

**TOWN OF NORTH HEMPSTEAD
BOARD MEETING**

AGENDA



August 4, 2022

7:00 PM

CONTINUATIONS:

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

Synopsis: The purpose of the local law is to make modifications to the procedure on requests for expedited permit application review under Section 2-10.1 of the Town Code. Continued from July 7, 2022.

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

Synopsis: The purpose of the local law is to remove the requirement that the Supervisor and the Councilperson in the District of an application for an expedited permit under Section 2-10.1 of the Town Code review the application, require the Commissioner of the Department of Building Safety, Inspection and Enforcement to issue a final written determination within seven (7) days of a request for expedited permit application review and to disallow requests for expedited review which do not meet the requirements of Section 2-10.1. Continued from July 7, 2022.

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

Synopsis: The purpose of the local law is to prohibit the establishment and operation of short-term or transient rentals within the Town to preserve and protect the health, character, safety, and general welfare of the residential and mixed-use neighborhoods where such uses may exist, and to mitigate the adverse effects of short-term rentals. Continued from July 7, 2022.

PUBLIC HEARINGS:

4. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 27 OF THE TOWN CODE ENTITLED "HISTORIC LANDMARKS PRESERVATION."

Synopsis: The purpose of the local law is to clarify the landmark designation process and to provide a basis for the approval of certain alterations, demolitions or relocations where there is a finding of economic hardship.

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

Synopsis: The purpose of the local law is to authorize the Town Board, the Board of Zoning and Appeals, the Historic Landmarks Preservation Commission, and all committees or subcommittees of the Town of North Hempstead, to participate in meetings via videoconference in a manner consistent with the Town Board Rules of Procedure and the authority granted in New York Public Officers Law § 103-a.

6. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 41A OF THE TOWN CODE ENTITLED "PREGNANCY TERMINATION FACILITIES."

Synopsis: The purpose of the local law is to repeal the provisions of Chapter 41A of the Town Code of the Town of North Hempstead.

7. 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 local law is to amend Article XXIII related to the procedure for revoking a certificate of occupancy or a certificate of existing use.

8. A PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE TOWN'S TREE POLICY PURSUANT TO SECTION 20A-4 OF THE TOWN CODE.

Synopsis: The purpose of the public hearing is to consider amendments to the Town's Tree Policy, which governs the planting and removal of trees and saplings in a public right-of-way and Town-owned public places.

9. A PUBLIC HEARING TO CONSIDER APPROVAL OF TAX EXEMPT FINANCING FOR THE LEASE/PURCHASE OF A NEW FIRE TRUCK BY THE CARLE PLACE HOOK, LADDER & HOSE COMPANY NO. 1, INC.

10. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING CIRCLE CRESCENT IN MANHASSET, NEW YORK.

Synopsis: The adoption of this ordinance will establish a No Commercial Traffic Except Local Deliveries restriction on Circle Crescent, in Manhasset.

11. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF ORDINANCES AFFECTING FAIRVIEW AVENUE IN PORT WASHINGTON, NEW YORK.

Synopsis: The adoption of these ordinances will establish No Stopping Here to Corner restrictions on all corners at the intersection of Fairview Avenue and Elm Street, in Port Washington.

RESOLUTIONS:

12. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF LANGEMAN REALTY MANAGEMENT, LLC/ANTHONY AND GINA CORE FOR A CHANGE OF ZONE FROM 'RESIDENCE-C' TO 'BUSINESS-B' FOR THE PREMISES LOCATED AT 173-175 CENTER STREET, WESTBURY AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 10, BLOCK 243, LOTS 350 & 351.

Synopsis: The proposed action is the rezoning of two adjoining lots comprising 10,788 s.f. (0.248 acres) to enable the construction of a parking lot and street access for the existing office building located at 173 School Street. Tentative hearing date is September 1, 2022.

13. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF LANGEMAN REALTY MANAGEMENT, LLC/ANTHONY AND GINA CORE FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 173-175 CENTER STREET AND 173 SCHOOL STREET, WESTBURY AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 10, BLOCK 243, LOTS 48-50, 350 & 351.

Synopsis: The proposed action is the construction of a new 56-stall parking lot for an existing 3-story, 10,295 s.f. office building on a 31,342 s.f. (0.72 acre) site. Tentative hearing date is September 1, 2022.

14. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF 679 PORT WASHINGTON BLVD., LLC FOR A SPECIAL USE PERMIT FOR THE PREMISES LOCATED AT 679 PORT WASHINGTON BOULEVARD, PORT WASHINGTON AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 6, BLOCK 2, LOTS 115 & 277.

Synopsis: The proposed action is the installation of a drive-through window in connection with a new one-story, 1,587 s.f. bank branch on a 10,823 s.f. (0.248 acre) site. Tentative hearing date is September 22, 2022.

15. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF 40 VOICE ROAD REALTY LLC FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 40 VOICE ROAD, CARLE PLACE AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 663, LOT 8.

Synopsis: The proposed action is the renovation of a one-story, 59,000 s.f. building from light manufacturing to automotive repair on a 176,418 s.f. (4.05 acre) site. Associated site work will include an expanded parking lot, increased drainage capacity and improved site lighting. Tentative hearing date is September 1, 2022.

16. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER A PETITION TO DESIGNATE A SECONDARY HONORARY STREET NAME FOR A PORTION OF MADISON STREET IN PORT WASHINGTON PURSUANT TO SECTION 10-5 OF THE TOWN CODE.

Synopsis: This petition seeks to designate a secondary honorary street name for a portion of Madison Street in Port Washington, from the corner of Main Street to the corner of Webster Avenue, as "Sal 'Ghost' DeFeo Street". Tentative hearing date is September 1, 2022.

17. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH ALBERTSON HOOK & LADDER, ENGINE & HOSE CO. NO. 1 TO PURCHASE VEHICLE FUEL.

Synopsis: Tentative hearing date is September 1, 2022.

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

Synopsis: The adoption of this ordinance will establish a Reserved Parking space on the east side of Brooklyn Avenue, south of Prospect Avenue, in Westbury. Tentative hearing date is September 1, 2022.

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

Synopsis: The adoption of this ordinance will establish a Reserved Parking space on the west side of Cedar Road, between Amber Court and Hollow Court, in Westbury. Tentative hearing date is September 1, 2022.

20. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING NORTH 7TH STREET IN NEW HYDE PARK, NEW YORK.

Synopsis: The adoption of this ordinance will establish a Reserved Parking space on the west side of North 7th Street, south of White Avenue, in New Hyde Park. Tentative hearing date is September 1, 2022.

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

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

23. A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR SOLID WASTE MANAGEMENT TRANSFER STATION RETAINING WALL REHABILITATION (TNH286-2022).

24. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH KENTONE COMPANY FOR REPAIR OF THE GYM FLOOR AT THE NORTH HEMPSTEAD "YES WE CAN" COMMUNITY CENTER, NEW CASSEL.

25. A RESOLUTION RATIFYING THE EXECUTION OF A RENTAL AGREEMENT WITH SUNBELT RENTALS FOR THE RENTAL OF EQUIPMENT FOR MICHAEL J. TULLY PARK, NEW HYDE PARK.

26. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL

CONSERVATION FOR MALLARD BANDING AT GERRY POND PARK,
ROSLYN.

27. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MAXWELL TURF AND SUPPLY CO., INC. FOR THE INSTALLATION OF THE BETTER BILLY BUNKER SYSTEM AT HARBOR LINKS GOLF COURSE, PORT WASHINGTON.
28. A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENTS WITH OPUS INSPECTION FOR THE PURCHASE OF NYVIP3 COMPUTERIZED VEHICLE INSPECTION SYSTEMS (CVIS) AND ASSOCIATED SOFTWARE FOR THE DEPARTMENT OF HIGHWAYS.
29. A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BURYING GROUND PRESERVATION GROUP, INC. TO PROVIDE A BUILDING CONDITION REPORT OF THE MONTFORT CEMETERY IN PORT WASHINGTON.
30. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CORNERSTONE ENGINEERING AND GEOLOGY, PLLC FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE RENEWAL OF THE TOWN'S CHEMICAL BULK STORAGE PERMIT.
31. A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE NEW YORK STATE OFFICE OF GENERAL SERVICES AND VARIOUS VENDORS FOR OUTDOOR AND SITE FURNITURE INCLUDING PICNIC TABLES.
32. A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE COUNTY OF SUFFOLK AND VARIOUS VENDORS FOR THE REMOVAL AND INSTALLATION OF MOTOR FUEL, OIL, AND CHEMICAL TANKS.
33. A RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH CAMERON ENGINEERING & ASSOCIATES, LLP, VACHRIS ENGINEERING, AND SOIL MECHANICS DRILLING CORP. FOR ACCESS TO MANORHAVEN BEACH PARK FOR SOIL BORINGS.
34. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH RISING TIDE WATERFRONT SOLUTIONS FOR ENGINEERING SERVICES RELATED TO BAYVIEW AVENUE EMERGENCY STABILIZATION.
35. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH 3D INDUSTRIAL SALES AND SERVICE, INC. FOR PUMP REPAIR, MAINTENANCE AND INSTALLATION (TNH240-2022).
36. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH ATLAS DIRECT MAIL FOR PRINTING AND MAILING (TNH023-2018).

37. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH SUFFOLK COUNTY CATERING LLC FOR CATERING SERVICES.
38. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH D&B ENGINEERS AND ARCHITECTS, P.C. FOR A PROJECT PLAN AND ASSESSMENT REPORT ON BEHALF OF THE MANHASSET BAY PROTECTION COMMITTEE.
39. A RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE MAINTENANCE, TECHNICAL SUPPORT AND SUBSCRIPTION SERVICES FOR VARIOUS TOWN DEPARTMENTS.
40. A RESOLUTION AUTHORIZING THE PURCHASE FROM VERMONT SYSTEMS, INC. OF REMOTE TRAINING FOR THE TOWN'S RECREATION MANAGEMENT SYSTEM.
41. A RESOLUTION ESTABLISHING A NEW PROPERTY ADDRESS OF 66 HIGHLAND TERRACE, MANHASSET, NEW YORK FOR THE PREMISES IDENTIFIED AS SECTION 3, BLOCK 47, LOT 10 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU.
42. A RESOLUTION AMENDING THE TOWN OF NORTH HEMPSTEAD TRANSFER STATION RESIDENTIAL DROP-OFF FEE SCHEDULE.
43. A RESOLUTION AMENDING THE TOWN OF NORTH HEMPSTEAD PARKS FEE SCHEDULE.
44. A RESOLUTION APPOINTING BONNIE PARENTE AS A MARRIAGE OFFICER FOR THE TOWN OF NORTH HEMPSTEAD.
45. A RESOLUTION CONFIRMING THE APPOINTMENT OF PETER GAFFNEY TO THE TOWN OF NORTH HEMPSTEAD TREE ADVISORY COMMITTEE.
46. A RESOLUTION CONFIRMING THE APPOINTMENT OF JAMES MCHUGH TO THE TOWN OF NORTH HEMPSTEAD TREE ADVISORY COMMITTEE.
47. A RESOLUTION AMENDING THE TOWN BOARD RULES OF PROCEDURE.
48. A RESOLUTION AMENDING THE TOWN BOARD RULES OF PROCEDURE.
49. 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.
50. A RESOLUTION RATIFYING THE PLACEMENT OF A VOLUNTEER FIREFIGHTERS BENEFIT LAW LIABILITY POLICY.
51. A RESOLUTION APPROVING THE ACTION OF THE ALERT ENGINE, HOOK, LADDER AND HOSE CO. NO. 1 INC., GREAT NECK, NEW YORK, IN REMOVING FROM MEMBERSHIP JOHN KING AND DAVIS ORGINSKI.

52. A RESOLUTION APPROVING THE ACTION OF THE FIRE-MEDIC CO., NO. 1, PORT WASHINGTON, NEW YORK, IN ADDING TO MEMBERSHIP TINGTING KANG AND REMOVING FROM MEMBERSHIP JACOB SILVERMAN.
53. A RESOLUTION APPROVING THE ACTION OF THE FLOWER HILL HOSE COMPANY, NO. 1, PORT WASHINGTON, NEW YORK, IN REMOVING FROM MEMBERSHIP SEAN MCHUGH AND CHRISTIAN LYONS.
54. A RESOLUTION APPROVING THE ACTION OF THE PROTECTION ENGINE COMPANY 1, PORT WASHINGTON, NEW YORK IN REMOVING WILLIAM TRAPP FROM MEMBERSHIP AND IN RECLASSIFYING CHRISTOPHER COSTA FROM REGULAR MEMBER TO ASSOCIATE MEMBER.

TABLED ITEMS:

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

RESOLUTION NO. 386 - 2022

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

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend the Town Code by the adoption of a Local Law amending Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to make modifications to the procedure on requests for expedited permit application review under Section 2-10.1 of the Town Code; and

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

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 16th day of June, 2022, which hearing was continued to July 7, 2022, which hearing was further continued to August 4, 2022, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board carefully considered the proposed Local Law during the aforesaid seven-day period, conducted said hearing on June 16, 2022, July 7, 2022 and August 4, 2022, with respect to said Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, in accordance with the State Environmental Quality Review Act and the Act's implementing regulations (the "SEQRA Regulations") the Department of Planning and Environmental Protection has recommended that the adoption of the Local Law be determined to be a Type II Action pursuant to Sections 617.5(c)(26) and (33) of the SEQRA Regulations and, as such, no further environmental review is required; and

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

NOW, THEREFORE, BE IT

RESOLVED that the Town Board determines that the adoption of the Local Law is a Type II Action pursuant to Sections 617.5(c)(26) and (33) of the SEQRA Regulations and, as such, no further environmental review is required; and be it further

RESOLVED that Local Law No. 12 of 2022 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 12 OF 2022**

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

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

Section 1. Legislative Intent

The Board finds that it is in the best interest of the Town of North Hempstead to amend Chapter 2 of the Town Code entitled “Administration and Enforcement” in order to modify the procedure relative to expedited permit application review.

Section 2.

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

Procedure on request for expedited permit application review.

[Added 5-2§ 2-10.19-2007 by L.L. No. 6-2007]

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

(1) The request is made to accommodate an **urgent or** emergency situation which has created a danger to health and/or safety, **or to property. The Building Commissioner may conduct a site inspection in accordance with applicable law to verify the urgent or emergency situation;** or

(2) The request is in furtherance of advancing a public interest such as, but not limited to, job creation and/or economic development; or

(3) The request is made in connection with the provision of an essential service, which shall include, but not be limited to, facilities or parts thereof which are connected to the furnishing of medical, governmental, police, fire and/or health and safety services; or

(4) The request is made to avoid extreme financial hardship to the applicant, which hardship is not self-created.

