

**TOWN OF NORTH HEMPSTEAD
BOARD MEETING**

AGENDA



August 5, 2021

7:00 PM

PUBLIC HEARINGS:

1. A RESOLUTION AND ORDER AFTER PUBLIC HEARING HELD ON AUGUST 5, 2021, FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE PORT WASHINGTON WATER DISTRICT, PURSUANT TO SECTION 202-B OF THE TOWN LAW.
2. A BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED AUGUST 5, 2021, APPROPRIATING \$37,799,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE PORT WASHINGTON WATER DISTRICT, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF \$37,799,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.
3. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 42 OF THE TOWN CODE ENTITLED "PUBLIC WATERWAYS; STRUCTURES."

Synopsis: The purpose of the proposed local law is to update and clarify the requirements for obtaining a structure permit.

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

Synopsis: The purpose of the proposed local law is to amend Section 70-197.1 to clarify the applicability of the rebuttable presumption relative to certain signs, posters, stickers and advertising devices within the Town.

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

Synopsis: The purpose of the proposed local law is to continue the Town's efforts to streamline Building Department and related regulations by clarifying procedural requirements, eliminating duplicative and conflicting provisions, updating certain outdated and obsolete provisions and reducing the need to obtain certain common but minor variances.

6. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING SCHEDULE XXVII OF THE UNIFORM TRAFFIC CODE ENTITLED "SNOW EMERGENCY ROUTES."

Synopsis: The proposed local law would update the Snow Emergency Routes list contained in Section TC27-71 of the Town of North Hempstead Uniform Traffic Code.

7. A PUBLIC HEARING TO CONSIDER THE APPLICATION OF ROSLYN SHG 5 LLC FOR A CHANGE OF ZONE FROM "RESIDENCE-C" TO "PARKING" FOR THE PREMISES LOCATED AT 21 LOCUST STREET, ROSLYN HEIGHTS AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 7, BLOCK 56, LOT 118.

Synopsis: The proposed rezoning is to enable the construction of a 20-space accessory parking lot for an adjoining commercial building on a 10,600 s.f. lot.

8. A PUBLIC HEARING TO CONSIDER THE APPLICATION OF SFR REALTY FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 653-697 HILLSIDE AVENUE, NEW HYDE PARK AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 8, BLOCK K-9, LOT 44.

Synopsis: The proposed action is the construction of a 6,500 s.f. retail building within an existing shopping center on a 12.95-acre site. **Will be continued to September 30, 2021.**

9. A PUBLIC HEARING TO CONSIDER THE APPLICATION OF SHORE OAKS, LLC C/O ILIAS THEODOROPOULOS FOR AN APPEAL FROM A DISAPPROVAL BY THE COMMISSIONER OF BUILDING SAFETY, INSPECTION AND ENFORCEMENT OF A STRUCTURE (DOCK) APPLICATION PURSUANT TO CHAPTER 42 OF THE TOWN CODE FOR THE PROPERTY LOCATED AT 22 SHORE DRIVE, PLANDOME, NEW YORK 11030 AND IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 3, BLOCK 182, LOTS 7 AND 9.

10. A PUBLIC HEARING TO CONSIDER THE APPLICATION OF CAROLYN BICHOUPAN FOR AN APPEAL FROM A DISAPPROVAL BY THE COMMISSIONER OF BUILDING SAFETY, INSPECTION AND ENFORCEMENT OF A STRUCTURE (DOCK) APPLICATION PURSUANT TO CHAPTER 42 OF THE TOWN CODE FOR THE PROPERTY LOCATED AT 4 WATERS EDGE, PORT WASHINGTON, NEW YORK 11050 AND IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 5, BLOCK C, LOT 444.

Will be continued to September 2, 2021.

11. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING ROSLYN AVENUE IN CARLE PLACE, NEW YORK.

Synopsis: The adoption of this ordinance will establish a Reserved Parking space on the south side of Roslyn Avenue, west of Cherry Lane, in Carle Place.

12. A PUBLIC HEARING TO CONSIDER THE RESCISSION AND ADOPTION OF AN ORDINANCE AFFECTING MANHASSET AVENUE IN MANHASSET, NEW YORK.

Synopsis: The rescission and adoption of this ordinance will change the time frame of the presently posted parking restrictions on the north side of Manhasset Avenue, between Dennis Street and Plandome Road, in Manhasset.

13. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING ELM STREET IN PORT WASHINGTON, NEW YORK.

Synopsis: The adoption of this ordinance will establish a Full Stop southbound on Elm Street, at its intersection with Revere Road, in Port Washington.

14. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING REVERE ROAD IN PORT WASHINGTON, NEW YORK.

Synopsis: The adoption of this ordinance will establish a Full Stop eastbound on Revere Road, at its intersection with Birch Street, in Port Washington.

15. A PUBLIC HEARING TO CONSIDER THE RESCISSION AND ADOPTION OF ORDINANCES AFFECTING PLANDOME ROAD IN MANHASSET, NEW YORK.

Synopsis: The rescission and adoption of these ordinances will change the time frame of the presently posted parking restriction on a portion of the east side of Plandome Road, between Vanderbilt Avenue and Gaynor Avenue, in Manhasset. In addition, a no stopping anytime ordinance will be implemented on a portion of the east side of Plandome Road near its intersection with Vanderbilt Avenue.

16. A PUBLIC HEARING TO CONSIDER THE RESCISSION AND ADOPTION OF AN ORDINANCE AFFECTING HIGHFIELD AVENUE IN PORT WASHINGTON, NEW YORK.

Synopsis: The rescission and adoption of this ordinance will change the length of the presently posted parking restriction on the west side of Highfield Avenue, between Radcliff Avenue and Rockwood Avenue, in Port Washington.

RESOLUTIONS:

17. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF R-5 ASSOCIATES FOR A WAIVER FROM ZONING REQUIREMENTS PURSUANT TO SECTION 70-164 OF THE TOWN CODE FOR THE PREMISES LOCATED AT 13 HARBOR PARK DRIVE, PORT WASHINGTON AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 6, BLOCK 86, LOT 7.

Synopsis: The proposed action is the above-ground installation of a 100 KW back-up generator on a 3-acre site. Town Code requires all electrical equipment in the Planned Industrial Park zoning district to be installed underground unless such requirement is waived by the Town Board. Tentative hearing date is September 30, 2021.

18. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING ALLENWOOD ROAD IN GREAT NECK, NEW YORK.

Synopsis: The adoption of this ordinance will establish No Stopping Here to Corner restrictions on the north side of Allenwood Road, west of Warwick Road, in Great Neck. Tentative hearing date is September 2, 2021.

19. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE RESCISSION AND ADOPTION OF ORDINANCES AFFECTING FIRST AVENUE IN GARDEN CITY PARK, NEW YORK.

Synopsis: The rescission and adoption of these ordinances will eliminate the presently posted one hour parking restriction and add no parking restrictions on portions of the west and east sides of First Avenue, between Railroad Avenue and Dennis Street, in Garden City Park. Tentative hearing date is September 2, 2021.

20. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF ORDINANCES AFFECTING WALDO AVENUE IN GREENVALE, NEW YORK.

Synopsis: The adoption of these ordinances will establish No Stopping anytime restrictions on the north and south sides of Waldo Avenue, between Glen Cove Road and 1st Street, in Greenvale. Tentative hearing date is September 2, 2021.

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

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

23. A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE AND THE TAKING OF RELATED ACTION.

24. A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR DOOR REPAIRS, MAINTENANCE AND REPLACEMENT (TNH022R-2021).

25. A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR AN AERIAL LIFT (TNH262-2021).

26. A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR TAX FORMS AND ENVELOPES (TNH081-2021).

27. A RESOLUTION RATIFYING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE PORT WASHINGTON PUBLIC LIBRARY FOR THE USE OF MANORHAVEN BEACH PARK, PORT WASHINGTON.

28. A RESOLUTION RATIFYING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH WATER KING INC. FOR THE INSTALLATION OF A LAWN SPRINKLER SYSTEM AT MANHASSET VALLEY PARK, MANHASSET.

29. A RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH BANCKER CONSTRUCTION CORP. FOR THE USE OF MANHASSET VALLEY PARK, MANHASSET.
30. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PARKWAY PEST SERVICES FOR EXTERMINATING SERVICES AT HARBOR LINKS GOLF COURSE.
31. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH GLOBAL FUELING SYSTEMS INC. FOR FUEL MONITORING SERVICES.
32. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE TOWN OF NORTH HEMPSTEAD COMMUNITY DEVELOPMENT AGENCY AND THE COMMUNITY DEVELOPMENT CORPORATION OF LONG ISLAND RELATED TO COMMUNITY OUTREACH FOR THE EMERGENCY RENTAL ASSISTANCE PROGRAM.
33. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH H&L CONTRACTING LLC FOR DREDGING OF THE BOAT RAMP CHANNEL AT MANORHAVEN BEACH PARK, PORT WASHINGTON, NY. DPW PROJECT NO. 15-19R.
34. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH H2M ARCHITECTS AND ENGINEERS IN CONNECTION WITH THE NORTH HEMPSTEAD "YES WE CAN" COMMUNITY CENTER, NEW CASSEL.
35. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH ATLAS DIRECT MAIL FOR PRINTING AND MAILING (TNH023-2018).
36. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH WILLIAMS SCOTSMAN FOR THE RENTAL OF AN OFFICE TRAILER AT THE WESTBURY YARD.
37. A RESOLUTION RATIFYING AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH RED VISION SYSTEMS, LLC D/B/A AS "MUNITRAX" FOR ONLINE CREDIT CARD SERVICES.
38. A RESOLUTION RATIFYING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH FORTE PAYMENT SYSTEMS TO TEMPORARILY REDUCE ECHECK TRANSACTION FEES.
39. A RESOLUTION AUTHORIZING THE PURCHASE FROM MICROFORCE INC. OF ANNUAL SOFTWARE MAINTENANCE AND TECHNICAL SUPPORT FOR THE MICROSOFT DYNAMICS SYSTEM FOR THE OFFICE OF THE RECEIVER OF TAXES.

40. A RESOLUTION AUTHORIZING THE PURCHASE FROM ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. OF ANNUAL SOFTWARE MAINTENANCE FOR THE TOWN'S GIS SOFTWARE.
41. A RESOLUTION AUTHORIZING THE PURCHASE OF MICROSOFT 365 SUBSCRIPTIONS FROM DELL MARKETING, LP.
42. A RESOLUTION AUTHORIZING PAYMENT TO MOSQUITO HUNTERS LLC. FOR MOSQUITO SPRAYING AT HARBOR HILLS.
43. A RESOLUTION AUTHORIZING PAYMENT TO COUNTY-WIDE CONCESSIONS, INC. FOR THE PROVISION OF ICE CREAM TRUCKS AT TOWN EVENTS.
44. A RESOLUTION AUTHORIZING PAYMENT TO E3 CREATIVE RESOURCE GROUP INC. FOR FM TRANSMITTING SERVICES AT NORTH HEMPSTEAD BEACH PARK.
45. A RESOLUTION AUTHORIZING A CHANGE OF ADDRESS FOR THE PREMISES IDENTIFIED AS SECTION 7, BLOCK 164, LOT 9 ON THE NASSAU COUNTY LAND AND TAX MAP FROM 40 FIELD LANE, ROSLYN HEIGHTS, NEW YORK TO 39 HILL LANE, ROSLYN HEIGHTS, NEW YORK.
46. A RESOLUTION AUTHORIZING CERTAIN SUPERVISORY ARRANGEMENTS CONCERNING PERSONNEL OF VARIOUS DEPARTMENTS IN ACCORDANCE WITH CHAPTER 16B OF THE TOWN CODE.
47. A RESOLUTION AMENDING RESOLUTION NO. 384-2021, ADOPTED JULY 8, 2021, RATIFYING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH N&P ENGINEERING, ARCHITECTURE AND LAND SURVEYING, PLLC IN CONNECTION WITH MILL POND IN PORT WASHINGTON.
48. A RESOLUTION AMENDING RESOLUTION NO. 396-2021, ADOPTED JULY 8, 2021, AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH N&P ENGINEERING, ARCHITECTURE AND LAND SURVEYING, PLLC (AKA NELSON & POPE) FOR ENGINEERING SERVICES RELATED TO NEW ELECTRIC SERVICES AT MICHAEL J. TULLY PARK, NEW HYDE PARK, NY, DPW PROJECT NO. 19-06.
49. A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE NEW YORK STATE LIQUOR AUTHORITY FOR THE TOWN'S 2021 FALL FESTIVAL EVENT TO BE HELD AT NORTH HEMPSTEAD BEACH PARK.
50. A RESOLUTION AMENDING THE TOWN OF NORTH HEMPSTEAD WATERFRONT ADVISORY COMMISSION BY-LAWS.
51. A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM VARIOUS CAPITAL PROJECTS RESERVE FUNDS.
52. A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND, HIGHWAY FUND AND PART TOWN FUND'S EMPLOYEE BENEFIT ACCRUED LIABILITY RESERVE FUNDS.
53. 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.

54. A RESOLUTION APPROVING THE ACTION OF THE FIRE-MEDIC CO., NO. 1, PORT WASHINGTON, NEW YORK, IN REMOVING FROM MEMBERSHIP WILLIAM VISKUP AND MELINA LANGADAKIS AND CHANGING AISHI MADAN FROM ACTIVE TO EXMEPT STATUS.
55. A RESOLUTION APPROVING THE ACTION OF THE ATLANTIC HOOK & LADDER CO. NO. 1, PORT WASHINGTON, NEW YORK, IN REMOVING JASON SAUNDERS FROM MEMBERSHIP.
56. A RESOLUTION APPROVING THE ACTION OF THE FLOWER HILL HOSE COMPANY, NO. 1, PORT WASHINGTON, NEW YORK, IN ELECTING TO MEMBERSHIP LEONEL GALVEZ AND NOLA SMITH.

ADDED STARTERS:

57. A RESOLUTION AUTHORIZING THE PURCHASE OF A 911 MEMORIAL PLAQUE FROM WEMCO CASTING, LLC.

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. 416 - 2021

**A RESOLUTION AND ORDER AFTER PUBLIC HEARING HELD ON AUGUST 5, 2021,
FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE PORT
WASHINGTON WATER DISTRICT, PURSUANT TO SECTION 202-B OF THE TOWN
LAW.**

WHEREAS, a map, plan and report have been prepared by D&B Engineers and Architects, P.C., engineers duly licensed by the State of New York (herein called the “Engineers”), for the increase and improvement of facilities of the Port Washington Water District (herein called the “District”), in the Town of North Hempstead, New York (the “Town”), consisting of water distribution and treatment system upgrades and improvements to address new drinking water standards and to enhance District infrastructure, including: (i) Morley Park Station Advance Oxidation Process (AOP) Treatment System and related improvements (Phase II); (ii) Well 2 improvements, acquisition and installation of a generator, building improvements, and electrical system upgrades at Sandy Hollow Station; (iii) Stonytown Station Combined AOP and Nitrate Treatment System and related improvements (Phase II), (iv) Soundview Drive water main replacement (Phase II); (v) Cow Neck Road water main replacement; (vi) replacement of undersized water mains; (vii) 24-inch pre-stressed concrete cylinder pipe transmission main study; (viii) Pleasant Avenue water main replacement; (ix); Sandy Hollow Station tank improvements, and (x) Supervisory Control and Data Acquisition system improvements, including any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing, all as further described in detail in the map, plan and report prepared by D&B Engineers and Architects, P.C, at the estimated total cost of \$37,799,000; and WHEREAS, the District expects to receive grant funds from New York State to fund a portion of the cost of the Project and any grant funds received by the District for the Project are expected to be applied to the cost of said Project and the principal amount of bonds or notes issued shall be reduced by the amount of such other funds so appropriated and expended; and WHEREAS, such map, plan and report and an estimate of cost have been filed with the Town Board, and the Town Board thereafter adopted a Resolution on June 16, 2021 describing in general terms the proposed increase and improvement of facilities of the District, specifying the estimated cost thereof, and stating that the Town Board would meet via video conferencing to hear all persons interested in said increase and improvement of facilities on July 8, 2021, at 7:00 o’clock P.M. (Prevailing Time); and WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law; and WHEREAS, a Notice of such public hearing was also mailed by first class mail to each owner of taxable real property in the District; and

WHEREAS, due to the termination of New York State's COVID-19 state of emergency, all meetings and public hearings of the Town Board of the Town must be held in-person at Town Hall, located at 220 Plandome Road, Manhasset, New York 11030 and due to the change in format from virtual to in-person attendance, the public hearing scheduled for July 8, 2021 relating to the increase and improvement of facilities of the Port Washington Water District, was continued to August 5, 2021; and

WHEREAS, a Notice relating to the continuation of the public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on the date thereof, at 7:00 o'clock P.M. (Prevailing Time) at the Town Hall, 220 Plandome Road, Manhasset, New York, and considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of the facilities of the District; and

WHEREAS, any public comment that was previously offered on July 8, 2021 and included in the hearing record will remain part of the record; and

WHEREAS, the Board of Commissioners of the District, as lead agency, has given due consideration to the impact that the increase and improvement of the facilities of the District may have on the environment and the District has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), constituting Article 8 of the Environmental Conservation Law and the applicable documentation thereof has been filed in the office of the Town Clerk;

NOW, THEREFORE, on the basis of the information given at such hearing, it is hereby DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to at the estimated maximum cost of \$37,799,000; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the District and the Engineers shall prepare plans and specifications and make a careful estimate of the expense for said increase and improvement of the facilities of the District and, with the assistance of the Town Attorney or the Attorney for the District, shall prepare a proposed contract for the execution of the work, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of \$37,799,000 serial bonds of the Town, and the cost of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District in the same manner and at the same time as other Town charges; in addition, water meters have been installed and charges derived from such meters shall continue to be imposed and collected and the amounts derived therefrom shall be budgeted and used to pay principal and interest on the bonds or notes issued; and it is hereby

FURTHER ORDERED, that the Town Clerk record a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Nassau County within ten (10) days after adoption hereof.

DATED: AUGUST 5, 2021

TOWN BOARD OF THE TOWN OF
NORTH HEMPSTEAD

CERTIFICATE

I, Wayne H. Wink, Jr., Town Clerk of the Town of North Hempstead, in the County of Nassau, New York, DO HEREBY CERTIFY that I have compared the preceding Resolution and Order After Public Hearing with the original thereof filed in my office on the _____ day of August, 2021, and the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this _____ day of August, 2021.

(SEAL)

Town Clerk

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. 417 - 2021

A BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED AUGUST 5, 2021, APPROPRIATING \$37,799,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE PORT WASHINGTON WATER DISTRICT, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF \$37,799,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

WHEREAS, following preparation of a map, plan and report for the increase and improvement of facilities of the Port Washington Water District (the "District"), consisting of water distribution and treatment system upgrades and improvements to address new drinking water standards and to enhance District infrastructure, including: (i) Morley Park Station Advance Oxidation Process (AOP) Treatment System and related improvements (Phase II); (ii) Well 2 improvements, acquisition and installation of a generator, building improvements, and electrical system upgrades at Sandy Hollow Station; (iii) Stonytown Station Combined AOP and Nitrate Treatment System and related improvements (Phase II), (iv) Soundview Drive water main replacement (Phase II); (v) Cow Neck Road water main replacement; (vi) replacement of undersized water mains; (vii) 24-inch pre-stressed concrete cylinder pipe transmission main study; (viii) Pleasant Avenue water main replacement; (ix); Sandy Hollow Station tank improvements, and (x) Supervisory Control and Data Acquisition system improvements, including any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing, all as further described in detail in the map, plan and report dated May 2021, prepared by D&B Engineers and Architects, P.C., engineers duly licensed by the State of New York (herein called "Engineer"), on behalf of the District, in the Town of North Hempstead (herein called the "Town"), in the County of Nassau, New York, and after a public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be increased and improved;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD, IN THE COUNTY OF NASSAU, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of \$37,799,000 for the increase and improvement of facilities of the District as described in the above Recital, all in accordance with the map, plan and report prepared by D&B Engineers and Architects, P.C, engineers duly licensed by the State of New York, on file in the office of the Town Clerk and hereby approved. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$37,799,000. The plan of financing includes the issuance of not to exceed \$37,799,000

bonds of the Town to finance said appropriation, and the assessment, levy and collection of assessments upon the several lots and parcels of land within the District in the same manner and at the same time as other Town charges, to pay the principal of and interest on said bonds as the same shall become due and payable. Water meters have been installed and charges derived from such meters shall continue to be imposed and collected and the amounts derived therefrom may be budgeted and used to pay principal and interest on said bonds when issued. The District expects to receive grant funds from New York State to fund a portion of the cost of the Project, and any grant funds received by the District for the Project are expected to be applied to the cost of said Project and the principal amount of bonds or notes issued shall be reduced by the amount of such other funds so appropriated and expended.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of \$37,799,000, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the specific object or purpose for which said \$37,799,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 1. of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and the powers and duties relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.
Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "Port Washington News," one newspaper having general circulation in the Town and hereby designated the official newspapers of the Town for such publication.

* * *

CERTIFICATE

I, Wayne H. Wink, Jr., Town Clerk of the Town of North Hempstead, in the County of Nassau, New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on August 5, 2021 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this ____ day of August, 2021.

(SEAL)

Town Clerk

(NOTICE AND SUMMARY OF BOND RESOLUTION FOR PUBLICATION)

NOTICE

The resolution, a summary of which is published herewith, has been adopted on August 5, 2021, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of North Hempstead, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

Wayne H. Wink, Jr.
Town Clerk

BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED AUGUST 5, 2021, APPROPRIATING \$37,799,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE PORT WASHINGTON WATER DISTRICT, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF \$37,799,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

The object or purpose for which bonds are authorized is various improvements to the facilities of the District, consisting of water distribution and treatment system upgrades and improvements to address new drinking water standards and to enhance District infrastructure, including: (i) Morley Park Station Advance Oxidation Process (AOP) Treatment System and related improvements (Phase II); (ii) Well 2 improvements, acquisition and installation of a generator, building improvements, and electrical system upgrades at Sandy Hollow Station; (iii) Stonytown Station Combined AOP and Nitrate Treatment System and related improvements (Phase II), (iv) Soundview Drive water main replacement (Phase II); (v) Cow Neck Road water main replacement; (vi) replacement of undersized water mains; (vii) 24-inch pre-stressed concrete cylinder pipe transmission main study; (viii) Pleasant Avenue water main replacement; (ix); Sandy Hollow Station tank improvements, and (x) Supervisory Control and Data Acquisition system improvements, including any and all necessary

furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing.

The maximum amount of obligations authorized to be issued is \$37,799,000. Grant funds are expected to be received from New York State to fund a portion of the cost of the Project.

The period of probable usefulness is forty (40) years.

A complete copy of the bond resolution summarized above shall be available for public inspection during normal business hours at the office of the Town Clerk, Town Hall, 220 Plandome Road, Manhasset, New York.

Dated: August 5, 2021

Manhasset, New York

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. 418 - 2021

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING
CHAPTER 42 OF THE TOWN CODE ENTITLED "PUBLIC WATERWAYS;
STRUCTURES."**

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 42 of the Town Code entitled "Public Waterways; Structures" in order to update and clarify the requirements for obtaining a structure permit; and

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

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 5th day of August, 2021 concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board carefully considered the proposed Local Law during the aforesaid seven-day period, conducted said hearing on August 5, 2021 with respect to said Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

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

NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 14 of 2021 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 14 OF 2021**

**A LOCAL LAW AMENDING CHAPTER 42 OF THE TOWN CODE
ENTITLED “PUBLIC WATERWAYS; STRUCTURES”**

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

Section 1. Legislative Intent

The Board finds that it is in the best interest of the residents of the Town of North Hempstead to make amendments to Chapter 42 of the Town Code entitled “Public Waterways; Structures” in order to update and clarify the requirements for obtaining a structure permit.

Section 2.

Section 42-6 of the Town Code are hereby amended as follows:

§42-6. Application for structure permits, perimeter structure reconfiguration permits and renewals.

A. Every person who shall apply for a permit or renewal permit to construct, maintain, erect, enlarge, install, alter or improve, or cause the same to be done, a structure regulated by this chapter shall file a verified application in duplicate on forms to be provided by the Town Clerk and developed by the Building Department and shall pay the fee provided for in § 42-15 hereof.

(1) The application form shall require the applicant to state, at a minimum:

(a) The applicant's name and address.

(b) The applicant's status as owner of the upland immediately abutting the mean high-water mark at the place where such structure is proposed to be constructed or maintained.

(c) The manner in which such upland is zoned.

(d) The exact use to which the applicant intends to put such upland after the permit is issued.

(e) The exact use to which the applicant intends to put such structure after the permit is issued, or present use thereof if an existing structure.

(f) The length and width of the proposed or existing structure.

(g) The estimated cost of the proposed or existing structure.

(h) A general description of any other structures proposed to be erected or maintained on such structure.

(2) The application form shall be accompanied by a minimum of five copies of:

(a) a scale drawing depicting the locations and dimensions of all proposed structures; and

(b) a site plan and aerial view with a radius of 500 feet from the point of construction on the upland property showing all proposed structures.

(3) All application documents shall also be submitted in electronic format.

~~[(2)]~~ (4) The Town Clerk may accept copies of applications submitted to the Army Corps of Engineers and the New York State Department of Environmental Conservation to the extent such applications provide the required information.

B. In the case of applications for structures in waterways adjacent to upland residential uses, the Town Clerk, after consultation with the Commissioner of Building, may waive any application requirements that are deemed unnecessary for review of the application.

C. Insurance. Each application for a permit as authorized under the provisions of this chapter, other than a structure permit for residential uses, shall be accompanied by proof of existing insurance, with the Town added as an additional insured, evidencing protection to the public from bodily injury or property damage sustained as a result of the use of such structure. Such policy shall contain coverage equal to or exceeding those limits to be set by a resolution adopted by the Town Board, with 30 days' notice of cancellation to be afforded to the Town Clerk.

D. Each application for a permit as authorized under the provisions of this chapter shall be accompanied by a sworn, notarized agreement signed by the applicant which releases the Town from any obligation to repair the structure if it is damaged by any act or omission of the Town and defends, indemnifies and holds harmless the Town from any liability arising from the structure.

E. In the case of applications for new structures in waterways adjacent to upland multifamily residential uses, marine or nonmarine commercial uses and yacht clubs, the applicant, in addition to the application required in § 42-6A, must file an environmental assessment form designated by the Commissioner of Planning, as well as any additional information required by the Building Department.

F. Permits issued hereunder shall be transferable. Within six months of the transfer of title to a structure or adjacent upland property for which a permit has been issued, the new owner shall file a change of name with the Town Clerk. Failure to file the change of name within this period shall result in automatic termination of the permit. In the event that a change of name is not timely filed, a new permit application must be submitted to the Town Clerk by the new owner(s) of the upland tract adjacent to the structure.

Section 3.

Section 42-7 of the Town Code are hereby amended as follows:

§42-7. Permit Procedure

Upon receipt of an application prepared in accordance with §42-6 hereof, the Town Clerk shall determine if said application is complete and, if so, shall process the application according to the following procedures.

A. Residential structure permits.

(1) For applications for a structure permit for residential use, the Town Clerk shall transfer a copy of all the application materials to the Building Department, which shall examine said application for compliance with this chapter and the laws, ordinances, regulations or specifications governing such structures. The Building Department shall approve the application if the application and the proposed structure comply with all requirements of this chapter. The Building Department's decision shall be transmitted the Town Clerk, who shall in turn inform the applicant by mail.

(2) Upon approval by the Building Department, the Town Clerk shall issue the original or renewal permit, provided that all requirements have been satisfied. **Upon issuance of the permit, notice shall be sent to the Department of Public Safety/Bay Constable.** The Building Department may

impose such conditions upon the issuance of a permit which may be reasonable and necessary to carry out the purposes of this chapter [~~including the condition that an applicant post a bond adequate to ensure faithful performance of authorized construction~~]. Should the Building Department disapprove the application, the Town Clerk shall not issue a permit, and the applicant may seek a permit from the Town Board pursuant to §42-11.

B. Multifamily residential, marine commercial, nonmarine commercial, yacht club structure permits, or perimeter structure reconfiguration permits.

(1) For applications for a structure permit for multifamily residential, marine commercial, nonmarine commercial, yacht club use or for a perimeter structure reconfiguration permit, the Town Clerk shall transfer a copy of all application materials electronically to the Commissioner of Building[s] Safety, Inspection and Enforcement, the Commissioner of Planning and Environmental Protection and the Department of Public Safety/Bay Constable, who shall examine the application for compliance with this chapter and the laws, ordinances, regulations or specifications governing such structures. [~~Upon completion of such review, the Commissioner of Buildings shall transfer the application to the Commissioner of Planning, with a statement as to whether the application complies with the requirements of this chapter. The Commissioner of Planning shall review the application and issue an advisory report to the Town Board.~~] A copy of the application shall also electronically be transferred to the Town Board liaison for the Waterfront Advisory Commission who shall forward the application the Chair of the Town's Waterfront Advisory Commission.

