in the Department of Parks & Recreation - Tully Park effective 05/14/22.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

RESOLUTION NO: 567 -48

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the termination of part-time employee Nishon Parson in the title of Laborer I in the amount of \$16.75 hourly in the Department of Parks & Recreation - Whitney Pond Park effective 09/18/22.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Emily Szalkowski to the title of Recreation Aide in the amount of \$18.0 hourly in the Comptroller's Office effective 11/13/24.

Ayes: Councilperson Adhami, Councilperson Dalimone, Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Abstain: None.

CLERK SRIVASTAVA: Councilman Troiano? Councilman Scott? Councilman Troiano?

COUNCILMAN TROIANO: I just need to ask –

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN TROIANO: I need to ask a point of order, please. If we're adjourning --

SUPERVISOR DESENA: We have a motion on the floor.

CLERK SRIVASTAVA: Councilman Scott? Councilman Walsh?

COUNCILMAN TROIANO: Does that mean we're not going to call the tabled Items?

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

CLERK SRIVASTAVA: There is a motion, we started voting. Councilman, please.

COUNCILMAN TROIANO: I'm sorry.

COUNCILWOMAN DALIMONTE: So we're not -- so what happens –

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: Aye.

COUNCILWOMAN DALIMONTE: So wait, what happens to our budget –

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN DALIMONTE: So for the two --

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILWOMAN DALIMONTE: So for the 230,000 residents, what happens to our budget if we don't vote?

COUNCILMAN TROIANO: What happens is –

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

COUNCILMAN TROIANO: What happens is, it passes automatically without the amendment.

COUNCILMAN WALSH: No, no, it doesn't. No, it doesn't. We have --

COUNCILWOMAN LIU: Wait, wait, can we have that on the record from the Town Attorney's office?

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN LIU: Can the Town Attorney address that?

SUPERVISOR DESENA: Let's finish voting, and then we can, and then we can ask the Town Attorney a question.

COUNCILWOMAN DALIMONTE: I am not voting until I know.

ATTORNEY NICOLELLO: You have until November 20th to pass the budget.

COUNCILMAN WALSH: Thank you.

COUNCILWOMAN DALIMONTE: Correct, but --

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILMAN TROIANO: And if we don't meet on the 20th, what happens to the tentative budget?

COUNCILMAN WALSH: We can do it on the 19th.

ATTORNEY NICOLELLO: That I will have to get back to you on. But you have until November 20th to pass the budget.

COUNCILMAN TROIANO: And so everybody here should know that if we don't vote by the 20th, that does not have the tax cut, it goes into effect automatically.

COUNCILMAN WALSH: I want everybody to know that we can vote, and we will vote before that date.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: I am not -- I'm not voting for this.

COUNCILMAN WALSH: That's fine.

COUNCILWOMAN DALIMONTE: I am not voting to adjourn.

SUPERVISOR DESENA: You're not voting to adjourn.

COUNCILWOMAN DALIMONTE: Because I want to know --

SUPERVISOR DESENA: Good night.

COUNCILWOMAN DALIMONTE: -- I -- 230,000 residents that there's a budget. How could we not --

COUNCILMAN WALSH: 242,000, and there's going to be a budget, and there's a motion out there. So either vote yes, no, abstain or present. I mean, let's get going because --

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you.

COUNCILWOMAN DALIMONTE: Make sure --

CLERK SRIVASTAVA: Good night everyone.

COUNCILMAN TROIANO: How is that vote being recorded; Madam Clerk?

SUPERVISOR DESENA: No vote. No vote from Mariann.

COUNCILWOMAN DALIMONTE: No vote, I didn't vote.

COUNCILMAN TROIANO: And no vote from Troiano, either.

COUNCILMAN WALSH: Didn't you already vote?

COUNCILWOMAN DALIMONTE: No, he did not.

COUNCILMAN WALSH: No.

COUNCILMAN TROIANO: I was asking what's going on.

COUNCILWOMAN DALIMONTE: So can you make sure that that's reflected? Because they were talking over him, he did not vote either.

COUNCILWOMAN LIU: Nobody voted to adjourn from the three of us.

COUNCILWOMAN DALIMONTE: The only people that voted were the Republicans.

(WHEREUPON, this meeting was concluded at 9:44 p.m.)



Town Clerk