(5) The request is related to an application for design modifications and accessibility improvements to facilitate access, safety or independent living or to remove architectural barriers to access for persons with mobility impairments or for people with disabilities, at entrances to and within buildings. Some examples of requests satisfying this criterion shall include but not be limited to the following: the installation of ramps or kitchen and bathroom renovations for the purposes listed above.

(6) The request is made to address an urgent concern including but not limited to, illness, disability, extreme living conditions, death in the family, or a critical need involving the

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

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

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

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

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

~~[The proposed written determination shall then be forwarded to the Supervisor and the Councilperson having jurisdiction over the affected premises for comment from each. The Supervisor and the Councilperson shall have five business days to consider the request and proposed determination, and each may provide comment and/or recommendations to the Building Commissioner prior to the expiration of that time period.~~

~~C. In the event that the Supervisor and Councilperson make no comment or recommendation, the proposed determination shall become a final determination and shall become a part of the permanent file maintained by the Building Department.~~

~~In the event that the Supervisor and/or Councilperson make comments or recommendations contrary to the proposed determination, those comments or recommendations shall prevail and shall become a part of the permanent file maintained by the Building Department.~~

~~D. — Applicants not meeting the above criteria who wish to have an expedited permit application review may request same in writing to the Building Commissioner. Upon receipt of said request, the applicant will be provided with a list of designated architectural and engineering firms which have been approved by the Town Board of the Town of North Hempstead, whereupon, the applicant may select a participating firm to review his/her application and pay the cost thereof. [Amended 5-27-2008 by L.L. No. 5-2008]~~

D. Prohibitions.

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

Section 3.

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

and; be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on August 4, 2022, Local Law No. 12 of 2022 was adopted. The local law amends Chapter 2 of the Town Code entitled “Administration and Enforcement” in order to make modifications to the procedure on requests for expedited permit application review under Section 2-10.1 of the Town Code.

Dated: Manhasset, New York

August 4, 2022

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney

PROPOSED RESOLUTION

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

RESOLUTION NO. - 2022

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

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend the Town Code by the adoption of a Local Law amending Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to remove the requirement that the Supervisor and the Councilperson in the District of an application for an expedited permit under Section 2-10.1 of the Town Code review the application, require the Commissioner of the Department of Building Safety, Inspection and Enforcement to issue a final written determination within seven (7) days of a request for expedited permit application review and to disallow requests for expedited review which do not meet the requirements of Section 2-10.1; 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 16th day of June, 2022, which hearing was continued to July 7, 2022, which hearing was further continued to August 4, 2022, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board carefully considered the proposed Local Law during the aforesaid seven-day period, conducted said hearing on June 16, 2022, July 7, 2022 and August 4, 2022, with respect to said Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, in accordance with the State Environmental Quality Review Act and the Act's implementing regulations (the "SEQRA Regulations") the Department of Planning and Environmental Protection has recommended that the adoption of the Local Law be determined to be a Type II Action pursuant to Sections 617.5(c)(26) and (33) of the SEQRA Regulations and, as such, no further environmental review is required; and

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

NOW, THEREFORE, BE IT

RESOLVED that the Town Board determines that the adoption of the Local Law is a Type II Action pursuant to Sections 617.5(c)(26) and (33) of the SEQRA Regulations and, as such, no further environmental review is required; and be it further

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

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

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

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

Section 1. Legislative Intent

The Board finds that it is in the best interest of the Town of North Hempstead to amend Chapter 2 of the Town Code entitled “Administration and Enforcement” in order to remove the requirement that the Supervisor and the Councilperson in the District of an application for an expedited permit under Section 2-10.1 of the Town Code review the application, require the Commissioner of the Department of Building Safety, Inspection and Enforcement to issue a final written determination within seven (7) days of a request for expedited permit application review and to disallow requests for expedited review which do not meet the requirements of Section 2-10.1.

Section 2.

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

§2-10.1 Procedure on Request for Expedited permit
[Added 5-29-2007 by L.L. No. 6-2007]

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

- (1) The request is made to accommodate an emergency situation which has created a danger to health and/or safety; or
- (2) The request is in furtherance of advancing a public interest such as, but not limited to, job creation and/or economic development; or

(3) The request is made in connection with the provision of an essential service, which shall include, but not be limited to, facilities or parts thereof which are connected to the furnishing of medical, governmental, police, fire and/or health and safety services; or

(4) The request is made to avoid extreme financial hardship to the applicant, which hardship is not self-created.

B. Upon receipt of a request for expedited permit application review, the Building Commissioner shall review the request, together with the documentation supporting it, and render a [proposed] written determination **within seven (7) days of the request.** ~~[The proposed written determination shall then be forwarded to the Supervisor and the Councilperson having jurisdiction over the affected premises for comment from each. The Supervisor and the Councilperson shall have five business days to consider the request and proposed determination, and each may provide comment and/or recommendations to the Building Commissioner prior to the expiration of that time period.]~~

~~[C.] [In the event that the Supervisor and Councilperson make no comment or recommendation, the proposed determination shall become a final determination and shall become a part of the permanent file maintained by the Building Department. In the event that the Supervisor and/or Councilperson make comments or recommendations contrary to the proposed determination, those comments or recommendations shall prevail and shall become a part of the permanent file maintained by the Building Department.]~~

~~[D.] [Applicants not meeting the above criteria who wish to have an expedited permit application review may request same in writing to the Building Commissioner. Upon receipt of said request, the applicant will be provided with a list of designated architectural and engineering firms which have been approved by the Town Board of the Town of North Hempstead, whereupon, the applicant may select a participating firm to review his/her application and pay the cost thereof.] [Amended 5-27-2008 by L.L. No. 5-2008]~~

Section 3.

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

and; be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on August 4, 2022, Local Law No. of 2022 was adopted. The local law amends Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to remove the requirement that the Supervisor and the Councilperson in the District of an application for an expedited permit under Section 2-10.1 of the Town Code review the application, require the Commissioner of the Department of Building Safety, Inspection and Enforcement to issue a final written determination within seven (7) days of a request for expedited permit application review and to disallow requests for expedited review which do not meet the requirements of Section 2-10.1.

Dated: Manhasset, New York

August 4, 2022

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes:

Nays:

cc: Town Attorney

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. - 2022

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

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend the Town Code by the adoption of a Local Law amending Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to prohibit the establishment and operation of short-term or transient rentals within the Town to preserve and protect the health, character, safety, and general welfare of the residential and mixed-use neighborhoods where such uses may exist, and to mitigate the adverse effects of short-term rentals; and

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

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 7th day of July, 2022, which hearing has been continued to August 4, 2022, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board carefully considered the proposed Local Law during the aforesaid seven-day period, conducted said hearing on July 7, 2022 and August 4, 2022, with respect to said Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, in accordance with the State Environmental Quality Review Act and the Act's implementing regulations (the "SEQRA Regulations") the Department of Planning and Environmental Protection has recommended that the adoption of the Local Law be determined to be a Type II Action pursuant to Section 617.5(c)(21) and (33) of the SEQRA Regulations and, as such, no further environmental review is required; and

WHEREAS, this Board deems it in the public interest to adopt said proposed Local Law, to be effective October 1, 2022, after 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 617.5(c)(21) and (33) of the SEQRA Regulations and, as such, no further environmental review is required; and be it further

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

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

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

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

Section 1. Legislative Intent.

The Board finds that it is in the best interest of the Town of North Hempstead to amend Chapter 2 of the Town Code entitled “Administration and Enforcement” in order to prohibit the establishment and operation of short-term or transient rentals within the Town. The Board recognizes that oftentimes the occupants of such short-term rentals are not invested in, nor do they have any connection to, the Town community and the residential neighborhood in which the short-term rental is located. In instances where the owner of a rental dwelling is not present during a short-term stay, the presence of transient visitors can adversely impact the community because of the potential for excessive noise, parking issues, disorderly conduct, the accumulation of refuse, and other nuisances. In addition, short-term rentals remove housing stock that could otherwise be available for long-term rentals or sale. The provisions of this section are intended to preserve and protect the health, character, safety, and general welfare of the residential and mixed-use neighborhoods where such uses may exist, and to mitigate the adverse effects of short-term rentals.

Section 2.

Sections 2-101 through 2-104 of Article VI of Chapter 2 of the Town Code are hereby amended as follows:

Article VI Rental Dwelling Units

§ 2-101 Definitions.

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

CODE ENFORCEMENT OFFICER

The Commissioner of Buildings or the Commissioner of Public Safety of the Town of North Hempstead or their delegates or assistants.

DWELLING UNIT

A ~~[structure or building or part thereof or an area, room or rooms therein, occupied or to be occupied by]~~ **single unit providing complete, independent living facilities for** one or more persons, ~~[as a home or residence]~~ **including permanent provisions for living, sleeping, eating, cooking and sanitation.**

OWNER:

[Amended 5-18-1999 by L.L. No. 6-1999]

A. Owner, lessee, agent or other person in control of a dwelling unit or any other person or persons or entity or entities having the right to possession of a dwelling unit, except:

- (1) A Public Housing Authority organized as such under the laws of the State of New York;
- (2) A cooperative corporation whose offering statement or prospectus has been accepted by the New York State Attorney General for filing under General Business Law § 352-e; and
- (3) A not-for-profit corporation organized to own and operate a low-income or moderate-income senior-citizen housing project in conjunction with the New York State Division of Housing and Community Renewal.

B. Under this definition, a tenant can be an "owner" in relation to a subtena

RENT

A return, in money, property or other valuable consideration (including payment in kind or services or other thing of value), for use and occupancy or the right to the use and occupancy of a dwelling unit, whether or not a legal relationship of landlord and tenant exists between the owner and the occupant or occupants thereof.

RENTAL DWELLING UNIT

A dwelling unit established, occupied, used or maintained for rental occupancy.

RENTAL OCCUPANCY

The occupancy or use of a dwelling unit by one or more persons as a home or residence under an arrangement whereby the occupant or occupants thereof pay rent for such occupancy and use. There is a rebuttable presumption that any occupancy or use of a dwelling unit is a "rental occupancy" if the owner of the building containing the dwelling unit does not reside in the same building.

SHORT-TERM RENTAL PROPERTY

A. A dwelling unit occupied by persons other than the owner and for which rent is received by the owner, directly or indirectly, in exchange for such rental occupancy for a period of less than 30 consecutive days. The term "short-term rental property" shall not include any lawfully operating commercial hotel/motel business establishment that has been duly issued a certificate of authority by the Treasurer of Nassau County pursuant to section 3 (C) of Title 24 of the Miscellaneous Laws of Nassau County. A property or dwelling unit that is offered for occupancy in any medium, including but not limited to advertisement on short-term rental websites, as being available for rental occupancy for a period of less than 30 days shall create a presumption that a property or dwelling unit is being used as a short-term rental property.

B. The foregoing presumption may be rebutted by documentary or other evidence presented to and satisfactory to the Code Enforcement Officer that the dwelling unit is not a short-term rental property.

§ 2-102 Applicability; more restrictive provisions to prevail.

A. Scope. This article shall apply to all rental dwelling units located within the unincorporated area of the Town, whether or not the use and occupancy thereof shall be permitted under the applicable use regulations for the zoning district in which such rental dwelling unit is located, as in this article provided.

B. Applicability. The provisions of this article shall be deemed to supplement applicable state and local laws, ordinances, codes and regulations; and nothing in this article shall be deemed to abolish, impair, supersede or replace existing remedies of the Town, county or state or existing requirements of any other applicable state or local laws, ordinances, codes or regulations. In case of conflict between any provision of this article and any applicable state or local law, ordinance, code or regulation, the more restrictive or stringent provision or requirement shall prevail. The issuance of any permit or the filing of any form under this article does not make legal any action or statement of facts that is otherwise illegal under any other applicable legislation.

§2-103 Rental occupancy permit required.

It shall be unlawful and a violation of this article and an offense within the meaning of the Penal Law of the State of New York for any person or entity who owns a dwelling unit in the Town to establish, maintain, use, let, lease, rent or suffer or permit the occupancy and use thereof as a rental occupancy, **regardless of duration of rental occupancy**, without having a valid permit for such rental occupancy, as herein provided. **No rental occupancy permit shall be granted to use a dwelling unit or segment thereof, as a short-term rental property.**

§ 2-104 Application for rental occupancy permit.

A. Application for a rental occupancy permit for a rental dwelling unit shall be made in writing to the Building Department on a form provided by the Building Department for that purpose.

B. Such application shall be filed in duplicate and shall contain:

(1) The name, address and telephone number, if any, of the owner of the dwelling unit intended for rental occupancy.

(2) The street address and Tax Map description (section, block and lot or lots) of the premises intended for rental occupancy or the premises in which the rental dwelling units intended for occupancy are located.

(3) The number of persons under and over the age of 18 and the dates of birth of each person presently residing in or occupying such premises intended for rental occupancy.

(4) A description of the structure, including:

(a) The number of rental dwelling units in the structure;

(b) The number of persons intended to be accommodated by and to reside in each such rental dwelling unit; and

(c) The number of rooms and the dimensions and use of each room in the structure but outside of the rental dwelling units.

(5) For each rental dwelling unit, a description of the unit, including:

(a) The number of rooms in the rental dwelling unit; and

(b) The dimensions and use of each such room.

(6) The name, address and telephone number, if any, of the managing agent or operator of each such intended rental dwelling unit.

C. Such application shall be signed by the owner of the premises, and the statements of such owner therein contained shall be verified under oath. If an owner is a natural person permanently residing outside of Nassau, Suffolk, Queens, Kings, New York, Richmond, Bronx and Westchester Counties, the application may be signed on behalf of the owner and may be verified by a managing agent having personal knowledge of the facts.

D. Such application shall be accompanied by the following:

(1) A property survey of the premises drawn to a scale not greater than 40 feet to one inch; or if not shown on the survey, a site plan, drawn to scale, showing all buildings, structures, walks, drives and other physical features of the premises and the number, location and access of existing and proposed on-site vehicle parking facilities.

(2) A building permit application, properly prepared, for all proposed buildings, improvements and alterations to existing buildings on the premises, if any.

(3) A copy of the certificate of occupancy or certificate of existing use. No application will be accepted without the submission of a valid certificate of occupancy or certificate of existing use.

E. In the case of a condominium unit, the application shall be accompanied by a scale drawing or floor plan of the condominium unit, in lieu of a survey or site plan.

Section 3.

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

Article VII Illegal Use and Occupancy

§ 2-135.1 Short-term rentals prohibited.

No dwelling unit or segment thereof, or rooming unit, may be used as a short-term rental property as defined in § 2-101.

Section 4. Severability.

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

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

Section 5. Effective Date.

This Local Law shall take effect October 1, 2022, after 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 4, 2022, Local Law No. of 2022 was adopted. The local law amends Chapter 2 of the Town Code entitled “Administration and Enforcement” in order to prohibit the establishment and operation of short-term or transient rentals within the Town to preserve and protect the health, character, safety, and general welfare of the residential and mixed-use neighborhoods where such uses may exist, and to mitigate the adverse effects of short-term rentals.