(2) Upon the completion of such review, the Commissioner of Building Safety, Inspection and Enforcement, the Commissioner of Planning and Environmental Protection and the Department of Public Safety/Bay Constable shall transfer their recommendations to the Town Clerk. The Waterfront Advisory Commission shall consider the application and recommendations at a duly-called meeting of the Commission and, afterwards, forward its recommendations to the Town Board liaison for the Waterfront Advisory Commission.

(3). No less than ten days prior to the meeting of the Waterfront Advisory Commission, the applicant shall place a buoy or other marker in the location that corresponds to the end of the proposed dock or pier.

~~[(2-)]~~ (4.) The Town Clerk shall request that the Town Board [~~shall~~] schedule a public hearing on the application following receipt of the [~~advisory report~~] recommendations from the Commissioner of Planning and Environmental Protection and the Department of Public Safety/Bay Constable. [~~And the Town Clerk shall publish notice of the hearing in accordance with §70-240A of the Town Code. After a public hearing is scheduled, the Commissioner of Planning shall forward a copy of the application to the Chair of the Town's Waterfront Advisory Commission.~~]

~~[(3-)]~~ (5.) The Town Clerk shall publish notice of the hearing in accordance with §42-11 of the Town Code. Before the application is heard by the Town Board, the applicant must provide notice of the public hearing to property owners within a radius of 500 feet of the upland property affected by the application, in the manner provided in §[~~70-240~~] 42-11 of the Town Code, and must file an affidavit as to the mailing of such notices as required by that section.

~~[(4-)]~~ (6.) The Town Board shall review the application under the standards set forth in this chapter and shall approve or disapprove the application. The Town Board may consider any recommendation and supporting information submitted by the Town's Waterfront Advisory Commission, the Commissioner of Planning and Environmental Protection, the Department of

Public Safety/Bay Constable and the Commissioner of Building Safety, Inspection and Enforcement.

The Town Board may impose such conditions, upon the issuance of a permit, which may be reasonable and necessary to carry out the purposes of this chapter, including the condition that an applicant post a bond adequate to ensure faithful performance of authorized construction.

~~[(5-)]~~**(7.)** Upon approval of the Town Board, the Town Clerk shall issue the appropriate permit. **The Commissioner of Building Safety, Inspection and Enforcement shall forward a copy of final plans stamped and approved by the Town Board and Department of Building Safety, Inspection and Enforcement.**

- C. No permit shall be issued pursuant to either §42-7A or §42-7B until the applicant has submitted proof of issuance of permits by the United States Army Corps of Engineers and the New York State Department of Environmental Conservation, if the same are required, or letters of nonjurisdiction.

Section 4.

Section 42-9 of the Town Code is hereby amended as follows:

§42-9. Standards

No structure shall be constructed, erected, enlarged, installed, altered or improved unless it shall comply with the following standards:

A. General standards.

(1) No structure shall be permitted if, in the judgment of the Commissioner of Planning, the **Department of Public Safety/Bay Constable** ~~[Director of Harbor and Marine Enforcement]~~, or the Town Board, it would unreasonably impede, obstruct or interfere with navigation, the rights of adjoining owners, the public use of or passage along the foreshore or the waterway, or harmfully affect the environment.

(2) Except as provided under § 42-9C(1), no structure, vessel or combination thereof shall be permitted to project into the waterway a distance greater than required to reach navigable water depth, or to a length exceeding 150 feet, whichever is less.

(3) No structure or vessels shall extend within a distance of 50 feet of any federal, state or Town designated channel, vessel accessway, fairway or anchorage, except where a legally existing marine commercial use or yacht club can establish that the existence of such structures or placement of such vessels will not impede the safety of marine traffic in the designated channel, vessel accessway, fairway or anchorage and that such structures or placement of such vessels existed in their present form as of October 1, 1991.

(4) Notwithstanding the fact that a proposed residential structure shall not comply with this chapter in any respect, the Town Board may, in accordance with the procedures in § 42-11, direct that such permit be issued if it shall find that compliance with this chapter in such respect will create practical difficulties or unnecessary hardships or if it shall find that the proposed structure is in the public interest.

B. Structures in waterways.

(1) All structures shall be constructed in accordance with generally accepted engineering and design standards.

(2) All fixed docks shall provide:

- (a) An avenue for clear passage in the land area crossed by the dock at mean low tide. Such an avenue shall be created by providing an area below the dock with a clearance of at least six feet, by providing a means of access across the main body of the dock itself, or by providing a clearly marked path across the upland immediately adjacent to the dock, which will serve the same purpose.
- (b) A minimum of three feet and a maximum of eight feet above mean high water as defined by the Datum Plane and a maximum freeway clearance of two feet, except as provided for in § 42-9B(2)(a).
- (3) The location, design and use of any structure in the waterway shall be compatible with this chapter and with the zoning regulations of the upland jurisdiction, as well as with all other applicable public health laws and other applicable requirements, and shall conform to generally accepted standards of construction for the prevention of fire hazards.
- (4) No structure in a waterway shall be permitted unless it shall be water dependent and, except in the case of bulkheads, used solely for the purpose of gaining access to a waterway for commerce, navigation, fishing or recreation.
- (5) Any structure within a waterway utilized in connection with adjacent premises shall be the minimum necessary to meet the upland use.
- (6) With respect to residential or multifamily residential permits, no structure or vessel slip shall be hired out or used on a seasonal or permanent basis for dockage use by persons not actually residing at the premises. Such use of a vessel slip shall constitute a violation of this chapter concurrently with any violation of the Town's Zoning Ordinance[1] also created thereby.
- (7) Except as provided under § 42-9C, there shall be no more than one dock or floating dock per lot or lot group with less than 100 feet of shoreline frontage. One additional dock or floating dock shall be allowed for each additional 100 feet of shoreline frontage. Docks and floats shall be straight, E- , F- , L- , T- or U-shaped and shall extend at right angles to the shoreline where practicable.
- (8) Except as provided under § 42-9C, the number of slips permitted shall not be greater than two per upland single-family residential parcel.
- (9) No slip, dock, float, vessel or combination thereof shall encroach upon the portion of the waterway adjacent to the 15-foot side yards on either side of the uplands boundary as it extends offshore.
- (10) Except as provided under § 42-9C, docks for all purposes are limited to a maximum width of six feet, **except for floats which are limited to a maximum width of eight feet** for a residential structure permit and 10 feet for all other permits.
- (11) The top horizontal board (wale) of any bulkhead installed pursuant to this chapter shall be at a minimum level necessary to meet the purpose for which the bulkhead is being constructed and shall in any event not be higher than six feet above mean high water as defined in the datum plane unless a certified engineering report is submitted showing that a height in excess of six feet is required for public safety reasons. All bulkheads shall also comply with generally accepted standards of marine construction.
- (12) All structures shall be composed only of materials which, in the judgment of the Commissioner of Planning, will have no adverse effects on the environment or water quality.

(13) Lighting on any structure must be of a type, which will not be confused with navigation lighting, must meet United States Coast Guard standards and must not produce offensive glare when viewed from land or water.

(14) All fixed structures protruding from the mean high water line to the mean low water lines shall provide for an alternate route of travel along the shoreline over or around said structure.

C. Additional provisions for structures adjacent to multifamily residential, marine commercial, nonmarine commercial and yacht club uses.

(1) The Town Board may permit a specific number, configuration, width and length of docks, floats or slips other than what would be allowed under § 42-9B, where the applicant can demonstrate that the proposed design or additional number of docks, floats or slips is needed to accommodate the associated use.

(2) The permissible number, configuration and width of docks, floats and slips shall be determined by considering the location, limiting natural features of the site, demonstrated need for such structures, effect on navigation, infringement on public lands and compliance with the other sections of this chapter. No structure, vessel or combination thereof shall unreasonably impede the public's use, benefit or enjoyment of publicly owned shorefront and underwater lands. Where, in the judgment of the Town Board, impairment of the public's use and enjoyment of such publicly owned areas cannot be avoided, the upland owner may be required to afford to the public a reasonable and convenient means of access over or around the structure.

(3) Any new docking facilities, slips or moorings, or expansion or increase in existing docking facilities, slips or moorings, for marine commercial, multifamily residential and yacht club uses shall be required to:

(a) Demonstrate that sufficient marine sanitation pumpout capacity exists or that a satisfactory alternative approved by the Town Board is available, so as to accomplish the removal of sanitary wastes from all vessels associated with the use; and

(b) Provide for the collection and proper disposal of solid waste (garbage, trash, etc.), grease, oil and gasoline.

(4) In areas adjacent to multifamily residential or nonmarine commercial uses, in no case shall more than one dock be permitted per 100 feet of shoreline frontage.

(5) Any use permitted to dispense gasoline, diesel fuel, mixed fuels, engine oils and similar supplies shall show compliance with all federal and state laws dealing with oil spill prevention.

(6) In addition to the requirements specified under this section, the following shall apply for docks, floats or slips adjacent to nonmarine commercial uses:

(a) The docks or slips are limited to short-term transient use (no more than 48 hours) and shall be designated as the same, except for vessels owned by the adjacent upland owner.

(b) The area associated with the dock or slip may be used only as a means of vessel access to the upland use or for public access. The area shall not be used for any activity or use which is not water dependent.

Section 5.

Section 42-11 of the Town Code is hereby amended as follows:

§42-11. Review of denials of residential structure permits

A. The Town Board may review any determination of the Building Department disapproving an application pursuant to §42-7A. A majority vote of the members shall be necessary to reverse or modify the determination of the Building Department. ~~[The Town Board may consider any recommendation and supporting information submitted by the Town's Waterfront Advisory Commissions during the public comment period.]~~

B. Such review must be requested by the applicant within 30 days of its receipt of notification of the disapproval by the Building Department, on a form to be supplied by the Town Clerk.

C. Once the applicant has requested review of the permit application, the Town Clerk Shall electronically transfer a copy of the application to:

(1) The Commissioner of Planning and Environmental Protection, and the Department of Public Safety/Bay Constable, who shall examine the application for compliance with this chapter and the laws, ordinances, regulations or specifications governing such structures; and

(2) The Town Board liaison for the Waterfront Advisory Commission who shall forward the application to the Chair of the Town's Waterfront Advisory Commission; and

(3) The Commissioner of Building Safety, Inspection and Enforcement who shall verify that the application submitted to the Town Clerk's Office matches the application made to the Department of Building Safety, Inspection and Enforcement.

D. Upon the completion of such review, the Commissioner of Planning and Environmental Protection and the Department of Public Safety/Bay Constable shall transfer their recommendations to the Town Clerk. The Waterfront Advisory Commission shall consider the application at a duly-called meeting of the Commission and, afterwards, forward its recommendations to the Town Board liaison for the Waterfront Advisory Commission.

E. No less than ten days prior to the meeting of the Waterfront Advisory Commission, the applicant shall place a buoy or other marker in the location that corresponds to the end of the proposed dock or pier.

F. The Town Clerk shall request that the Town Board schedule a public hearing on the application following receipt of recommendations from Commissioner of Planning and Environmental Protection and the Department of Public Safety/Bay Constable.

~~[C.]~~**G. The Town Clerk shall publish notice of the hearing in accordance with §42-11 of the Town Code.** ~~[The Town Board shall hold a hearing on the review of the determination, and public notice thereof shall be given by publication in the official newspaper at least 10 but no more than 20 days prior to such hearing.]~~ The applicant shall be required to send notice by certified mail to owners of all property within a radius of 500 feet of the upland property, at least 10 days prior to the hearing, advising of the application and the hearing date, and must file with the Town Attorney, prior to the hearing date, an affidavit of mailing of the notice as required by this section. ~~[After the hearing is scheduled, the Commissioner of Planning shall forward a copy of the application to the Chair of the Town's Waterfront Advisory Commission.]~~

~~[D.]~~**H.** If the record shall indicate to the satisfaction of the Town Board that strict application of the provisions of this chapter is not necessary to maintain safe navigability of the waterway or to prevent

undue interference with the right of the public to use the waterfront or the littoral rights of adjacent waterfront property owners, taking into account the shape and contour of the waterway and topography of the vicinity, and if the record further indicates that the proposed development conforms to all other local, state and federal regulations relating thereto, then the Town Board may vary or modify the application of such provisions so that the spirit of this chapter shall be observed.

[E.]**L.** Upon the Town Board's reversal or modification of a determination [by] of the [~~Building Department~~] **Commissioner of Building Safety, Inspection and Enforcement**, the Town Clerk shall issue the appropriate permit. **The Commissioner of Building Safety, Inspection and Enforcement shall forward a copy of final plans stamped and approved by the Town Board and Department of Building Safety, Inspection and Enforcement. If the Town Board affirms the determination of the Commissioner of Building Safety, Inspection and Enforcement, the Town Clerk shall so inform the applicant.**

Section 6.

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

and; be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on August 5, 2021, Local Law No. of 2021 was adopted. The local law amends Chapter 42 of the Town Code entitled "Public Waterways; Structures" in order to update and clarify the requirements for obtaining a structure permit.

Dated: Manhasset, New York

August 5, 2021

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
TOWN CLERK**

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney

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

RESOLUTION NO. 419 - 2021

**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 clarify the applicability of the rebuttable presumption relative to certain signs, posters, stickers and advertising devices in the Town; and

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

WHEREAS, due notice was heretofore given of a public hearing to be held on August 5, 2021, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board has carefully considered the proposed Local Law during the seven-day period, conducted a public hearing on August 5, 2021, with respect to the Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, in accordance with the State Environmental Quality Review Act and the Act's implementing regulations (the "SEQRA Regulations") the Department of Planning and Environmental Protection has recommended that the adoption of the Local Law be determined to be a Type II Action pursuant to Section 617.5(c)(33) of the SEQRA Regulations and, as such, no further environmental review is required; and

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

NOW, THEREFORE, BE IT

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

RESOLVED that Local Law No. 15 of 2021 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 15 OF 2021**

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

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

Section 1. Legislative Intent

The Board finds that it is in the best interest of the Town of North Hempstead to make amendments to Chapter 70 of the Town Code entitled “Zoning” in order to clarify the applicability of the rebuttable presumption relative to certain signs, posters, stickers and advertising devices in the Town.

Section 2.

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

§ 70-197.1 Rebuttable Presumption.

It shall be presumed that any person, business or entity identified on any sign, poster, sticker or advertising device regulated under this ~~[section]~~ **chapter**, or the owner, agent, registrant, manager, business, entity or person in charge of any telephone number, website, entity, business or address identified on any sign, poster, sticker or advertising device regulated under ~~[§ 70-197]~~ **this chapter**, is responsible for the placement of that sign, poster, ~~[or]~~ sticker **or advertising device**. This presumption shall be rebuttable.

Section 3.

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

; and be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on August 5, 2021 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. __ of 2021 was adopted. The Local Law amends Chapter 70 of the Town Code entitled “Zoning” in order to clarify the applicability of the rebuttable presumption relative to certain signs, posters, stickers and advertising devices in the Town.

Dated: Manhasset, New York

August 5, 2021

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
TOWN CLERK**

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

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

RESOLUTION NO. 420 - 2021

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 clarify procedural requirements, eliminate duplicative and conflicting provisions, update certain outdated and obsolete provisions and reduce the need to obtain certain common but minor variances; 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 August 5, 2021, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board has carefully considered the proposed Local Law during the seven-day period, conducted a public hearing on August 5, 2021, with respect to the Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, in accordance with the State Environmental Quality Review Act and the Act's implementing regulations (the "SEQRA Regulations") the Department of Planning and Environmental Protection has recommended that the adoption of the Local Law be determined to be a Type II Action pursuant to Section 617.5(c)(33) of the SEQRA Regulations and, as such, no further environmental review is required; and

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

NOW, THEREFORE, BE IT

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

RESOLVED that Local Law No. 16 of 2021 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 16 OF 2021**

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

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

Section 1. Legislative Intent

The Board finds that it is in the best interest of the residents of the Town of North Hempstead to make amendments to Chapter 70 of the Town Code entitled “Zoning” in order to clarify procedural requirements, eliminate duplicative and conflicting provisions, update certain outdated and obsolete provisions and reduce the need to obtain certain common but minor variances.

Section 2.

Section 70-7.1 of Chapter 70 of the Town Code is hereby amended as follows:

- A. No dwelling or other building shall be constructed on a lot unless it has a minimum lot width of 125 feet at the required front setback line. A minimum lot width of 40 feet shall be maintained at all points between the property line at the street and the front setback line.
- B. ~~[The minimum lot width shall be the same as the average lot width of existing lots within 350 feet on each side of the lot within the same blockfront(s) and district. For lots within 350 feet of an intersection, the blockfront(s) shall be assumed to continue across the intersection, excluding the width of the intersection.]~~
- C. ~~[For corner lots, the minimum lot width shall be calculated separately for each blockfront, and the greater of the two shall prevail.]~~
- D. ~~[The minimum lot width shall be the greater of A or B above, but in no case shall the width of a lot be required to exceed 200 feet.]~~

Section 3.

Section 70-10 of Chapter 70 of the Town Code is hereby amended as follows:

- A. There shall be a front yard, the depth of which shall be not less than 40 feet from the front property line.
- B. On a corner lot a front yard shall be required on each street. The front yard on the narrower street frontage shall be not less than 40 feet in depth and the other front yard shall be not less than 35 feet in depth, and, if the street frontages are equal, a minimum front yard of 40 feet shall be required on each street front.
- C. The minimum front yard depth **for detached dwellings** shall be the same as the average front yard depth of the existing primary buildings **used as dwellings** within 350 feet on each side of the lot on the same side of the street and within the same zoning district, or 40 feet, whichever is greater. No front yard shall be required to have a depth greater than 60 feet. On a lot with multiple street fronts, the average front yard setback shall only apply to the primary front yard.

Section 4.

Section 70-17.1 of Chapter 70 of the Town Code is hereby amended as follows:

- A. No dwelling or other building shall be constructed on a lot unless it has a minimum lot width of 100 feet at the required front setback line. A minimum lot width of 40 feet shall be maintained at all points between the property line at the street and the front setback line.
- B. ~~[The minimum lot width shall be the same as the average lot width of existing lots within 300 feet on each side of the lot within the same blockfront(s) and district. For lots within 300 feet of an intersection, the blockfront(s) shall be assumed to continue across the intersection, excluding the width of the intersection.]~~
- C. ~~[For corner lots, the minimum lot width shall be calculated separately for each blockfront, and the greater of the two shall prevail]~~
- D. ~~[The minimum lot width shall be the greater of A or B above, but in no case shall the width of a lot be required to exceed 115 feet.]~~

Section 5.

Section 70-19 of Chapter 70 of the Town Code is hereby amended as follows:

- A. No dwelling shall be erected unless it has a habitable floor area on the first floor of at least 1,400 square feet.
- B. The gross floor area shall not exceed 31% of the lot area.
- C. The gross floor area (**residential**) on a lot shall not exceed 5,200 square feet.
- D. In no case shall the limitations of this section prohibit a dwelling of less than 3,060 square feet on a lot held in single and separate ownership as of December 31, 1999, so long as the building conforms to all other restrictions of this chapter.

Section 6.

Section 70-20 of Chapter 70 of the Town Code is hereby amended as follows:

- A. There shall be a front yard, the depth of which shall be not less than 35 feet from the front property line.
- B. On a corner lot, a front yard shall be required on each street. The front yard on the narrower street frontage shall be not less than 35 feet in depth, and the other front yard shall be not less than 30 feet in depth, and, if the street frontages are equal, a minimum front yard of 35 feet shall be required on each street front.
- C. The minimum front yard depth **for detached dwellings** shall be the same as the average front yard depth of the existing primary buildings **used as dwellings** within 300 feet on each side of the lot on the same side of the street and within the same zoning district, or 35 feet, whichever is greater. No front yard shall be required to have a depth greater than 50 feet. On a lot with multiple street fronts, the average front yard setback shall only apply to the primary front yard.

Section 7.

Section 70-27.1 of Chapter 70 of the Town Code is hereby amended as follows:

- A. No dwelling or other building shall be constructed on a lot unless it has a minimum lot width of 65 feet at the required front setback line. A minimum lot width of 40 feet shall be maintained at all points between the property line at the street and the front setback line.
- B. ~~[The minimum lot width shall be the same as the average lot width of existing lots within 200 feet on each side of the lot within the same blockfront(s) and district. For lots within 200 feet of an intersection, the blockfront(s) shall be assumed to continue across the intersection, excluding the width of the intersection.]~~
- C. ~~[For corner lots, the minimum lot width shall be calculated separately for each blockfront, and the greater of the two shall prevail.]~~
- D. ~~[The minimum lot width shall be the greater of A or B above, but in no case shall the width of a lot be required to exceed 100 feet.]~~

Section 8.

Section 70-29 of Chapter 70 of the Town Code is hereby amended as follows:

- A. No dwelling shall be erected unless it has a habitable floor area of at least 1,200 square feet.
- B. The gross floor area shall not exceed 36% of the lot area.
- C. The gross floor area (**residential**) on a lot shall not exceed 4,000 square feet [~~unless it has a lot area greater than 14,000 square feet and the minimum side yard is increased to 15 feet.~~]

_____ (1) For lots greater than 14,000 square feet, development exceeding 4,000 square feet of gross floor area (**residential**) shall comply with the regulations of Article III, R-AA.

- D. In no case shall the limitations of this section prohibit a dwelling of less than 2,700 square feet on a lot held in single and separate ownership as of December 31, 1999, so long as the building conforms to all other restrictions of this chapter.

Section 9.

Section 70-30 of Chapter 70 of the Town Code is hereby amended as follows:

- A. Unless the main building on the lot is controlled by § 70-30C, there shall be a front yard, the depth of which shall be not less than 35 feet from the front property line.

[Amended 1-3-2006 by L.L. No. 1-2006]

- B. On a corner lot, a front yard shall be required on each street and, unless the building is controlled by § 70-30C, the front yard on the narrower street frontage shall be not less than 35 feet in depth and the other front yard shall be not less than 30 feet in depth: and if the street frontages are equal, a minimum front yard of 35 feet shall be required on each street front.

- C. The minimum front yard depth **for detached dwellings** shall be the same as the average front yard depth of the existing primary buildings **used as dwellings** within 200 feet on each side of the lot on the same side of the street and within the same zoning district, or 35 feet, whichever is greater. No front yard shall be required to have a depth greater than 50 feet. On a lot with multiple street fronts, the average front yard setback shall only apply to the primary front yard.

Section 10.

Section 70-37.1 of Chapter 70 of the Town Code is hereby amended as follows:

- A. No dwelling or other building shall be constructed on a lot unless it has a minimum lot width of 50 feet at the required front setback line. A minimum lot width of 40 feet shall be maintained at all points between the property line at the street and the front setback line.

- B. [~~The minimum lot width shall be the same as the average lot width of existing residential lots within 200 feet on each side of the lot within the same blockfront(s) and district. For lots within 200 feet of an intersection, the blockfront(s) shall be assumed to continue across the intersection, excluding the width of the intersection.~~]

- C. [~~For corner lots, the minimum lot width shall be calculated separately for each blockfront, and the greater of the two shall prevail.~~]

- D. [~~The minimum lot width shall be the greater of A or B above, but in no case shall the width of a lot be required to exceed 100 feet.~~]

Section 11.

Section 70-39 of Chapter 70 of the Town Code is hereby amended as follows:

- A. No dwelling shall be erected unless it has a habitable floor area of at least 1,000 square feet.
- B. The gross floor area shall not exceed 45% of the lot area.
- C. The gross floor area (**residential**) on a lot shall not exceed 3,400 square feet [~~unless the lot area is greater than 8,500 square feet and the minimum side yard is increased to 10 feet.~~]

_____ (1) For lots greater than 8,500 square feet, development exceeding 3,400 square feet of gross floor area (**residential**) shall comply with the regulations of Article IV, R-A.

D. In no case shall the limitations of this section prohibit a dwelling of less than 2,500 square feet on a lot held in single and separate ownership as of December 31, 1999, so long as the building conforms to all other restrictions of this chapter.

Section 12.

Section 70-40 of Chapter 70 of the Town Code is hereby amended as follows:

- A. Unless the main building on the lot is controlled by § 70-40C, there shall be a front yard, the depth of which shall be not less than 30 feet from the front property line.
- B. On a corner lot, a front yard shall be required on each street and, unless the building is controlled by § 70-40C, the front yard on the narrower street frontage shall be not less than 30 feet in depth and the other front yard shall be not less than 25 feet in depth; and if the street frontages are equal, a minimum front yard of 30 feet shall be required on each street front.
- C. The minimum front yard depth for detached dwellings shall be the same as the average front yard depth of the existing primary buildings used as dwellings within 200 feet on each side of the lot on the same side of the street and within the same zoning district, or 30 feet, whichever is greater. No front yard shall be required to have a depth greater than 45 feet. On a lot with multiple street fronts, the average front yard setback shall only apply to the primary front yard.

Section 13.

Section 70-47.1 of Chapter 70 of the Town Code is hereby amended as follows:

- A. No single-family dwelling shall be constructed on a lot unless it has a minimum lot width of 40 feet at the required front setback line. A minimum lot width of 35 feet shall be maintained at all points between the property line at the street and the front setback line.
- B. No two-family dwelling shall be constructed on a lot unless it has a minimum lot width of 80 feet at the required front setback line. A minimum lot width of 50 feet shall be maintained at all points between the property line at the street and the front setback line.
- C. No other main building permitted as set forth in § 70-44 and not used for residence purposes shall be constructed on a lot unless it has a minimum lot width of 50 feet.
- D. ~~[The minimum lot width shall be the same as the average lot width of existing lots within 200 feet on each side of the lot within the same blockfront(s) and district, or the minimum required in A, B or C above as applicable, whichever is greater. For lots within 200 feet of an intersection, the blockfront shall be assumed to continue across the intersection, excluding the width of the intersection.]~~
- E. ~~[For corner lots, the minimum lot width shall be calculated separately for each blockfront, and the greater of the two shall prevail.]~~
- F. ~~[Where a blockfront consists of a mix of single-family and two-family dwellings, conforming lots containing two-family dwellings shall be counted as two single-family lots to determine the average lot width.]~~
- G. ~~[No single-family lot shall be required to exceed 80 feet in lot width, nor shall any other lot be required to exceed 160 feet in lot width.]~~

Section 14.

Section 70-49 of Chapter 70 of the Town Code is hereby amended as follows:

- A. No single-family dwelling shall be erected unless it has a habitable floor area of at least 900 square feet. No two-family dwelling shall be erected unless it has a habitable floor area of at least 900 square feet for each family.
- B. The gross floor area shall not exceed 50% of the lot area.
- C. The gross floor area (**residential**) on a lot shall not exceed 2,800 square feet ~~[unless it has a lot area greater than 6,000 square feet and the minimum side yard is increased to seven feet.]~~
_____(1) For lots greater than 6,000 square feet, development exceeding 2,800 square feet of gross floor area (**residential**) shall comply with the regulations of Article V, R-B.

D. In no case shall the limitations of this section prohibit a dwelling of less than 2,250 square feet on a lot held in single and separate ownership as of December 31, 1999, so long as the building conforms to all other restrictions of this chapter.

Section 15.

Section 70-50 of Chapter 70 of the Town Code is hereby amended as follows:

A. Unless the main building on the lot is controlled by § 70-50C, there shall be a front yard, the depth of which shall be not less than 25 feet from the front property line.

[Amended 1-3-2006 by L.L. No. 1-2006]

B. On a corner lot, a front yard shall be required on each street and, unless the building is controlled by § 70-50C, the front yard on the narrower street frontage shall be not less than 25 feet in depth and the other front yard shall be not less than 20 feet in depth; and if the street frontages are equal, a minimum front yard of 25 feet shall be required on each street front.

C. The minimum front yard depth **for detached dwellings** shall be the same as the average front yard depth of the existing primary buildings **used as dwellings** within 200 feet on each side of the lot on the same side of the street and within the same zoning district, or 25 feet, whichever is greater. No front yard shall be required to have a depth greater than 40 feet. On a lot with multiple street fronts, the average front yard setback shall only apply to the primary front yard.

Section 16.

Subsection C of Section 70-100.2 of Chapter 70 of the Town Code is hereby amended as follows:

C. [(Reserved)] **Accessory Porches, Porticos, Terraces, and Decks.**

(1) Accessory porches, porticos, terraces, and decks shall comply with all height, setback, skyplane, and other area requirements for a dwelling or other main building of the zoning district in which they are located and with §70-101B, when they are located directly adjacent to the dwelling or main building, regardless of whether they are physically and/or structurally attached to the dwelling or main building.

(2) Accessory porches, porticos, terraces, and decks shall comply with all setback requirements for a pool in §70-102C when directly adjacent to and/or accessing a pool and when not also adjacent to a dwelling or other main building.

(3) Accessory porches, porticos, terraces, and decks which are entirely physically and visually detached and remotely located from the dwelling or main building shall be controlled by the requirements of accessory buildings and structures found in §70-100.1.

(4) All accessory porches, porticos, terraces, and decks located to the rear of the rear building line, combined with all other accessory structures, shall not exceed 40% of the rear yard, and all accessory porches, porticos, terraces, and decks forward of the front building line shall be considered as part of the front yard and shall be counted in the maximum front yard coverage as limited by the requirements for the zoning district in which they are located.

(5) Accessory terraces and decks that are 8 inches or less above finished grade shall not controlled by subsection (1) or (2) above, shall not be restricted in location to the rear yard, and shall not be counted towards maximum coverage of the rear yard by structures. They shall be counted towards the maximum front yard coverage when located in the front yard.

Terraces and decks that are 8 inches or less above finished grade must be provided with minimum 3 foot setbacks to any property line regardless of location. This code shall not restrict patios, walkways, driveways, and other flatwork entirely flush with grade so long as all storm water can be controlled, contained, and provided with retention on site.

Section 17.

Subsection D of Section 70-100.2 of Chapter 70 of the Town Code is hereby amended as follows:

D. Stationary outdoor fireplaces, **fire pits, barbeques, or any other sources of exterior flame,** shall be at least 10 feet distant from side and rear property lines and shall not exceed five feet in height.

Section 18.

Subsection G of Section 70-100.2 of Chapter 70 of the Town Code is hereby amended as follows:

G. Portable sheds shall not exceed [400] **144** square feet and shall be located only in the rear

Section 19.

Subsection G of Section 70-101 of Chapter 70 of the Town Code is hereby amended as follows:

G. Steps **and required landings** extending into a minimum yard will not be considered an encroachment into such yard, provided that such steps do not exceed in height the first floor level of the building, and provided further that such steps are necessary to provide access to a walk, porch, terrace or vestibule. **For the purposes of this section, a required landing shall not exceed 5 feet in the direction of travel, and shall not exceed a width that provides greater than 1 feet on either side of the entrance opening in an exterior wall, or shall not exceed 5 feet in width when not serving as a platform for an entrance into a dwelling/building.**

Section 20.

Section 70-103 of Chapter 70 of the Town Code is hereby amended to add Subsection T to follow Subsection S as follows:

T. The off-street parking spaces required by this article are to be available at all times for customers, clients, constituents, patrons, visitors, employees, residents, and guests of the primary use of the main building(s) situated on the site. Commercial Parking Lots must also comply with the definition of "parking space" contained in §70-231 of this chapter and the requirements of this article, but no on-site parking spaces required under this article may be used as a portion of a commercial parking lot. Parking spaces for the parking of commercial vehicles or storage of vehicles for other purposes shall not be controlled by the provision of this article other than §70-103C and §70-103M, and shall be considered 'storage' in regard to the requirements thereof. Exterior storage of vehicles shall only be allowed where specifically indicated as a permitted or conditional use in the zoning district in which they are to be located and must comply with the requirements of §70-212B.

(1) Accessory storage of up to two commercial vehicles customarily incidental to the permitted use of the main building(s) shall be permitted as an accessory use in any business or industrial district, but may not utilize the parking spaces required by this article.

Section 21.

Section 70-202.2 of Chapter 70 of the Town Code is hereby amended as follows:

A. General requirements. All construction in which there will be an increase in impervious surface area in excess of [250] **5% of the lot area or 750** square feet, **whichever is less**, requires on-site retention of 2 1/2 inches of rainfall.

(1) Drainage and erosion control plans must be prepared by a professional engineer, registered architect or registered landscape architect and shall be submitted to the Building Department at the time of application for a building permit.

(2) Plans shall include separate methods of erosion control and stormwater retention for the period during construction, and shall ensure that erosion control and stormwater retention are provided for within the boundaries of any site that is under construction. Such methods shall be implemented and maintained throughout the course of construction to its completion, and shall also provide for the maintenance of erosion control and stormwater retention after construction.

(3) Erosion control and stormwater management plans shall indicate all existing vegetation, vegetation proposed to be removed and proposed plantings. No vegetation that contributes to the control of erosion and water on the site may be removed without compensatory site work.

B. Period during construction.

(1) Plans shall be provided for erosion control and stormwater retention for the period during construction. Methods for control may include, but are not limited to, hay bales, swales, berms, contour modification, landscaping, silt fences, rain barrels and drywells.

[Amended 5-13-2014 by L.L. No. 7-2014]

(2) The Building Inspector may require a field inspection prior to commencement of construction to review the erosion control/stormwater management plan.

(3) New drywells; temporary grates.

(a) Where new drywells or other stormwater retention facilities are part of the site work, they shall be installed prior to clearing other areas of the site for new construction.

(b) Temporary grates or weighted silt fences with adequate sieve size to permit water percolation and retention of sediment shall be installed on all drywells during construction. Sediment shall be removed from the silt fence as necessary and disposed of in the proper manner. Upon completion of construction, the drywells shall be cleaned out and approved by the Building Inspector, at which time the permanent grates shall be installed.

(4) If conditions warrant, the Building Commissioner shall have the authority to request additional information or modifications to the plans at any time during construction to further evaluate erosion control/stormwater management.

C. Permanent erosion control and stormwater management.

(1) New site development must provide for permanent erosion control and stormwater containment on site. Plans shall be submitted in accordance with Subsection A of this section.

(2) Methods for control may include, but are not limited to, swales, berms, contour modification, landscaping, rain barrels and drywells.

[Amended 5-13-2014 by L.L. No. 7-2014]

(3) Where existing site conditions do not **or proposed conditions would not** control erosion and contain stormwater **on site**, the Building Commissioner [~~may~~] **shall** require corrective site work.

(4) No more than one rain barrel of up to 60 gallons may be connected to each roof leader for the purpose of satisfying the requirements of Subsection A of this section.

[Added 5-13-2014 by L.L. No. 7-2014]

(5) **When used for stormwater retention on the site, the location of drywells shall be located in accordance with Nassau County drainage standards, except that on lots of insufficient size, distances that are required to be a minimum of 20 feet shall be permitted to be reduced to 10 feet, and further reductions may be permitted only when a NYS Licensed Architect or Engineer submits a letter which certifies that that reduced distance separations will have no impact on the adjacent structure, surrounding properties, existing water and sanitation facilities, and the public right-of-way.**

D. [~~Waiver provisions. A waiver of these requirements may be granted by the Building Commissioner.~~]

[(1)—A request for waiver must be accompanied by a letter from a professional engineer, registered architect or registered landscape architect certifying that the grading and soil conditions existing and/or proposed on the site will be adequate to control all runoff.]

[(2)—A waiver may be granted if satisfactory evidence is submitted to prove that compliance would endanger mature trees and other mature vegetative growth. This request must include a statement by a professional engineer, registered architect, or registered landscape architect that mitigation is not necessary or that other appropriate measures are being taken to retain water and erosion on site.]

[(3)—No waiver may be granted for any site where existing or proposed grades exceed 15% or for new impervious areas in excess of 500 square feet.]

Section 22.

Subsection G of Section 70-203 of Chapter 70 of the Town Code is hereby amended as follows:

G. Where a parking district, business district or industrial district is within 15 feet of any residence district or where such district is within 15 feet of land owned and maintained by the [~~Long Island State Park Commission~~] **New York State Office of Parks, Recreation and Historic Preservation** as a state park or **the New York State Department of Transportation** as a parkway,

there shall be provided a landscaped area of at least 15 feet in depth adjoining such district or districts or such park or parkway. Such landscaped area shall be located within ~~such parking district, business district, or industrial district and not within the adjacent residence district~~ **the same lot or site as the primary building(s) or use(s) in the parking, business, or industrial district and shall be located along the property line(s) abutting the adjacent properties or land containing the residential district, park, or parkway. A buffer is not required to be located through a property so as to bifurcate it.** Such landscaping shall consist of trees and shrubs which shall be so located and of sufficient density to effectively screen the parking, business and industrial districts from any **adjacent properties in a** residence district or from land owned and maintained by ~~the [Long Island State Park Commission]~~ **New York State Office of Parks, Recreation and Historic Preservation or the New York State Department of Transportation.** Said screening shall be subject to the approval of the Building Official. Any site plan required under this local law shall designate the trees and/or shrubs intended to be planted and the location thereof. Landscaped area shall consist of a staggered double row planting strip seven feet on center to be planted with coniferous material of six-foot height. The provisions of this section shall not apply where the parking, business and industrial districts and any residence district or the land owned and maintained by ~~the [Long Island State Park Commission]~~ **New York State Office of Parks, Recreation and Historic Preservation or the New York State Department of Transportation** are separated by a street, road or highway.

Section 23.

Subsection O of Section 70-203 of Chapter 70 of the Town Code is hereby amended as follows:

O. No building or premises shall be used or occupied hereafter as a public garage, motor vehicle repair shop or service station for supplying to motor vehicles or other similar operated means of transportation gasoline or other oil or liquid that will generate an inflammable vapor at ordinary temperatures, unless it is used in connection with a building occupied exclusively as a public garage, motor vehicle repair shop, service station or automobile showroom or has been heretofore legally used for such purpose and except those used or occupied pursuant to a valid permit issued in compliance with ~~[\\$70-203O]~~ **§70-203P.**

Section 24.

Subsection P of Section 70-203 of Chapter 70 of the Town Code is hereby amended as follows:

P. No permits for the construction or **substantial** alteration of gasoline service stations shall be issued without first obtaining approval from the Town Board after a public hearing.

(5) For purposes of this section, a substantial alteration shall mean the construction of a new building or building addition of greater than 750 square feet, the addition, removal or relocation of pump islands, the construction of a canopy (excluding the replacement of a canopy of the same dimensions), addition or expansion of a convenience store or the addition, removal or relocation of access/egress points, entrance/exit driveways or curb cuts.

Section 25.

Subsection X of Section 70-203 of Chapter 70 of the Town Code is hereby amended as follows:

X. Electric vehicle charging stations shall be permitted in all commercial districts, subject to the following:

(1) Each electric vehicle charging station shall include vehicle impact protection (bollards) or a similar structure.

(2) ~~A maximum of two parking spaces that are designated for the exclusive use of electric charging and the sale of electricity may be counted towards the off-street parking requirements specified in § 70-103.~~ **The greater of two spaces or ten percent of the total provided parking may be designated for the exclusive use as electric vehicle charging and the sale of electricity and counted towards the off-street parking requirements specified in § 70-103. When a charging**

station is incapable or prohibited from charging vehicles from multiple vehicle manufacturers, those designated charging spaces, effected by this limitation will not be counted towards the off street parking requirement specified in §70-103.

(3) Components for electric vehicle charging stations may encroach up to 36 inches into a required setback or buffer

Section 26.

Subsection A of Section 70-215 of Chapter 70 of the Town Code is hereby amended as follows:

A. ~~[Unprotected metal buildings and all buildings of frame construction shall be prohibited in any business or industrial district, except that buildings of frame construction existing in a business or industrial district at the date of this section, as amended, may be used in such business or industrial district, provided that such buildings conform, or are altered to conform, to the provisions of the New York State Building Code applicable to the use to which they are to be devoted and provided that they conform to all applicable fire codes and all other provisions of this chapter.]~~

Construction that does not conform with the requirement of the Town of North Hempstead Building Code or NYS Uniform Fire Prevention and Building Code in effect at the time of construction, extension, or alteration or the requirements of the current NYS Property Maintenance and NYS Fire Codes applicable to existing buildings shall be prohibited in all use districts.

Section 27.

Subsection A of Section 70-219 of Chapter 70 of the Town Code is hereby amended as follows:

A. When site plan review required; procedure. No permit shall be issued for a site greater than 25,000 square feet in any zone other than Residence Open Space, Residence AAA, Residence AA, Residence A, Residence B, Residence C, Residence D, or Hospital District until a site plan, as specified in this section, has been approved by the Town Board, if any one or more of the following criteria are met:

(1) The site upon which the work is proposed involves one or more of the following:

(a) The construction of a new building or structure or addition to an existing structure of greater than 750 square feet of floor area.

(b) The change in use of an existing building or buildings on a site in a manner which will:

[1] Increase the number of required off-street parking spaces for the site pursuant to § 70-103 of this chapter by more than 33%; or

[2] Add at least 10,000 square feet of retail; or

[3] Add at least 10,000 square feet of public assembly use at the site.

(c) The alteration of an existing single retail use greater than 20,000 square feet at the site so as to create three or more retail or public assembly uses.

(d) The alteration of an existing single retail space greater than 20,000 square feet to permit shared occupancy by more than two tenants.

(e) ~~A change in access to the site or a change in the circulation within the site which affects at least 20% of the paved area.~~ **A change in the number of site access/egress points, entrance/exit drives or curb cuts or a relocation of an existing access point by more than 20 feet.**

Section 28.

Subsection G of Section 70-219 of Chapter 70 of the Town Code is hereby amended as follows:

G. No certificate of occupancy **or certificate of completion** shall be issued until all site work authorized or required by the Town Board is completed and approved by the Commissioner of Buildings and any conditions imposed by the Town Board are complied with. **Once a certificate of occupancy or certificate of completion has been issued pursuant to a Building Permit to develop the property in accordance with the plans for which such approval by the Town Board has been granted, no further adjustments or modifications to the site shall be permitted with the exception of interior alterations that would not trigger a site plan pursuant to §70-219A(1),**

unless either the modified site plan has been approved as a minor modification in accordance with §70-219I of the modified site plan has been approved by the Town Board in accordance with this section.

Section 29.

Section 70-219.1 of Chapter 70 of the Town Code is hereby amended as follows:

§ 70-219.1 Time limitations.

[Added 2-28-2019 by L.L. No. 5-2019]

A. Change of zone. Whenever a change of zone has been granted pursuant to §70-238B, failure to obtain, as applicable, a variance, **conditional/special use approval**, site plan approval, special use permit, or building permit (whichever action occurs first) to develop the rezoned property in accordance with the petition and site plan made a part thereof within three years after the granting of the petition shall be deemed an abandonment of the project, and the rezoned property shall revert to the zoning classification which applied at the time of the change of zone, except that the Town Board may, on petition or on its own motion, by resolution after a public hearing, extend such rezoning for additional periods of one year on finding that the conditions and circumstances essential to the original enactment have not changed. No extension of a rezoning may be granted for greater than one year, and any extension of a rezoning granted for greater than one year shall be void and of no effect. **In the case where a variance or conditional/special use approval has been granted by the Board of Zoning Appeals, or a special permit or site plan approval has been granted by the Town Board subsequent to a change of zone granted by the Town Board, the change of zone shall lapse and be of no further force and effect at any such time that the variance, conditional/special use approval, special permit, or site plan approval has lapsed or expired.**

B. Variances **and conditional/special use approvals** by the Board of Zoning Appeals.

(1) Any variance **or conditional/special use** granted by the Board of Zoning and Appeals shall lapse and be of no further force and effect after three years from the date of decision if the applicant has not obtained, as applicable, site plan approval, a special use permit or a building permit (whichever action occurs first) to develop the property that is the subject of the application for a variance in accordance with the plans for which such variance was granted, unless an extension of time has been granted by the Board pursuant to this section. **In the case where a special permit or site plan approval has been granted by the Town Board subsequent to a variance or conditional/special use approval granted by the Board of Zoning and Appeals, the variance or conditional/special use approval shall lapse and be of no further force and effect at any such time that the special permit or site plan approval has lapsed or expired.**

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

(3) Requests for a variance extension shall be considered by the Board without a public hearing. The applicant must demonstrate by substantial evidence that there have been diligent efforts to pursue the necessary permits for construction, that there has been no substantial change in facts as presented in the original variance application or the conditions of approval, and that specified circumstances or conditions necessitate the extension. In the absence of such evidence, requests for a variance extension shall be denied.

(4) Fees for variance extension requests shall be set according to the amounts indicated in the Town of North Hempstead Fee Schedule.

C. Special permits. Whenever a special exception has been granted pursuant to ~~this section~~ **§70-240** or a permit pursuant to ~~§70-203O~~ **§70-203P, §70-203T, or §70-203U**, failure to obtain, as applicable, site plan approval or a building permit to develop the property in accordance with the application and site plan made a part thereof within three years after the granting of the special

permit shall be deemed an abandonment of the project, except that the Town Board may, on petition or on its own motion, by resolution, extend such special permit for additional periods of six months on finding that the conditions and circumstances essential to the original grant have not changed. **In the case where a site plan approval has been approved by the Town Board subsequent to or concurrently with a special permit, the special permit shall lapse and be of no further force and effect at any such time that the site plan approval has lapsed or expired.**

D. Site plan review. Whenever a site plan has been approved pursuant to § 70-219 of the Town Code, failure to obtain a building permit to develop the property in accordance with the application and site plan within three years after the adoption date of the resolution approving the site plan shall be deemed an abandonment of the site plan and the approval of the site plan will be deemed to have lapsed, except that the Town Board may, by resolution and prior to the date the approval shall lapse, extend such site plan approval for additional periods of one year on finding that the conditions and circumstances essential to the original grant have not changed; provided, however, that the Town Board may not grant more than three one-year extensions. Notwithstanding the above, in the event that a building permit to develop the property in accordance with the application and site plan is timely obtained, and the building permit subsequently expires without being extended pursuant to the provisions of § 2-11 of the Town Code or has been subsequently revoked pursuant to § 2-14 of the Town Code, the site plan shall be deemed abandoned and the approval of the site plan will be deemed to have lapsed, except as the site plan is extended as described above.

E. Expiration of Change of Zone, Approvals by the Board of Zoning Appeals, Special Permits, and Site Plan Approvals upon expiration of a Building Permit. Notwithstanding any expiration specified in this section, any change of zone, variance, conditional or special use approval, special permit, or site plan approval shall lapse and be of no further force and effect upon the expiration of the first Building Permit term under the limits of §2-11A, if no substantial construction has taken place in accordance with the plans for which such change of zone, variance, conditional or special use, special permit, or site plan approval was granted, unless an extension of time has been granted by the Board of Zoning Appeals or Town Board in accordance with this section.

Section 30.

Subsection C of Section 70-227 of Chapter 70 of the Town Code is hereby amended as follows:

C. Submission Requirements.

(1) All applications to the Board of Zoning and Appeals shall be accompanied by the notice of disapproval issued by the Building Department, an application form with related attachments and ~~[five]~~ **four** copies of each of the following:

(a) For applications for new one- and two-family residential structures~~], and additions or alterations of one- and two-family residential structures or construction of fences, sheds or other accessory structures~~];

[1]. Title page, which shall include the following:

[a] Key map showing clearly and accurately the location of the property in relation to the neighboring streets;

[b] Zoning/site data analysis which shall include zoning district; permitted and proposed data for all zoning criteria, including, but not limited to, floor areas, lot coverage, building height, and a depiction of the required sky exposure plane;

[c] Name and address of the applicant, and the name and address of the owner of the site, if different, from the applicant;

[d] Name(s) and contact information of the professional engineer, land surveyor, architect, landscape architect and/or land planner involved in preparing the plans;

[e] Area map of the subject property and all properties within a radius of 300 feet of any contiguous property owned by the applicant. The area map must be accurately drawn to scale and shall include the names of property owners, as well as section, block, and lot information for all properties within the three-hundred-foot radius;

[2]. Survey of existing conditions, prepared by a New York State licensed land surveyor at a scale of one inch equals 40 or larger, showing at a minimum:

[a] The locations of all existing buildings, driveways, patios, fences and accessory structures;

[b] The locations of property lines with bearings and distances clearly marked;

[c] The locations of all monuments, stakes or other permanent boundary markers;

[d] Underground and overhead utilities;

[e] The locations of all easements, if applicable;

[3]. Proposed site or plot plan, showing the location of all proposed buildings, accessory structures, driveways or other paved areas;

[4]. Floor plans, fully dimensioned, of each level, which shall include, but not be limited to, basements, cellars, mezzanines and attics, and labeling of all interior spaces with their uses;

[5]. Building elevations and section, which shall include the following:

[a] Existing and proposed grades in Nassau County Vertical Datum;

[b] Finished floor elevations for each level;

[c] Building height elevation(s);

[d] Building/site section(s);

[e] Proposed finish materials for all exterior surfaces;

[6]. Short environmental assessment form;

[7]. Disclosure affidavit from applicant;

(b) For additions or alterations of one- and two-family residential structures or construction of fences, sheds or other accessory structures:

[1]. Title page, which shall include the following:

[a] Key map showing clearly and accurately the location of the property in relation to the neighboring streets;

[b] Zoning/site data analysis which shall include zoning district; permitted and proposed data for all zoning criteria, including, but not limited to, floor areas, lot coverage, building height, and a depiction of the required sky exposure plane;

[c] Name and address of the applicant, and the name and address of the owner of the site, if different from the applicant;

[d] Name(s) and contact information of the professional engineer, land surveyor, architect, landscape and/or land planner involved in preparing the plans.

[2]. Survey or plot plan of existing conditions, prepared by a New York State licensed land surveyor at a scale of one inch equals 40 feet or larger, showing at a minimum the locations of all existing buildings, driveways, patios fences and accessory structures;

[3]. Proposed site plan, showing the location of all proposed buildings, fences, accessory structures, driveways or other paved areas;

[4]. Floor plans, fully dimensioned, of each level, which shall include, but not be limited to, basements, cellars, mezzanines and attics, and labeling of all interior spaces with their uses;

[5]. Building elevations, if applicable, which shall include the following:

[a] Existing and proposed grades;

[b] Finished floor elevations for each level;

[c] Building height elevation(s);

[d] Proposed finish materials for all exterior surfaces.

[6]. Details or specifications of any fencing material, if applicable.

(c) For applications for new multiple residence, commercial or other nonresidential structures:

[1]. Title page, which shall include the following:

[a] Key map showing clearly and accurately the location of the property in relation to the neighboring streets;

[b] Zoning/Site data analysis which shall include zoning district information; permitted and proposed data for all zoning criteria, including, but not limited to, floor areas by use, lot coverage, building height, parking; and the quantities of pervious and impervious surfaces. All zoning calculations shall be based on gross floor areas as required in this chapter;

[c] Names of the appropriate water and sewer districts;

[d] Name and address of the applicant, and the name and address of the owner of the site, if different from the applicant. If the applicant or owner is a corporation or partnership, the names of all principals shall be included;

[e] Name(s) and contact information of the professional engineer, land surveyor, architect, landscape architect and/or land planner involved in preparing the plans;

[f] Area map of the subject site and all properties within radius of 300 feet of any contiguous property owned by the applicant. The area map must be accurately drawn to scale and shall include all proposed principal and accessory buildings, the names of abutting property owners, as well as section, block, and lot information for all properties within the three-hundred-foot radius.

[2]. Survey of existing conditions, prepared by a New York State licensed land surveyor at a scale of one inch equals 40 feet or larger, showing at a minimum:

[a] The locations of all existing buildings, driveways, patios, fences and accessory structures;

[b] The locations of property lines, with bearings and distances clearly marked;

[c] The locations of all monuments, stakes or other permanent boundary markers;

[d] Underground and overhead utilities;

[e] The locations of all easements, if applicable.

[3]. Schematic site plan, which shall include the following:

[a] Location and arrangement of all buildings and structures;

[b] All proposed parking and loading facilities, access aisles, and all pavement markings, fully dimensioned;

[c] Adjacent roadways indicating traffic flow directions and showing vehicular access and circulation to and from the site, including intersections, road widths, pavement surfaces, dividers, traffic controls, and street lighting;

[d] Any proposed right-of-way improvements or road widening;

[e] Arrangement of pedestrian traffic access and circulation, including, but not limited to, walkway structures, and handicapped accessibility;

[f] Location and type of equipment provided for storage and disposal of garbage and refuse; if the application is for a restaurant, delicatessen, retail grocery or other food-related use, the plan must show the location of the required interior refrigerated refuse locker.

[4]. Floor plans, fully dimensioned, of each level, which shall include, but not be limited to, basements, cellars, lobbies, mezzanines and attics, and labeling of all interior spaces with their uses; seating diagrams and emergency egress plans are required for all places of assembly.

[5]. Building elevations and sections, which shall include the following:

- [a]Existing and proposed grades in Nassau County Vertical Datum;
- [b] Finished floor elevations for each level;
- [c]Building height elevation(s);
- [d] Building/Site section(s) as required to adequately analyze the site development;
- [e]Proposed finish materials for all exterior surfaces;
- [f] Scale drawings indicating the design, color and material of all signs, accompanied by an explanation of the lighting mechanism.

[6]. Perspective drawing(s) of all principal buildings;

[7]. Schematic landscape, grading, drainage and lighting plans;

[8]. Full environmental assessment form in the format required by the State Environmental Quality Review Act;

[9]. Traffic **and parking** analysis, including capacity and level-of-service for the nearest signalized intersection(s) **to be submitted to the office of the Board of Zoning Appeals no later than the filing deadline of the hearing on which the application is to be heard;**

[10]. Disclosure affidavit from applicant.

(d) For additions or alterations of multiple residence, commercial or other nonresidential structures or variances for nonresidential uses:

[1]. Title page, which shall include the following:

[a] Key map showing clearly and accurately the location of the property in relation to the neighboring streets;

[b] Zoning/Site data analysis which shall include zoning district information; permitted and proposed data for all zoning criteria, including, but not limited to, floor areas by use, lot coverage, building height, parking; and the quantities of pervious and impervious surfaces. All zoning calculations shall be based on gross floor areas as required in this chapter;

[c] Names of the appropriate water and sewer districts;

[d] Name and address of the applicant, and the name and address of the owner of the site, if different from the applicant. If the applicant or owner is a corporation or partnership, the names of all principals shall be included;

[e] Name(s) and contact information of the professional engineer, land surveyor, architect, landscape architect and/or land planner involved in preparing the plans;

[f] Area map of the subject site and all properties within radius of 300 feet of any contiguous property owned by the applicant. The area map must be accurately drawn to scale and shall include all proposed principal and accessory buildings, the names of abutting property owners, as well as section, block, and lot information for all properties within the three-hundred-foot radius.

[2]. Survey of existing conditions, prepared by a New York State licensed land surveyor at a scale of one inch equals 40 feet or larger, showing at a minimum:

- [a] The locations of all existing buildings, driveways, patios, fences and accessory structures;
- [b] The locations of property lines, with bearings and distances clearly marked;
- [c] The locations of all monuments, stakes or other permanent boundary markers;
- [d] Underground and overhead utilities;
- [e] The locations of all easements, if applicable.

[3]. Schematic site plan, which shall include the following:

- [a] Location and arrangement of all buildings and structures;
- [b] All proposed parking and loading facilities, access aisles, and all pavement markings, fully dimensioned;
- [c] Adjacent roadways indicating traffic flow directions and showing vehicular access and circulation to and from the site, including intersections, road widths, pavement surfaces, dividers, traffic controls, and street lighting;
- [d] Any proposed right-of-way improvements or road widening;
- [e] Arrangement of pedestrian traffic access and circulation, including, but not limited to, walkway structures, and handicapped accessibility;
- [f] Location and type of equipment provided for storage and disposal of garbage and refuse; if the application is for a restaurant, delicatessen, retail grocery or other food-related use, the plan must show the location of the required interior refrigerated refuse locker.

[4]. Floor plans, fully dimensioned, of each level, which shall include, but not be limited to, basements, cellars, lobbies, mezzanines and attics, and labeling of all interior spaces with their uses; seating diagrams and emergency egress plans are required for all places of assembly.

[5]. Building elevations and sections, which shall include the following:

- [a] Existing and proposed grades in Nassau County Vertical Datum;
- [b] Finished floor elevations for each level;
- [c] Building height elevation(s);

- [d] Building/Site section(s) as required to adequately analyze the site development;
- [e] Proposed finish materials for all exterior surfaces;
- [f] Scale drawings indicating the design, color and material of all signs, accompanied by an explanation of the lighting mechanism.

[6]. Perspective drawing(s) of all principal buildings;

[7]. Schematic landscape, grading, drainage and lighting plans;

[8]. Full environmental assessment form in the format required by the State Environmental Quality Review Act;

[9]. ~~[Traffic analysis, including capacity and level-of-service for the nearest signalized intersection(s)]~~ **A trip generation and parking analysis, to be submitted to the office of the Board of Zoning Appeals no later than the filing deadline of the hearing on which the application is to be heard, including capacity and level-of-service analysis for the nearest signalized intersection(s) except for applications where one or more of the following conditions apply;**

[a] **A reduction in required parking from previous use or tenant;**

[b] **An increase of less than 2 parking spaces from the previous use or tenant;**

[c] **No variances for parking or loading;**

[10]. ~~[Disclosure affidavit from applicant]~~ **For applications projected to create 100 or more trips per hour by the most current Institute of Transportation Engineers Trip Generation Manual in the year of the application, a traffic analysis, including capacity and level-of-service for the nearest signalized intersection(s) shall be required, and submitted to the office of the Board of Zoning Appeals no later than the filing deadline of the hearing on which the application is to be heard.**

[11]. **A trip generation and parking analyses, to be submitted to the office of the Board of Zoning Appeals no later than the filing deadline of the hearing on which the application is to be heard, shall be required for all applications involving a variance from § 70-103;**

[12]. **Disclosure affidavit from applicant.**

(2) All plans and accompanying documents shall be prepared by the appropriate professional(s) licensed in the State of New York and shall be prepared at a scale sufficient to clearly present the required information for review.

Section 31.

Subsection D of Section 70-227 of Chapter 70 of the Town Code is hereby amended as follows:

D. Hearing and notice requirements.

(1) The Secretary to the Board of Zoning and Appeals shall publish notice of the public hearings for a variance, appeal for determination or conditional use permit in the local newspapers at least 10 days before the hearing date. The notice shall identify the property affected by stating the section, block, lot and street address and shall also state the date, time and place of the hearing.