Dated: Manhasset, New York

August 4, 2022

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes:

Nays:

cc: Town Attorney

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. - 2022

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING
CHAPTER 27 OF THE TOWN CODE ENTITLED "HISTORIC LANDMARKS
PRESERVATION."**

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 27 of the Town Code entitled "Historic Landmarks Preservation" in order to include a provision for written findings where a proposed landmark designation is rejected by the Town Board, to provide a basis for the approval of certain alterations, demolitions or relocations where there is a finding of economic hardship, and to attach a time limitation to certificates of appropriateness; and

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

WHEREAS, due notice was heretofore given of a public hearing scheduled for August 4, 2022, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board has carefully considered the proposed Local Law during the seven-day period, conducted a public hearing on August 4, 2022, with respect to the Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, in accordance with the State Environmental Quality Review Act and the Act's implementing regulations (the "SEQRA Regulations") the Office to the Town Attorney has recommended that the adoption of the Local Law be classified as a Type II Action pursuant to Sections 617.5(c)(1), (2), (11), (12), (33) and (38) of the SEQRA Regulations and, as such, no further environmental review is required; and

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

NOW, THEREFORE, BE IT

RESOLVED that the Town Board determines that the adoption of the Local Law is a Type II Action pursuant to Sections 617.5(c)(1), (2), (11), (12), (33) and (38) of the SEQRA Regulations and, as such, no further environmental review is required; and be it further

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

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. OF 2022
A LOCAL LAW AMENDING CHAPTER 27 OF THE TOWN CODE
ENTITLED "HISTORIC LANDMARKS PRESERVATION".**

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

Section 1. Legislative Intent.

The Board finds that it is in the best interest of the Town of North Hempstead to amend Chapter 27 of the Town Code entitled "Historic Landmarks Preservation" in order to include a provision for written findings where a proposed landmark designation is rejected by the Town Board, to provide a basis for the approval of certain alterations, demolitions or relocations where there is a finding of economic hardship, and to attach a time limitation to certificates of appropriateness.

Section 2.

Article III of Chapter 27 of the Town Code is hereby amended as follows:

Article III Procedures

§ 27-5 Establishment of historic districts, sites and landmarks.

Historic landmarks and districts shall be designated as provided herein:

A. An application for the designation of a building, structure, site or object as a historic landmark or an area as a historic landmark district may be submitted to the Commission by any person on a form or in a format supplied by the Town. In addition, the Commission may, on its own motion, initiate such an application. The application shall include the following:

(1) An application to designate a building, structure, site or object for preservation as a historic landmark shall include:

(a) A concise description of the physical elements, age, architectural style, period and historical significance represented by the building, structure, site or object, including a consideration of design, scale, material, workmanship and spatial qualities, as relevant.

(b) A concise statement of how the building, structure, site or object meets the definition of "historic landmark" as defined in this chapter.

(c) Exterior photographs of the building, structure, site or object in its entirety and surrounding property and a site map illustrating the characteristics enumerated in the definition of "historic landmark" as provided in this chapter. The area to be considered for landmarking shall be clearly defined in the site map. An aerial map showing the areas surrounding the proposed historic landmark shall be included with the application.

(d) The name and address of the owner(s) of the building, structure, site or object. In the case of a building, structure or object, the owner of the real property, as shown in the records maintained by the Nassau County Clerk's Office, upon which the building, structure or object is situated, is presumed to be the owner of the building, structure or object.

(e) The name, address and telephone number of the person who is submitting the proposal and the person represented, if any.

(f) The relationship, if any, between the applicant(s) and the owner(s) of the structure, site or object.

(g) If required by the Commission, architectural drawings, including scaled plans and elevations.

(h) Such other information as the Commission deems necessary.

(2) An application to designate an area for preservation as a historic landmark district shall include:

(a) A concise statement of the physical elements which make the area a historic landmark district and a description of all buildings, structures, sites or objects located within the proposed district, with special note of types, architectural styles and periods represented which would qualify for designation as a historic landmark district under the chapter.

(b) A concise statement identifying other buildings, structures, sites or objects located within the proposed district that, while not qualifying under this chapter for designation as a historic landmark, contribute to the overall visual enhancement of the proposed district or are within the boundaries of the proposed district but do not contribute to it.

(c) A concise statement of how the proposed district meets the definition of "historic landmark district" as prescribed by this chapter.

(d) A map clearly depicting the boundaries of the proposed district and the locations of buildings, structures, sites or objects therein, with contributing properties noted as such.

(e) A justification of the boundaries of the proposed district.

(f) The street address and section, block and lot, as shown on the most recent tax roll, of every property within the proposed district and the owners of record thereof.

(g) The name, address and telephone number of the person who submitted the application and the person represented, if any.

(h) The relationship, if any, between the applicant(s) and any of the properties, buildings, sites, objects or structures within the proposed district.

(i) A photo or photos of the sides of all buildings, structures, sites or objects visible from the public right-of-way within the proposed historic landmark district by designated street address and section, block and lot.

(j) A written description of each building, structure, site or object which shall include the year of construction (if a building or structure), any applicable historic personage or event associated with the building, structure, site or object, if known, or any other information that will assist the Commission in its proceedings.

B. (Reserved)

C. Public hearing and decision by the Commission.

(1) Upon the submission of an application, a public hearing shall be held by the Commission within 60 days. The Executive Secretary shall notify the Building Department, the Department of Planning and Environmental Protection, the Town Attorney's Office, the Town Clerk, the Town Board and the applicant of the pending application.

(2) Notification.

(a) In the case of an application to designate a historic landmark, the applicant shall provide notice of the hearing to property owners of record as they appear on the tax rolls of the Town, of property located within 300 feet of the site, in the manner provided herein, and must file an affidavit as to the mailing of such notices in accordance with this section with the Executive Secretary not less than five days before the hearing. Not less than 10 nor more than 20 days before the hearing, the applicant shall send, by first-class mail and by registered or certified mail, a notice to each affected owner as described above. The Commission shall place a notice of the public hearing in an official newspaper of the Town, which circulates in the affected area, at least 10 days prior to the date of the public hearing. All notices required herein shall state the nature of the application, including the location(s) of the affected property, and the date, time and place of public hearing. If, prior to the close of the public hearing, the Commission shall determine that there is a failure to comply with the notice provisions of this chapter, the public hearing may be recessed until there is compliance with these notice provisions.

(b) In the case of an application to establish a historic landmark district, the applicant shall notify the owners of record of each property within the proposed historic landmark district, as well as owners of record of property located within 300 feet of the boundary lines of the proposed historic landmark district, all as they appear on the tax rolls of the Town, in the manner provided herein, and must file an affidavit as to the mailing of such notices in accordance with this section with the Executive Secretary not less than five days before the hearing. Not less than 10 nor more than 20 days before the hearing, the applicant shall send, by first-class mail and by registered or certified mail, a notice to each affected owner as described above. The Commission shall place a notice of the public hearing in an official newspaper of the Town, which circulates in the affected area, at least 10 days prior to the date of the public hearing. All notices required herein shall state the nature of the application, including the boundaries of the proposed historic landmark district, and the date, time and place of public hearing. If, prior to the close of the public hearing, the Commission shall determine that there is a failure to comply with the notice provisions of this chapter, the public hearing may be recessed until there is compliance with these notice provisions.

(c) Where an application to designate a historic landmark or to establish a historic landmark district is adjourned on the record to a date certain, the applicant must notice the new hearing date in

the manner provided herein. Not less than 10 nor more than 20 days before the hearing, the applicant shall send, via first-class mail, a notice to each affected owner as specified in the above Subsection C (2)(a) and (b). The applicant must file an affidavit as to the mailing of such notices in accordance with this subsection with the Executive Secretary not less than five days before the hearing. The Commission shall publish notice of the new hearing date in the local newspapers at least 10 days before the date of the new hearing in the same manner as the original notice.

(3) The Commission shall have 60 days after the close of the public hearing to make its decision to deny or recommend approval of the application to the Town Board. Such decisions shall be made at a meeting of the Commission.

(4) The Commission can choose to amend an application in any manner, including, but not limited to, adding or deleting properties proposed for inclusion in a historic landmark district, or by limiting an application to the structure only and eliminating a site or structure included in an application for a historic landmark. In the event the Commission amends an application, it shall adopt a written statement of the reasons for doing so, which shall be included as an addendum to the application as part of its submission to the Town Board pursuant to Subsection D below.

(5) If the Commission shall deny an application, the proceeding shall terminate, and the Commission shall not consider a new application for the same proposed historic landmark or proposed historic landmark district for one year thereafter.

(6) The Executive Secretary shall file the written decision of the Commission with the Town Clerk, the Town Attorney's Office, the Building Department, the Department of Planning and Environmental Protection, and the Town Board and shall mail a copy to the applicant and the owner(s) of the affected properties within 10 business days after the decision of the Commission.

D. Submission to the Town Board.

(1) A Commission recommendation to designate a proposed historic landmark or establish a proposed historic landmark district shall be delivered by the Town Clerk to the Town Board. The Town Board shall schedule a public hearing on the recommendation within 90 days after the filing of the Commission's decision with the Town Clerk. The Executive Secretary shall notify the applicant of the date for the public hearing at which the Town Board will consider the recommendation, and the applicant shall provide notice of such hearing in accordance with Subsection C(2) herein. The Town Clerk shall publish notice of the public hearing in the local newspapers at least 10 days before the date the recommendation is to be considered by the Town Board.

(2) The Town Board shall, within 60 days after the close of the public hearing:

(a) Accept the recommendation of the Commission;

(b) Remand the recommendation of the Commission for further consideration or information with written findings of the Town Board in which it states specific concerns and its reasons for the remand; or

(c) Reject the recommendation of the Commission, **setting forth written findings of the Town Board in which it states its reasons for the decision.**

E. Within 10 days of the Town Board's final action, the Town Clerk shall notify the Commission, the Building Department, the Department of Planning and Environmental Protection, the applicant, and the owner(s) of the affected properties. If the Town Board accepts the recommendation, the Town Clerk shall also notify the Nassau County Department of Assessment.

§ 27-6 Rescission of historic landmark or historic landmark district designation.

A historic landmark or historic landmark district designation may be rescinded by the Town Board as follows:

A. Upon a written recommendation from the Commission in which the Commission states that the historic landmark or historic landmark district no longer meets the eligibility criteria established in this chapter; and

B. After full compliance with all of the procedures and notice requirements in this article for the designation of a historic landmark or historic landmark district.

§ 27-7 Limitations on activity regarding property proposed for historic landmark or historic landmark district designation.

No approval of a zone change, variance, conditional use permit, site plan, building permit demolition permit, sign permit or any other permit issued by the Town shall be granted by the Town for any property proposed as a ~~an~~ historic landmark or historic landmark district from the date of the filing of the application with the Commission until the final disposition of the application by the Commission or Town Board.

Section 3.

Article IV of Chapter 27 of the Town Code is hereby amended as follows:

Article IV Construction, Alteration, Demolition and Removal

§ 27-8 Certificate of appropriateness.

A. Notwithstanding any other ordinance, code, rule or regulation concerning the issuance of a building permit, and whether or not a proposed activity requires a building permit, none of the following activities shall be commenced on a designated historic landmark or in a designated historic landmark district without the issuance of a certificate of appropriateness:

- (1) Any alteration, subject to the exclusions in Subsection K.
- (2) Any construction within a designated historic landmark district.
- (3) Any demolition or relocation of a building, structure, site or object in a designated historic landmark district or of a designated historic landmark.

B. The certificate of appropriateness required by this article shall be in addition to and not in lieu of any building, sign or other permit or approval that may be required by any agency having jurisdiction or authority.

C. An application for a certificate of appropriateness shall be submitted to the Commission in such form and including such written information and such plans, elevations, drawings or other data as the Commission may require.

D. Not less than 10 nor more than 20 days before the Commission reviews any application for a certificate of appropriateness, the applicant shall be required to notify the owners of record as they appear on the tax rolls of the Town of property located within 300 feet of the boundary lines of the subject property, by first-class mail and by registered or certified mail, identifying the subject property, stating the nature of the application and the date, time and place for the hearing. This notice shall also provide the address designated by the Commission to which comments may be submitted to the Commission on the application. The applicant must submit an affidavit of mailing along with a copy of the notice and certified mail receipts postmarked by the U.S. Postal Service to the Executive Secretary not less than five days before the hearing. The Commission shall publish notice of the public hearing for the certificate of appropriateness in the local newspapers at least 10 days before the hearing date. The notice shall state the nature of the application, including the location(s) of the affected property, and the date, time and place of public hearing. If, prior to the close of the public hearing, the Commission shall determine that there is a failure to comply with the notice provisions of this chapter, the public hearing may be recessed until there is compliance with these notice provisions.

(1) Where an application for a certificate of appropriateness is adjourned on the record to a date certain, the applicant must notice the new hearing date in the manner provided herein. Not less than 10 nor more than 20 days before the hearing, the applicant shall send, via first-class mail, a notice to each affected owner as specified in this Subsection D. The applicant must file an affidavit as to the mailing of such notices in accordance with this subsection with the Executive Secretary not less than five days before the hearing. The Commission shall publish notice of the new hearing date in the local newspapers at least 10 days before the date of the new hearing in the same manner as the original notice.

E. In reviewing an application for a certificate of appropriateness, the Commission shall be limited to those portions of an application relating to the exterior architectural features.

F. The Commission shall determine whether the proposed change will be appropriate to the preservation of the historic landmark or historic landmark district in view of the purposes of this chapter. In exercising this power, the Commission shall:

(1) With respect to historic landmarks, consider, in addition to any other pertinent factors, the historical and architectural value, the general appropriateness of the proposed design arrangement, texture and material of component(s) or sign(s) involved and the relationship thereof to other buildings, structures, sites or objects in the immediate neighborhood.

(2) With respect to historic landmark districts, consider, in addition to any other pertinent factors and those set forth above, the visual relationship between the building, structure, site or object that is the subject of the application in question and existing buildings, structures, sites or objects either immediately adjacent to or in the surrounding area and the character of the historic landmark district and the extent to which a new or altered building, structure, site or object would be harmonious with or incongruous to the historic and architectural qualities or distinctive aspects of the historic landmark district.

G. With respect to demolition or relocation in whole or in part of a historic landmark or a building, structure, site or object in a historic landmark district, the Commission shall consider whether:

(1) The historic landmark or building, structure, site or object is of such architectural or historic interest that its demolition or relocation would be to the detriment of the public interest;

(2) Retention of the building, structure, site or object would help preserve and protect a historic place or area of historic interest in the Town.

H. If the Commission approves an application which involves demolition or relocation of a historic landmark or building, structure or object or portions thereof within a historic landmark district, ~~it shall find the building, structure or object or portion thereof is in such condition that it is not feasible to preserve or restore it; or that relocation is appropriate to preserve the historic landmark or building, structure or object. The Commission shall take into consideration the economic feasibility of alternatives to the application, and balance the interest of the public in preserving the building, structure or object or portion thereof and the interest of the owner in its utilization. In the event the demolition or relocation is approved,~~ the property shall be cleared and left in a manner which will have no adverse impact on any adjacent properties or present a public danger. As an alternative to demolition, the Commission may permit a building, structure or object within a historic landmark district, or a building, structure or object designated as a historic landmark, to be moved to another site.

I. In making its determination whether to approve an application for a certificate of appropriateness, the Commission shall apply the standards set forth in the United States Secretary of the Interior's Standards for Rehabilitation and the Illustrated Guidelines for Rehabilitating Historic Buildings issued by the National Park Service, except that for applications related to historic landmark districts, such should be considered only a guideline.

J. Where the Commission approves an application under circumstances where the permitted activity is likely to uncover or affect archaeological resources the Commission shall require reasonable efforts to identify, protect and preserve such resources. Where such protection and preservation is not feasible, the Commission shall nevertheless impose appropriate and reasonable conditions to insure that the archaeological resources are made accessible for a reasonable period of time to qualified persons.

K. Nothing in this chapter shall be construed to prevent the following:

(1) Ordinary maintenance, repair or replacement in kind with like materials of similar quality, of any place, site, structure, object or building designated as a historic site, or any property located wholly or partially within the boundaries of a historic landmark district; or

(2) The installation, replacement or relocation of ground-mounted generators or heating, ventilation and air-conditioning (HVAC) units and appurtenances, provided that a permit is obtained from the Building Department and that such generators or HVAC units and appurtenances, shall be screened from adjoining lots and the public street by a completely planted visual barrier consisting of evergreen plantings to be a minimum of six inches above the top of the unit.

(a) All screening shall be maintained in a healthy condition. Any planting or landscaping which may become diseased, or die shall be removed and promptly replaced with plantings similar in size and type.

(b) The proposed use of fencing or other manmade screening to shield generators or HVAC units and appurtenances, is not exempt by this provision and shall require prior review by the Commission.

(c) Nothing in this section shall be construed as to permit the exterior installation, replacement or relocation of appurtenant ductwork to the facade of a building or structure visible to the public street without prior review by the Commission.

L. New construction shall be consistent with the architectural styles, massing, spacing and height of the structures of historic value in a historic landmark district. However, the Commission may approve the construction of buildings or structures which have a dissimilar architectural style to that of a historic landmark district, if the Commission determines that such new construction will be consistent with the goals of this chapter.

M. After conducting a hearing to consider an application described in this section, the Commission shall vote to either approve or deny the application. The Executive Secretary shall notify the applicant of the Commission's approval or denial. The Commission shall only approve an application if the proposed modification is compliant with the provisions and purposes of this chapter.

§ 27-8.1 Economic hardship.

A. An applicant whose certificate of appropriateness has been denied may apply for appropriate relief from the requirements of this article or conditions imposed by the Commission on the grounds that such requirements or conditions imposed will result in an economic hardship. Consideration of economic hardship may occur at the same meeting as consideration of an application for a certificate of appropriateness, or by separate application to the Commission within 60 days of the denial of a certificate of appropriateness.

B. Alteration or Construction. Notwithstanding any other provisions of this chapter, a certificate of appropriateness for a proposed alteration or construction will be granted by the Commission based on economic hardship if the applicant establishes that the following facts and conditions exist:

(1) The land or improvement in question cannot yield a reasonable return if the proposed construction or alteration is not permitted; or

(2) The hardship of the applicant is due to unique circumstances, the proposed alteration or construction will not alter the essential character of the area, the cost of the alternative acceptable to the Commission is prohibitive as compared to the cost of the alternative proposed by the applicant, and the hardship is a result of the application of the chapter and is not the result of any act or omission by the applicant.

C. Demolition or Relocation. Notwithstanding any other provisions of this chapter, a certificate of appropriateness for a demolition or relocation application shall be issued by the Commission if the application meets the criteria set forth in Section 27-8 (G) (1) or (2) above, and the applicant establishes an economic hardship based on the existence of the following facts and conditions:

(1) The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible; and

(2) The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return, regardless of whether that return represents the most profitable return possible; and

(3) Efforts to find a purchaser interested in acquiring the property and preserving it have failed.

D. The Commission shall consider whether the owner has created its own hardship through waste and neglect, thereby permitting the property to fall into a serious state of disrepair.

E. Economic hardship shall not be determined on the basis of the personal finances of the applicant.

F. If a hardship applicant's primary purpose or mission is philanthropic, eleemosynary, religious or charitable, and whose request for a certificate of appropriateness was made in furtherance of philanthropic, eleemosynary, religious or charitable purposes, such applicant must establish that the Commission's action seriously interferes with the applicant's ability to continue the current use of the property and seriously interferes with the applicant's philanthropic, eleemosynary, religious or charitable purposes.

G. The Commission may solicit expert testimony or require that the applicant make submissions concerning any information deemed necessary by the Commission to make a determination of economic hardship.

H. All decisions by the Commission with respect to hardship applications shall be in writing. The Commission's decision shall state the reasons for granting or denying the hardship application. A copy of the decision shall be sent to the applicant by the Executive Secretary.

§ 27-9 Procedure for review of applications and plan.

A. Applications for a building permit to construct, alter, move or demolish any place designated as a historic landmark or located within a historic landmark district shall be made to the Department of Buildings pursuant to Chapter 2 of the Code of the Town of North Hempstead, except as provided hereafter. A location map and plan drawing shall be submitted with the application. The application shall identify the structure as either a designated historic landmark or a structure within a historic landmark district, and shall include the following information:

- (1) Name, address and telephone number of applicant;
- (2) Location and photographs of the subject property and properties within the immediate vicinity;
- (3) Elevation drawings of proposed changes, if any;
- (4) Perspective drawings, including relationship to adjacent properties, if available;
- (5) Samples of materials to be used;
- (6) Where the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination, and a plan showing the sign's location on the property; and
- (7) Any other information as requested by the Commissioner.

B. A completed building permit application filed with the Department of Buildings pursuant to § 27-9A herein shall be subject to expedited review by the Department of Buildings. Upon completion of the Department of Buildings initial review, the Commissioner or his or her designee shall promptly cause a copy of the application and all supporting materials to be transferred to the Executive Secretary for review and compliance with this section and shall notify the applicant of the need to file an application for a certificate of appropriateness or, if applicable, an administrative certificate of appropriateness pursuant to Subsection H herein, with the Commission.

C. Applications filed herein shall be subject to:

- (1) A hearing before the Commission pursuant to § 27-8; or

(2) Expedited review pursuant to Subsection H below.

D. In the event that an application is approved, the Executive Secretary shall produce and sign a certificate of appropriateness consistent with the Commission's approval, or an administrative certificate of appropriateness consistent with the Expedited Review Committee's approval. Copies of the certificate of appropriateness or administrative certificate of appropriateness shall be provided by the Executive Secretary to the applicant and the Supervisor of Plan Examination in the Department of Buildings, together with any required backup documentation. The Commissioner shall not issue a building permit until the Commission has issued a certificate of appropriateness or an administrative certificate of appropriateness. If the Commission denies a certificate of appropriateness, no building permit shall be issued.

E. If the Commission issues a certificate of appropriateness or an administrative certificate of appropriateness, the Building Department shall continue its review of the application for a building permit in accordance with its usual procedures and standards and shall make its determination based on same.

F. Where a proposed activity on a designated historic landmark or in a designated historic landmark district does not require a building permit, the applicant may proceed to file an application with the Executive Secretary for a certificate of appropriateness or administrative certificate of appropriateness.

G. Every owner or other person in charge of a landmark building, structure, site or object or a building, structure, site or object in a historic landmark district shall keep in good and proper repair the property and all portions thereof which, if not so maintained, may cause or tend to cause the property to deteriorate, decay or become damaged or otherwise to fall into a state of disrepair.

H. Expedited review; administrative certificate of appropriateness.

(1) Certain minor exterior alterations, restorations and changes of material that do not have a substantial adverse impact on the historic character of a designated historic landmark or designated historic landmark district, where applicable, and which conform to the Secretary of the Interior's Standards for Historic Preservation, may be approved on behalf of the Commission without a formal hearing and issued an administrative certificate of appropriateness. Such approval shall be made by the Expedited Review Committee which shall be comprised of the Executive Secretary and two members of the Commission, one of whom shall be an architect.

(2) An applicant may apply, in writing, to the Executive Secretary requesting expedited review, which request shall include such supportive documentation as the Executive Secretary may require. The Executive Secretary shall review the request to determine whether the proposed action may have a substantial adverse impact on the historic character of a designated historic landmark or designated historic landmark district, and if it meets one of the following eligible activities:

(a) Replacement of existing retaining walls with materials which are not replacement in kind.

(b) Replacement of existing roofing materials with materials which are not replacement in kind.

(c) Removal, installation or replacement of fences, excluding the installation or replacement of fences composed of vinyl, PVC or similar material.

(d) Removal of trees not in the Town's right-of-way, provided a certified arborist letter or multiple photos with a written explanation indicating imminent danger accompanies the request.

(e) The restoration of fire or storm damage not exempted from this chapter pursuant to § 27-10, with materials which are not replacement in kind. A material list shall be provided to the Plan Examiner and the Building Inspector in the Department to assure accuracy of the replacement materials.

(f) Awnings. Installation of new awning fabric, without signage, to be canvas or treated fabric on an existing awning frame.

(g) Installation of an aboveground swimming pool or freestanding hot tub.

(h) Alteration, construction, demolition or relocation of a noncontributing building or structure, or part thereof, located within a historic district.

(3) Within five business days following receipt of an application for expedited review, the Executive Secretary shall:

(a) Review the application, together with the documentation supporting it;

(b) Render a preliminary written determination as to eligibility; and

(c) Forward the application, preliminary written eligibility determination, and all supporting documentation to the Expedited Review Committee for confirmation of eligibility and approval or denial of the application for an administrative certificate of appropriateness.

(4) The following items shall be considered by the Expedited Review Committee in making a determination when reviewing an application for an administrative certificate of appropriateness:

(a) Whether the application requires full review by the Commission for a certificate of appropriateness.

(b) Whether the application involves an emergency situation which has created a danger to health and/or safety that is preventing all or part of the building or structure from being occupied.

(c) Whether the application if granted could create a potential danger to persons, the building or structure or other surrounding buildings or structures.

(5) The members of the Expedited Review Committee shall have five business days to consider the application for an administrative certificate of appropriateness and to make one of the following determinations: a) approval of the application; b) denial of the application; or c) require full review by the Commission for a certificate of appropriateness. The applicant shall be promptly notified, in writing, by the Executive Secretary of the determination.

(6) Where the two members of the Expedited Review Committee make recommendations contrary to one another, the application under consideration shall be scheduled for full review by the Commission for a certificate of appropriateness.

(7) Each application denied by expedited review shall be scheduled for full review by the Commission for a certificate of appropriateness.

(8) For each application granted by expedited review, the Executive Secretary shall, within five business days, draft an administrative certificate of appropriateness for review and approval by the Chairman. A copy of the final administrative certificate of appropriateness shall be forwarded to the applicant by the Executive Secretary.

(9) The Executive Secretary shall provide written notice to the Commission of each application decided by expedited review.

I. Expiration of Approval; Extension of Approval.

(1) A certificate of appropriateness shall expire three years from the date of issuance if the applicant has not obtained a building permit to develop the property that is the subject of the application for a certificate of appropriateness in accordance with the plans for which the certificate of appropriateness was granted, unless an extension of time has been granted by the Commission pursuant to subsection (2) herein. In those instances where an activity subject to a certificate of appropriateness does not require a building permit, the certificate of appropriateness shall expire three years from the date of issuance if the work authorized thereby is not commenced by the end of such three-year period, unless an extension of time has been granted by the Commission pursuant to subsection (2) herein.

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

§ 27-10 Exemptions.

This chapter shall not apply to actions undertaken by any person pursuant to an order issued pursuant to Chapter 2A of the Code of the Town of North Hempstead for the purpose of remedying conditions determined to be unsafe or dangerous to the life, health or property of any person. Where feasible, the replacement of damaged materials shall be replacement in kind. Where replacement in kind materials are feasible but would cause a delay in remedying the conditions determined to be unsafe or dangerous, temporary measures to prevent further damage should be used if possible, provided these measures are reversible without damage to the building or structure. In complying with an order as described above, a copy of any compliance plan shall be provided to the Commission.

§ 27-11 Publicly owned property.

Plans for the construction, alteration or demolition of any structure or object or proposed structure which is owned by Nassau County, the Town of North Hempstead or any other local government, or is to be constructed upon property owned by Nassau County, the Town of North Hempstead, or any other local government; and is located on a historic landmark or in a historic landmark district shall, prior to final Town action approving or otherwise authorizing the use of such plans with respect to securing the performance of such work, be referred to the Commission by the governmental agency having responsibility for the preparation of such plans. Within 60 days after such referral, the Commission shall submit its recommendations thereon to the Town Board and the referring agency. Failure of the Commission to submit such recommendations within said 60 days shall be deemed approval by the Commission.

§ 27-12 Fees established.

Any application for designation of a historic landmark or historic landmark district shall be submitted to the Executive Secretary and shall be accompanied by fees in the amount indicated in the Town of North Hempstead Fee Schedule. No fee shall be required for any application made by the Commission on its own motion.

§ 27-13 Penalties for offenses.

A. Any offense against any provision of this chapter, except a violation of Article IV, § 27-8A, shall be a violation punishable by a fine not to exceed \$250 or by imprisonment for a term not to exceed 15 days, or both such fine and imprisonment. Each day's offense against this chapter shall constitute a separate and distinct violation.

B. A violation of Article IV, § 27-8A, of this chapter shall be a misdemeanor, punishable by a fine of not less than \$1,000 nor more than \$5,000 or by imprisonment for a term not to exceed one year, or both such fine and imprisonment.

C. In addition to the penalties set forth in this section, the Town Attorney may institute appropriate proceedings to prevent, restrain, correct or abate a violation of this chapter.

§ 27-14 Appeals.

Those aggrieved by any decision of the Commission may appeal such decision to the Supreme Court in the State of New York pursuant to Article 78 of the Civil Practice Law and Rules, provided it is commenced within the governing statute of limitations.

§ 27-15 Severability.

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

Section 4.