(2) Before the application will be heard, the applicant must provide notice of the hearing of the property owners within a radius of 300 feet of the site, in a manner provided herein, and must file an affidavit as to the mailing of such notices with the Secretary to the Board of Zoning and Appeals not less than five days prior to the hearing. Not less than 10 nor more than 20 days before the hearing, the applicant shall send, by first-class and by registered or certified mail, a notice to each affected owner identifying the subject property, stating the nature of the application and the date, time and place for the hearing. For application for additions and alterations to one- or two-family residential structures, **and sign variances** notice may be provided to only the adjoining property owners **and the owner of properties directly across the nearest right-of-way(s).**

(3) Sign notice requirements for Board of Zoning and Appeal applications.

(a) For all commercial applications, with the exception of applications for signs, and for all applications for new homes and for subdivisions, the following requirements shall apply:

[1]. Sign notice shall be given by the property owner of the subject property by posting a sign stating the nature of the application, and the time, date, and place of the public hearing to be held by the Board of Zoning and Appeals on the property which is the subject of an application.

[2]. The sign shall be posted at least 10 days prior to the date of the public hearing to be held by the ~~Town Board~~ **Board of Zoning and Appeals.**

[3]. The sign shall be visible from adjacent rights-of-way, including waterways.

[4]. If the subject property is on more than one right-of-way, a sign shall be posted facing each right-of-way.

[5]. If the sign is destroyed or removed from the property, the owner of the subject property shall be responsible for replacing it.

[6]. The sign shall be no less than 34 feet **inches** by 48 feet **inches** in size.

[7]. Five days prior to the public hearing, the owner of the subject property shall execute and submit to the ~~Department of Planning~~ **Secretary to the Board of Zoning and Appeals** an affidavit of proof of the posting of the public notice sign(s) according to this section. If the owner of the subject property fails to submit the affidavit, the public hearing will be postponed until after the affidavit has been supplied.

[8]. Section 227D(3)(a) shall apply to all Board of Zoning Appeals applications which have been adjourned

Section 32.

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

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

ABATTOIR

A slaughterhouse for the slaughtering of livestock other than poultry.

ACCESSORY APARTMENT

A separate space within a one-family dwelling, or a structure on property on which exists a one-family dwelling, which is wholly or partly used or arranged, designed or intended to be occupied or used for living or sleeping by one or more human occupants.

ACCESSORY BUILDING OR USE

A subordinate building or use customarily incidental to and located on the same lot occupied by the main building or use.

AFFORDABLE SENIOR CITIZEN FACILITY

A residential dwelling unit made available for sale or rent such that the shelter portion of the housing cost is below the market price of such units, to be determined as follows:

A. Units for rent. Rent shall not exceed 80% of the county median income, as determined by the United States Department of Housing and Urban Development (HUD), times 30%.

B. Units for sale. Sales price shall not exceed 45% of the average sales price of single-family homes in the county for the prior 12 months, and be for sale to households whose income is 80% of the county median income as determined by HUD.

AGRICULTURE

The cultivation of the soil for food products or other useful or valuable growths, crops or products of the field or garden, tillage or husbandry, but shall not include dairying, raising of livestock, fowls or birds where the same is carried on as a gainful operation.

ALL-SUITE HOTEL

A commercial building primarily for transient guests and having one or more of the following: lounge, meeting/conference room, dining room and kitchen for the serving of food to be consumed primarily in said dining room. All guest rooms shall contain a sitting room, separate bedroom and the provision of limited kitchen facilities.

ALTERATION

As applied to a building or structure, the change or rearrangement of the structural parts or any enlargement, whether by extending on any side or by increasing in height, or the moving from one location to another. It does not include ordinary repairs to buildings or structures.

AMUSEMENT ARCADE

Any premises where three or more amusement devices are available for operation.

AMUSEMENT DEVICE

Any coin- or token-operated machine, apparatus or contrivance which is used or which may be used as a game of skill or amusement wherein or whereby the player initiates, employs or directs any force or action to, or generated by, the machine, including, but not limited to billiard tables; casino-type games; computerized games; electronic bowling; electronic shuffleboard; pinball machines; shooting galleries; and skill boards. "Amusement devices," for the purpose of this chapter, shall not include bowling alleys and duckpin bowling alleys.

ATTIC

The space between the ceiling joists of the top story and the roof rafters. An attic shall not be used or occupied as living or sleeping quarters. There shall be no **new** fixed stair to any ~~new~~ attic space nor operable windows. Attics shall not have finished floors or heating systems. Attics over one-story extensions shall count as additional gross floor area if the height from the joist to the underside of the ridge is greater than five feet. Horizontal access to attics shall be limited to nine square feet. Notwithstanding the foregoing, an attic may be permitted to be constructed as, or converted into, habitable or occupiable space where the requirements of the district would permit a full story; provided, however, that the attic shall be counted as gross floor area when used as habitable or occupiable space.

BAR AND GRILL

Any business use in which the primary service offered is the sale of alcoholic beverages for consumption on the premises, regardless of whether food is also served and entertainment of any type is offered.

BASEMENT

That space of a building that is partly below grade which has more than half of its height, measured from floor to ceiling, above the average established finished grade of the ground adjoining the building.

BELOW-GRADE PARKING STRUCTURE

An accessory use in which the final paved surface is located more than 24 inches below the preexisting grade of a building site, and that provides for the parking of vehicles, including drive aisles, and which may include loading areas.

BILLBOARD or POSTER PANEL

A sign erected and maintained by an outdoor advertiser.

BLOCKFRONT

The street and the space surrounding it, including the buildings and open space fronting on both sides of the streets.

BOATEL

A hotel on a waterfront with docks for use by boaters.

BUILDING

A combination of materials other than a structure to form a construction that is safe and stable and adapted to permanent or continuous occupancy for public, institutional, residence, business or storage purposes; the term "building" shall be construed as if followed by the words "or part thereof."

BUILDING DEPARTMENT

The Building Department of the Town of North Hempstead.

BUILDING HEIGHT

The vertical distance measured from the average level of the preexisting grade at the perimeter of the building to the highest point of the roof.

BUILDING OFFICIAL

The officer or other person specifically charged by the Town Board with the administration and enforcement of this chapter, or his duly authorized representative.

CARETAKER UNIT

An accessory living space within a historic building, structure or dwelling intended as a primary residence for the person or family responsible for the maintenance, upkeep and/or security of the building or site. Caretaker units may comprise up to 50% of the gross floor area of the building, and may have a separate entrance.

[Added 9-10-2013 by L.L. No. 4-2013]

CELLAR

That portion of a building with half or more of its floor-to-ceiling height below the average level of the adjoining ground. A "cellar" shall not be used or occupied ~~[as living]~~ **for cooking** or sleeping quarters **but may be used as recreational space when in compliance with the requirements of the NYS Uniform Fire Prevention and Building Code.**

CHILD-CARE FACILITY

Any program or facility providing care for children for more than three hours but less than 24 hours per day per child on a regular basis away from the child's residence, in which care is provided by someone other than the parent, step-parent, guardian or other relative within the third degree of consanguinity of the parent or step-parent.

- A. This definition shall apply whether or not care is given for compensation.
- B. This definition shall include any facility that provides child-care services as defined in § 390 of the New York State Social Services Law.
- C. This definition shall not include child-care facilities located in private dwellings and multiple-dwelling units licensed and operated in accordance with the regulations set forth by the New York State Office of Children and Family Services.
- D. Medical care or delinquency correction may not be the principal use of the facility.

E. Child-care facilities shall be licensed by and operated in accordance with the regulations set forth by the New York State Office of Children and Family Services.

CODE ENFORCEMENT OFFICER

The officer or other person specifically charged by the Town Board with the administration and enforcement of this chapter, or his duly authorized representative.

[Added 11-16-2010 by L.L. No. 15-2010]

COMMERCIAL PARKING LOT

Any lot or premises, other than one owned or maintained by the municipality, used for parking automobiles or other motor vehicles by the public upon the payment of a fee, whether or not such use is an accessory use.

CONCRETE RECYCLING OPERATION

A facility used for the collection and processing and/or crushing of uncontaminated concrete waste for conversion to recycled concrete aggregate.

[Added 8-9-2016 by L.L. No. 6-2016]

CONVENIENCE STORE

A retail sales area that offers for sale prepackaged food or beverages, and may allow for cooking and preparation of ready-to-serve food, for off-site consumption. A convenience store shall co-locate or coexist only with a gasoline service station or automobile service station, and only as approved by the Town Board.

[Amended 3-22-2016 by L.L. No. 3-2016]

CORNER LOT

A lot situated at the intersection or junction of two or more streets.

CORRAL

An outdoor accessory structure for the storage of shopping baskets, carts and wagons that is made available for use by the shopping public and for the secure storage of carts during hours when the business is closed.

[Added 3-8-2011 by L.L. No. 4-2011]

COURT

A required open and unoccupied space on the same lot and enclosed on at least three sides by walls of a building.[1]

DEPARTMENT OF HEALTH

The Department of Health of the County of Nassau and any other health board or department established pursuant to the laws of the State of New York and entrusted with the regulations, control and/or supervision of matters pertaining to and affecting the public health in the Town of North Hempstead.

DEPTH OF A LOT

The mean distance from the street line of the lot to its opposite rear line, measured along the side lines of the lot.

DISPLAY SURFACE

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

DRIVE-THROUGH FACILITY

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

DWELLING

A building containing not more than two dwelling units occupied principally for residential uses.

DWELLING UNIT

A portion of a row dwelling housing not more than one family.

EAVE HEIGHT

The top of the uppermost wall plate **or other horizontal structural member providing bearing and anchorage for the roof rafters or roof trusses**, as measured from the average level of the preexisting grade at the perimeter of the building. **The top wall plate or other horizontal structural roof support member of decorative doghouse dormers that do not exceed 6 feet in width shall not be limited as an eave height.**

ELEEMOSYNARY

A not-for-profit organization, public or private, primarily engaged in charitable activities or primarily supported by charitable contributions.

ELECTRONIC CIGARETTE

A device containing a liquid or other substance that is vaporized and inhaled for the purpose of simulating the experience of smoking.

[Added 8-9-2016 by L.L. No. 7-2016; amended 11-20-2018 by L.L. No. 10-2018]

ELECTRIC VEHICLE CHARGING STATION

A system for the charging of an electric vehicle. Components typically include a charging kiosk and transformer.

[Added 5-13-2014 by L.L. No. 7-2014]

ERECTED

Includes constructed, reconstructed, altered, placed or moved.

EXISTING BUILDING

A building erected prior to the effective date of this chapter.

FAMILY

One individual or a collective group of individuals either:

A. Related to each other by blood, marriage or adoption who live together in the same dwelling unit, cook together and function as a single, stable housekeeping unit with common access to all rooms and facilities; or

B. Not related by blood, marriage or adoption but who together constitute the functional equivalent of a natural family, all living together in the same dwelling unit, cooking together and generally functioning as a single, stable housekeeping unit, all with common access to all rooms and facilities, with no member or members of such group subletting, subleasing or otherwise controlling any part of the dwelling separately from the others.

FOOD SERVICE

See definition of "restaurant" contained in this section.

FRONT OF BUILDING

On an interior lot, the exterior wall facing the street. The "front of a building" on a corner lot is the exterior wall where the main entrance is established.[2]

FRONT YARD

A yard across the full width of the lot extending from the front line of the building to the front line of the lot measured between the side property lines.

FRONT YARD, PRIMARY

The front yard with the narrower street frontage. For lots having equal street frontage, the primary front yard shall be the front yard where the main entrance is established.

[Added 7-10-2012 by L.L. No. 11-2012]

GASOLINE SERVICE STATION or AUTOMOBILE SERVICE STATION (used synonymously in this chapter)

The use of premises for the dispensing of motor fuels, lubricants and other materials used in the operation of motor or other vehicles and/or where minor repairs to motor or other vehicles are made.

GASOLINE SERVICE STATION/CONVENIENCE STORE

The co-location of a gasoline service station and a convenience store, only as approved by the Town Board. No use other than a convenience store may coexist or co-locate with a gasoline service station. A gasoline service station/convenience store contains a convenience store that offers for sale food or beverages, in conjunction with the sale of automotive fuel. Other prepackaged goods,

household items, automotive fluids and wiper blades, automotive cleaning supplies, oils, waxes and windshield fluids, newspapers and magazines may also be sold at a gasoline service station/convenience store.

[Amended 3-22-2016 by L.L. No. 3-2016]

GROSS FLOOR AREA (NONRESIDENTIAL)

The sum of the gross horizontal areas of the several floors of a building, including interior balconies and mezzanines and attics over one-story extensions where the height from the joist to the underside of the ridge is greater than five feet, but excluding exterior balconies. All horizontal dimensions of each floor are to be measured from the exterior faces of the walls of each such floor, including roofed porches having more than one wall. The "gross floor area" of accessory buildings shall include the floor area of accessory buildings on the same lot, measured the same way. In computing the "gross floor area," there shall be excluded any floor area of a story whose ceiling is less than four feet above grade at the nearest building line and attic space having a headroom of less than seven feet, provided that those areas are nonhabitable and are used for storage or mechanical equipment.

[Amended 1-29-2019 by L.L. No. 3-2019]

GROSS FLOOR AREA (RESIDENTIAL)

The sum of the gross horizontal area of all floors or stories of a dwelling as measured to the outside face of the exterior wall inclusive of all exterior facing as well as attached garages, enclosed porches and roofed porches having more than 50% of the perimeter enclosed or screened, attics over one-story extensions where the height from the joist to the underside of the ridge is greater than five feet, all habitable and occupiable attics, and basement areas with ceiling heights in excess of seven feet or greater. Basement areas with a maximum ceiling height of eight feet shall not be included in the gross floor area in all residential building permit applications or amendments submitted prior to December 21, 2007. Attics that are nonhabitable and nonoccupiable and cellars shall be excluded from the gross floor area. The gross floor area of detached garages greater than 300 square feet shall be included in their entirety. Gross floor area in dwellings for areas exceeding 12 feet in height shall be counted at 2.0 times the actual floor area except in garages.

GROUND OR FIRST STORY

The lower story entirely above the average level of the ground surrounding a building.

GROUND SIGN and POLE SIGN

A "ground sign" is one securely fastened to the ground by means of two or more supporting posts. A "pole sign" is one attached to the upper part of a single pole securely fastened to the ground.

GROUP GARAGE

A building, one story in height, divided into separate units or with a common means of access, used for the storage of noncommercial automobiles, but not used for servicing or making repairs to automobiles.

HABITABLE FLOOR AREA IN A DWELLING

Rooms occupiable by one or more persons for living, eating and/or sleeping, but not including garages, attics, open porches or terraces, or rooms in cellars. On the first floor, it shall be construed to mean all finished floor area having a clear headroom of 7 1/2 feet or over, including stairwells; on all floors above the first, it shall include all finished or unfinished floor area having a clear headroom of 7 1/2 feet or over for a minimum horizontal measurement of six feet, including all floor area with a height of 5 1/2 feet or greater.

HALF STORY

A half story is that part of any building above a story and having at least two opposite exterior walls meeting a sloping roof at a level no higher above the floor than 1/2 the floor-to-ceiling height of the story below. **The exterior walls of decorative doghouse dormers not exceeding 6 feet in width shall be permitted to exceed the 1/2 floor-to-ceiling height limit on the low sides of a half story.**

HOTEL

A building or a group of buildings used primarily for providing short-term sleeping accommodations for transient occupants in which ingress and egress to and from individual rooms is made through an

inside lobby. Accommodations are offered to the general public on a daily rate and may include additional services, such as restaurants, meeting rooms and recreational facilities as an accessory use within a principal structure.
[Amended 10-22-2020 by L.L. No. 15-2020]

INDOOR SMOKING ESTABLISHMENT

Any facility or location whose business operation, whether as its principal or accessory use, includes the indoor smoking of tobacco in any form, electronic cigarettes, vapors, e-liquids, other legal marijuana derivatives or other substances. Smoking is the inhalation of the smoke of burning tobacco encased in cigarettes, pipes, cigars, and pipes commonly known as "hookah," "waterpipe," "shisha," and "narghile" or any similar device, or the inhalation of vapors produced by an electronic cigarette or other device.

[Added 8-9-2016 by L.L. No. 7-2016]

INDUSTRIAL PARK

A special or exclusive type of planned industrial area designed and equipped to accommodate a community of industries, providing them with all necessary facilities and services in attractive surroundings among compatible neighbors.

INDUSTRY

The manufacturing, fabricating, finishing, assembly, treating or processing of articles to be sold at wholesale or retail on a scale exceeding a maximum of five horsepower and requiring more than five operators.

INTERIOR LOT

A lot other than a corner lot.

JUNKYARD

The use of any space, whether open or enclosed, for the collecting, handling, sale, discarding, wrecking, salvage, storage, keeping or abandonment of worn, salvaged, dismantled, used or discarded wastepaper, junk, rags, scrap, metals, materials, articles, equipment, machinery, vehicles inoperative or not intended to be repaired or any parts thereof.

LANDBANKED PARKING AREA

A designated area or areas on a plot specifically allocated and designed for parking but which is not immediately developed as such. The location of landbanked parking areas shall be in conformance with all restrictions relating to required parking and to any other restrictions specified within this chapter or by any decision of a board or commission having jurisdiction over a specific application.

LODGE

A building used by fraternal organizations.

LOT

Includes plot, tract, premises or parcel of land, with or without buildings or structures located thereon, as surveyed and apportioned for sale or other purpose.

LOT AREA

The area of a lot measured within the boundaries thereof.

LOT COVERAGE

The area of the maximum horizontal cross section of the buildings on a lot, excluding cornices, eaves, gutters or chimneys projecting not more than 24 inches, steps, one-story open porches, bay windows extending not more than one story and projecting not more than five feet, balconies and terraces.

MAIN BUILDING

The building which houses the principal purpose for the utilization of the lot, as permitted under this chapter.

MAINTAIN EXISTING

As used in the Building Department fee schedule established pursuant to § 2-28C, an application for a building permit for construction, changes, alterations, improvements or modifications which had been previously completed without the required permit(s) and inspections.

MARIJUANA

Shall have the same definition ascribed to "marihuana" in § 3302 of the New York Public Health Law.

[Added 11-20-2018 by L.L. No. 10-2018]

MARIJUANA PRODUCT

Marijuana and/or any material, substance or other thing derived (in any manner) from marijuana or which contains marijuana as a component part in any amount or concentration.

[Added 11-20-2018 by L.L. No. 10-2018]

MARIJUANA RETAIL STORE

A building, structure or premises engaged in the sale, use or distribution of marijuana and/or marijuana products for nonmedical use. A building, structure or premises shall be considered a marijuana retail store regardless of whether products in addition to marijuana products are offered for sale, use or distribution at the building, structure or premises and regardless of the amount of marijuana or marijuana products available for sale, use or distribution at the building, structure or premises in comparison to other products offered for sale, use or distribution at the building, structure or premises.

[Added 11-20-2018 by L.L. No. 10-2018]

MARINA

A dock or a commercial mooring area, operated for profit or to which public patronage is invited, providing mooring or docking facilities for boats or vessels.

MARINE

Of or pertaining to the open water, i.e., a bay, harbor, sound, river or lake.

MATERIAL CRUSHING

The crushing of stone, gravel, brick, concrete, slate, granite, sedimentary rock, igneous rock, metamorphic rock, asphalt, tile, adobe, clay, conglomerate rock or any similar material.

[Added 8-9-2016 by L.L. No. 6-2016]

MEDICAL MARIJUANA

Shall have the same definition ascribed to medical marihuana in § 3360 of the New York Public Health Law.

MEDICAL MARIJUANA DISPENSARY

A building, structure or premises authorized by the New York State Department of Health to dispense or distribute medical marijuana in accordance with Article 33 of the Public Health Law and Part 1004 of Title 10 of the New York Codes, Rules and Regulations. **Medical Marijuana**

Dispensaries shall not be used as places of public assembly.

MEDICAL OFFICE

The office of one or more professionals licensed by NYS to diagnose and/or treat ailments, illnesses, and conditions, whether physical or mental, and/or prescribe drugs in accordance with NYS Education Law. Such offices contain one or more of the following features; waiting room, reception, examination rooms, and with scheduling typically by appointments. This definition shall include but not be limited to the offices of; Physicians (M.D. or D.O.), Dentists (D.D.S.), Veterinarians (V.M.D.), Optometrists (O.D.), Physical Therapists (D.P.T.), and Psychiatrists & other Mental Health Practitioners (M.D. or D.O.). Medical offices shall also include facilities that dispense controlled substances pursuant to NYS Public Health Law beyond those that may be dispensed by a Pharmacist. Medical offices shall not be used as places of public assembly.

MIXED USE

The combination of retail or office use, accessible to the public, with residential use in the same structure.

MOTHER-DAUGHTER RESIDENCE

A. A one-family home or residence altered to include an apartment for which a conditional use permit shall have been duly approved by the Board of Zoning and Appeals pursuant to § 70-225B(6) and which complies with the following conditions:

- (1) The apartment is no larger than 700 gross square feet;
- (2) The cooking facilities in the apartment do not exceed 60 square feet;
- (3) The fee owner resides within the premises;
- (4) The apartment resident is either the parent or the child of the fee owner;
- (5) The premises do not have a separate entrance for the exclusive use of the apartment;
- (6) There is no exterior stairway to the second floor of the building;
- (7) The premises have only one set of stairs leading from any one floor to any other floor;
- (8) The premises are served by only one meter for each utility supplied; and
- (9) There is no exterior deck attached to any floor above ground level.

B. If any of the conditions listed above cease to exist, then the premises shall cease to be a mother-daughter residence, the conditional use permit shall expire immediately and the cooking facilities shall be removed in accordance with § 70-225B(6).

MOTOR VEHICLE REPAIR SHOP

A use or building or portion of a building in which mechanical, electrical or other similar power is used in the repair of motor vehicles or in which commercial motor vehicle repair work is done.

MULTIPLE-FAMILY DWELLING

A residence building accommodating three or more families living independently of each other and allowed to do their own cooking on the premises.

NEW CASSEL URBAN RENEWAL AREA

The area identified by the Town Board of the Town of North Hempstead for the undertaking of urban renewal activities pursuant to the New Cassel Urban Renewal Plan.

NEW CASSEL URBAN RENEWAL OVERLAY DISTRICT or OVERLAY DISTRICT

The overlay district established pursuant to and governed by Article XXB of this chapter.

NEW CASSEL URBAN RENEWAL PLAN

The urban renewal plan, as same may be amended from time to time, formulated and considered in accordance with Article 15 of the General Municipal Law, and approved by the Town Board of the Town of North Hempstead at its meeting held on August 12, 2003, pursuant to Resolution No. 280-2003.

NEW CASSEL VISION PLAN

The document entitled "Seeking a Shared Vision for New Cassel-New Cassel Vision Plan," which was accepted by the Town Board of the Town of North Hempstead pursuant to Resolution No. 98-2003, adopted at its meeting held on March 11, 2003.

NONCONFORMING BUILDING

A building which lawfully existed prior to the enactment of this Code, or any amendment thereto, and which is maintained after the effective date thereof although it does not conform to the area and setback regulations of the district in which it is located (i.e., lot area, width or depth; front, side or rear yards; maximum height; lot coverage; etc.).

[Amended 7-10-2012 by L.L. No. 11-2012]

NONCONFORMING USE

A use, whether of a building or tract of land, or both, which lawfully existed prior to the enactment of this Code, or any amendment thereto, and which is maintained after the effective date thereof although it does not conform to the use regulations of the district in which it is located.

[Added 7-10-2012 by L.L. No. 11-2012]

NONPERMITTED SUBSTANTIAL AMENDMENT

As used in the Building Department fee schedule established pursuant to § 2-28C, where substantive changes, modifications, alterations or improvements were made to the work contemplated in the approved building permit and/or plans and specifications which accompanied same, and for which

substantive changes, modifications, alterations or improvements were performed without the filing of a new building permit application.

NURSERY SCHOOL

A social and educational program, not located in a private residence, that provides care for three- to five-year olds, and often follows a school-year schedule. Care is restricted to a maximum of three hours per day per child.

NURSING HOME

A skilled nursing facility licensed by the State of New York to provide full-time convalescent or chronic health care under medical supervision to individuals of any age who are unable to fully care for themselves, but not including facilities for surgical care or institutions dedicated to the care and treatment of mental illness, alcoholism or narcotics addiction. No nursing home shall contain any uses other than those permitted pursuant to applicable regulations of the State of New York and the nursing home's operating certificate issued pursuant thereto.

OPEN PORCH

A roofed open structure projecting from the outside wall of a building without a window sash or any other form of enclosure.

OPEN SPACE

The area on a lot that is not covered by structures or paving for parking of automobiles and the access to that parking. Open space includes all landscaped area and patios on grade.

PARKING SPACE

The off-street paved or surfaced area available and usable for the parking of one motor vehicle, having dimensions of not less than 10 feet by 20 feet, exclusive of aisles, driveways, passageways and other necessary space appurtenant thereto and having direct usable access to a street. In satisfying the off-street parking requirements as set forth in § 70-103, for nonmedical office use and industrial use, up to but not exceeding 20% of the off-street parking spaces may have dimensions of not less than nine feet by 18 feet and shall be so designated. With respect to all other uses, all off-street parking spaces must have dimensions of not less than 10 feet by 20 feet. Whenever parking requirements are calculated on the basis of floor area or space, all calculations should be made using the gross floor area, as defined in § 70-231.

PERSON

Includes individual, firm, corporation, partnership, association or other agency of voluntary action.

PORTABLE SHED

A structure of no more than 144 square feet, with a maximum height of 10 feet, not having a firm attachment to the ground, for the storage of garden and recreational equipment.

[Amended 1-29-2019 by L.L. No. 3-2019]

PREEXISTING GRADE

The elevation of the land prior to commencement of any alteration, grading or construction at the premises.

PREMISES

Includes the land and all buildings or structures thereon.

PRIMARY BUILDING

The building which houses the principal purpose for the utilization of the lot, as permitted under this chapter, excluding any accessory building or permitted encroachments as defined in § 70-101.

[Added 7-10-2012 by L.L. No. 11-2012]

PRIVATE GARAGE

A detached accessory building or part of the main building used for the storage of not more than two noncommercial automobiles or one commercial vehicle and one noncommercial automobile, owned and used by the occupant of the plot on which the main building is erected and in which no business or service is conducted. Any such commercial vehicle must be kept within the garage at all times and shall not contain any flammable, combustible, explosive, toxic or offensive-smelling material. Such

accessory structure shall not exceed 26 feet in width and 24 feet in depth, with garage doors not to exceed eight feet in height.

PROCESSING (OF YARD WASTE)

When specified in reference to yard waste, the term Processing shall mean t[F]he practice of removing easily discernable contaminants from incoming yard waste loads, prior to the transfer of yard waste to permitted composting centers or other types of permitted organic recycling facilities.

PROFESSIONAL OFFICE

An office maintained by a doctor, dentist, lawyer, teacher, artist, architect, engineer, accountant, ophthalmic dispenser or musician in the dwelling in which such person resides, provided that such office does not occupy more than 50% of the habitable floor space on the first floor or more than 25% of the habitable floor space of a one-story dwelling and not more than one assistant or employee is employed by such person, and further provided that there is no alteration or change to the exterior of such dwelling which modifies its residential character or use, or the use thereof has no feature which is offensive, annoying or harmful to public health, safety or general welfare by reason of noise, glare, vibration, odor, radiation, dust, fumes or undue traffic.

PUBLIC GARAGE

A use or building, or portion of a building, used for the commercial storage, rental and/or minor repair of motor vehicles.

PUBLIC HOUSING

A building, portion of a building or group of buildings that provides dwellings in a residential environment, subject to the regulations set forth in Article IX of this chapter, and which is owned or operated by one of the following:

[Added 6-29-2010 by L.L. No. 7-2010]

- A. The North Hempstead Housing Authority; or
- B. An entity that is working under contract with the North Hempstead Housing Authority; or
- C. A limited partnership whose general partner is the North Hempstead Housing Authority or an entity owned, operated and controlled by the North Hempstead Housing Authority.

REAR YARD

A yard across the full width of the lot extending from the rear line of the building to the rear line of the lot, measured between the side property lines.

RESIDENCE UNIT

A portion of a residence building housing not more than two families and separated from another unit by a party wall. Such unit shall be considered a separate building.

RESTAURANT

A business engaged in the preparation and sale of food and beverages for consumption either on or off the premises that is not a retail food use.[3]

[Amended 3-20-2018 by L.L. No. 2-2018]

RETAIL FOOD USE

A retail establishment which cooks, prepares and sells ready-to-serve food and may offer for sale prepackaged food or beverages primarily for off-premises consumption, which may have no more than 12 seats.

[Added 3-20-2018 by L.L. No. 2-2018]

RETAINING WALLS

All walls and other structures of any construction which are intended to, or which in fact, retain or support adjoining earth or rock.