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

; and be it further

RESOLVED that the Town Clerk be and hereby is authorized and directed, in the manner required by law, to file a copy of 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 4, 2022 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. __ of 2022 was adopted. The Local Law amends Chapter 27 of the Town Code entitled "Historic Landmarks Preservation" in order to include a provision for written findings where a

proposed landmark designation is rejected by the Town Board, to provide a basis for the approval of certain alterations, demolitions or relocations where there is a finding of economic hardship, and to attach a time limitation to certificates of appropriateness.

Dated: Manhasset, New York

August 4, 2022

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes:

Nays:

cc: Town Attorney Town Clerk

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

RESOLUTION NO. 387 - 2022

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

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend the Town Code by the adoption of a Local Law amending Chapter 24 of the Town Code entitled “Governmental Operations” in order to authorize the Town Board, the Board of Zoning and Appeals, the Historic Landmarks Preservation Commission, and all committees or subcommittees of the Town of North Hempstead, to participate in meetings via videoconference in a manner consistent with the Town Board Rules of Procedure and the authority granted in New York Public Officers Law § 103-a; and

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

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 4th day of August, 2022, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town’s website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board carefully considered the proposed Local Law during the aforesaid seven-day period, conducted said hearing on August 4, 2022, with respect to said Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, in accordance with the State Environmental Quality Review Act and the Act’s implementing regulations (the “SEQRA Regulations”) the Office of the Town Attorney has recommended that the adoption of the Local Law be determined to be a Type II Action pursuant to Sections 617.5(c)(26) and (33) of the SEQRA Regulations and, as such, no further environmental review is required; and

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

NOW, THEREFORE, BE IT

RESOLVED that the Town Board determines that the adoption of the Local Law is a Type II Action pursuant to Sections 617.5(c)(26) and (33) of the SEQRA Regulations and, as such, no further environmental review is required; and be it further

RESOLVED that Local Law No. 13 of 2022 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 13 OF 2022
A LOCAL LAW AMENDING CHAPTER 24 OF THE TOWN CODE
ENTITLED “GOVERNMENTAL OPERATIONS”**

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

Section 1. Legislative Intent

The Board finds that it is in the best interest of the Town of North Hempstead to amend Chapter 24 of the Town Code entitled “Governmental Operations” in order to authorize the Town Board, Board of Zoning and Appeals, Historic Landmarks Preservation Commission, and all committees or subcommittees of the Town of North Hempstead to participate in meetings via videoconference in a manner consistent with the Town Board Rules of Procedure and the authority granted in Public Officers Law § 103-a.

Section 2. Authority.

This local law is adopted pursuant to Public Officers Law § 103-a, which expressly authorizes the Town Board to adopt a local law giving the Town Board, Board of Zoning and Appeals, Historic Landmarks Commission, and all committees or subcommittees of the Town of North Hempstead the authority to participate in meetings via videoconference from locations not accessible to the public so long as a quorum of the applicable body participates from locations where the public may be physically present and other conditions are met.

Section 3.

Chapter 24 of the Town Code of the Town of North Hempstead is hereby amended to add Article XIII as follows:

Article XIII
USE OF VIDEOCONFERENCING TECHNOLOGY
TO PARTICIPATE IN PUBLIC MEETINGS

§ 24-97 through § 24-99. (Reserved)

§ 24-100 Legislative intent.

It is the intent of this local law to give the Town Board, Board of Zoning and Appeals, Historic Landmarks Preservation Commission, and all committees or subcommittees of the Town of North Hempstead, the authority to participate in meetings via videoconference in a manner consistent with the Town Board Rules of Procedure and the authority granted in Public Officers Law § 103-a. The Town Board of the Town of North Hempstead shall, in their discretion, use videoconferencing to conduct public meetings in accordance with the procedures set forth in this section.

§ 24-101 Definitions.

For the purpose of this Article, the following terms shall have the meanings indicated:

EXTRAORDINARY CIRCUMSTANCES

Disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes a member of a public body from being physically present.

HYBRID MEETING

A meeting at which there is a mix of physically present and virtually present members participating.

PHYSICALLY PRESENT

When a member or members are actually present at the physical location for the meeting shown in the meeting's public notice.

PUBLIC BODY

The Town Board and any Town Commission as the term is defined in Section 16A-7 of the Town Code.

QUORUM

A majority of the whole membership of the public body.

VIRTUALLY PRESENT

When a member or members participate in a public meeting virtually, using video conferencing.

§ 24-102 Videoconferencing for Public Meetings.

A. The Town Board authorizes members of a public body to participate in meetings using videoconferencing technology in a manner consistent with Public Officers Law § 103-a, the Town Board Rules of Procedure and this Article.

B. Where videoconferencing is utilized to conduct public meetings of a public body of the Town of North Hempstead:

- (1) At least a quorum of the public body must be physically present at all hybrid meetings.
- (2) Member(s) of the public body may be virtually present at a hybrid meeting, via videoconferencing, only under extraordinary circumstances.
- (3) A member who wishes to participate in a meeting by videoconference must provide advance notice and justification for their absence to the extent possible, consistent with applicable law, to the other members of the public body.
- (4) Members of the public shall be provided the opportunity to view such meeting via video, and to participate in proceedings via videoconference in real time where public comment or participation is authorized. The public body shall ensure that videoconferencing authorizes the same public participation or testimony as in person participation or testimony.
- (5) Except in the case of executive sessions conducted pursuant to §105 of the New York Public Officers Law, the public body shall ensure its members can be heard, seen, and identified during the hybrid meeting, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon.
- (6) The hybrid meeting minutes shall identify the names of the members of the public body who participated remotely and the names of the members who participated physically in person.
- (7) The public notice of the hybrid meeting shall inform the public where to view and participate in the meeting virtually, the physical location for the meeting where the public may attend and participate and identify where required documents and records will be posted or made available.
- (8) The in-person participation requirements of subdivision (1) of this section shall not apply during a state disaster emergency declared by the governor pursuant to §28 of the Executive Law of New York State, or a local state of emergency proclaimed by the County Executive of Nassau County, or the Town Supervisor pursuant to §24 of the Executive Law of New York State, if the Town Board determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Town Board to hold an in-person meeting.

(9) Each hybrid meeting conducted using videoconferencing shall be recorded and such recordings shall be linked to or posted on the Town's website within five business days following the meeting and shall remain so available for a minimum of five years thereafter.

(10) Hybrid meetings of the public body that are broadcast or that use videoconferencing shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. For purposes of this subdivision, "disability" shall have the meaning defined in §292 the Executive Law of New York State.

(11) These written procedures governing videoconferencing in extraordinary circumstances shall be conspicuously posted on the Town's website.

Section 3. Severability.

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

Section 4. Effective Date and Repealer

This Local Law shall take effect immediately upon filing with the Secretary of State and shall expire and be deemed repealed on July 1, 2024.

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 4, 2022, Local Law No.13 of 2022 was adopted. The local law amends Chapter 24 of the Town Code entitled "Governmental Operations" in order to authorize the Town Board, the Board of Zoning and Appeals, the Historic Landmarks Preservation Commission, and all committees or subcommittees of the Town of North Hempstead, to participate in meetings via videoconference in a manner consistent with the Town Board Rules of Procedure and the authority granted in New York Public Officers Law § 103-a.

Dated: Manhasset, New York

August 4, 2022

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney

PROPOSED RESOLUTION

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

RESOLUTION NO. - 2022

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 41A OF THE TOWN CODE ENTITLED "PREGNANCY TERMINATION FACILITIES."

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend the Town Code by the adoption of a Local Law repealing Chapter 41A of the Town Code entitled "Pregnancy Termination Facilities"; and

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

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 4th day of August, 2022, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board carefully considered the proposed Local Law during the aforesaid seven-day period, conducted said hearing on August 4, 2022, with respect to said Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, in accordance with the State Environmental Quality Review Act and the Act's implementing regulations (the "SEQRA Regulations") the Department of Planning and Environmental Protection has recommended that the adoption of the Local Law be determined to be a Type II Action pursuant to Section 617.5(c)(26), (33) and (37) of the SEQRA Regulations and, as such, no further environmental review is required; and

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

NOW, THEREFORE, BE IT

RESOLVED that the Town Board determines that the adoption of the Local Law is a Type II Action pursuant to Section 617.5(c)(26), (33) and (37) of the SEQRA Regulations and, as such, no further environmental review is required; and be it further

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

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. OF 2022
A LOCAL LAW REPEALING CHAPTER 41A OF THE TOWN CODE
ENTITLED “PREGNANCY TERMINATION FACILITIES”**

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

Section 1. Legislative Intent.

Chapter 41A of the Town Code entitled “Pregnancy Termination Facilities” purports to regulate the locations at which an abortion may be performed within the Town of North Hempstead and provides for enforcement of its provisions and penalties for violations. Chapter 41A was adopted in 1971, prior to the U.S. Supreme Court’s decision in Roe v. Wade. Notwithstanding the Court’s 1973 decision, Chapter 41A was likely, and continues to be, unenforceable as it purports to regulate the medical profession, an area of regulation preempted by the New York Public Health Law and the New York Education Law. However, in light of the U.S. Supreme Court’s 2022 decision in Dobbs v. Jackson Women’s Health Organization overturning Roe v. Wade, the continued existence of Chapter 41A, though unenforceable, is confusing and misleading as to New York State and the Town of North Hempstead. Therefore, the Town Board finds it in the best interests of the Town and its residents to repeal Chapter 41A of the Town Code entitled “Pregnancy Termination Facilities.”

Section 2.

Chapter 41A of the Town Code of the Town of North Hempstead is hereby REPEALED.

Section 3.

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

and; be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on August 4, 2022, Local Law No. of 2022 was adopted. The local law repeals Chapter 41A of the Town Code entitled “Pregnancy Termination Facilities.”

Dated: Manhasset, New York

August 4, 2022

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes:

Nays:

cc: Town Attorney

PROPOSED RESOLUTION

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

RESOLUTION NO. - 2022

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

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend the Town Code by the adoption of a Local Law amending Chapter 70 of the Town Code entitled "Zoning" in order to allow the Commissioner of Building Safety, Inspection and Enforcement to revoke a certificate of occupancy or a certificate of existing use for commercial properties; and

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

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 4th day of August, 2022, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board carefully considered the proposed Local Law during the aforesaid seven-day period, conducted said hearing on August 4, 2022, with respect to said Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, pursuant to General Municipal Law § 239-m, the Nassau County Planning Commission (the "Commission") was furnished with a copy of the Short Environmental Assessment Form (the "SEAF") and proposed local law; and

WHEREAS, the Commission, by letter dated July 21, 2022, has recommended local determination; and

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

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

WHEREAS, the Board has reviewed the determination of the Planning Department, dated July 26, 2022, and the Negative Declaration indicating that the action constitutes an “Unlisted Action” pursuant to Section 617.2(al) of the SEQRA Regulations which will not result in any significant adverse impacts on the environment based upon the analysis set forth in the Short Environmental Assessment Form (the “SEAF”) Parts 1, 2, and 3 (the “Determinations and Negative Declaration”) for the reasons stated in the SEAF; and

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

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

NOW, THEREFORE, BE IT

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

RESOLVED that this Board hereby adopts the Planning Department’s Determinations and Negative Declaration, finding that the Action is an “Unlisted Action” which will not result in any significant adverse impact on the environment, based upon the analysis set forth in the SEAF; and 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 617.2 of the SEQRA Regulations to effectuate the foregoing determinations and findings made pursuant to the SEQRA Regulations; and be it further

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

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. OF 2022
A LOCAL LAW AMENDING CHAPTER 2 OF THE TOWN CODE
ENTITLED “ADMINISTRATION AND ENFORCEMENT”**

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

Section 1. Legislative Intent

The Board finds that it is in the best interest of the Town of North Hempstead to amend Chapter 70 of the Town Code entitled “Zoning” in order to allow the Commissioner of Building Safety, Inspection and Enforcement to revoke a certificate of occupancy or a certificate of existing use for commercial properties.

Section 2.

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

§ 70-223.1 Procedure for revoking certificate of occupancy or certificate of existing use.

A. Residential Properties

1. Upon acquiring information that a residential building may be occupied in violation of the certificate of occupancy or certificate of existing use issued therefor, the Commissioner of Building and Safety Inspection and Enforcement shall cause an investigation of the premises to be made and an inspection report to be prepared containing the following:

~~[(1)]~~ **a.** A description of the premises.

~~[(2)]~~ **b.** A statement of the particulars, if any, in which the residence is being used in violation of the certificate of occupancy or certificate of existing use.

~~[(3)]~~ **c.** A description of how such illegal occupancy is creating a hazard to public health and/or safety.

~~[B.]~~ **2.** Said report shall be filed in the office of the Department of Building and Safety Inspection and Enforcement.

~~[C.]~~ **3.** If the investigation performed pursuant to Subsection ~~[A]~~ **1** above confirms that there is violation of the certificate of occupancy or certificate of existing use, the Commissioner of Building and Safety Inspection and Enforcement may cause a written notice to be prepared, which shall contain the following:

~~[(1)]~~ **a.** A description of the premises.

~~[(2)]~~ **b.** A statement of the particulars in which the building is being occupied in violation of the certificate of occupancy or certificate of existing use.

~~[(3)]~~ **c.** An order directing that the occupancy of the building be brought into conformity with the certificate of occupancy or certificate of existing use.

~~[(4)]~~ **d.** An order directing that legal action be commenced by the service of a summary proceeding petition to remove all illegal occupants of the premises within 10 days of the date of personal service or within 15 days of mailing of the written notice and that proof of same be filed with the Commissioner of Building and Safety Inspection and Enforcement not later than five days after the date of such commencement.

~~[(5)]~~ **e.** The date, time and place of a hearing before the Town Board relative to the subject residence being illegally occupied, which hearing shall be scheduled not less than 30 days from the date of personal service or mailing of the written notice.

~~[(6)]~~ **f.** A statement that in the event legal action to remove all illegal occupants is not commenced within the required period, the Town Board is empowered and authorized to direct the Commissioner of Building and Safety Inspection and Enforcement to revoke the certificate of occupancy or certificate of existing use and that, if the Town Board takes such action, it will seek a court order removing all persons from occupancy of the residence. In such event, all expenses thereof shall be assessed against the land on which the building is located and the Town shall institute legal action to recover the costs of removing said occupants as well as legal fees and expenses.

~~[D.]~~ **4.** The aforementioned written notice shall be served on the owner of record or the owner's executor, legal representative, agent, lessee, or any other person having a vested or contingent interest in the subject property, either personally or by certified mail addressed to the intended recipient's last known address as shown by the records of the Town's Receiver of Taxes or the records in the office of the Nassau County Clerk. In addition, a copy of said notice shall be securely posted on the subject building in a conspicuous location.

~~[E.]~~ **5.** In the event that the whereabouts of the owner of the subject property and any other person having an interest therein, as defined in Subsection ~~[D]~~ **4** above, are unknown and cannot be

ascertained after the exercise of reasonable diligence by the Commissioner of Building and Safety Inspection and Enforcement, the Commissioner of Building and Safety Inspection and Enforcement shall execute an affidavit to that effect, which shall be filed in the office of the Town Clerk. In such a case, service shall be deemed to have been accomplished by the posting required in Subsection [D] **4** above.

[F-] **6.** In the event that the owner of the illegally occupied residential building fails or refuses to comply with the order to bring the building into conformity with the certificate of occupancy or certificate of existing use, The Town Board may, after a public hearing, direct the Commissioner of Building and Safety Inspection and Enforcement to revoke the certificate of occupancy or certificate of existing use for said premises and further direct that legal action be commenced to remove all persons occupying said premises therefrom.

B. Commercial Properties

1. Upon acquiring information that a commercial premises may be used in violation of the certificate of occupancy or certificate of existing use issued therefor, the Commissioner of Building and Safety Inspection and Enforcement shall cause an investigation of the premises to be made and an inspection report to be prepared containing the following:

a. A description of the premises.

b. A statement of the particulars, if any, in which the premises is being used in violation of the certificate of occupancy or certificate of existing use.

c. A description of how such use in violation of the certificate of occupancy or certificate of existing use is creating a hazard to public health and/or safety.

2. Said report shall be filed in the office of the Department of Building and Safety Inspection and Enforcement.

3. If the investigation performed pursuant to Subsection 1 above confirms that there is violation of the certificate of occupancy or certificate of existing use, the Commissioner of Building and Safety Inspection and Enforcement may cause a written notice to be prepared, which shall contain the following:

a. A description of the premises.

b. A statement of the particulars in which the building is being used in violation of the certificate of occupancy or certificate of existing use.

c. An order directing that the use of the building be brought into conformity with the certificate of occupancy or certificate of existing use within 30 days of the date of personal service or within 35 days of mailing of the written notice, as described in Subsection 4 below.

d. A statement that in the event the use of the premises is not brought into conformity with the certificate of occupancy or certificate of existing use within the required period, a public hearing may be held to consider the revocation of the certificate of occupancy.

4. The aforementioned written notice shall be served on the owner of record or the owner's executor, legal representative, agent, lessee, or any other person having a vested or contingent interest in the subject property, either personally or by certified mail addressed to the intended recipient's last known address as shown by the records of the Town's Receiver of Taxes or the records in the office of the Nassau County Clerk. In addition, a copy of said notice shall be securely posted on the subject premises in a conspicuous location.

5. In the event that the whereabouts of the owner of the subject property and any other person having an interest therein, as defined in Subsection 4 above, are unknown and cannot be ascertained after the exercise of reasonable diligence by the Commissioner of Building and Safety Inspection and Enforcement, the Commissioner of Building and Safety Inspection and

Enforcement shall execute an affidavit to that effect, which shall be filed in the office of the Town Clerk. In such a case, service shall be deemed to have been accomplished by the posting required in Subsection 4 above.

6. In the event that the owner of the commercial premises being used in violation of the certificate of occupancy or certificate of existing use fails or refuses to comply with the order to bring the building and/or premises into conformity with the certificate of occupancy or certificate of existing use within the required period, the Commissioner of Building and Safety Inspection and Enforcement shall send a separate notice bearing the date, time and place of a hearing before the Town Board relative to the subject premises being used in violation of the certificate of occupancy or certificate of existing use. Such hearing notice shall be served pursuant to Subsection 4 or 5 above, as the case may be. The hearing shall be scheduled not more than 20 and not less than 10 days from the date of personal service or certified mailing of the hearing notice or posting. The Town Board may, after a public hearing, direct the Commissioner of Building and Safety Inspection and Enforcement to revoke the certificate of occupancy or certificate of existing use for said premises.

Section 3.

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

and; be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on August 4, 2022, Local Law No. of 2022 was adopted. The local law amends Chapter 70 of the Town Code entitled “Zoning” in order to allow the Commissioner of Building Safety, Inspection and Enforcement to revoke a certificate of occupancy or a certificate of existing use for commercial properties.

Dated: Manhasset, New York

August 4, 2022

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes:

Nays:

cc: Town Attorney

PROPOSED RESOLUTION

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

RESOLUTION NO. - 2022

**A PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE TOWN'S TREE POLICY
PURSUANT TO SECTION 20A-4 OF THE TOWN CODE.**

NO RESOLUTION.

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

RESOLUTION NO. 388 - 2022

A PUBLIC HEARING TO CONSIDER APPROVAL OF TAX EXEMPT FINANCING FOR THE LEASE/PURCHASE OF A NEW FIRE TRUCK BY THE CARLE PLACE HOOK, LADDER & HOSE COMPANY NO. 1, INC.

WHEREAS, the Carle Place Hook, Ladder & Hose Company No. 1, Inc., Carle Place, New York (the "Fire Company") provides firefighting services within specific areas of the Town of North Hempstead; and

WHEREAS, the Fire Company has entered into a lease/purchase agreement for one (1) new 2023 Marion 85 Foot Mid Mount Platform Ladder Truck that provides for financing by Community Leasing Partners, 215 S. Seth Child Road, Manhattan, Kansas 66502 at a total lease/purchase cost not to exceed \$1,560,000.00 over 7 years; and

WHEREAS, the Fire Company wishes to obtain tax-exempt financing pursuant to the provisions of Sections 147(f) and 150 of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, such provisions of the Code require that a public hearing be held by the Town Board to give all interested persons an opportunity to be heard concerning the proposed purchase transaction by the Fire Company; and

WHEREAS, pursuant to Resolution No. 355-2022 duly adopted at its meeting held on July 7, 2022, the Town Board set August 4, 2022 as the date to hold a public hearing to consider the approval of tax-exempt financing for the lease/purchase of the aforesaid fire truck; and

WHEREAS, the lease shall be the sole obligation of the Fire Company, and nothing in the lease, nor in this Resolution, shall bind the Town directly or as a principal or guarantor; and

WHEREAS, a public hearing has been duly held by this Board to consider approval of said lease/purchase and all interested persons were afforded an opportunity to be heard concerning same; and

WHEREAS, said lease/purchase requires approval by the municipal subdivision in order to qualify for tax-exempt financing; and

WHEREAS, this Board finds it to be in the best interests of public health and safety that the aforesaid fire truck be leased and acquired by the Fire Company.

NOW, THEREFORE BE IT

RESOLVED that the Town Board hereby approves the lease/purchase agreement that was entered into by the Fire Company for one (1) new 2023 Marion 85 Foot Mid Mount Platform Ladder Truck that provides for financing by Community Leasing Partners, 215 S. Seth Child Road, Manhattan, Kansas 66502 at a total lease/purchase cost not to exceed \$1,560,000.00 over 7 years; and be it further

RESOLVED that the Supervisor is hereby authorized to certify the aforesaid approval in the form (s) required by Community Leasing Partners and applicable law.

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney, Comptroller, Carle Place Hook, Ladder & Hose Company No. 1, Inc.

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

ORDINANCE NO. 12 - 2022

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE
AFFECTING CIRCLE CRESCENT IN MANHASSET, NEW YORK.**

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

**ORDINANCE NO. T.O. 12 - 2022
MANHASSET, NEW YORK**

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

PROPOSAL:

ADOPT:

1. CIRCLE CRESCENT – WEST SIDE - NO COMMERCIAL TRAFFIC, EXCEPT LOCAL RESIDENTIAL DELIVERY-

From the southwest curbline of Soundview Crest, west then south then east then north then west, at its terminus.

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

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

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

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

Dated: Manhasset, New York

August 4, 2022

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA
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. 13 - 2022

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF ORDINANCES AFFECTING
FAIRVIEW AVENUE IN PORT WASHINGTON, NEW YORK.**

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

**ORDINANCE NO. T.O. 13 - 2022
MANHASSET, NEW YORK**

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

PROPOSAL:

ADOPT:

1. FAIRVIEW AVENUE – SOUTH SIDE – NO STOPPING HERE TO CORNER
From the east curb line of Carey Street, east, for a distance of 30 feet.
2. ELM STREET – EAST SIDE – NO STOPPING HERE TO CORNER
From the South curb line of Fairview Avenue, south, for a distance of 45 feet.
3. ELM STREET – WEST SIDE – NO STOPPING HERE TO CORNER
From the South curb line of Fairview Avenue, south, for a distance of 30 feet.
4. FAIRVIEW AVENUE – SOUTH SIDE – NO STOPPING HERE TO CORNER
From the west curb line of Elm street, west, for a distance of 48 feet.
5. FAIRVIEW AVENUE – NORTH SIDE – NO STOPPING HERE TO CORNER
From the west curb line of Elm street, west, for a distance of 30 feet.
6. ELM STREET – WEST SIDE – NO STOPPING HERE TO CORNER
From the north curb line of Fairview Avenue, north, for a distance of 40 feet.
7. ELM STREET – EAST SIDE – NO STOPPING HERE TO CORNER
From the north curb line of Fairview Avenue, north, for a distance of 30 feet.

8. FAIRVIEW AVENUE – NORTH SIDE – NO STOPPING HERE TO CORNER

From the east curb line of Elm street, east, for a distance of 38 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 4, 2022

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

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

RESOLUTION NO. 389 - 2022

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF LANGEMAN REALTY MANAGEMENT, LLC/ANTHONY AND GINA CORE FOR A CHANGE OF ZONE FROM 'RESIDENCE-C' TO 'BUSINESS-B' FOR THE PREMISES LOCATED AT 173-175 CENTER STREET, WESTBURY AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 10, BLOCK 243, LOTS 350 & 351.

WHEREAS, Langeman Realty Management, LLC/Anthony and Gina Core (the "Petitioner") has filed a petition (the "Petition") to rezone (the "Change of Zone") two adjoining lots comprising 10,788 s.f. (0.248 acres) located at 173 and 175 Center Street, Westbury, New York and designated on the Nassau County Land and Tax Map as Section 10, Block 243, Lots 350 and 351 (the "Premises"), from 'Residence-C' to 'Business-B', to enable the construction of a parking lot and street access for an existing office building located at 173 School Street; and

WHEREAS, Town Code Section 70-237 permits the Town Board (the "Board") of the Town of North Hempstead to consider such petition for a Change of Zone after notice and a public hearing pursuant to Town Code Section 70-238.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing will be held by the Town Board of the Town of North Hempstead on September 1, 2022 at Town Hall, 220 Plandome Road, Manhasset, New York, at 7:00 p.m. to consider the Petition for the Change of Zone for the Premises, at which public hearing all interested persons will be afforded an opportunity to be heard; and be it further

RESOLVED that the Commissioner of Planning and Environmental Protection shall immediately notify the Applicant of the date and time of said hearing and the Applicant shall notify certain property owners of said date and time pursuant to Town Code § 70-238(B)(2) and; and be it further

RESOLVED that the Applicant shall also comply with the sign notice requirements pursuant to Town Code § 70-238(B)(3); 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 September 1, 2021 at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the petition of Langeman Realty Management, LLC/Anthony and Gina Core to rezone two adjoining lots comprising 10,788 s.f. (0.248 acres) located at 173 and 175 Center Street, Westbury, New York from 'Residence-C' to 'Business-B", to enable the construction of a parking lot and street access for an existing office building located at 173 School Street.

PLEASE TAKE FURTHER NOTICE that the property which is the subject of this petition is designated on the Nassau County Land and Tax Map as Section 10, Block 243, Lots 350 and 351.

Dated: Manhasset, New York

August 4, 2022

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Planning Building

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

RESOLUTION NO. 390 - 2022

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF LANGEMAN REALTY MANAGEMENT, LLC/ANTHONY AND GINA CORE FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 173-175 CENTER STREET AND 173 SCHOOL STREET, WESTBURY AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 10, BLOCK 243, LOTS 48-50, 350 & 351.

WHEREAS, Langeman Realty Management, LLC/Anthony and Gina Core (the “Applicant”) has applied (the “Application”) to the Town to construct a new 56-stall parking lot for an existing 3-story, 10,295 square foot office building on a 31,342 square feet (0.72 acre) site located at 173-175 Center Street and 173 School Street, Westbury, New York and identified on the Nassau County Land and Tax Map as Section 10, Block 243, Lots 48 through 50, 350 and 351 (the “Premises”); and

WHEREAS, it has been determined that the Application requires site plan review pursuant to Town Code § 70-219 (“Site Plan Review”); and

WHEREAS, this Board wishes to set a date for a public hearing for the Site Plan Review.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on September 1, 2022 at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York to consider the Application for Site Plan Review; and be it further

RESOLVED that the Commissioner shall immediately notify the Applicant of the date and time of the hearing so that the Applicant may provide notice of the hearing for the Site Plan Review to certain property owners pursuant to Sections 70-219(F)(2) and 70-240 of the Town Code; and be it further

RESOLVED that the Applicant shall also comply with the sign notice requirements pursuant to Town Code § 70-219(F)(3); and be it further

RESOLVED that the Town Clerk be and hereby is authorized and directed to publish a notice of hearing as required by § 70-219(F)(1) of the Town Code, which notice shall be in substantially the following form:

NOTICE OF HEARING

PLEASE TAKE NOTICE that public hearing will be held by the Town Board of the Town of North Hempstead on September 1, 2022 at 7:00 p.m. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, on the application for site plan review submitted by Langeman Realty Management, LLC/Anthony and Gina Core to construct a new 56-stall parking lot for an existing 3-story, 10,295 square foot office building on a 31,342 square feet (0.72 acre) site.

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

PLEASE TAKE FURTHER NOTICE that the property which is the subject of this application is known as 173-175 Center Street and 173 School Street, Westbury, New York and identified on the Nassau County Land and Tax Map as Section 10, Block 243, Lots 48 through 50, 350 and 351.

Dated: Manhasset, New York

August 4, 2022

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Planning Building

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. 391 - 2022

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF 679 PORT WASHINGTON BLVD., LLC FOR A SPECIAL USE PERMIT FOR THE PREMISES LOCATED AT 679 PORT WASHINGTON BOULEVARD, PORT WASHINGTON AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 6, BLOCK 2, LOTS 115 & 277.

WHEREAS, 679 Port Washington Blvd., LLC (the “Applicant”) is seeking to construct a drive-through facility in conjunction with a proposed single-story 1,587 square foot Alma bank branch on a 0.248 acre premises located at 679 Port Washington Boulevard, Port Washington, New York and designated on the Nassau County Land and Tax Map as Section 6, Block 2, Lots 115 and 277 (the "Application"); and

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

WHEREAS, this Board wishes to set a date for a public hearing to consider the Application, affording all interested parties to be heard.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing shall be held on September 22, 2022 at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York to consider the Application for the issuance of a Special Use Permit; and be it further

RESOLVED that the Department of Planning and Environmental Protection shall immediately notify the Applicant of the date and time of said hearing and the Applicant shall notify certain property owners of said date and time pursuant to Town Code § 70-240(C); and be it further

RESOLVED that the Town Clerk be and is hereby authorized and directed to publish a notice of hearing as required by Town Code §§ 70-240(A) and 70-203.T(1), 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 22th day of September 2022 at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the application of 679 Port Washington Blvd., LLC to construct a drive-through facility in conjunction with a proposed single-story 1,587 square foot bank branch on a 0.248 acre premises located at 679 Port Washington Boulevard, Port Washington, New York and designated on the Nassau County Land and Tax Map as Section 6, Block 2, Lots 115 and 277.