ROW DWELLING

A building consisting of noncommunicating one-family dwelling units, each having its own front and rear entrance. Where a row dwelling contains more than two dwelling units, the walls separating dwelling units shall be constructed and have fire-resistant ratings as follows: The wall separating the second and third dwelling units shall be constructed of wire lath and cement plaster having a fire-

resistant rating of not less than one hour. The wall separating the fourth and fifth dwelling units shall be of eight-inch masonry construction with a fire-resistance rating of not less than four hours. Similar construction of separating walls shall continue throughout the building, so that for a row dwelling containing the maximum of 16 families, there shall be four separating walls of wire lath and cement plaster and three separating walls of eight-inch masonry. The determination of the location of separating walls as required herein may be made from either the left or right exterior sidewalls of the building.

SANATORIUM

An institution other than one required to be licensed under the Mental Hygiene Law of the State of New York.

SENIOR ASSISTED-LIVING FACILITY

A building, portion of a building or group of buildings that provide dwellings in a residential environment where individual cooking facilities are limited to microwave ovens and/or cooktops, with assistance available by way of common meals, housekeeping and personal services. Occupancy is restricted to persons 62 years of age or older or couples, one of whose member is 62 years of age or older who may have difficulties with one or more essential activities of daily living, such as feeding, bathing, dressing or mobility.

SENIOR CITIZEN FACILITY

A facility intended to provide for the specialized living and/or daily caregiving needs of persons 62 years of age or older, including senior independent-living facilities, senior congregate-housing facilities, senior assisted-living facilities and senior day-care facilities, except as described in § 70-95.1C.

[Amended 10-21-2014 by L.L. No. 17-2014]

SENIOR CONGREGATE-LIVING FACILITY

A building, portion of a building or group of buildings containing three or more dwelling units where individual cooking facilities are limited to microwave ovens and/or cooktops, specially designed for use and occupancy by the elderly, including a common dining facility and other common amenities and whose occupancy is restricted to persons 62 years of age or older or couples, one of whose member is 62 years of age or older.

SENIOR DAY-CARE FACILITY

A facility with limited operating hours where specialized caregiving and supervision are provided for three or more adults who may have difficulties with one or more essential activities of daily living, such as feeding or mobility, away from their own homes for less than 24 hours per day.

SENIOR INDEPENDENT-LIVING FACILITY

A building, portion of a building or group of buildings containing dwelling units with full kitchens specially designed for use and occupancy by the elderly which may have common amenities but no common dining and whose occupancy is restricted to persons 62 years of age or older or couples, one of whose member is 62 years of age or older, except as described in § 70-95.1C.

[Amended 10-21-2014 by L.L. No. 17-2014]

SENIOR RESIDENCE DISTRICT (R-S)

A building or group of buildings that contain any combination of two or more residential senior citizen facilities, nursing homes or senior day-care facilities on the same site restricted to persons 62 years of age or older or couples, one of whose member is 62 years of age or older, not necessarily regulated under Article 46 of the New York State Public Health Law, except as described in § 70-95.1C.

[Amended 10-21-2014 by L.L. No. 17-2014]

SHOPPING CENTER

Any two or more contiguous retail stores, restaurants, shops for personal services and other places of business, originally planned and developed as a single unit, with adjoining off-street parking.

SIDE YARD

A yard between the side of the building and the corresponding side line of the lot and extending from the front lot line to the rear lot line in the case of a single building on the front portion of the lot. In the case of a rear building on the back portion of a lot, the side yard shall be the yard between the side of said rear building and the corresponding side line of the lot and extending from the front face of said rear building to the rear line of the lot.

SIGN

Includes every kind of billboard, signboard and other shape or device or display arranged, intended, designed or used as an advertisement, announcement or direction, including any text, symbol, marks, letters or figures painted on or incorporated in the composition of the exterior surface of a building or structure.

SINGLE-FAMILY DWELLING

A building designed for and occupied exclusively as a home or residence for not more than one family.

SKY EXPOSURE PLANE

A theoretical inclined plane through which no portion of a building, other than cornices or eaves projecting not more than 18 inches, gutters projecting not more than eight inches and chimneys, may penetrate. It begins at a lot line or other predetermined plane and rises over the zoning lot at a ratio of vertical distance to horizontal distance as set forth in the district regulations.

STORY

That part of any building between the surface of one floor, except a cellar or basement floor, and the surface of the next highest floor or, if there is no higher floor, then that part of the building between the surface of the highest floor and the ceiling above, except an attic ceiling.

STREET

Any public thoroughfare or space more than 20 feet in width which may or may not have been dedicated or deeded to the public for public use.

STREET FRONT

Any property line which abuts a street.

[Added 7-10-2012 by L.L. No. 11-2012]

STREET FRONTAGE

The distance between the boundary lines of a lot when measured along any property line abutting a public street.

STREET LINE

The line dividing a lot from a street.

STRUCTURE

A combination of materials, other than a building, to form a construction that is safe and stable, including, among others, stadiums, gospel and circus tents, reviewing stands, platforms, stagings, observation towers, radio towers, water tanks and towers, trestles, piers, wharves, sheds, commercial coal bins, display signs, fences, retaining walls, outdoor fireplaces, pools and pergolas. The term "structure" shall be construed as if followed by the words "or part thereof."

TELEPHONE EXCHANGE

A building erected or used exclusively as a central station where telephone lines meet and where connections are made between them and where no trucks or materials are stored.

TEMPORARY CARE FACILITY

A facility providing housing on a temporary basis to a limited population upon individual referral by a state or federal agency. Such facilities are staffed full time and may have full- or part-time medical staff on premises and often provide on-site counseling services. Such facilities are not acute care or nursing facilities.

[Added 1-24-2012 by L.L. No. 2-2012]

TERRACE

An open porch without a permanent roof.

TOWN OF NORTH HEMPSTEAD

Includes all areas of the Town unincorporated as a village on January 1, 1938, and all areas within the Town and within a village incorporated prior to January 1, 1938, which did not have a valid zoning ordinance on January 1, 1938.

TOWN OF NORTH HEMPSTEAD SOLID WASTE MANAGEMENT AUTHORITY or AUTHORITY

The public benefit corporation duly organized and validly existing under Article VIII of the New York Public Authorities Law.

[Added 3-19-2019 by L.L. No. 6-2019]

TRAFFIC SEPARATOR

A structure of sufficient height and width to divide traffic flowing in opposite directions.

TRAILER or CAMP CAR

Any vehicle designed or equipped to be used or used for sleeping, living or eating, and designed to move or be moved from place to place on wheels, and to be propelled by its own power or drawn or propelled by another vehicle.

TRANSFER STATION

A solid waste management facility, other than a recyclables handling and recovery facility exclusively handling nonputrescible recyclables, that can have a combination of structures, machinery or devices, where solid waste is taken from collection vehicles and placed in other transportation units for movement to another solid waste management facility. For the purposes of this Chapter 70, the definitions of "solid waste" and "solid waste management facility" shall be those which appear at Chapter 46 of this Code.

TWO-AND-ONE-HALF-STORY BUILDING

One where the provisions of the definition for "two-story building" are complied with and where the main eaves are below the midheight of the third story.

TWO-FAMILY ATTACHED RESIDENCE BUILDING

Residence units, as defined by this chapter, each arranged for two families, separated by an eight-inch masonry fire wall as a party wall.

TWO-FAMILY DETACHED DWELLING

A dwelling designed for and occupied exclusively as a home or residence for not more than two families.

TWO-STORY BUILDING

Any building where the area of the second floor is equal to at least 75% of the area of the first floor.

USED

Includes designed, intended or arranged to be used.

USES

The listed uses permitted in various districts. The listing of any uses as being permitted uses in any district shall be deemed to mean that such uses and no other shall be permitted in such district unless specifically permitted in this chapter. The listing of any use as being permitted in or as being excluded from a particular district shall be deemed to be an exclusion of such use from any more restricted district unless specifically permitted by this chapter. Each of the hereinafter-named districts shall be deemed to be more restricted than the districts which succeed it and less restricted than the districts which precede it: Residence AAA, Residence AA, Residence A, Residence B, Residence C, Residence D, Multiple Residence, Public Housing Residence, Golden Age Residence, Parking, Transportation, Business AA, Business A, Business B, Planned Industrial Park, Industrial A, Modified Planned Industrial Park, Service Commercial and Industrial B Districts.

VALET PARKING

A service providing for attendants to receive, park and deliver the automobiles of occupants, tenants, customers and visitors.

VEHICLE ENTRANCE DOOR

A structural opening in an exterior wall that has the lower sill flush or nearly flush to the driving surface and which has an unobstructed width of greater than 6 feet and unobstructed

height of at least 7 feet. Obstructions that are non-structural in nature such as partial/low walls, false walls, or decorative pilasters/mullions shall not be considered as permanent obstructions for the purpose of this definition.

VEHICULAR STANDING SPACE

A space located within a drive-through lane, having dimensions set forth in § 70-203S, utilized for the temporary stopping or queuing of a vehicle accessing or waiting to access a drive-through facility.

WATER-DEPENDENT USE

An activity or use requiring direct access to water which can be conducted only on, in over or adjacent to Town waterways and which involves the use of waterways as an integral part of such activity.

WIDTH OF A LOT

The mean width measured at right angles to its depth.

YARD

An open and unoccupied space on the same lot with a building, open and unobstructed from the ground to the sky, except as otherwise provided in this chapter.

YARD WASTE

Wastes generated by a home or business owner, or landscaping company, including but not limited to leaves, grass clippings, shrubbery, trees, chipped wood, brush, mulch, and weeds.

[Added 3-19-2019 by L.L. No. 6-2019]

YARD WASTE ACCEPTANCE AND PROCESSING FACILITY

A facility in which the primary activity is the collection and processing of yard wastes for sorting and transfer to permitted composting centers or other types of permitted organic recycling facilities.

[Added 3-19-2019 by LL No. 6-2019]

[1] Editor's Note: The former definition of "delicatessen," which immediately followed, was repealed 3-20-2018 by L.L. No. 2-2018. See now the definition of "retail food use."

[2] Editor's Note: The former definition of "front street," which immediately followed, was repealed 7-10-2012 by L.L. No. 11-2012. See now the definition of "street front."

[3] Editor's Note: The former definition of "restaurant, fast food," which immediately followed, was repealed 3-20-2018 by L.L. No. 2-2018.

Section 33.

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

; and be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on August 5, 2021 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. ___ of 2021 was adopted. The Local Law amends Chapter 70 of the Town Code entitled "Zoning" in order to clarify procedural requirements, eliminate duplicative and conflicting provisions, update certain outdated and obsolete provisions and reduce the need to obtain certain common but minor variances.

Dated: Manhasset, New York

August 5, 2021

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
TOWN CLERK**

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

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

RESOLUTION NO. 421 - 2021

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING
SCHEDULE XXVII OF THE UNIFORM TRAFFIC CODE ENTITLED "SNOW
EMERGENCY ROUTES."**

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 Schedule XXVII of the Uniform Traffic Code entitled "Snow Emergency Routes" in order to update the Snow Emergency Routes list contained in Section TC27-71; and

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

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 5th day of August, 2021 concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board carefully considered the proposed Local Law during the aforesaid seven-day period, conducted said hearing on August 5, 2021 with respect to said Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

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

NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 17 of 2021 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 17 OF 2021**

**A LOCAL LAW AMENDING SCHEDULE XXVII OF THE
UNIFORM TRAFFIC CODE
OF THE TOWN OF NORTH HEMPSTEAD**

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

Section 1. Legislative Intent.

The Board finds that it is in the best interest of the residents of the Town of North Hempstead to make amendments to the Uniform Traffic Code by modifying Schedule XXVII entitled “Snow Emergency Routes” in order to modify parking restrictions.

Section 2.

Schedule TC27 of the Uniform Traffic Code is hereby amended as follows:

§ TC27-71 Schedule XXVII: Snow Emergency Routes.

As provided in § 28, no vehicle shall park on any of the following described streets during a snow emergency:

Name of Street	Side	Location
{Bryant Avenue — FPC	North	From Hillside Boulevard, west to North Third Street
Bryant Avenue — FPC	North	From North Fifth Street, west to North Fourth Street
Bryant Avenue — FPC	North	From North First Street, west to a point 52 feet east of Cherry Lane
Bryant Avenue — FPC	North	From North Fourth Street, west to Hillside Boulevard
Bryant Avenue — FPC	North	From North Second Street, west to North First Street
Bryant Avenue — FPC	North	From North Sixth Street, west to North Fifth Street
Bryant Avenue — FPC	North	From North Third Street, west to North Second Street
Hillturn Lane — RHT	All	From Willis Avenue, west, then south, then east to Deepdale Parkway
Jefferson Avenue — RHT	East	From Powerhouse Road North, north to Warner Avenue
Jefferson Avenue — RHT	West	From Warner Avenue, south to Powerhouse Road North
Linden Street — RHT	Both	From Powerhouse Road North to its terminus
Mineola Avenue — RHT	West	From the Village of Roslyn line, south to Powerhouse Road North
Powerhouse Road South — RHT	South	From Willis Avenue, east to Roslyn Road
Villa Place — RHT	North	From Mineola Avenue, east to Madison Avenue
Villa Place — RHT	South	From Madison Place, west to Mineola Avenue
Villa Street — RHT	Both	Between Burnham Avenue and Mineola Avenue

Name of Street	Side	Location
Warner Avenue—RHT	North	From Railroad Avenue, west to Burnham Avenue
Warner Avenue—RHT	South	From Burnham Avenue, east to Mineola Avenue
Warner Avenue—RHT	South	From Burnham Avenue to Plympton Avenue
Willis Avenue—RHT	West	From Powerhouse Road South, south to the southern end of Old Willis Avenue
Willow Street	Both	Between Burnham Avenue and St. Marks Place]

ALBERTSON

Name of Street
Albertson Ave
Center Street

Description

Entire length of road
Herricks Road to Williston Park village line.

Dogwood Road

Entire length of road

Foch Boulevard

Entire length of road

Hillturn Lane

Entire length of road

Lee Avenue

Entire length of road

Oak Tree Court

Searingtown Road to McKinley Avenue

Wheeler Avenue

Oak Tree Court at Netz Place

IU Willets Road

McKinley Avenue to I.U. Willets Blvd.

CARLE PLACE

Glen Cove Road to Oakridge Lane

Name of Street

Description

Ashbury Avenue

Entire length of road

Broadway

Entire length of road

Cherry Lane

Old Country Road North to Asbury Avenue

Jamaica Boulevard

Entire length of road

Rushmore Avenue

Entire length of road

FLORAL PARK CENTER

Name of Street

Description

Bryant Avenue

Entire length of road

Campbell Street

Lakeville Road to Patton Boulevard

Cherry Lane

Entire length of road

GARDEN CITY PARK

Name of Street

Description

Central Avenue

Entire length of road

Devonshire Drive

Entire length of road

Fulton Avenue

Fifth Avenue to County Courthouse Road

Hilton Avenue

Entire length of road

GREAT NECK

Name of Street

Description

Clark Drive

Entire length of road

East Mill Drive

Entire length of road

Jayson Avenue

Entire length of road

Nassau Road

Entire length of road

Pembroke Avenue

Glenwood Street East to Aster Lane

Terrace Circle

Entire length of road

Water Mill Lane

Entire length of road

West Mill Drive

Entire length of road

Westminster Road
HERRICKS

Name of Street
East Herricks Road
Moore Street
Talbot Street

MANHASSET
Name of Street
Andrew Street
Maple Place
Maple Avenue
Orchard Street
Park Avenue
Plandome Road
Thompson Shore Road
Shore Road

MANHASSET HILLS
Name of Street
Old Courthouse Road

NEW CASSEL
Name of Street
Broadway
Cedar Road
Dryden Street
Grand Boulevard
School Street
6th Street
Tennyson Avenue
Urban Avenue
Prospect Avenue

NEW HYDE PARK
Name of Street
Denton Avenue
Evergreen Avenue
Kamda Boulevard
Lawrence Street
Leonard Boulevard
Meadow Farm Road
Moore Street
Old Courthouse Road
Talbot Street

PORT WASHINGTON
Name of Street
Avenue A
Bogart Avenue
Carlton Avenue
Franklin Avenue
Haven Avenue
Longview Road
Main Street
Preston Street

Northern Blvd south to Kensington Place

Description
Entire length of road
Entire length of road
Entire length of road

Description
Plandome Road to Onderdonk Avenue
Entire length of road
Northern Boulevard to Bayview Avenue
Entire length of road
Plandome Road to Locust Place
Northern Boulevard to Webster Avenue
Entire length of road
Maple Avenue to Bayview Avenue

Description
Entire length of road

Description
Entire length of road
Entire length of road
Entire length of road
Old Country Road to Brush Hollow Road
Old Country Road to Union Avenue
Entire length of road
Entire length road
Entire length of road
Brush Hollow Road to Cantiague Lane

Description
Hillside Avenue North to Old Courthouse Road
Denton Avenue West to end of road
Entire length of road
Entire length of road
Entire length of road
Entire length of road
Entire length of road
Entire length of road
Entire length of road

Description
Entire length of road
Entire length of road
Entire length of road
Entire length of road
Entire length of road
Entire length of road
Port Washington Boulevard to Luquer Road
Entire length of road

Rockwood Avenue
Sandy Hollow Road
Second Avenue
South Bayles Avenue
Vanderventer Avenue
Webster Avenue
Willowdale Avenue

Entire length of road
Entire length of road
Entire length of road
Entire length of road
Entire length of road
Entire length of road
Entire length of road

ROSLYN

Name of Street
Jefferson Avenue
Linden Street
Villa Street
Warner Avenue
Willow Street
Woodcut Lane
Garden Street
Lincoln Avenue
Locust Lane
Railroad Avenue
Hillturn Lane

Description

Entire length of road
Entire length of road
Entire length of road
Entire length of road
Entire length of road
Entire length of road
Willis Avenue to St. Marks Place
Warner Avenue to Roslyn Road
Roslyn Road to East Hills village line
Warner Avenue to Roslyn Road
Willis Avenue to Deepdale Parkway

Section 3.

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

Section 4.

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

and; be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on August 5, 2021, Local Law No. of 2021 was adopted. The local law Schedule XXVII of the Uniform Traffic Code entitled “Snow Emergency Routes” in order to update the Snow Emergency Routes list contained in Section TC27-71.

Dated: Manhasset, New York
August 5, 2021

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

WAYNE H. WINK, JR.
TOWN CLERK

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney

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

RESOLUTION NO. - 2021

A PUBLIC HEARING TO CONSIDER THE APPLICATION OF ROSLYN SHG 5 LLC FOR A CHANGE OF ZONE FROM "RESIDENCE-C" TO "PARKING" FOR THE PREMISES LOCATED AT 21 LOCUST STREET, ROSLYN HEIGHTS AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 7, BLOCK 56, LOT 118.

WHEREAS, Roslyn SHG 5 LLC (the "Petitioner") has filed a petition (the "Petition") to rezone (the "Change of Zone") a 10,600 s.f. lot located at 21 Locust Street, Roslyn Heights, New York and identified on the Nassau County Land and Tax Map as Section 7, Block 56, Lot 118 (the "Premises"), from 'Residence-C' to 'Parking', to enable the construction of a 20-space accessory parking lot for an adjoining commercial building; and

WHEREAS, pursuant to Resolution No. 368-2021, duly adopted on July 8, 2021, the Town Board (the "Board") of the Town of North Hempstead (the "Town") authorized, pursuant to Town Code §70-238(B)(2), the publication of notice of hearing and the holding of a public hearing to consider the proposed Change of Zone pursuant to the Petition; and

WHEREAS, proof of service of notice required by Town Code §70-238(B)(2) has been filed; and

WHEREAS, the Petitioner has furnished proof of posting of a sign on the premises as required by Town Code §70-238(B)(3) and filed an affidavit as to the posting as required thereunder; and

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

WHEREAS, at least thirty (30) have elapsed since such materials were submitted to the Commission without a response by the Commission, therefore this Board may take final action on the Application pursuant to General Municipal Law § 239-m; and

WHEREAS, the Planning Department has reviewed the Change of Zone and recommends disapproval of the Change of Zone based on the following determinations:

1. Seeking to remedy the lack of off-street parking by demolishing the adjoining house and paving the lot would be a jarring change of community character, as Locust Street is entirely residential in nature.

2. The house to be demolished is in no way blighted or in disrepair.
3. It would be contrary to the recommendation of the Town Master Plan to avoid further encroachment of commercial land uses into residential neighborhoods.

WHEREAS, after notice duly given, a public hearing on the Change of Zone was held on August 5, 2021, affording all interested persons an opportunity to be heard (the “Public Hearing”); and

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

WHEREAS, this Board, through action of the Town Department of Planning and Environmental Protection (the “Planning Department”) pursuant to Code §20-4, has established itself as lead agency and wishes to render a determination of significance pursuant to the SEQRA Regulations; and

WHEREAS, this Board has reviewed the recommendation of the Planning Department and has determined that the Action constitutes an “unlisted” action pursuant to Section 617.2 (al) of the SEQRA Regulations, and 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 for the reasons that: (1) while the proposed action may indirectly increase traffic volume due to the additional availability of parking, the small size of the site should not generate a significant amount of traffic; (2) the proposed project would not generate a high demand for water or energy; and (3) the proposed project will not generate a significant amount of solid waste or sewage (the “Determinations and Negative Declaration”); and

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

WHEREAS, the Planning Department has reviewed the Change of Zone and recommends that it be disapproved; and

WHEREAS, having carefully considered the petition, the testimony and other relevant evidence at the Public Hearing, and afforded all interested persons the opportunity to be heard, this Board now wishes to render a decision.

NOW, THEREFORE, BE IT,

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

RESOLVED that the Board hereby adopts the Planning Department’s Determinations and Negative Declaration, finding that the Change of Zone is an “unlisted action” which will not result in any significant adverse impact on the environment, based upon the analysis set forth in the SEAF, and upon the testimony and reports adduced at the Public Hearing; and be it further

RESOLVED that this Board hereby authorizes the Planning Department to prepare, file, and distribute such documents as may be required pursuant to Section 617.12 of the SEQRA Regulations

to effectuate the foregoing determinations and findings made pursuant to the SEQRA Regulations; and be it further

RESOLVED that the Change of Zone is hereby adopted; and be it further

RESOLVED that the Town Clerk is hereby authorized to publish and post, as required pursuant to Chapter 70 of the Town Code, a notice substantially in the form set forth below:

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that the Town Board of the Town of North Hempstead at a public meeting of the Board held on August 5, 2021 at 7:00 P.M. on that day, at the Town Hall, 220 Plandome Road, Manhasset, New York, duly adopted a resolution to amend the zoning map of the Town of North Hempstead to reflect a change of zone, for the property located at 21 Locust Street, Roslyn Heights, New York and identified on the Nassau County Land and Tax Map as Section 7, Block 56, Lot 118 (the “Premises”), from ‘Residence-C’ to ‘Parking’, to enable the construction of a 20-space accessory parking lot for an adjoining commercial building.

Dated: Manhasset, New York

August 5, 2021

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
TOWN CLERK**

; and be it further

RESOLVED that the Commissioner and the Zoning Administrator be, and hereby are, directed to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: None

Nays: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Planning Building NC Assessors

PROPOSED RESOLUTION

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

RESOLUTION NO. - 2021

A PUBLIC HEARING TO CONSIDER THE APPLICATION OF SFR REALTY FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 653-697 HILLSIDE AVENUE, NEW HYDE PARK AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 8, BLOCK K-9, LOT 44.

NO RESOLUTION.

PROPOSED RESOLUTION

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

RESOLUTION NO. - 2021

A PUBLIC HEARING TO CONSIDER THE APPLICATION OF SHORE OAKS, LLC C/O ILIAS THEODOROPOULOS FOR AN APPEAL FROM A DISAPPROVAL BY THE COMMISSIONER OF BUILDING SAFETY, INSPECTION AND ENFORCEMENT OF A STRUCTURE (DOCK) APPLICATION PURSUANT TO CHAPTER 42 OF THE TOWN CODE FOR THE PROPERTY LOCATED AT 22 SHORE DRIVE, PLANDOME, NEW YORK 11030 AND IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 3, BLOCK 182, LOTS 7 AND 9.

WHEREAS, Shore Oaks, LLC c/o Ilias Theodoropoulos (the “Applicant”), residing at 22 Shore Drive, Plandome, New York 11030, identified on the Nassau County Land and Tax Map as Section 3, Block 182, Lots 7 and 9 (the “Premises”), has applied to the Town Clerk of the Town of North Hempstead (the “Town”) for a permit under Chapter 42 of the Code of the Town of North Hempstead (the “Town Code”) for the construction of a 4 foot by 275 foot wide pier with a 16 foot by 18 foot wide boat lift, 45 foot by 3 foot wide ramp and 30 foot by 8 foot wide floating dock (the “Application”); and

WHEREAS, the Town Clerk referred the Application to the Commissioner of the Department of Building Safety, Inspection and Enforcement (the “Building Commissioner”) pursuant to Town Code § 42-7 (A)(1); and

WHEREAS, by determination dated March 10, 2021, the Deputy Building Commissioner disapproved the Application, based upon its inconsistency with (i) Town Code §42-9A(2), which restricts structures (inclusive of the steps, catwalk, ramp and float) from projecting into the waterway the lesser of the distance required to reach navigable water depth, or a length exceeding 150 feet, (ii) §42-9B(2)(b), which requires the height of a structure to be a minimum of three feet and a maximum of eight feet above the mean high water as defined by the Datum Plane, and (iii) Town Code §42-9B (10), which limits the width of docks such as the float to six feet for a residential permit (the “Determination”); and

WHEREAS, the Town Clerk notified the Applicant of the Determination by letter dated March 26, 2021; and

WHEREAS, the Applicant, by and through its consultant, DiGiovanni and Associates Architects, timely filed a notice of appeal seeking review of the Determination by the Board under Town Code §42-12 (the “Appeal”); and

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

WHEREAS, pursuant to Resolution No. 370-2021, duly adopted by the Town Board on July 8, 2021, a public hearing on the Appeal was scheduled for August 5, 2021 at 7:00pm before this Board; and

WHEREAS, at its meeting on June 14, 2021, the Town of North Hempstead Waterfront Advisory Commission (the “Commission”), having heard the recommendations of the Town’s Chief Bay Constable, recommended that the Application approved; and

WHEREAS, having received the Determination and the Appeal, and having heard testimony on the Appeal at the public hearing held on August 5, 2021, and having received the Commission’s recommendation that the Application be approved, the Board wishes to render a determination on the Appeal.

NOW, THEREFORE, BE IT

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

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

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes:

Nays:

cc: Town Attorney Planning Town Clerk Buildings

PROPOSED RESOLUTION

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

RESOLUTION NO. - 2021

A PUBLIC HEARING TO CONSIDER THE APPLICATION OF CAROLYN BICHOUPAN FOR AN APPEAL FROM A DISAPPROVAL BY THE COMMISSIONER OF BUILDING SAFETY, INSPECTION AND ENFORCEMENT OF A STRUCTURE (DOCK) APPLICATION PURSUANT TO CHAPTER 42 OF THE TOWN CODE FOR THE PROPERTY LOCATED AT 4 WATERS EDGE, PORT WASHINGTON, NEW YORK 11050 AND IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 5, BLOCK C, LOT 444.

NO RESOLUTION.

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

RESOLUTION NO. 422 - 2021

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE
AFFECTING ROSLYN AVENUE IN CARLE PLACE, NEW YORK.**

WHEREAS, the Town Board (the “Board”) of the Town of North Hempstead has held a public hearing to consider enacting an ordinance (the “Ordinance”), pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space on the south side of Roslyn Avenue, Carle Place, New York from a point 320 feet west of the west curb line of Cherry Lane, west, for a distance of 20 feet.

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

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

NOW, THEREFORE, BE IT

RESOLVED that the ordinance establishing a reserved parking space on the south side of Roslyn Avenue, Carle Place, New York from a point 320 feet west of the west curb line of Cherry Lane, west, for a distance of 20 feet pursuant to section 1660 of the Vehicle and Traffic Law of the State of New York is adopted by this Board, the Ordinance being more particularly described in the Notice of Adoption (the “Notice”); and be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that the Town Board of the Town of North Hempstead at a regular public meeting of the Board held on the 5th day of August, 2021 at 7:00 P.M., in the Town Board Meeting Room at Town Hall, 220 Plandome Road, Manhasset, New York. duly adopted an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

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

AN ORDINANCE AFFECTING ROSLYN AVENUE IN

CARLE PLACE, NEW YORK.

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 and May 20, 2021 is further amended by adding thereto a new subdivision as follows:

“120” A reserved parking space on the south side of Roslyn Avenue, Carle Place, New York from a point 320 feet west of the west curb line 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

August 5, 2021

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
TOWN CLERK**

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Comptroller Traffic Safety Public Safety

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

ORDINANCE NO. 24 - 2021

A PUBLIC HEARING TO CONSIDER THE RESCISSION AND ADOPTION OF AN ORDINANCE AFFECTING MANHASSET AVENUE IN MANHASSET, NEW YORK.

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

PROPOSAL:

RESCIND:

1. T.O. #41-2007

Adopted December 11, 2007

MANHASSET AVENUE – NORTH SIDE – ONE HOUR PARKING – 7:00 A.M. TO 7:00 P.M. - EXCEPT SATURDAY, SUNDAY, AND HOLIDAYS –

From a point 275 feet west of the west curbline of Plandome Road, west to a point 200 feet east of the east curbline of Manhasset Avenue (which is the L.I.R.R. bridge)

ADOPT:

1. MANHASSET AVENUE – NORTH SIDE – NINTEY MINUTE PARKING – 7:00 A.M. TO 7:00 P.M. - EXCEPT SATURDAY, SUNDAY, AND HOLIDAYS –

From a point 275 feet west of the west curbline of Plandome Road, west to a point 200 feet east of the east curbline of Manhasset Avenue (which is the L.I.R.R. bridge).

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

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

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

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

Dated: Manhasset, New York

August 5, 2021

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
TOWN CLERK**

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

ORDINANCE NO. 25 - 2021

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE
AFFECTING ELM STREET IN PORT WASHINGTON, NEW YORK.**

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

PROPOSAL:

ADOPT:

1. ELM STREET – REVERE ROAD – FULL STOP

All Traffic south bound on Elm Street shall come to a Full Stop at its intersection with Revere Road.

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

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

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

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

Dated: Manhasset, New York

August 5, 2021

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
TOWN CLERK**

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

ORDINANCE NO. 26 - 2021

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE
AFFECTING REVERE ROAD IN PORT WASHINGTON, NEW YORK.**

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

PROPOSAL:

ADOPT:

1. REVERE ROAD – BIRCH STREET – FULL STOP

All Traffic east bound on Revere Road shall come to a Full Stop at its intersection with Birch Street.

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

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

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

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

Dated: Manhasset, New York

August 5, 2021

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
TOWN CLERK**

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

ORDINANCE NO. 27 - 2021

**A PUBLIC HEARING TO CONSIDER THE RESCISSION AND ADOPTION
OF ORDINANCES AFFECTING PLANDOME ROAD IN MANHASSET, NEW YORK.**

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

PROPOSAL:

RESCIND:

1. T.O. #42-1970

Adopted June 9, 1970

PLANDOME ROAD – EAST SIDE – ONE HOUR PARKING 7 A.M. TO 7 P.M. EXCEPT
SUNDAYS & HOLIDAYS -

From a point 30 feet north of the north curb line of Gaynor Avenue, north to a point 30 feet south of the south curb line of Vanderbilt Avenue.

ADOPT:

1. PLANDOME ROAD – EAST SIDE – NO STOPPING ANY TIME

From a point 30 feet from the south curb line of Vanderbilt Avenue, South, for a distance of 53 feet.

2. PLANDOME ROAD – EAST SIDE – TWO HOUR PARKING 7 A.M. TO 7 P.M. EXCEPT
SUNDAYS & HOLIDAYS -

From a point 30 feet north of the north curb line of Gaynor Avenue, north to a point 83 feet south of the south curb line of Vanderbilt Avenue.

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

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

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

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

Dated: Manhasset, New York

August 5, 2021

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
TOWN CLERK**

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

ORDINANCE NO. 28 - 2021

A PUBLIC HEARING TO CONSIDER THE RESCISSION AND ADOPTION OF AN ORDINANCE AFFECTING HIGHFIELD AVENUE IN PORT WASHINGTON, NEW YORK.

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

PROPOSAL:

RESCIND:

1. T.O. #17-2000

Adopted May 16, 2000

HIGHFIELD AVENUE – WEST SIDE – NO PARKING ANY TIME

From a point 291 feet south of the south curb line of Radcliff Avenue, south for a distance of 75 feet.

ADOPT:

1. HIGHFIELD AVENUE – WEST SIDE – NO PARKING ANY TIME

From a point 291 feet south of the south curb line of Radcliff Avenue, south for a distance of 60 feet.

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

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

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

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

Dated: Manhasset, New York

August 5, 2021

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
TOWN CLERK**

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. 423 - 2021

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF R-5 ASSOCIATES FOR A WAIVER FROM ZONING REQUIREMENTS PURSUANT TO SECTION 70-164 OF THE TOWN CODE FOR THE PREMISES LOCATED AT 13 HARBOR PARK DRIVE, PORT WASHINGTON AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 6, BLOCK 86, LOT 7.

WHEREAS, R-5 Associates, 13 Harbor Park Drive, Port Washington, New York 11050 (the “Applicant”) has applied (the “Application”) for a waiver from zoning requirements pursuant to Section 70-164 of the Code of the Town of North Hempstead (the “Town Code”) to install a 100 KW back-up generator above-ground on a three (3) acre site located at 13 Harbor Park Drive, Port Washington, New York, identified on the Nassau County Land and Tax Map as Section 6, Block 86, Lot 7 (the “Premises”); and

WHEREAS, Town Code §70-164 requires that energy sources, such as generators, and all equipment accessory to all utilities be installed underground in a Planned Industrial Park District; and

WHEREAS, Town Code §70-164 permits the Town Board (the “Board”) of the Town of North Hempstead (the “Town”) to waive the underground installation requirement in cases where the Board determines that the installation will result in difficulty or hardship, considering the usual topography or other natural conditions of the site (the “Waiver”); and

WHEREAS, this Board wishes to set a date for a public hearing to consider the Application for a Waiver.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 30th day of September, 2021, at the Town Hall Board Meeting Room, 220 Plandome Road, Manhasset, New York, at 7:00 p.m. to consider the Application for a Waiver, at which public hearing all interested persons will be afforded an opportunity to be heard; and be it further

RESOLVED that the Town Clerk be and hereby is authorized and directed to publish and post, a Notice of Hearing as required by law, which notice shall be in substantially the following form:

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on the 30th day of September, 2021 at 7:00 p.m. in Town Hall, 220 Plandome Road, Manhasset, New York, to consider the application of R-5 Associates for a waiver from zoning requirements pursuant to Section 70-164 of the Code of the Town of North Hempstead to install a 100 KW back-up generator above-ground on a three (3) acre site located at 13 Harbor Park Drive, Port Washington, New York, and to hear all interested persons concerning the application.

PLEASE TAKE FURTHER NOTICE that the property that is the subject of this application is located on real property located at 13 Harbor Park Drive, Port Washington, New York, identified on the Nassau County Land and Tax Map as Section 6, Block 86, Lot 7.

Dated: Manhasset, New York

August 5, 2021

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
TOWN CLERK**

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney

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

RESOLUTION NO. 424 - 2021

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING ALLENWOOD ROAD IN GREAT NECK, NEW YORK.

WHEREAS, a recommendation has been made for the rescission and adoption of an ordinance affecting Allenwood Road, Great Neck, New York.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by the Town Board of the Town of North Hempstead on the 2nd day of September 2021, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

PROPOSAL:

ADOPT:

1. ALLENWOOD ROAD – NORTH SIDE – NO STOPPING HERE TO CORNER
From the west curblineline of Warwick Road, west for a distance of 30 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

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Public Safety Comptroller Traffic Safety

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

RESOLUTION NO. 425 - 2021

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE RESCISSION AND ADOPTION OF ORDINANCES AFFECTING FIRST AVENUE IN GARDEN CITY PARK, NEW YORK.

WHEREAS, a recommendation has been made for the rescission and adoption of an ordinance affecting First Avenue, 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 the 2nd day of September 2021, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

PROPOSAL:

RESCIND:

1. T.O. #1A-1960

Adopted January 05, 1960

FIRST AVENUE – BOTH SIDES –ONE HOUR PARKING – EXCEPT SUNDAYS

Starting at the south curb line of Dennis Street, south to the Incorporated Village Line of Garden City.

ADOPT:

1. FIRST AVENUE – WEST SIDE – NO PARKING ANYTIME

From a point 130 feet north of the north curb line of Railroad Avenue, north, for a distance of 100 feet.

2. FIRST AVENUE – EAST SIDE – NO PARKING ANYTIME

From a point 180 feet north of the north curb line of Railroad Avenue, north, for a distance of 115 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

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Public Safety Comptroller Traffic Safety

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

RESOLUTION NO. 426 - 2021

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF ORDINANCES AFFECTING WALDO AVENUE IN GREENVALE, NEW YORK.

WHEREAS, a recommendation has been made for the rescission and adoption of ordinances affecting Waldo Avenue, Greenvale, New York.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by the Town Board of the Town of North Hempstead on the 2nd day of September 2021, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinances:

PROPOSAL:

ADOPT:

1. WALDO AVENUE – SOUTH SIDE – NO STOPPING ANY TIME
From a point 20 feet from the east curb line of Glen Cove Road, East, for a distance of 120 feet.
2. WALDO AVENUE – NORTH SIDE – NO STOPPING ANY TIME
From a point 20 feet from the East curb line of Glen Cove Road, East, for a distance of 105 feet.

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

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

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Public Safety Comptroller Traffic Safety

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

RESOLUTION NO. 427 - 2021

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

WHEREAS, Costello’s Ace Hardware has generously offered, as a gift, volunteers and supplies for the beautification of Martin “Bunky” Reid Park; and

WHEREAS, Target Corporation has generously offered, as a gift, volunteers, supplies, and tools for the beautification of Martin “Bunky” Reid Park; and

WHEREAS, the Long Island Nets has generously offered, as a gift, volunteers, supplies, and tools for the beautification of Martin “Bunky” Reid Park; and

WHEREAS, Target Corporation has generously offered, as a gift, bicycles and volunteers for the Westbury/New Cassel National Night Out Event; and

WHEREAS, PepsiCo Botting Company has generously offered, as a gift, 100 cases of water and soft drinks for the Westbury/New Cassell National Night Out Event; and

WHEREAS, the Islamic Center of Long Island has generously offered, as a gift, snacks and water for the Westbury/New Cassell National Night Out Event; and

WHEREAS, the Westbury VFW has generously offered, as a gift, ice for use during the Westbury/New Cassell National Night Out Event; 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

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney

Comptroller

Parks and Recreation

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

RESOLUTION NO. 428 - 2021

**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 2021 (the “Supplemental Appropriations”), as follows:

- (1) \$743,524.00 to be recorded to revenue line A.2025 with offsetting expenses in the amount of \$357,597 to be recorded to various expense codes for Harbor Links Golf Course as shown in Exhibit A; and
- (2) \$42,438.49 to be recorded to revenue line A.2801 with offsetting expenses in the amount of \$35,423.62 to be recorded to expense code A.05.5142.1300 for snow removal overtime pay for the Parks Department, \$4,735.65 to be recorded to expense code A.03.5142.1300 for snow removal overtime pay for the Comptroller’s and \$2,279.22 to be recorded to expense code A.01.5142.1300 for snow removal overtime pay for Administrative Services; and
- (3) \$14, 600.73 to be recorded to revenue line CL.2801 with the offsetting expense to be recorded to expense code CL.00.5142.1300 for snow removal overtime pay for SWMA; and
- (4) \$5,150.54 to be recorded to revenue line B.2801 with the offsetting expense to be recorded to expense code B.06.5142.1300 for snow removal overtime pay for Public Safety; and
- (5) \$3,843.87 to be recorded to revenue line DA.2801 with the offsetting expense to be recorded to expense code A.01.1621.4715 for funding the chargeback for snow removal overtime pay at Town Hall 1; and
- (6) \$6,677.08 to be recorded to revenue line DA.2801 with the offsetting expense to be recorded to expense code A.01.1623.4715 for funding the chargeback for tree trimming and removals at DOSA; 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 2021 as requested by Comptroller; and be it further

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

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Comptroller Town Clerk

Town of North Hempstead

Harbor Links 2021 Budget Analysis and Projection

as of 6.30.21

Concat Account	Department Description	Account Code Description	2021 Budget			Projected 2021		Supplemental Appropriation needed	
			Adopted 2021 Budget	2021 Amendments	Amended 2021 Budget	Actuals Through June 2021	Projected Year End 2021		
						REVENUE			
A.2025.000	Revenue	SPECIAL FACILITY - GOLF HARBOR LINKS	\$ -	\$ -	\$ -	\$ -		\$ -	
A.2025.001	Revenue	SPECIAL FACILITY - GOLF GOLF LESSONS	\$ -	\$ -	\$ -	\$ -		\$ -	
A.2025.004	Revenue	SPECIAL FACILITY - GOLF MERCHANDISE	\$ -	\$ -	\$ -	\$ -		\$ -	
A.2025.005	Revenue	SPECIAL FACILITY - GOLF FOOD BEVERAGE	\$ -	\$ -	\$ -	\$ -		\$ -	
A.2025	Revenue	SPECIAL FACILITY - GOLF	\$ 5,148,000.00	\$ -	\$ 5,148,000.00	\$ 2,459,160.00	\$ 5,891,524.00	\$ 743,524.00	
			\$ 5,148,000.00	\$ -	\$ 5,148,000.00	\$ 2,459,160.00	\$ 5,891,524.00	\$ 743,524.00	
						EXPENSES			
A.05.7991.4005.001	Harbor Links Admin	PERSONAL SERVICES HARBOR LINKS ADMIN	\$ 485,509.00	\$ -	\$ 485,509.00	\$ 228,417.00	\$ 458,441.00	\$ (27,068.00)	
A.05.7991.4005.006	Harbor Links Admin	PERSONAL SERVICES HARBOR LINKS WORKERS CO	\$ 90,000.00	\$ -	\$ 90,000.00	\$ 26,910.00	\$ 65,535.00	\$ (24,465.00)	
			\$ 575,509.00	\$ -	\$ 575,509.00	\$ 255,327.00	\$ 523,976.00	\$ (51,533.00)	
A.05.7991.4010	Harbor Links Admin	STATIONERY & PRINTING	\$ 2,400.00	\$ -	\$ 2,400.00	\$ 1,160.00	\$ 2,320.00	\$ (80.00)	
A.05.7991.4020	Harbor Links Admin	POSTAGE	\$ 1,200.00	\$ -	\$ 1,200.00	\$ 214.00	\$ 1,232.00	\$ 32.00	
A.05.7991.4040	Harbor Links Admin	OFFICE SUPPLIES	\$ 1,600.00	\$ -	\$ 1,600.00	\$ 1,401.00	\$ 2,148.00	\$ 548.00	
A.05.7991.4060	Harbor Links Admin	COMPUTER SUPPLIES	\$ 1,600.00	\$ -	\$ 1,600.00	\$ 619.00	\$ 5,119.00	\$ 3,519.00	
A.05.7991.4190	Harbor Links Admin	TELEPHONE AND COMMUNICATIONS	\$ 11,000.00	\$ -	\$ 11,000.00	\$ 3,775.00	\$ 8,060.00	\$ (2,940.00)	
A.05.7991.4210	Harbor Links Admin	WATER	\$ 11,000.00	\$ -	\$ 11,000.00	\$ 6,700.00	\$ 14,334.00	\$ 3,334.00	
A.05.7991.4261	Harbor Links Admin	INSURANCE, FIRE & LIABILITY ETC.	\$ 100,000.00	\$ -	\$ 100,000.00	\$ 62,221.00	\$ 124,442.00	\$ 24,442.00	
A.05.7991.4291.001	Harbor Links Admin	RENTALS TRAILERS AND CARTS	\$ 18,000.00	\$ -	\$ 18,000.00	\$ 9,000.00	\$ 18,000.00	\$ -	
A.05.7991.4293	Harbor Links Admin	RENTAL - OFFICE EQUIPMENT	\$ 400.00	\$ -	\$ 400.00	\$ 100.00	\$ 200.00	\$ (200.00)	
A.05.7991.4429	Harbor Links Admin	PROFESSIONAL SERVICES	\$ 8,000.00	\$ -	\$ 8,000.00	\$ 2,250.00	\$ 3,000.00	\$ (5,000.00)	
A.05.7991.4450	Harbor Links Admin	CONFERENCES,SEMINARS & MEETINGS	\$ 1,600.00	\$ -	\$ 1,600.00	\$ -	\$ 1,600.00	\$ -	
A.05.7991.4460	Harbor Links Admin	PUBLIC INFORMATION & EDUCATION	\$ 8,000.00	\$ -	\$ 8,000.00	\$ 3,358.00	\$ 6,716.00	\$ (1,284.00)	
A.05.7991.4670	Harbor Links Admin	GAS AND OIL	\$ 40,000.00	\$ -	\$ 40,000.00	\$ 15,913.00	\$ 31,826.00	\$ (8,174.00)	
A.05.7991.4750	Harbor Links Admin	REPAIRS & MAINTENANCE	\$ 25,000.00	\$ -	\$ 25,000.00	\$ 14,037.00	\$ 28,074.00	\$ 3,074.00	
A.05.7991.4760	Harbor Links Admin	TIPPING FEES-LANDFILL	\$ 500.00	\$ -	\$ 500.00	\$ -	\$ 500.00	\$ -	
A.05.7991.4830	Harbor Links Admin	SEWER DISPOSAL CHARGES	\$ 10,000.00	\$ -	\$ 10,000.00	\$ 2,191.00	\$ 7,147.00	\$ (2,853.00)	
A.05.7991.4970	Harbor Links Admin	OTHER OPERATING EXPENSES	\$ 200,000.00	\$ -	\$ 200,000.00	\$ 100,002.00	\$ 200,000.00	\$ -	
A.05.7991.4971	Harbor Links Admin	LICENSES & PERMITS	\$ 10,000.00	\$ -	\$ 10,000.00	\$ 3,564.00	\$ 4,183.00	\$ (5,817.00)	
A.05.7991.4999	Harbor Links Admin	miscellaneous	\$ 13,600.00	\$ -	\$ 13,600.00	\$ 2,192.00	\$ 12,425.00	\$ (1,175.00)	
A.05.7991.8410	Harbor Links Admin	ELECTRICITY	\$ 185,000.00	\$ -	\$ 185,000.00	\$ 62,672.00	\$ 165,787.00	\$ (19,213.00)	
			\$ 648,900.00	\$ -	\$ 648,900.00	\$ 291,369.00	\$ 637,113.00	\$ (11,787.00)	
			\$ 1,224,409.00	\$ -	\$ 1,224,409.00	\$ 546,696.00	\$ 1,161,089.00	\$ (63,320.00)	

Town of North Hempstead

Harbor Links 2021 Budget Analysis and Projection

as of 6.30.21

Concat Account	Department Description	Account Code Description	2021 Budget			Projected 2021		Supplemental Appropriation needed	
			Adopted 2021 Budget	2021 Amendments	Amended 2021 Budget	Actuals Through June 2021	Projected Year End 2021		
A.05.7992.4005.002	Golf Shop	PERSONAL SERVICES GOLF SHOP	\$ 399,212.00	\$ -	\$ 399,212.00	\$ 220,339.00	\$ 495,363.00	\$ 96,151.00	
			\$ 399,212.00	\$ -	\$ 399,212.00	\$ 220,339.00	\$ 495,363.00	\$ 96,151.00	
A.05.7992.4006	Golf Shop	GOLF PROFESSIONALS	\$ 360,000.00	\$ -	\$ 360,000.00	\$ 177,324.00	\$ 373,917.00	\$ 13,917.00	
A.05.7992.4011	Golf Shop	PURCHASES	\$ 202,160.00	\$ -	\$ 202,160.00	\$ 61,434.00	\$ 212,805.00	\$ 10,645.00	
A.05.7992.4429	Golf Shop	PROFESSIONAL SERVICES	\$ 5,760.00	\$ 1,863.00	\$ 7,623.00	\$ 6,645.00	\$ 7,678.00	\$ 55.00	
A.05.7992.4440	Golf Shop	Credit Card Fees	\$ 68,000.00	\$ -	\$ 68,000.00	\$ 41,906.00	\$ 109,385.00	\$ 41,385.00	
A.05.7992.4450	Golf Shop	CONFERENCES,SEMINARS & MEETINGS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
A.05.7992.4660	Golf Shop	UNIFORMS & LAUNDRY	\$ 2,400.00	\$ -	\$ 2,400.00	\$ 247.00	\$ 2,000.00	\$ (400.00)	
A.05.7992.4740	Golf Shop	T.P.S-OPERATING EQUIPMENT	\$ 9,600.00	\$ (1,863.00)	\$ 7,737.00	\$ 5,132.00	\$ 7,277.00	\$ (460.00)	
A.05.7992.4999	Golf Shop	miscellaneous	\$ 4,800.00	\$ -	\$ 4,800.00	\$ 3,153.00	\$ 4,487.00	\$ (313.00)	
			\$ 652,720.00	\$ -	\$ 652,720.00	\$ 295,841.00	\$ 717,549.00	\$ 64,829.00	
			\$ 1,051,932.00	\$ -	\$ 1,051,932.00	\$ 516,180.00	\$ 1,212,912.00	\$ 160,980.00	
A.05.7993.4005.003	Golf Course Maint	PERSONAL SERVICES GOLF COURSE MAINTENANC	\$ 982,930.00	\$ -	\$ 982,930.00	\$ 493,881.00	\$ 1,073,608.00	\$ 90,678.00	
			\$ 982,930.00	\$ -	\$ 982,930.00	\$ 493,881.00	\$ 1,073,608.00	\$ 90,678.00	
A.05.7993.4210	Golf Course Maint	WATER	\$ 120,000.00	\$ -	\$ 120,000.00	\$ 63,102.00	\$ 133,102.00	\$ 13,102.00	
A.05.7993.4450	Golf Course Maint	CONFERENCES,SEMINARS & MEETINGS	\$ 2,800.00	\$ -	\$ 2,800.00	\$ -	\$ 2,000.00	\$ (800.00)	
A.05.7993.4660	Golf Course Maint	UNIFORMS & LAUNDRY	\$ 1,600.00	\$ -	\$ 1,600.00	\$ -	\$ -	\$ (1,600.00)	
A.05.7993.4715	Golf Course Maint	SERVICES RENDERED BY OTHER FUNDS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
A.05.7993.4740	Golf Course Maint	T.P.S-OPERATING EQUIPMENT	\$ 390,000.00	\$ -	\$ 390,000.00	\$ 190,957.00	\$ 390,000.00	\$ -	
A.05.7993.4752	Golf Course Maint	R & M - OPERATING EQUIPMENT	\$ 70,000.00	\$ (15,500.00)	\$ 54,500.00	\$ 15,085.00	\$ 54,500.00	\$ -	
A.05.7993.4753	Golf Course Maint	R & M - PLANT & GROUNDS	\$ 15,000.00	\$ 15,500.00	\$ 30,500.00	\$ 27,391.00	\$ 30,500.00	\$ -	
A.05.7993.4758	Golf Course Maint	R & M - IRRIGATION	\$ 40,000.00	\$ -	\$ 40,000.00	\$ 8,360.00	\$ 35,000.00	\$ (5,000.00)	
A.05.7993.4780	Golf Course Maint	LANDSCAPING	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
A.05.7993.4970	Golf Course Maint	OTHER OPERATING EXPENSES	\$ 3,000.00	\$ -	\$ 3,000.00	\$ -	\$ -	\$ (3,000.00)	
A.05.7993.4999	Golf Course Maint	miscellaneous	\$ 5,000.00	\$ -	\$ 5,000.00	\$ 500.00	\$ 2,969.00	\$ (2,031.00)	
A.05.7993.8410	Golf Course Maint	ELECTRICITY	\$ 65,000.00	\$ -	\$ 65,000.00	\$ 22,327.00	\$ 61,151.00	\$ (3,849.00)	
			\$ 712,400.00	\$ -	\$ 712,400.00	\$ 327,722.00	\$ 709,222.00	\$ (3,178.00)	
			\$ 1,695,330.00	\$ -	\$ 1,695,330.00	\$ 821,603.00	\$ 1,782,830.00	\$ 87,500.00	

Town of North Hempstead

Harbor Links 2021 Budget Analysis and Projection

as of 6.30.21

Concat Account	Department Description	Account Code Description	2021 Budget			Projected 2021		Supplemental Appropriation needed	
			Adopted 2021 Budget	2021 Amendments	Amended 2021 Budget	Actuals Through June 2021	Projected Year End 2021		
A.05.7994.4005.004	Cart Department	PERSONAL SERVICES CART DEPT	\$ 101,721.00	\$ -	\$ 101,721.00	\$ 58,352.00	\$ 128,012.00	\$ 26,291.00	
			\$ 101,721.00	\$ -	\$ 101,721.00	\$ 58,352.00	\$ 128,012.00	\$ 26,291.00	
A.05.7994.4291.001	Cart Department	RENTALS TRAILERS AND CARTS	\$ 190,788.00	\$ -	\$ 190,788.00	\$ 90,011.00	\$ 190,788.00	\$ -	
A.05.7994.4740	Cart Department	T.P.S-OPERATING EQUIPMENT	\$ 16,800.00	\$ -	\$ 16,800.00	\$ 2,683.00	\$ 22,364.00	\$ 5,564.00	
A.05.7994.4752	Cart Department	R & M - OPERATING EQUIPMENT	\$ 6,000.00	\$ -	\$ 6,000.00	\$ 6,967.00	\$ 13,934.00	\$ 7,934.00	
			\$ 213,588.00	\$ -	\$ 213,588.00	\$ 99,661.00	\$ 227,086.00	\$ 13,498.00	
			\$ 315,309.00	\$ -	\$ 315,309.00	\$ 158,013.00	\$ 355,098.00	\$ 39,789.00	
A.05.7995.4005.005	Food & Bev Operations	PERSONAL SERVICES FOOD AND BEVERAGES	\$ 734,670.00	\$ -	\$ 734,670.00	\$ 296,346.00	\$ 835,851.00	\$ 101,181.00	
			\$ 734,670.00	\$ -	\$ 734,670.00	\$ 296,346.00	\$ 835,851.00	\$ 101,181.00	
A.05.7995.4011	Food & Bev Operations	PURCHASES	\$ 436,693.00	\$ -	\$ 436,693.00	\$ 126,776.00	\$ 453,123.00	\$ 16,430.00	
A.05.7995.4440	Food & Bev Operations	Credit Card Fees	\$ 5,552.00	\$ -	\$ 5,552.00	\$ 2,035.00	\$ 8,148.00	\$ 2,596.00	
A.05.7995.4460	Food & Bev Operations	PUBLIC INFORMATION & EDUCATION	\$ 16,000.00	\$ -	\$ 16,000.00	\$ 6,750.00	\$ 15,780.00	\$ (220.00)	
A.05.7995.4660	Food & Bev Operations	UNIFORMS & LAUNDRY	\$ 1,600.00	\$ -	\$ 1,600.00	\$ -	\$ 1,000.00	\$ (600.00)	
A.05.7995.4749	Food & Bev Operations	CLUBHOUSE OPERATION SUPPLIES	\$ 19,200.00	\$ -	\$ 19,200.00	\$ 8,151.00	\$ 19,587.00	\$ 387.00	
A.05.7995.4752	Food & Bev Operations	R & M - OPERATING EQUIPMENT	\$ 60,000.00	\$ -	\$ 60,000.00	\$ 28,908.00	\$ 70,258.00	\$ 10,258.00	
A.05.7995.4999	Food & Bev Operations	miscellaneous	\$ 8,320.00	\$ -	\$ 8,320.00	\$ 1,922.00	\$ 10,936.00	\$ 2,616.00	
			\$ 547,365.00	\$ -	\$ 547,365.00	\$ 174,542.00	\$ 578,832.00	\$ 31,467.00	
			\$ 1,282,035.00	\$ -	\$ 1,282,035.00	\$ 470,888.00	\$ 1,414,683.00	\$ 132,648.00	
						Total Revenue Appropriation		\$ 743,524.00	
						Total Expenditures Appropriation		\$ 357,597.00	
						Net Appropriation		\$385,927.00	

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

RESOLUTION NO. 429 - 2021

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE AND THE TAKING OF RELATED ACTION.

WHEREAS, the Town Board (the “Board”) of the Town of North Hempstead (the “Town”), is committed to the safety of its residents and seeks to deter gang violence in the Town (the “Project”); and

WHEREAS, the New York State Division of Criminal Justice Service's Legislative Grant Program supports such projects; and

WHEREAS, a grant from the New York State Division of Criminal Justice Service's Legislative Grant Program is available for youth programs to deter gang involvement and violence through education and enrichment programs to be carried out at the North Hempstead “Yes We Can” Community Center (the “Grant”); and

WHEREAS, the Grant is in the amount of \$5,000; and

WHEREAS, the Grants Coordinator (the “Coordinator”) has recommended that the Town accept the grant from the New York State Division of Criminal Justice Service's Legislative Grant Program; and

WHEREAS, this Board wishes to accept the Grant and authorize the execution of an agreement for the Grant.

NOW, THEREFORE, BE IT

RESOLVED that the Town accepts the Grant; and be it further

RESOLVED that the Board hereby authorizes the Supervisor or the Deputy Supervisor to execute any and all contracts, project agreements and other instruments or documents required in connection with the receipt of the Grant (“Contract Documents”), file the Contract Documents in the Office of the Town Clerk, submit Project documentation, and take such other action as may be reasonably required to undertake and complete the Project and receive the Grant; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the Contract Documents in connection with the Project and the Grant.

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Comptroller

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

RESOLUTION NO. 430 - 2021

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR DOOR REPAIRS, MAINTENANCE AND REPLACEMENT (TNH022R-2021).

WHEREAS, the Director of Purchasing (the “Director”) has solicited bids for door repairs, maintenance and replacement; and

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

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

WHEREAS, this Board wishes to authorize the Award as recommended by the Director, retroactive to July 21, 2021.