Dated: Manhasset, New York

August 4, 2022

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Planning Building

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

RESOLUTION NO. 392 - 2022

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF 40 VOICE ROAD REALTY LLC FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 40 VOICE ROAD, CARLE PLACE AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 663, LOT 8.

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

WHEREAS, it has been determined that the Application requires site plan review pursuant to Town Code § 70-219 (“Site Plan Review”); and

WHEREAS, this Board wishes to set a date for a public hearing for the Site Plan Review.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on September 1, 2022 at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York to consider the Application for Site Plan Review; and be it further

RESOLVED that the Commissioner shall immediately notify the Applicant of the date and time of the hearing so that the Applicant may provide notice of the hearing for the Site Plan Review to certain property owners pursuant to Sections 70-219(F)(2) and 70-240 of the Town Code; and be it further

RESOLVED that the Applicant shall also comply with the sign notice requirements pursuant to Town Code § 70-219(F)(3); and be it further

RESOLVED that the Town Clerk be and hereby is authorized and directed to publish a notice of hearing as required by § 70-219(F)(1) of the Town Code, which notice shall be in substantially the following form:

NOTICE OF HEARING

PLEASE TAKE NOTICE that public hearing will be held by the Town Board of the Town of North Hempstead on September 1, 2022 at 7:00 p.m. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, on the application for site plan review submitted by 40 Voice Road Realty to renovate a one-story 59,000 square foot building from light manufacturing to automotive repair, including an expanded parking lot, increased drainage capacity, additional landscaping and improved site lighting, on a 176,418 square foot (4.05 acre) site.

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

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

Dated: Manhasset, New York

August 4, 2022

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Planning Building

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. 393 - 2022

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER A PETITION TO DESIGNATE A SECONDARY HONORARY STREET NAME FOR A PORTION OF MADISON STREET IN PORT WASHINGTON PURSUANT TO SECTION 10-5 OF THE TOWN CODE.

WHEREAS, Article II, Section 10 of the Code of the Town of North Hempstead (the “Town Code”) establishes criteria for designating a secondary honorary name for an existing street or portion of existing street; and

WHEREAS, Bobby DeFeo (the “Petitioner”) has applied for a secondary honorary street name for a portion of Madison Street in Port Washington, from the corner of Main Street to the corner of Webster Avenue, to be known as “Sal ‘Ghost’ DeFeo Street” (the “Petition”); and

WHEREAS, it has been determined that the Petition requires a public hearing pursuant to Town Code §10-5; and

WHEREAS, this Board wishes to set a date for a public hearing to consider the Petition, affording all interested parties the opportunity to be heard.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing shall be held on September 1, 2022 at 7:00 P.M. for the purpose of considering the Petition for a secondary honorary street name for a portion of Madison Street in Port Washington, from the corner of Main Street to the corner of Webster Avenue, to be known as “Sal ‘Ghost’ DeFeo Street”, at which public hearing all interested persons will be afforded an opportunity to be heard; and be it further

RESOLVED that the Town Board hereby authorizes and directs the Town Clerk to forward a copy of the Petition to the local fire department, police department, and post office; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on the 1st day of September, 2022, at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the Petition for a secondary honorary street name for a portion of Madison Street in Port Washington, from the corner of Main Street to the corner of Webster Avenue, to be known as “Sal ‘Ghost’ DeFeo Street”.

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

Dated: Manhasset, New York

August 4, 2022

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Planning Building

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. 394 - 2022

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH ALBERTSON HOOK & LADDER, ENGINE & HOSE CO. NO. 1 TO PURCHASE VEHICLE FUEL.

WHEREAS, the Town has heretofore entered into an agreement with Albertson Hook & Ladder, Engine & Hose Co. No. 1 (the “Department”) to provide fire protection services within the Albertson Fire Protection District for calendar year 2022; and

WHEREAS, the Department has requested that the Town allow the Department to utilize the Town’s vehicle fueling facilities for its vehicles under the same terms and conditions as the Town allows other municipalities to use such facilities; and

WHEREAS, the Town cannot enter into an intermunicipal agreement with the Department pursuant to Section 119-o of the General Municipal Law because the Department is not a municipality as defined by such section and therefore must amend its fire protection agreement with the Department in order to allow for the use of the Town’s fueling facilities; and

WHEREAS, it is a requirement of law that a public hearing be held by this Board to consider agreements, or amendments thereto, with fire protection companies for fire protection services.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 1st day of September, 2022, for the purpose of considering an amendment to the Town’s agreement with Albertson Hook & Ladder, Engine & Hose Co. No. 1 (the “Department”) to provide fire protection services within the Albertson Fire Protection District for calendar year 2022 to allow the Department to utilize the Town’s vehicle fueling facilities for its vehicles under the same terms and conditions as the Town allows other municipalities to use such facilities; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on the 1st day of September, 2022 at 7:00 P.M. at Town Hall, 220 Plandome

Road, Manhasset, New York, to consider an amendment to the Town's agreement with Albertson Hook & Ladder, Engine & Hose Co. No. 1 (the "Department") to provide fire protection services within the Albertson Fire Protection District for calendar year 2022 to allow the Department to utilize the Town's vehicle fueling facilities for its vehicles under the same terms and conditions as the Town allows other municipalities to use such facilities.

Dated: Manhasset, New York

August 4, 2022

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

Dated: Manhasset, New York

August 4, 2022

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

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Comptroller

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

RESOLUTION NO. 395 - 2022

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

WHEREAS, it has been requested that the Town Board of the Town of North Hempstead (the “Town”) enact an ordinance, pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space on the east side Brooklyn Avenue, Westbury, New York from a point 258 feet south of the south curblane of Prospect Avenue, south, for a distance of 20 feet.

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

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on September 1, 2022, at 7:00 P.M., to consider an ordinance establishing a reserved parking space as described in the notice of hearing set forth below; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on September 1, 2021, at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the enactment of an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

PLEASE TAKE FURTHER NOTICE that the proposed ordinance would establish a reserved parking space on the east side Brooklyn Avenue, Westbury, New York from a point 258 feet south of the south curblane of Prospect Avenue, south, for a distance of 20 feet.

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

Dated: Manhasset, New York

August 4, 2022

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes:

Nays:

PROPOSED ORDINANCE

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

October 22, 2020, May 20, 2021, August 5, 2021, October 21, 2021 and November 18, 2021 is further amended by adding thereto a new subdivision as follows:

“124” A reserved parking space on the east side Brooklyn Avenue, Westbury, New York from a point 258 feet south of the south curblin of Prospect Avenue, south, 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 4, 2022

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

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

RESOLUTION NO. 396 - 2022

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

WHEREAS, it has been requested that the Town Board of the Town of North Hempstead (the “Town”) enact an ordinance, pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space on the west side of Cedar Road, Westbury, New York, from a point 470 feet south of a point opposite of the south curbline of Amber Court, south, for a distance of 20 feet; and

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

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on September 1, 2022, at 7:00 P.M., to consider an ordinance establishing a reserved parking space as described in the notice of hearing set forth below; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on September 1, 2021, at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the enactment of an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

PLEASE TAKE FURTHER NOTICE that the proposed ordinance would establish a reserved parking space on the west side of Cedar Road, Westbury, New York, from a point 470 feet south of a point opposite of the south curbline of Amber Court, south, for a distance of 20 feet.

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

Dated: Manhasset, New York

August 4, 2022

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes:

Nays:

PROPOSED ORDINANCE

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

October 22, 2020, May 20, 2021, August 5, 2021, October 21, 2021 and November 18, 2021 is further amended by adding thereto a new subdivision as follows:

“125” A reserved parking space on the west side of Cedar Road, Westbury, New York, from a point 470 feet south of a point opposite of the south curblane of Amber Court, south, for a distance of 20 feet; and

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 4, 2022

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

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

RESOLUTION NO. 397 - 2022

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING NORTH 7TH STREET IN NEW HYDE PARK, NEW YORK.

WHEREAS, it has been requested that the Town Board of the Town of North Hempstead (the “Town”) enact an ordinance, pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space on the west side of North 7th Street, New Hyde Park, New York from a point 339 feet south of the south curblin of White Avenue, south, for a distance of 20 feet; and

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

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on September 1, 2022, at 7:00 P.M., to consider an ordinance establishing a reserved parking space as described in the notice of hearing set forth below; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on September 1, 2021, at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the enactment of an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

PLEASE TAKE FURTHER NOTICE that the proposed ordinance would establish a reserved parking space on the west side of North 7th Street, New Hyde Park, New York from a point 339 feet south of the south curblin of White Avenue, south, for a distance of 20 feet.

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

Dated: Manhasset, New York

August 4, 2022

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes:

Nays:

PROPOSED ORDINANCE

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

October 22, 2020, May 20, 2021, August 5, 2021, October 21, 2021 and November 18, 2021 is further amended by adding thereto a new subdivision as follows:

“126” A reserved parking space on the west side of North 7th Street, New Hyde Park, New York from a point 339 feet south of the south curblin of White Avenue, south, 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 4, 2022

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

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

RESOLUTION NO. 398 - 2022

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

WHEREAS, the Lakeville Estates Civic Association has generously offered, as a gift, a musical performance for an event to be held at Clinton G. Martin Park on August 4, 2022; and

WHEREAS, the Roslyn Chamber of Commerce has generously offered, as a gift, a musical performance for an event to be held at Gerry Pond Park on July 27, 2022; 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 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Comptroller Parks and Recreation

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

RESOLUTION NO. 399 - 2022

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

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

WHEREAS, the Office of the Comptroller has requested that the Board authorize a supplemental appropriation in year 2022 (the “Supplemental Appropriation”) as follows:

1. \$2,100.00 to be recorded to revenue line A.2705 with the offsetting expense to be recorded to expense code A.06.3510.4110, for supplies and materials for the animal shelter; and

WHEREAS, the Board wishes to authorize the Supplemental Appropriation.

NOW, THEREFORE, BE IT

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

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Comptroller Clerk

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

RESOLUTION NO. 400 - 2022

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR SOLID WASTE MANAGEMENT TRANSFER STATION RETAINING WALL REHABILITATION (TNH286-2022).

WHEREAS, the Director of Purchasing (the “Director”) has solicited bids for the Solid Waste Management Transfer Station Retaining Wall Rehabilitation, Bid No. TNH286-2022 (the “Project”); and

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

Bidder	Price
G&M Earth Moving, Inc. 345 Ellsworth Street Holbrook, New York 11741	Bid: \$522,000.00
J. Anthony Enterprises, Inc. 175 Engineers Road Hauppauge, New York 11788	Bid: \$459,460.00
Laser Industries 1775 Route 25, PO Box 315 Ridge, New York 11961	Bid: \$767,300.00
PSL Industries, Inc. 640 6th Street Ronkonkoma, New York 11779	Bid: \$583,295.00

; and

WHEREAS, after a review of the bids by the Town’s contracted project engineer and the Deputy Commissioner of the Town’s Department of Solid Waste Management (the “Deputy Commissioner”), the Deputy Commissioner and the Director have recommended that the contract for the Project be awarded to J. Anthony Enterprises, Inc., 175 Engineers Road, Hauppauge, New York 11788 (the “Contractor”) as the lowest responsible bidder at its bid price of Four Hundred Fifty-Nine Thousand Four Hundred Sixty and 00/100 Dollars (\$459,460.00); and

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

NOW, THEREFORE, BE IT

RESOLVED that a Contract for the Project is hereby awarded to the Contractor, as the lowest responsible bidder, at its bid price of Four Hundred Fifty-Nine Thousand Four Hundred Sixty and 00/100 Dollars (\$459,460.00), as more particularly set forth in an agreement which will be filed in the Office of the Town Clerk (the “Award”); and be it further

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

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

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Comptroller Solid Waste

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

RESOLUTION NO. 401 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH KENTONE COMPANY FOR REPAIR OF THE GYM FLOOR AT THE NORTH HEMPSTEAD "YES WE CAN" COMMUNITY CENTER, NEW CASSEL.

WHEREAS, the Town requires the repair of the gym floor at the “Yes We Can” Community Center (the “Services”); and

WHEREAS, the Director of Purchasing (the “Director”) solicited three quotes for the Services, in accordance with the Town’s Procurement Policy (the “Policy”); and

WHEREAS, following application of the local vendor preference as provided for in Article XI of Chapter 24 of the Town Code and the Policy, the Director has recommended that the Town enter into an agreement with Kentone Company, 27 Thompson Place, Lynbrook, New York 11563 (the “Contractor”) for the Services in consideration of an amount not to exceed Fifteen Thousand Four Hundred Forty-Five and 00/100 Dollars (\$15,445.00) (the “Contract Amount”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Admin Services Comptroller

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

RESOLUTION NO. 402 - 2022

A RESOLUTION RATIFYING THE EXECUTION OF A RENTAL AGREEMENT WITH SUNBELT RENTALS FOR THE RENTAL OF EQUIPMENT FOR MICHAEL J. TULLY PARK, NEW HYDE PARK.

WHEREAS, the Town required the rental of a 25-ton mobile chiller for Michael J. Tully Park in New Hyde Park (the “Rental”); and

WHEREAS, the Department of Parks and Recreation solicited three quotes for the Rental, in accordance with the Town’s Procurement Policy; and

WHEREAS, the Town entered into an agreement (the “Agreement”) with Sunbelt Rentals, 200 Finn Court, Suite A, Farmingdale, New York 11735-1119 (the “Contractor”) to provide the Rental in consideration of an amount not to exceed Six Thousand Six Hundred Six and 35/100 Dollars (\$6,606.35); and

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

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

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Comptroller

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

RESOLUTION NO. 403 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR MALLARD BANDING AT GERRY POND PARK, ROSLYN.

WHEREAS, the Town of North Hempstead (the “Town”) owns and operates Gerry Pond Park in Roslyn; and

WHEREAS, the New York State Department of Environmental Conservation (the “NYSDEC” or “Licensee”) seeks entry onto Gerry Pond Park in order to trap and band mallards during the months of August and September 2022 (the “Project”); and

WHEREAS, data collected from the band returns will be used to measure annual mortality, migration patterns and hunting harvest rates and result in an evaluation of management options; and

WHEREAS, this Board wishes to grant a license to the NYSDEC in order to facilitate the execution of the Project (the “Agreement”).