NOW, THEREFORE, BE IT

RESOLVED that the Award as recommended by the Director is hereby authorized, retroactive to July 21, 2021; and be it further

RESOLVED that the Supervisor 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

August 5, 2021

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

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Comptroller Purchasing

TNH022R-2021 Door and Automatic Gate Repair, Maintenance and Replacement	United Steel Products 33-40 127th Place Flushing, NY 11368 ALFranza@unitedsteelproducts.com 718-478-5330 Alfred Franza
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Part 1: Pull-Up/Roll-Up Doors

Item	Description	Price
1	Labor Rate – Business Hours	\$165.00
2	Labor Rate – Overtime and Holidays	\$225.00
3	Parts – Town will pay 15% above Certified Cost	
4	Doors – Town will pay 15% above Certified Cost	

Part 2: Entrance Doors

Item	Description	Price
5	Labor Rate – Business Hours	NOT BIDDING
6	Labor Rate – Overtime and Holidays	NOT BIDDING
7	Parts – Town will pay 15% above Certified Cost	
8	Doors – Town will pay 15% above Certified Cost	

Part 3: Automatic Doors (sliding doors to a building)

Item	Description	Price
9	Labor Rate – Business Hours	NOT BIDDING
10	Labor Rate – Overtime and Holidays	NOT BIDDING
11	Parts – Town will pay 15% above Certified Cost	
12	Doors – Town will pay 15% above Certified Cost	

Part 4: Automatic Doors and Gates (garage doors, automatic gates)

Item	Description	Price
13	Labor Rate – Business Hours	\$165.00
14	Labor Rate – Overtime and Holidays	\$225.00
15	Parts – Town will pay 15% above Certified Cost	
16	Doors – Town will pay 15% above Certified Cost	

TNH022R-2021-Door Repairs, Maintenance and Replacement	
Winning Vendor	Items Won
United Steel Products	
33-40 127th Place	
Flushing, NY 11368	
ALFranza@unitedsteelproducts.com	All Items
718-478-5330	
Alfred Franza	

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

RESOLUTION NO. 431 - 2021

**A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR AN AERIAL LIFT
(TNH262-2021).**

WHEREAS, the Director of Purchasing (the “Director”) has solicited bids for an aerial lift; and

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

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

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor 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

August 5, 2021

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

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Comptroller Purchasing

TNH262-2021 Aerial Lift		Able Equipment Rental 1050 Grand Blvd. Deer Park, NY 11729 Amy Ruhe Aruhe@Ableequipment.com (631)338-3544		Sunbelt Rentals, Inc. 2431 Deerfiled Drive Fort Mill, South Carolina 29715 Corina Byrd Contractteam@sunbeltrentals.com (800)508-4762	
Item	DESCRIPTION	UNIT PRICE		UNIT PRICE	
1	JLG Articulating Hi-Capacity Boom Lift – Model Number 5450AJHC3, or an equal or better product	\$75,529.26			
	OPTIONS	UNIT PRICE		UNIT PRICE	
2	Non-Marking Foam Filled Tires	841.79			
3	2500 W Generator	2251.86			
4	Center Stage Tray	47.8			
5	Cold Weather Kit	932.08			
6	Light Package	1221.53			
	Total Lines 1-6	\$80,824.32		\$83,268	
	WARRANTY	Length	Price	Length	Price
7	Length of Standard Warranty (included in purchase price)	1 year	Included	1 Year	Included
8	Extended Warranty	5 Years	\$2,131.30	4 years for a total of 5	\$2,355
9	Additional Training Session (cost per session)	\$600/day		\$185 per student	
		*** Current Lead Time is 7 months ARO ***			

TNH262-2021-AERIAL LIFT	
Winning Vendoor	Items Won
Able Equipment Rental	
1050 Grand Blvd.	
Deer Park, NY 11729	All items
Amy Ruhe	
Aruhe@Ableequipment.com	
(631)338-3544	

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

RESOLUTION NO. 432 - 2021

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR TAX FORMS AND ENVELOPES (TNH081-2021).

WHEREAS, the Director of Purchasing (the “Director”) has solicited bids for tax forms and envelopes; and

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

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

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor 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

August 5, 2021

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

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Comptroller Purchasing

TNH081-2021 Tax Forms and Envelopes																							
				Drew & Rogers Inc						Lorraine Gregory Corp.						Matt Industries Inc							
				30 Plymouth Street						95-A Executive Drive						DBA: Dupil Envelope and Graphics							
				Fairfield, NJ 07004						Edgewood, NY 11717						6761 Thompson Rd.							
				Rovena Seio						Benjamin Demitriov						Syracuse, NY 13211							
				(973) 575-6210 ext. 168						(631) 694-1500 ext. 206						Alysia Schmaltz							
				rovena@drew-rogers.com						rob@lgeli.com						(315) 234-7235							
																aschmaltz@duplionline.com							
Item	Description	Approx. # to be ordered per year		Price per M, 1 st year	Total 1 st year	Price per M, 2 nd year	Total 2 nd year	Price per M, 3rd year	Total 3 rd year		Price per M, 1 st year	Total 1 st year	Price per M, 2 nd year	Total 2 nd year	Price per M, 3rd year	Total 3 rd year		Price per M, 1 st year	Total 1 st year	Price per M, 2 nd year	Total 2 nd year	Price per M, 3rd year	Total 3 rd year
A.	Customized Forms with 2 perforations approx. 3-inches and 6-inches from bottom (see samples)																						
1	Blue School Tax Form	67,500		\$31.25	\$2,109.37	\$33.18	\$2,239.65	\$34.15	\$2,305.15		\$33.20	\$2,241.00	***	***	***	***		NQ		NQ		NQ	
2	Green General Tax Form	67,500		\$31.25	\$2,109.37	\$33.18	\$2,239.65	\$34.15	\$2,305.15		\$33.20	\$2,241.00	***	***	***	***		NQ		NQ		NQ	
B.	Customized Envelopes – (see Samples)																						
1	Green Pre-Addressed – Standard size 8 – 5/8”	100,000		\$26.68	\$2,668.00	\$26.95	\$2,695.00	\$27.25	\$2,725.00		\$38.22	\$3,822.00	***	***	***	***		\$27.90	\$2,790.00	\$30.13	\$3,013.00	\$32.54	\$3,254.00
2	Blue Pre-Addressed Standard size 8 – 5/8”	100,000		\$26.68	\$2,668.00	\$26.95	\$2,695.00	\$27.25	\$2,725.00		\$38.22	\$3,822.00	***	***	***	***		\$27.90	\$2,790.00	\$30.13	\$3,013.00	\$32.54	\$3,254.00
3	White Pre-Addressed – Standard size 8 – 5/8”	10,000		\$21.86	\$218.60	\$22.00	\$2,200.00	\$22.50	\$2,250.00		\$60.10	\$601.00	***	***	***	***		\$22.90	\$229.00	\$24.73	\$247.30	\$26.71	\$267.10
4	B. White with window Standard size 10	100,000		\$28.37	\$2,837.00	\$29.00	\$2,900.00	\$29.50	\$2,950.00		\$28.42	\$2,842.00	***	***	***	***		\$21.90	\$2,190.00	\$23.65	\$2,365.00	\$25.54	\$2,554.00
5	C. White with window – 6” x 9	120,000		\$35.46	\$4,255.20	\$36.00	\$4,320.00	\$36.50	\$4,380.00		\$45.99	\$5,518.80	***	***	***	***		\$35.60	\$4,272.00	\$38.45	\$4,614.00	\$41.52	\$4,982.40
C.	Pink Perforated Form (unpaid notices). 8 ½ X 11” 20lb paper with the horizontal	16,000		\$26.43	\$422.80	\$26.43	\$422.80	\$27.30	\$436.80		\$35.00	\$560.00	***	***	***	***		NQ		NQ		NQ	
	NOT PRE-PRINTED																						
	Total			\$17,288.42		\$17,732.18		\$18,052.10		\$21,647.00								\$12,271.00		\$13,252.30		\$14,311.50	

We will hold the price for the 2nd and 3rd year if the quantities does not change and there are no increases from the manufacturer.
We will provide you with the increase letter ad pass the increase to you.

TNH081-2021-Tax forms and Envelopes	
Winning Vendor	Items Won
Drew & Rogers Inc	
30 Plymouth Street	
Fairfield, NJ 07004	
Rovena Seio	All items
(973) 575-6210 ext. 168	
rovena@drew-rogers.com	

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. 433 - 2021

A RESOLUTION RATIFYING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE PORT WASHINGTON PUBLIC LIBRARY FOR THE USE OF MANORHAVEN BEACH PARK, PORT WASHINGTON.

WHEREAS, the Port Washington Public Library, One Library Drive, Port Washington, New York 11050 (the “Licensee”) requested that the Town allow it to place a table in the lobby of the pool building at Manorhaven Beach Park at which the Licensee would give away books and beach towels and speak to pool goers about the library from 3:00 P.M. to 5:00 P.M. on Wednesday, July 21, 2021; Wednesday, July 28, 2021; Wednesday, August 18, 2021; Wednesday, August 25, 2021 and Wednesday, September 1, 2021 (the “Use”); and

WHEREAS, the Town of North Hempstead’s Department of Parks and Recreation has recommended ratifying the Use (the “License”) and authorizing the execution of an Agreement therefor (the “License Agreement”); and

WHEREAS, the Board wishes to ratify the License and authorize the execution of a License Agreement.

NOW, THEREFORE, BE IT

RESOLVED that the License is hereby ratified; and be it further

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

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

RESOLVED that the Supervisor is authorized take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Comptroller Public Safety

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

RESOLUTION NO. 434 - 2021

A RESOLUTION RATIFYING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH WATER KING INC. FOR THE INSTALLATION OF A LAWN SPRINKLER SYSTEM AT MANHASSET VALLEY PARK, MANHASSET.

WHEREAS, the Town of North Hempstead (the “Town”) Department of Parks and Recreation (the “Department”) requires the installation of lawn sprinklers for the 911 Memorial to be erected at Manhasset Valley Park in Manhasset (the “Project”); and

WHEREAS, the Director of Purchasing (the “Director”) solicited three (3) quotes for the Services, in accordance with the Town’s Procurement Policy; and

WHEREAS, Water King, Inc., P.O. Box 21, West Islip, New York 11795 (the “Contractor”) submitted the lowest quote, proposing to perform the Project for a sum not to exceed Ten Thousand Seven Hundred Fifty and 00/100 Dollars (\$10,750.00) (the “Contract Amount”); and

WHEREAS, the Department retained the Contractor to perform the Services; and

WHEREAS, it has been recommended that this Board ratify the Department’s actions in retaining the Contractor to provide the Services and to further authorize the execution of an agreement with the Contractor for the Services (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 retaining 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 is authorized and directed to execute the Agreement, 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

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Department of Public Works Comptroller

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

RESOLUTION NO. 435 - 2021

**A RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT
WITH BANNER CONSTRUCTION CORP. FOR THE USE OF MANHASSET VALLEY
PARK, MANHASSET.**

WHEREAS, the Town owns certain real property known as Manhasset Valley Park, located on Maple Street and Northern Boulevard in Manhasset, New York (the “Park”); and

WHEREAS, Banner Construction Corp., 171 Freeman Avenue, Islip, New York 11751 (the “Licensee”), a contractor installing a new wet well for the Great Neck Water Pollution Control District on the adjacent property (the “Project”), has requested a license for the use of a portion of the nonpublic parking lot at the Park for the placement of conex boxes for the storage of equipment and materials for use on the Project (the “License”); and

WHEREAS, the Town Department of Parks and Recreation has recommended granting the License; and

WHEREAS, the Board wishes to grant the License and to authorize the Town to execute an agreement with the Licensee for the License (the “Agreement”).

NOW, THEREFORE, BE IT

RESOLVED that the License is hereby granted; and be it further

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the Agreement, and to take such further action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Comptroller Parks

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

RESOLUTION NO. 436 - 2021

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PARKWAY PEST SERVICES FOR EXTERMINATING SERVICES AT HARBOR LINKS GOLF COURSE.

WHEREAS, the Town of North Hempstead (the “Town”) Department of Parks and Recreation (the “Department”) requires exterminating services at Harbor Links Golf Course (the “Services”); and

WHEREAS, the Director of Purchasing (the “Director”) solicited three (3) quotes for the Services, in accordance with the Town’s Procurement Policy; and

WHEREAS, Parkway Pest Services, 100 Jericho Turnpike, New Hyde Park, New York 11040 (the Contractor”) submitted the lowest quote, proposing to perform the Services for one year in consideration of payment in an amount not to exceed Five Thousand Nine Hundred Ninety-Five and 00/100 Dollars (\$5,995.00) (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 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

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney

Comptroller

Parks

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

RESOLUTION NO. 437 - 2021

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH GLOBAL FUELING SYSTEMS INC. FOR FUEL MONITORING SERVICES.

WHEREAS, the Town requires remote monitoring and management of its fuel tanks (the “Services”); and

WHEREAS, the Director of Purchasing (the “Director”) has recommended that the Town Board authorize the execution of a professional services agreement with Global Fueling Systems Inc., 42 Field Street, West Babylon, NY 11704 to provide the Services in consideration of an amount not to exceed Thirteen Thousand Eight Hundred and 00/100 Dollars (\$13,800.00), payable at the monthly rate of Two Hundred Thirty and 00/100 Dollars (\$230.00) for each of the five (5) facilities, not to exceed One Thousand One Hundred Fifty and 00/100 Dollars (\$1,150.00) a month (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 is authorized and directed to execute the Agreement, and a copy of the Agreement shall be on file in the Office of the Town Clerk, and take such further action as may be necessary to effectuate the foregoing; and be it further

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

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

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Comptroller Purchasing

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

RESOLUTION NO. 438 - 2021

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE TOWN OF NORTH HEMPSTEAD COMMUNITY DEVELOPMENT AGENCY AND THE COMMUNITY DEVELOPMENT CORPORATION OF LONG ISLAND RELATED TO COMMUNITY OUTREACH FOR THE EMERGENCY RENTAL ASSISTANCE PROGRAM.

WHEREAS, pursuant to Resolution No. 219-2021, duly adopted on April 22, 2021, the Town Board (the “Board”) of the Town of North Hempstead (the “Town”) entered into an agreement with State of New York (the “NYS Agreement”) for the administration of the Emergency Assistance Rental Program (the “Program”); and

WHEREAS, ninety (90) percent of the funding allocated to the Town pursuant to the Program will be distributed by the State of New York (the “State”) under the NYS Agreement, to Town residents meeting certain criteria who require assistance with paying rent and utilities, and up to ten (10) percent of the funding will be distributed to the Town via a State administered grant program to be used by the Town for expenditures incurred for management and administration related to continued outreach to Town residents regarding the Program; and

WHEREAS, the Town desires to enter into a joint agreement with the Town’s Community Development Agency, 51 Orchard Street, Roslyn Heights, New York 11577 (the “CDA”) and the Community Development Corporation of Long Island, 2100 Middle Country Road, Centereach, New York 11720 (the “CDCLI”) for management and administration services related to continued outreach to Town residents regarding the Program in an amount not to exceed Fifty Thousand and 00/100 Dollars (\$50,000.00) to the CDA for grant administration and implementation of the community outreach services, and an amount not to exceed Five Hundred Thousand and 00/100 Dollars (\$500,000.00) to CDCLI for providing the community outreach services (the “Agreement”); and

WHEREAS, the Board wishes to authorize the Agreement.

NOW, THEREFORE, BE IT

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

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

RESOLVED that the 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

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Comptroller

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. 439 - 2021

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH H&L CONTRACTING LLC FOR DREDGING OF THE BOAT RAMP CHANNEL AT MANORHAVEN BEACH PARK, PORT WASHINGTON, NY. DPW PROJECT NO. 15-19R.

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into and amended an agreement with H&L Contracting LLC, 38 Homan Ave., Bay Shore, NY 11706 (the “Contractor”), for the dredging of a boat ramp channel at Manorhaven Beach Park in Port Washington, NY, DPW Project No. 15-19R (the “Original Agreement”); and

WHEREAS, an updated bathymetric survey indicates that the final volume of material dredged from the boat ramp channel by the Contractor was less than the amount contained in the Original Agreement due to obstructions in the seabed which limited the final dredged quantity to 5,772 cubic yards (the “Final Dredged Quantity”); and

WHEREAS, the Acting Commissioner of Public Works (the “Acting Commissioner”) has recommended that the Town amend the Original Agreement to reflect the Final Dredged Quantity, thereby reducing the contract amount by Three Hundred Thirty-Five Thousand Three Hundred Sixty-Two and 00/100 Dollars (\$335,362.00), for an amended contract amount not to exceed One Million Three Hundred Twenty-Eight Thousand Five Hundred Six and 00/100 Dollars (\$1,328,506.00) (the “Amendment”); and

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

NOW, THEREFORE, BE IT

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

RESOLVED the Supervisor 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 a duly executed Amendment and certified claims therefor.

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Comptroller DPW

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

RESOLUTION NO. 440 - 2021

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH H2M ARCHITECTS AND ENGINEERS IN CONNECTION WITH THE NORTH HEMPSTEAD "YES WE CAN" COMMUNITY CENTER, NEW CASSEL.

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with H2M Architects and Engineers, 538 Broad Hollow Road, 4th Floor East, Melville, NY 11747 (the "Consultant"), to provide professional engineering services to obtain the necessary approvals from the Building Department for all open permits related to the "Yes We Can" Community Center (the "Community Center"), and to take any other action necessary to obtain a Certificate of Occupancy for the Community Center in consideration of an amount not to exceed Forty Three Thousand and 00/100 Dollars (\$43,000.00) (the "Original Agreement"); and

WHEREAS, it has been recommended that the Town amend the Original Agreement to account for additional engineering services needed in connection with creating new plans for the existing drywell at the Community Center, thereby increasing the contract amount under the Original Agreement by an amount not to exceed Twenty Three Thousand Five Hundred and 00/100 dollars (\$23,500.00), payable on a per task basis as follows: Three Thousand Two Hundred and 00/100 Dollars (\$3,200.00) for an Amended Site Plan Submission, Twelve Thousand Two Hundred and 00/100 Dollars (\$12,200.00) for a Topographic Survey if required, and Eight Thousand One Hundred and 00/100 Dollars (\$8,100.00) for a Boundary Survey if required, (the "Amendment"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney DPW Comptroller

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

RESOLUTION NO. 441 - 2021

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH ATLAS DIRECT MAIL FOR PRINTING AND MAILING (TNH023-2018).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Atlas Direct Mail, 92 Magnolia Avenue, Westbury, New York 11590 (the “Contractor”), to provide printing and mailing services to the Town (the “Original Agreement”); and

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

WHEREAS the Director of Purchasing (the “Director”) has recommended that the Town exercise the Option to extend the term of the Original Agreement for a period of one (1) year to begin retroactively on July 17, 2021 and to terminate on July 16, 2022 (the “Amendment”); and

WHEREAS, this Board finds it in the best interests of the Town 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 the Supervisor is authorized and directed to execute, on behalf of the Town, the Amendment, all as more particularly set forth in a copy of the Amendment, which shall be on file in the Office of the Town Clerk; and be it further

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

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

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Purchasing Comptroller

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

RESOLUTION NO. 442 - 2021

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH WILLIAMS SCOTSMAN FOR THE RENTAL OF AN OFFICE TRAILER AT THE WESTBURY YARD.

WHEREAS, the Town has entered into a certain lease agreement, as amended (the “Agreement”) with Williams Scotsman, Inc., 7539 Harmans Road, Harmans, Maryland 21077 (the “Lessor”) for the rental of an office trailer at the Westbury Yard which lease shall expire on August 28, 2021; and

WHEREAS, the Director of Purchasing (the “Director”) has recommended that the Agreement be extended for a term of three (3) years to commence on August 29, 2021 and to terminate on August 28, 2024 in consideration of an amount not to exceed Three Hundred Fifty-Nine and 37/100 Dollars (\$359.37) per month (the “Amendment”); and

WHEREAS, the Lessor has agreed to the Term Extension; and

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor 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 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

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Comptroller Highways

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

RESOLUTION NO. 443 - 2021

A RESOLUTION RATIFYING AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH RED VISION SYSTEMS, LLC D/B/A AS "MUNITRAX" FOR ONLINE CREDIT CARD SERVICES.

WHEREAS, pursuant to resolutions, duly adopted by this Board, the Town entered into an agreement, as amended, with Red Vision Systems, LLC doing business as “Munitrax” (the “Contractor”) for online tax bill/statement/payment status, presentment, and credit card/electronic check payment processing system (the “Agreement”) which Agreement expired on December 31, 2020; and

WHEREAS, the Purchasing Department has issued a Request for Proposals for Credit Card and Electronic Payment Processing of Property Taxes (the “RFP”) for the Office of the Receiver of Taxes (the “Receiver”); and

WHEREAS, the Receiver’s office continued to require the use of the Contractor’s services and has requested that this Board ratify the Receiver’s continued use of the Contractor’s services and retroactively authorize an extension of the term of the Agreement from January 1, 2021 until such time as an award for the services is made pursuant to the RFP (the “Amendment”); and

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

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

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

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Purchasing

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

RESOLUTION NO. 444 - 2021

A RESOLUTION RATIFYING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH FORTE PAYMENT SYSTEMS TO TEMPORARILY REDUCE ECHECK TRANSACTION FEES.

WHEREAS, pursuant to a duly authorized resolution, the Town of North Hempstead, (the “Town”) entered into an agreement with Forte Payment Systems, 500 W. Bethany Drive, Suite 200, Allen, Texas 75013 (the “Vendor”) for credit card processing services, to be integrated with the Town’s licensing software, for various Town departments (the “Original Agreement”); and

WHEREAS, due to the coronavirus pandemic, the Vendor offered to temporarily reduce the eCheck service fees charged to the Town's customers from \$1.75 to \$0.75 per transaction retroactive from June 11, 2020 for sixty days; and

WHEREAS, the Town and the Vendor executed an amendment to reduce the eCheck service fees charged to the Town's customers from \$1.75 to \$0.75 per transaction retroactive from June 11, 2020 until August 11, 2020; and

WHEREAS, the Vendor then offered to extend the service fee reductions for additional sixty day periods ending June 30, 2021 and the Town and the Vendor executed amendments to reduce the eCheck service fees charged to the Town's customers from \$1.75 to \$0.75 per transaction for those periods; and

WHEREAS, the Vendor offered to extend the service fee reduction for the eCheck service fees charged to the Town's customers from \$1.75 to \$0.75 per transaction retroactive from July 1, 2021 through August 31, 2021 (the “Amendment”); and

WHEREAS, the eCheck service fee will return to \$1.75 per transaction from September 1, 2021 for the remainder of the term of the Agreement; and

WHEREAS, the Town and the Vendor executed an amendment to reduce the eCheck service fees charged to the Town's customers from \$1.75 to \$0.75 per transaction for the period July 1, 2021 through August 31, 2021; and

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Amendment be placed on file in the Office of the Town Clerk.

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Purchasing

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

RESOLUTION NO. 445 - 2021

A RESOLUTION AUTHORIZING THE PURCHASE FROM MICROFORCE INC. OF ANNUAL SOFTWARE MAINTENANCE AND TECHNICAL SUPPORT FOR THE MICROSOFT DYNAMICS SYSTEM FOR THE OFFICE OF THE RECEIVER OF TAXES.

WHEREAS, the Department of Information Technology and Telecommunications (the “Department”) requires software maintenance and technical support for the Town’s Microsoft Dynamics System for the Office of the Receiver of Taxes (the “Services”); and

WHEREAS, the Director of Purchasing has recommended that the Town purchase the Services from MicroForce, Inc., 68 S. Service Road, Suite 100, Melville, New York 10036 for a term for a term of one (1) year in consideration of an amount not to exceed Four Thousand Thirty-Four and 50/100 Dollars (\$4,034.50) (the “Purchase”); and

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

NOW, THEREFORE, BE IT

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

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

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney

Comptroller

DoITT

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

RESOLUTION NO. 446 - 2021

A RESOLUTION AUTHORIZING THE PURCHASE FROM ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. OF ANNUAL SOFTWARE MAINTENANCE FOR THE TOWN'S GIS SOFTWARE.

WHEREAS, the Department of Information Technology and Telecommunications (the “Department”) requires software maintenance and technical support for the Town’s Geographic Information System software ArcGIS (the “Services”); and

WHEREAS, the Director of Purchasing has recommended that the Town purchase the Services from Environmental Systems Research Institute, Inc., 380 New York Street, Redlands, California 92373 for a term commencing October 21, 2021 and ending October 20, 2022 in consideration of an amount not to exceed Eleven Thousand One Hundred Fifty and 00/100 Dollars (\$11,150.00) (the “Purchase”); and

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

NOW, THEREFORE, BE IT

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

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

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney

Comptroller

DoITT

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

RESOLUTION NO. 447 - 2021

A RESOLUTION AUTHORIZING THE PURCHASE OF MICROSOFT 365 SUBSCRIPTIONS FROM DELL MARKETING, LP.

WHEREAS, the Town of North Hempstead (the “Town”) requires the purchase of subscriptions to Microsoft Office 365 cloud based programs (the “Microsoft Subscriptions”); and

WHEREAS, the Commissioner of the Department of Technology and Telecommunications has recommended that the Town purchase the Microsoft Subscriptions, pursuant to the New York State Office of General Services contract number PS68202 titled “Group 76000 – Microsoft Reseller, from Dell Marketing, LP, One Dell Way, Round Rock, Texas 78682 for a term of one (1) year in consideration of an amount not to exceed Seventy-Five and 31/100 Dollars (\$75.31) per Microsoft 365 G1 subscription; an amount not to exceed Two Hundred Seven and 76/100 Dollars (\$207.76) per Microsoft 365 G3 subscription; and an amount not to exceed Twenty-Five and 03/100 Dollars (\$25.03) per online archiving per user (the “Purchase”); and

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

NOW, THEREFORE, BE IT

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

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

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney

Comptroller

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

RESOLUTION NO. 448 - 2021

A RESOLUTION AUTHORIZING PAYMENT TO MOSQUITO HUNTERS LLC. FOR MOSQUITO SPRAYING AT HARBOR HILLS.

WHEREAS, the Town of North Hempstead Department of Parks and Recreation (the “Department”) required mosquito spraying at Harbor Hills Park (the “Services”); and

WHEREAS, the Department retained Mosquito Hunters, LLC, 100 Bay Driveway, Manhasset 11030 (the “Contractor”) to provide the Services; and

WHEREAS, it has been recommended that the Town Board ratify the Department’s actions in using the Contractor to provide the Services and to further authorize payment for the Services for an amount not to exceed One Hundred Ninety-Nine and 00/100 Dollars (\$199.00) (the “Payment”); and

WHEREAS, this Board finds it to be in the best interest of the Town to ratify the actions of the Department and authorize the Payment.

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 Payment is hereby authorized; and be it further

RESOLVED that the Comptroller be and hereby is authorized and directed to make the Payment upon receipt of certified claims therefore.

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Comptroller Parks

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

RESOLUTION NO. 449 - 2021

**A RESOLUTION AUTHORIZING PAYMENT TO COUNTY-WIDE CONCESSIONS, INC.
FOR THE PROVISION OF ICE CREAM TRUCKS AT TOWN EVENTS.**

WHEREAS, the Town of North Hempstead Department of Parks and Recreation and Department of Community Services (the “Departments”) required ice cream trucks for events held by those Departments (the “Services”); and

WHEREAS, the Departments retained County-Wide Concessions Inc., 137 Allen Boulevard, Farmingdale, New York 11735 (the “Contractor”) to provide the Services; and

WHEREAS, it has been recommended that the Town Board ratify the Departments’ actions in using the Contractor to provide the Services and to further authorize payment for the Services for an amount not to exceed Three and 00/100 Dollars (\$3.00) per ice cream sold, for a total amount not to exceed Three Thousand Three Hundred Fifty-One and 00/100 Dollars (\$3,351.00) (the “Payment”); and

WHEREAS, this Board finds it to be in the best interest of the Town to ratify the actions of the Departments and authorize the Payment.

NOW, THEREFORE, BE IT

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

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

RESOLVED that the Comptroller be and hereby is authorized and directed make the Payment upon receipt of certified claims therefore.

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Parks

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

RESOLUTION NO. 450 - 2021

A RESOLUTION AUTHORIZING PAYMENT TO E3 CREATIVE RESOURCE GROUP INC. FOR FM TRANSMITTING SERVICES AT NORTH HEMPSTEAD BEACH PARK.

WHEREAS, the Town of North Hempstead Department of Parks and Recreation (the “Department”) required FM transmitting services at North Hempstead Beach Park (the “Services”); and

WHEREAS, the Department retained E3 Creative Resource Group Inc, 1636 Hannington Avenue, Wantagh, New York 11793 (the “Vendor”) to provide the Services; and

WHEREAS, it has been recommended that the Town Board ratify the Department’s actions in reserving the Vendor to provide the Services and to further authorize payment for the Services for an amount not to exceed Nine Hundred Fifty and 00/100 Dollars (\$950.00) (the “Payment”); and

WHEREAS, this Board finds it to be in the best interest of the Town to ratify the actions of the Department and authorize the Payment.

NOW, THEREFORE, BE IT

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

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

RESOLVED that the Comptroller be and hereby is authorized and directed to make the Payment upon receipt of certified claims therefor.

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Comptroller Parks and Recreation

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

RESOLUTION NO. 451 - 2021

A RESOLUTION AUTHORIZING A CHANGE OF ADDRESS FOR THE PREMISES IDENTIFIED AS SECTION 7, BLOCK 164, LOT 9 ON THE NASSAU COUNTY LAND AND TAX MAP FROM 40 FIELD LANE, ROSLYN HEIGHTS, NEW YORK TO 39 HILL LANE, ROSLYN HEIGHTS, NEW YORK.

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

WHEREAS, Li Lu, Country Club RH Holding LLC, is the owner of real property located at 40 Field Lane, Roslyn Heights, New York, designated on the Nassau County Land and Tax Map as Section 7, Block 164, Lot 9 (the “Original Street Address”); and

WHEREAS, Amanda Becker, (the “Applicant”), on behalf of the owner, has requested that the Original Street Address for the premises be changed to 39 Hill Lane, Roslyn Heights, New York (“Address Re-designation”); and

WHEREAS, the Roslyn Heights Postmaster has approved the Address Re-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 Re-designation.

NOW, THEREFORE, BE IT

RESOLVED that subject to the Determination of the Nassau County Fire Marshal, the Town Board hereby authorizes and directs that the real property at 40 Field Lane, Roslyn Heights, New York, designated on the Nassau County Land and Tax Map as Section 7, Block 164, Lot 9 (the “Original Street Address”); be re-designated as 39 Hill Lane, Roslyn Heights, New York; and be it further

RESOLVED that the Town Board hereby authorizes and directs that all necessary action be taken by the Building Department 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, the Applicant and the post-office department of the United States where the premises is located, to advise them of the Address Re-designation.

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

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

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

RESOLUTION NO. 452 - 2021

**A RESOLUTION AUTHORIZING CERTAIN SUPERVISORY ARRANGEMENTS
CONCERNING PERSONNEL OF VARIOUS DEPARTMENTS IN ACCORDANCE WITH
CHAPTER 16B OF THE TOWN CODE.**

WHEREAS, the Town has previously adopted Chapter 16B of the Town Code of the Town of North Hempstead entitled “Anti-Nepotism” (the “Anti-Nepotism Law”), which, among other things, prohibits Town officers and employees from supervising relatives employed by the Town; and

WHEREAS, the Anti-Nepotism Law allows officers and employees to supervise a relative with the approval of the Town Board; and

WHEREAS, it has requested that this Board authorize the following persons to work at the same locations as their relatives, even though their working at the same location may create an indirect supervisory relationship:

Lily Atighehchi	Town Hall	Rec Aide
Romina Rahmani Tehrany	Town Hall	Councilmember Aide
Druery Czarkowski	Manorhaven	Lifeguard Trainee
Christopher Czarkowski	Manorhaven	Lifeguard

WHEREAS, it has been represented to this Board that allowing these indirect supervisory arrangements to exist is essential to the successful operation of the Town’s parks, pools and other operations for the summer season and that any indirect supervision will be minor and will not involve the formation or execution of policy at the Town facilities; and

WHEREAS, the Town Board finds it in the best interests of the Town to authorize the above persons to work at the same locations as their relatives as described above, in accordance with the authority given to it under the Anti-Nepotism Law.

NOW, THEREFORE, BE IT

RESOLVED that the indirect supervisory arrangements described in this resolution be and hereby are authorized; and be it further

RESOLVED that the Town Board’s authorization as described in this Resolution shall expire on September 15, 2021.

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Comptroller Parks

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. 453 - 2021

A RESOLUTION AMENDING RESOLUTION NO. 384-2021, ADOPTED JULY 8, 2021, RATIFYING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH N&P ENGINEERING, ARCHITECTURE AND LAND SURVEYING, PLLC IN CONNECTION WITH MILL POND IN PORT WASHINGTON.

WHEREAS, pursuant to Resolution No. 384-2021, duly adopted on July 8, 2021, the Town Board authorized the execution of an amendment to an agreement with N & P Engineering, Architecture and Land Surveying, PLLC (AKA Nelson & Pope Engineers, Architects & Surveyors), 70 Maxess Road, Melville, NY 11747 (the “Consultant”) to provide engineering services related to New Electric Services at Michael J. Tully Park, New Hyde Park, New York, DPW Project No. 19-06 (the “Original Agreement”) to incorporate engineering services related to the installation of a permanent standby bi-fuel generator, thereby increasing the contract amount under the Original Agreement by an amount not to exceed Nineteen Thousand Five Hundred and 00/100 Dollars (\$19,500.00) (the “Resolution”); and

WHEREAS, the text of the Resolution corresponded to a different item on the agenda and was inadvertently inserted below the incorrect caption; and

WHEREAS, the Town Attorney has requested that the Resolution be amended to correctly ratify the Department of Public Work’s actions in using the Consultant to provide the emergency repair of a retaining wall at Mill Pond in Port Washington and to investigate the condition of the remaining retaining walls at the pond (the “Services”) and to further authorize the execution of an agreement for the Services for an amount not to exceed Ten Thousand and 00/100 Dollars (\$10,000.00) (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

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney

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

RESOLUTION NO. 454 - 2021

A RESOLUTION AMENDING RESOLUTION NO. 396-2021, ADOPTED JULY 8, 2021, AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH N&P ENGINEERING, ARCHITECTURE AND LAND SURVEYING, PLLC (AKA NELSON & POPE) FOR ENGINEERING SERVICES RELATED TO NEW ELECTRIC SERVICES AT MICHAEL J. TULLY PARK, NEW HYDE PARK, NY, DPW PROJECT NO. 19-06.

WHEREAS, pursuant to Resolution No. 396-2021, duly adopted on July 8, 2021, the Town Board ratified the actions of the Town of North Hempstead Department of Public Works' use of N & P Engineering, Architecture and Land Surveying, PLLC (AKA Nelson & Pope Engineers, Architects & Surveyors), 70 Maxess Road, Melville, NY 11747 (the "Consultant") to perform emergency repairs to the retaining wall at Mill Pond in Port Washington and perform an investigation into the condition of the remaining retaining walls at the pond (the "Services") and further authorized the execution of an agreement with the Consultant for the Services for an amount not to exceed Ten Thousand and 00/100 Dollars (\$10,000.00) (the "Resolution"); and

WHEREAS, the text of the Resolution corresponded to a different item on the agenda and was inadvertently inserted below the incorrect caption; and

WHEREAS, the Town Attorney has requested that the Resolution be amended to correctly authorize an amendment to an agreement with the Consultant to provide engineering services related to New Electric Services at Michael J. Tully Park, New Hyde Park, New York, DPW Project No. 19-06 (the "Original Agreement") to incorporate additional engineering services related to the installation of a permanent standby bi-fuel generator at Michael J. Tully Park, thereby increasing the contract amount under the Original Agreement by an amount not to exceed Nineteen Thousand Five Hundred and 00/100 Dollars (\$19,500.00) (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

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney

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

RESOLUTION NO. 455 - 2021

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE NEW YORK STATE LIQUOR AUTHORITY FOR THE TOWN'S 2021 FALL FESTIVAL EVENT TO BE HELD AT NORTH HEMPSTEAD BEACH PARK.

WHEREAS, the Town of North Hempstead Department of Community Services (the “Department”) will hold an event known as Fall Festival at North Hempstead Beach Park on October 2, 2021 (the “Event”); and

WHEREAS, the Event will include the sale and consumption of beer, wine, or cider from outside suppliers; and

WHEREAS, New York State law requires that, in order to conduct such activities at the Event, the Town obtain a Temporary Beer, Wine and Cider Permit (the “Permit”) from the New York State Liquor Authority (the “Authority”); and

WHEREAS, it has been requested that this Board authorize the Supervisor to execute and submit an application to the Authority for the Permit.

NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to execute and submit an application to the Authority for the Permit; and be it further

RESOLVED that the Town be and hereby is authorized to pay such fees as may be necessary to obtain the permit as a Town charge.

Dated: Manhasset, New York

August 5, 2021

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

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Community Services

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. 456 - 2021

A RESOLUTION AMENDING THE TOWN OF NORTH HEMPSTEAD WATERFRONT ADVISORY COMMISSION BY-LAWS.

WHEREAS, the Town Board is empowered to create non-compensated advisory boards pursuant to Town Law § 51; and

WHEREAS, pursuant to Resolution No. 108-1995, duly adopted at its meeting held on March 14, 1995, amended by Resolution No. 300-1995, duly adopted at its meeting held on August 8, 1995, respectively, the Town Board established a Waterfront Advisory Commission (the “Commission”) to advise the Town Board on issues relating to the waterfront and amended its By-Laws; and

WHEREAS, the Town Board wishes to make certain amendments to the By-laws of the Commission, to include a Confidentiality Policy (the “Amended By-Laws”) as follows:

WATERFRONT ADVISORY COMMISSION

Establishment; membership; terms; vacancies

A) There is established a Waterfront Advisory Commission of eleven (11) members, who shall be entitled to vote at any duly organized meeting of the Commission.

B) In addition to the eleven members, a member of the Town Board, the Director of Harbor and Marine Enforcement, and the Commissioner of Planning and Environmental Protection, or their designees shall serve as non-voting ex-officio members of the Commission.

C) The eleven (11) members shall be appointed by, and serve at the pleasure of, the Town Board for terms of three (3) years, except for initial appointments, of which four (4) members shall be appointed for one (1) year, four (4) members shall be appointed for two (2) years, and three (3) members shall be appointed for three (3) years.

D) The Commission is to be made up of several constituencies in order to ensure all opinions and interests are considered by the Commission. Each member may only represent one constituency and cannot be considered for representing another should a different opening on the Commission be available. The following constituencies shall be represented on the Commission as set forth:

1. Three (3) members shall be from adjacent Yacht Clubs. No Yacht Club shall have more than one member on the commission.

2. Two (2) members shall be from neighboring marinas. No marina shall have more than one member on the commission.

3. One (1) member shall be from the Manhasset Bay Protection Committee.

4. One (1) member shall be from a Water-dependent Business. A water dependent business is defined as a business that derives its business from a water dependent use. A water dependent use is an activity or use requiring direct access to water which can be conducted only on, in over or adjacent to town waterways and which involves the use of waterways as an integral part of such activity.

5. Four (4) members shall be resident members of the community with an active interest in the waterfront.

Selection of Officers; quorum; meetings and agendas

A) The Town Board will annually select the Chairperson of the Commission from the full membership; the full membership of the Commission shall elect a Vice Chair to act as the Chair in the Chair's absence.

B) Meetings of the Commission shall require a quorum of six (6) voting members, including the Chair or Vice Chair, in order to conduct Commission business.

C) Minutes will be kept at all Commission meetings, and all meetings shall be open to the public. The ex-officio Town Board member or a designee shall prepare and distribute minutes and request attendance of Town Departments to provide information and collect data in order to make recommendations to the Town Board. Meetings shall be called by the Chair with the ex-officio Town Board member or a designee having the responsibility to notify the members in a timely manner. Agenda items for said meetings shall be compiled by the Chair with the advice of the Commission.

Powers and Duties

A) The Commission shall provide a forum for discussion by all interested persons of issues relating to the waterfront and shall advise the Town Board on all such issues.

B) The Commission shall serve in an advisory capacity to the Town Board with respect to Chapters 42 and 69 of the Town Code and shall assist in the drafting of legislation concerning waterfront issues. The members appointed to the Commission may be called upon to assist in preparing written recommendations to the Town Board.

Confidentiality Policy

The committee members of the Waterfront Advisory Commission shall not disclose, divulge, or make accessible confidential information belonging to, or obtained through their affiliation with the Waterfront Advisory Commission to any person, including relatives, friends, business and professional associates, unless the Waterfront Advisory Commission has authorized disclosure. Confidential information includes, but is not limited to, any and all information and/or files obtained by the committee members in reviewing proposed applications. Committee members shall use confidential information solely for the purpose of performing services as a committee member for the Waterfront Advisory Commission. This policy is not intended to prevent disclosure where disclosure is required by law. Breaches of confidential information may result in termination and/or removal.

NOW, THEREFORE, BE IT

RESOLVED that the Amended By-Laws are hereby authorized; and be it further

RESOLVED that the ex-officio Town Board member of the Commission is hereby authorized and directed to cause the Amended By-Laws to be duly certified and filed with the Commission and the Office of the Town Clerk, and to provide for the enforcement of such by-laws as required by law.

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Comptroller

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

RESOLUTION NO. 457 - 2021

**A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM
VARIOUS CAPITAL PROJECTS RESERVE FUNDS.**

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 Highway Fund Capital Projects Reserve Fund, and a Part-Town Capital Projects Reserve Fund, pursuant to applicable law, for payment on various projects and related expenses; and

WHEREAS, the Town has available funds in the General Fund’s Capital Projects Reserve Fund (the “General Fund Reserve”); and

WHEREAS, the Board desires to transfer monies from the General Fund Reserve, in the amount of \$16,000.00, to various capital accounts for hardware and software upgrades for the Department of Information Technology and Telecommunications; and

WHEREAS, the Town has available funds in the Highway Fund Capital Projects Reserve Fund (the “Highway Fund Reserve”); and

WHEREAS, the Board desires to transfer monies from the Highway Fund Reserve, in the amount of \$24,276.00, to various capital accounts for the purpose of purchasing pressure washers for the Highways Department; and

WHEREAS, the Town has available funds in the Part-Town Capital Projects Reserve Fund (the “Part-Town Reserve”); and

WHEREAS, the Board desires to transfer monies from the Part-Town Reserve, in the amount of \$62,965.98, to various capital accounts for the purpose of procuring vehicles for the Buildings Department; and

WHEREAS, after careful consideration, the Board finds it in the best interests of the Town to transfer monies from the General Fund Reserve, the Highway Fund Reserve and the Part-Town Reserve to the accounts as outlined above (collectively the “Transfers”).

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby authorizes the Transfers from the General Fund Reserve, the Highway Fund Reserve and the Part-Town Reserve to the accounts 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

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Comptroller

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

RESOLUTION NO. 458 - 2021

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND, HIGHWAY FUND AND PART TOWN FUND'S EMPLOYEE BENEFIT ACCRUED LIABILITY RESERVE FUNDS.

WHEREAS, the Town Board (the "Board") of the Town of North Hempstead (the "Town") has heretofore established Employee Benefit Accrued Liability Reserve Funds (the "Funds"), pursuant to applicable law, for payment of unused and unpaid sick, personal, holiday and vacation time, and any other forms of payment for accrued but unliquidated time earned by and payable to Town employees upon termination of service; and

WHEREAS, the Town has available funds in the Funds; and

WHEREAS, the Board desires to transfer monies from the Funds to various personnel lines in the General Fund, Highway Fund and Part Town Fund in the total amount of \$181,038.55, to then be utilized to cover separation pay in the second quarter of 2021; and

WHEREAS, after careful consideration, the Board finds it in the best interests of the Town to transfer monies from the Funds to the General Fund, Highway Fund and Part Town Fund as outlined above (the "Transfers").

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby authorizes the Transfers from the Funds to the General Fund, Highway Fund and Part Town Fund 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

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney Comptroller

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

RESOLUTION NO. 459 - 2021

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, the 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 a memorandum on file in the Office of the Commissioner of Human Resources; and

WHEREAS, the Board believes it is in the best interests of the Town to approve the request.

NOW, THEREFORE, BE IT

RESOLVED that the following employments, appointments, transfers, adjustments, corrections, changes in grade or salary, and/or terminations are hereby adopted and approved:

ALL APPOINTMENTS PENDING COMPLETION OF PAPERWORK AND CIVIL SERVICE APPROVAL

SEE EXHIBIT A

; and be it further

RESOLVED that the above listed employments, appointments, transfers, adjustments, corrections, and/or changes in grade or salary are hereby appointed to the respective positions at a rate of compensation shown next to their names; and be it further

RESOLVED that the appointments and employments are subject to the satisfactory completion of a physical examination by a physician; and be it further

RESOLVED that the term of appointment and employment of any person to an exempt position shall be at the pleasure of the Town Board; and be it further

RESOLVED that the effective date of the foregoing employments, appointments, transfers, adjustments, corrections, and/or changes in grade or salary of said individuals, employees and/or officials in the various departments of the Town shall be that date certified by the Commissioner of Finance; and be it further

RESOLVED that the foregoing appointments, employments and terminations are subject to the rules and regulations of the Nassau County Civil Service Commission and New York State Civil Service Law.

Dated: Manhasset, New York

August 5, 2021

The vote of the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

Please note that all appointments are pending completion of paperwork and Nassau County Civil Service approval.

Type	Department Name	Employee Name	Employee Title	Employee Rate	Grade/Step	Current Dept #	New Dept #	Current Budget Code #	New Budget Code #	Effective Date
Merit Raise	Parks & Rec/Security	Sean Scully	Public Safety Officer 1	\$67,684 ann /\$32.54/hr to \$68,538 ann/ \$32.95/ hr	Grade 10, Step 22.5 to Grade 10, Step 24	122700	N/A	A.05.7200.1000	N/A	
Merit Raise	Parks & Rec/Security	Gerald Vacchiano	Public Safety Officer 1	\$71,531 ann/\$34.39/hr to \$72,144 ann/\$34.68/hr	Grade 10, Step 30 to Grade 10, Step 31.5	122700	N/A	A.05.7200.1000	N/A	
Merit Raise	Parks & Rec/Trades	Vincent Sacco	Parks Construction Coordinator	\$97,115 ann./\$46.69 to \$99,995 ann/\$48.07	Grade 27, Step 4 to Grade 27, Step 5.5	123600	N/A	A.05.7112.1000	N/A	
Merit Raise	Sidewalk District	William Wilenski	Highway Construction Supv.	\$47.97 hourly / \$99,769 annually to \$48.59 hourly / \$101,057 annually	Grade 21, Step 17.5 to Grade 21, Step 19	415000	N/A	SM017.1000	N/A	
New Hire FT	Highways Department	Marvin Rodriguez	Automotive Servicer	\$24.83 hourly / \$51,656 annually	Grade 13, Step 1	307000	N/A	DA.07.5146.1000	N/A	
New Seasonal Hire	Department of Parks and Recreation - CGM	Philip John	Laborer 1	\$14.00 hourly	N/A	882000	N/A	SP154.1200	N/A	
New Seasonal Hire	Department of Parks and Recreation - Harbor Hills	Chloe Nabatkhorian	Lifeguard 1	\$16.00 hourly	N/A	881000	N/A	SP152.1200	N/A	
New Seasonal Hire	Department of Parks and Recreation - Harbor Hills	Alexander Sarbanes	Lifeguard 1	\$16.00 hourly	N/A	881000	N/A	SP152.1200	N/A	
New Seasonal Hire	Department of Parks and Recreation - Manohaven	Druery Czarkowski	Lifeguard Trainee	\$16.00 hourly	N/A	831000	N/A	A.05.7182.1200	N/A	
New Seasonal Hire	Department of Parks and Recreation - Manohaven	Jacob Gottesman	Attendant	\$14.00 hourly	N/A	831000	N/A	A.05.7182.1200	N/A	
New Seasonal Hire	Department of Parks and Recreation - Martin "Bunky" Reid	James Tercynski	Attendant	\$14.00 hourly	N/A	835000	N/A	A.05.7111.1200	N/A	
New Seasonal Hire	Department of Parks and Recreation - Tully	James Linehan	Lifeguard 1	\$16.00 hourly	N/A	830000	N/A	A.05.7181.1200	N/A	
New Seasonal Hire	Department of Parks and Recreation - Tully	Alexandra Ortiz	Attendant	\$14.00 hourly	N/A	830000	N/A	A.05.7181.1200	N/A	
New Seasonal Hire	Department of Parks and Recreation - Whitney Pond Park	Laura Chu	Lifeguard 1	\$16.00 hourly	N/A	823400	N/A	A.05.7185.1200	N/A	
New Seasonal Hire	Department of Parks and Recreation - Whitney Pond Park	Justin Kim	Attendant	\$14.00 hourly	N/A	823400	N/A	A.05.7185.1200	N/A	
New Seasonal Hire	Parks Department - Parks Public Safety	Richard Castro	Public Safety Officer 1	\$17.00 hourly	N/A	822700	N/A	A.05.7200.1200	N/A	7/13/2021
Part-time to Seasonal	311 Call Center	Leila Charles	Attendent / 311 Call Rep	\$16.00 hourly	N/A	903100	N/A	A.30.1480.1200	N/A	7/28/2021
Part-time with seasonal hours location change	Parks & Rec Tully to Manohaven	Robert McCormick	Laborer 1	\$14.50 hrly	N/A	930000	931000	A.05.7181.1200	A.05.7182.1200	
Part-time with seasonal hours location change	Parks & Rec Manohaven to CGM	Olivia Montoni	Lifeguard Trainee	\$17.25 hrly	N/A	931000	982000	A.05.7182.1200	SP154.1200	
Part-time with seasonal hours title and hourly rate change	Parks & Rec CGM	Jack Kiley	Attendant to Rec Aide	\$14.50 hrly to \$16.00 hrly	N/A	982000	N/A	SP154.1200	N/A	
Part-time with seasonal hours title and hourly rate change	Parks & Rec Harbor Hills	Amanda Fishkin	Attendant to Rec Aide	\$14.25 hrly to \$16.00 hrly	N/A	981000	N/A	SP152.1200	N/A	
Part-time with seasonal hours title and hourly rate change	Parks & Rec Tully	Adrian Chan	Lifeguard I to Lifeguard II	\$17.75 hrly to \$18.75 hrly	N/A	930000	N/A	A.05.7181.1200	N/A	
Resignation PT	311 Call Center	Bianca Bleck	Attendent / 311 Call Rep	\$16.00 hourly	N/A	903100	N/A	A.30.1480.1200	N/A	7/28/2021
Salary Change	Receiver of Taxes	Angelika Strahmann	Deputy Receiver of Taxes	\$3,615.50 bi-weekly / \$94,003 annually to \$3,846.27 bi-weekly / \$100,003 annually	N/A	125600	N/A	A.09.1330.1000	N/A	
Seasonal location change	Parks & Rec CGM to Tully	James Licht	Laborer 1	\$14.00 hrly	N/A	882000	830000	SP154.1200	A.05.7181.1200	
Seasonal location change	Parks & Rec Manohaven to CGM	Vincenzo Montoni	Lifeguard 1	\$17.75 hrly	N/A	831000	882000	A.05.7182.1200	SP154.1200	

Please note that all appointments are pending completion of paperwork and Nassau County Civil Service approval.

Type	Department Name	Employee Name	Employee Title	Employee Rate	Grade/Step	Current Dept #	New Dept #	Current Budget Code #	New Budget Code #	Effective Date
Seasonal title and hourly rate change	Parks & Rec CGM	Maiken Bursig	Lifeguard I to Lifeguard II	\$20.75 hrly to \$21.75 hrly	N/A	882000	N/A	SP154.1200	N/A	
Title Change, Grade, Step and Salary Change	Administrative Services	Christopher Lopes	Laborer I to Maintenance Mechanic Trainee	\$25.92 hourly / \$53,922 annually to \$26.18 hourly / \$54,454 annually	Grade 9, Step 9 to Grade 12, Step 5	120500	N/A	A.01.1621.1000	N/A	
Title Change, Grade, Step and Salary Change	Highways Department	Nicholas Esposito	Laborer I to Equipment Operator Trainee	\$23.26 hourly / \$48,383 annually to \$23.58 hourly / \$49,045 annually	Grade 9, Step 3 to Grade 11, Step 1	311000	N/A	DA.07.5117.1000	N/A	
Title Change, Grade, Step and Salary Change	Highways Department	Jonathan Staller	Laborer I to Equipment Operator Trainee	\$22.82 hourly / \$47,462 annually to \$23.58 hourly / \$49,045 annually	Grade 9, Step 2 To Grade 11, Step 1	311000	N/A	DA.07.5117.1000	N/A	
Title Change, Grade, Step and Salary Change	Highways Department	James Borzoni	Laborer I to Equipment Operator Trainee	\$23.26 hourly / \$48,383 annually to \$23.58 hourly / \$49,045 annually	Grade 9, Step 3 To Grade 11, Step 1	311000	N/A	DA.07.5117.1000	N/A	
Title Change, Grade, Step and Salary Change	Highways Department	Luigi Masiello	Laborer 1 to Equipment Operator Trainee	\$24.15 hourly / \$50,229 annually to \$24.29 hourly / \$50,529 annually	Grade 9, Step 5 to Grade 11, Step 2.5	311000	N/A	DA.07.5117.1000	N/A	
Title, Grade, Step and Salary Change	Parks and Recreation - Caemmerer Park	William Miceli	Laborer 2 to Groundskeeper I	\$28.82 hourly / \$59,936 annually to \$28.83 hourly / \$59,967 annually	Grade 11, Step 12 to Grade 17, Step 2.5	123500	N/A	A.05.7111.1000	N/A	
Title, Grade, Step and Salary Change	Parks and Recreation - CGM	Michael DePinto III	Laborer 1 to Laborer 2	\$28.59 hourly / \$59,458 annually to \$28.82 hourly / \$59,936 annually	Grade 9, Step 15 to Grade 11, Step 12	410000	N/A	SP154.1000	N/A	
Title, Grade, Step and Salary Change	Parks and Recreation - Harbor Hills	Daniel Riordan	Laborer 2 to Groundskeeper I	\$24.53 hourly / \$51,019 annually to \$27.89 hourly / \$58,006 annually	Grade 11, Step 3 to Grade 17, Step 1	405000	N/A	SP152.1000	N/A	
Resignation PT	Highways Department	Joseph Blaettler	Clerk 1 P/T	\$45.00 Hourly	N/A	971000	N/A	DA.07.5225.1200	N/A	4/22/2021
Resignation FT	Sidewalk District	Ariadne Mui	Clerk-Typist 1	\$2,038.60 bi-weekly / \$53,004 annually	Grade 11, Step 5	415000	N/A	SM017.1000	N/A	7/23/2021

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. 460 - 2021

A RESOLUTION APPROVING THE ACTION OF THE FIRE-MEDIC CO., NO. 1, PORT WASHINGTON, NEW YORK, IN REMOVING FROM MEMBERSHIP WILLIAM VISKUP AND MELINA LANGADAKIS AND CHANGING AISHI MADAN FROM ACTIVE TO EXMEPT STATUS.

WHEREAS, the Fire-Medic Co. No. 1, Port Washington, New York, has advised of removing William Viskup and Melina Langadakis from membership and changing Aishi Madan from active to exempt status.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Fire-Medic Co. No. 1, 65 Harbor Rd, Port Washington, NY 11050, had advised of removing William Viskup and Melina Langadakis from membership and changing Aishi Madan from active to exempt status, and the same hereby is approved and the Town Clerk directed to record their names in the Minutes of the Town Board.

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

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

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. 461 - 2021

A RESOLUTION APPROVING THE ACTION OF THE ATLANTIC HOOK & LADDER CO. NO. 1, PORT WASHINGTON, NEW YORK, IN REMOVING JASON SAUNDERS FROM MEMBERSHIP.

WHEREAS, the Atlantic Hook & Ladder Company No. 1, Port Washington, New York, has advised of removing Jason Saunders 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 Jason Saunders from membership, be and the same hereby is approved and the Town Clerk is directed to record this name in the Minutes of the Town Board.

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

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

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. 462 - 2021

A RESOLUTION APPROVING THE ACTION OF THE FLOWER HILL HOSE COMPANY, NO. 1, PORT WASHINGTON, NEW YORK, IN ELECTING TO MEMBERSHIP LEONEL GALVEZ AND NOLA SMITH.

WHEREAS, the Flower Hill Hose Company, No. 1, Port Washington, New York, has advised of electing to membership Leonel Galvez and Nola Smith.

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 electing to membership Leonel Galvez, 70 Bogart Avenue, Port Washington, NY 11050 and Nola Smith, 58 Harbor Homes, Port Washington, NY 11050, be and the same hereby is approved and the Town Clerk directed to record the names in the Minutes of the Town Board.

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Flower Hill Hose Co., No. 1

Town Attorney

Comptroller

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

RESOLUTION NO. 463 - 2021

**A RESOLUTION AUTHORIZING THE PURCHASE OF A 911 MEMORIAL PLAQUE
FROM WEMCO CASTING, LLC.**

WHEREAS, the Town of North Hempstead (the “Town”) requires the casting of a plaque for the 911 Memorial to be installed at Manhasset Valley Park in Manhasset (the “Services”); and

WHEREAS, after reaching out to multiple vendors, only one vendor is able to complete the Services within the time frame required by the Town and the vendor is Wemco Casting, LLC, 20 Jules Court Suite 2, Bohemia, New York 11716 (the “Contractor”); and

WHEREAS, in order to complete the Services within the time frame, it is necessary to waive the requirement for additional quotes; and

WHEREAS, it has been recommended that the Town purchase the Services from the Contractor in consideration of an amount not to exceed Five Thousand Two Hundred Seventy and 00/100 Dollars (\$5,270.00) (the “Purchase”); and

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

NOW, THEREFORE, BE IT

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

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

Dated: Manhasset, New York

August 5, 2021

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Lurvey, Councilperson Russell

cc: Town Attorney

Comptroller

DoITT