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute the 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 Agreement; and be it further

RESOLVED that the Supervisor and the Commissioner of the Department of Parks and Recreation are authorized and directed to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Comptroller Parks & Rec

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

RESOLUTION NO. 404 - 2022

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH
MAXWELL TURF AND SUPPLY CO., INC. FOR THE INSTALLATION OF THE
BETTER BILLY BUNKER SYSTEM AT HARBOR LINKS GOLF COURSE, PORT
WASHINGTON.**

WHEREAS, the Town requires the installation of a Better Billy Bunker system at Harbor Links Golf Course in Port Washington (the “Services”); and

WHEREAS, it has been determined that Maxwell Turf & Supply Co., Inc., 414 Long Island Avenue, Wyandanch, NY 11798 (the “Contractor”), is the sole source available to the Town for the Services, in accordance with the Town’s Procurement Policy; and

WHEREAS, the Director of Purchasing (the “Director”) has recommended that the Town enter into an agreement with the Contractor to provide the Services in consideration of an amount not to exceed Eleven Thousand Three Hundred Seventy-Five and 00/100 Dollars (\$11,375.00) (the “Agreement”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

August 4, 2022

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

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Comptroller Purchasing

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

RESOLUTION NO. 405 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENTS WITH OPUS INSPECTION FOR THE PURCHASE OF NYVIP3 COMPUTERIZED VEHICLE INSPECTION SYSTEMS (CVIS) AND ASSOCIATED SOFTWARE FOR THE DEPARTMENT OF HIGHWAYS.

WHEREAS, the Department of Public Works, Division of Highways (the “Department”) desires to purchase two (2) NYVIP3 computerized vehicle inspection systems for the New York Vehicle Inspection Program and enter into a service agreement for their use; and

WHEREAS, OPUS Industries, Inc. (“Opus”), 7 Kripes Road, East Granby, Connecticut 06026, is the sole source provider of this equipment; and

WHEREAS, the purchase of the equipment will require the Town to enter into a service agreement that provides as follows:

1. The payment of Five Thousand Six Hundred Twenty-Four and 00/100 Dollars (\$5,624.00) per system;
 2. A transaction fee of \$0.436 per transaction for the first year, which fee can be adjusted annually as directed by the DMV;
 3. A rescheduling fee of \$195.00 if the Town is not prepared for the on-site installation of the equipment;
 4. A fee of \$195.00 per hour for service adjusted at a compounded rate of 3% per year, with parts prices based on the most recent price list;
 5. A \$195.00 fee will be charged for equipment verification, installation and re-initialization of the used equipment; and
 6. A reconnection fee of \$95.00 if the agreement between the Town and Opus is terminated;
- (the “Services”); and

WHEREAS, the Acting Commissioner of the Department (the “Acting Commissioner”) has recommended that the Town enter into an agreement with the Contractor for the purchase of the equipment and to provide the Services (the “Agreement”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

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. 406 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BURYING GROUND PRESERVATION GROUP, INC. TO PROVIDE A BUILDING CONDITION REPORT OF THE MONTFORT CEMETERY IN PORT WASHINGTON.

WHEREAS, the Town Board (the “Board”) of the Town of North Hempstead (the “Town”), is committed to local historic preservation and desires to restore historic Monfort Cemetery in Port Washington; and

WHEREAS, the Town requires a building condition report for the Monfort Cemetery in order to assess the current condition of the cemetery and propose a workplan for the repair of grave markers, restoration and conservation work and a plan for future maintenance and site management (the “Restoration Project”); and

WHEREAS, the Town has received grant funding from the New York State Preservation League to aid in the Restoration Project (the “Grant”); and

WHEREAS, the Town Historian has recommended that the Town enter into an agreement with Burying Ground Preservation Group, Inc. (the “Contractor”) to prepare the building condition report in consideration of an amount not to exceed Twelve Thousand and 00/100 Dollars (\$12,000.00), the majority of which is grant-funded (the “Contract Amount”); and

WHEREAS, it has been recommended to this Board that the Town be authorized to enter into an Agreement with the Contractor to perform the Project for the Contract Amount (the “Agreement”); and

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

NOW, THEREFORE, BE IT

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

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

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Agreement, and 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 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Comptroller

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

RESOLUTION NO. 407 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CORNERSTONE ENGINEERING AND GEOLOGY, PLLC FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE RENEWAL OF THE TOWN'S CHEMICAL BULK STORAGE PERMIT.

WHEREAS, the Town of North Hempstead (the “Town”) requires professional services related to the renewal of the Town’s Chemical Bulk Storage Permit with the New York State Department of Environmental Conservation (the “Services”); and

WHEREAS, the Deputy Commissioner of the Department of Solid Waste Management (the “Deputy Commissioner”) has recommended that the Town enter into an agreement with Cornerstone Engineering and Geology, PLLC, 100 Crystal Run Road, Suite 101, Middletown, New York 10941, to provide the Services in consideration of an amount not to exceed Four Thousand Eight Hundred and 00/100 Dollars (\$4,800.00) (the “Agreement”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

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

RESOLUTION NO. 408 - 2022

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE NEW YORK STATE OFFICE OF GENERAL SERVICES AND VARIOUS VENDORS FOR OUTDOOR AND SITE FURNITURE INCLUDING PICNIC TABLES.

WHEREAS, the Town of North Hempstead (the “Town”) requires the purchase of outdoor and site furniture (the “Purchases”); and

WHEREAS, the New York State Office of General Services awarded a contract entitled “Group 21510- Outdoor and Site Furniture Including Picnic Tables (Statewide)” (the “Agreement”) to various vendors; and

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

WHEREAS, the Board wishes to authorize the use of the Agreement for the Purchases for the duration of the Agreement, inclusive of any extensions

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Admin Services Comptroller

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

RESOLUTION NO. 409 - 2022

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE COUNTY OF SUFFOLK AND VARIOUS VENDORS FOR THE REMOVAL AND INSTALLATION OF MOTOR FUEL, OIL, AND CHEMICAL TANKS.

WHEREAS, the Town of North Hempstead (the “Town”) requires the removal and installation of motor fuel, oil and chemical tanks (the “Services”); and

WHEREAS, the County of Suffolk awarded contract #MFOCT031922 entitled “Motor Fuel/Oil/Chemical Tanks-Removal & Installation” to various vendors (the “Contractors”); and

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

WHEREAS, the Board wishes to authorize the use of the Agreement for the duration of the Agreement, inclusive of any extensions (the “Agreement”); and

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Admin Services 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. 410 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH CAMERON ENGINEERING & ASSOCIATES, LLP, VACHRIS ENGINEERING, AND SOIL MECHANICS DRILLING CORP. FOR ACCESS TO MANORHAVEN BEACH PARK FOR SOIL BORINGS.

WHEREAS, the Village of Manorhaven (“Village”) is undertaking a sewer project and requires access to Manorhaven Beach Park in Port Washington to conduct soil borings in connection with the sewer project (the “Project”); and

WHEREAS, the Village has hired Cameron Engineering & Associates, LLP, 177 Crossways Park Drive, Woodbury, New York 11797, Vachris Engineering, 370 Old Country Road, Garden City, New York 11530, and Soil Mechanics Drilling Corp., 3770 Merrick Road, Seaford, New York 11783 (the “Licensees”) to perform the soil borings necessary to complete the Project; and

WHEREAS, in order to perform the soil borings, the Licensees require access to Manorhaven Beach Park in Port Washington; and

WHEREAS, the Commissioner of the Department of Parks and Recreation has requested that this Board authorize the Town enter into an Agreement with the Licensees to enter onto the site and complete the Project (the “Agreement”); and

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

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Comptroller Parks Department

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

RESOLUTION NO. 411 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH RISING TIDE WATERFRONT SOLUTIONS FOR ENGINEERING SERVICES RELATED TO BAYVIEW AVENUE EMERGENCY STABILIZATION.

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town entered into an agreement with Rising Tide Waterfront Solutions – An Engineering Company, PLLC, 80 Killians Road, Suite 280, Massapequa, New York 11758 for professional engineering services related to Bayview Avenue in Manhasset (the “Original Agreement”); and

WHEREAS, the Acting Commissioner of the Department of Public Works has recommended that the Town amend the Original Agreement to include part-time construction administration to ensure materials used are in compliance with the bid specifications, design drawings and authorized permits and additional administrative tasks, thereby increasing the contract amount under the Original Agreement by an amount not to exceed Ten Thousand Eight Hundred and 00/100 Dollars (\$10,800.00), payable at a rate of One Hundred Sixty-Five and 00/100 Dollars (\$165.00) per hour (the “Amendment”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Comptroller

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

RESOLUTION NO. 412 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH 3D INDUSTRIAL SALES AND SERVICE, INC. FOR PUMP REPAIR, MAINTENANCE AND INSTALLATION (TNH240-2022).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with 3D Industrial Sales and Service, Inc., 110 Swalm Street, Westbury, New York 11590 (the “Contractor”), to provide pump repair and maintenance to the Town (the “Original Agreement”); and

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

WHEREAS, the Director of Purchasing (the “Director”) has recommended that the Town amend the Original Agreement to exercise the Option to extend the term of the Agreement for a ninety (90) days period, commencing on July 24, 2022 and ending October 21, 2022 (the “Amendment”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Purchasing Comptroller

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

RESOLUTION NO. 413 - 2022

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

WHEREAS the Director of Purchasing (the “Director”) has recommended that the Town amend the Original Agreement to exercise the Option to extend the term of the Agreement for a ninety (90) days period, commencing on July 17, 2022 and ending October 14, 2022 (the “Amendment”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Purchasing Comptroller

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

RESOLUTION NO. 414 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH SUFFOLK COUNTY CATERING LLC FOR CATERING SERVICES.

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement, as amended, with Suffolk County Caterers LLC, 33 East 19th Street, Huntington Station, New York 11746 (the “Contractor”), to provide concession services at Clinton G. Martin Park in New Hyde Park and Manorhaven Beach Park in Port Washington during the summer season in consideration of payment by the Contractor to the Town of five percent (5%) of gross revenues with a guaranteed minimum amount (the “Original Agreement”); and

WHEREAS, the Director of Purchasing (the “Commissioner”) has recommended that the Town amend the Original Agreement to include the provision of catering services for hotdogs and hamburgers/cheeseburgers on an as needed basis at Town events (the “Catering Services”) in consideration of payment by the Town to the Contractor of Three and 00/100 Dollars (\$3.00) per hotdog and Five and 00/100 Dollars (\$5.00) per hamburger/cheeseburger served by the Contractor (the “Amendment”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Comptroller Parks & Rec.

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. 415 - 2022

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH D&B ENGINEERS AND ARCHITECTS, P.C. FOR A PROJECT PLAN AND ASSESSMENT REPORT ON BEHALF OF THE MANHASSET BAY PROTECTION COMMITTEE.

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town entered into an agreement, as amended, on behalf of the Manhasset Bay Protection Committee (MBPC), with D&B Engineers and Architects, P.C., 330 Crossways Park Drive, Woodbury, New York 11797 (the “Contractor”) related to the preparation of a quality assurance project plan and data usability assessment report for MBPC’s water quality monitoring program (the “Original Agreement”); and

WHEREAS, the Commissioner of Planning and Environmental Protection has recommended that the Town amend the Original Agreement to provide additional water quality data for 2022 as required by the New York State Department of Environmental Conservation thereby increasing the contract amount under the Original Agreement by Four Thousand and 00/100 Dollars (\$4,000.00), to be funded by the MBPC (the “Amendment”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Comptroller

Deputy Supervisor Scalero 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 - 2022

A RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE MAINTENANCE, TECHNICAL SUPPORT AND SUBSCRIPTION SERVICES FOR VARIOUS TOWN DEPARTMENTS.

WHEREAS, various Town Departments require annual software maintenance, technical support and subscription services for the Town's online fillable forms application (the "LincWare Support"), for the Town's Microsoft Dynamics System for the Office of the Receiver of Taxes (the "MicroForce Support") and to renew the Town's Microsoft 365 Subscription for e-mail and office applications (the "Dell Support"); and

WHEREAS, the Deputy Commissioner of the Department of Information Technology and Telecommunications has recommended that the Town purchase the Lincware Support from LincWare, LLC, 401 Main Street, East Rochester, New York 14445, retroactively, for a term commencing on September 1, 2021 and ending on August 31, 2022 in consideration of an amount not to exceed Five Thousand Seven Hundred Ninety Five and 00/100 Dollars (\$5,795.00), and for a term commencing on September 1, 2022 and ending on August 31, 2023 in consideration of an amount not to exceed Five Thousand Seven Hundred Ninety Five and 00/100 Dollars (\$5,795.00) (the "LincWare Purchases"); and

WHEREAS, the Receiver of Taxes has recommended that the Town purchase the MicroForce Support from MicroForce, Inc, 68 S. Service Road, Suite 100, Melville, New York 11747 for a term of one (1) year in consideration of an amount not to exceed Two Thousand Six Hundred Seventy-Seven and 00/100 Dollars (\$2,677.00) (the "MicroForce Purchase"); and

WHEREAS, the Director of Purchasing has recommended that the Town purchase the Dell Support using New York State Office of General Services Contract PS68202 (the "Agreement"), from Dell Marketing, L.P., One Dell Way, Round Rock, Texas 78682 for a term of one (1) year in consideration of an amount not to exceed Ninety-Eight Thousand Nine Hundred Seventy-Seven and 00/100 Dollars (\$98,977.00) (the "Dell Purchase"); and

WHEREAS, the Board wishes to authorize the use of the Agreement for the Dell Purchase pursuant to New York General Municipal Law §104; and

WHEREAS, this Board finds it to be in the best interest of the Town to authorize the LincWare Purchases, the MicroForce Purchase and the Dell Purchase (collectively the "Purchases").

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Comptroller DOITT

Deputy Supervisor Scalero 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 - 2022

A RESOLUTION AUTHORIZING THE PURCHASE FROM VERMONT SYSTEMS, INC. OF REMOTE TRAINING FOR THE TOWN'S RECREATION MANAGEMENT SYSTEM.

WHEREAS, the Department of Parks and Recreation (the “Department”) requires remote training and SMS text messaging capabilities for the Town’s recreation management system, Rectrac; and

WHEREAS, the Deputy Commissioner of the Department of Information Technology and Telecommunications has recommended that the Town purchase the training and texting services from Vermont Systems, 12 Market Place, Essex Junction, Vermont 05452 in consideration of an amount not to exceed Five Thousand Two Hundred Fifty and 00/100 Dollars (\$5,250.00) for up to thirty (30) hours of training, payable One Hundred Seventy-Five and 00/100 Dollars (\$175.00) per hour; an annual fee for texting capabilities not to exceed One Hundred Eighty and 00/100 Dollars (\$180.00), payable Fifteen and 00/100 Dollars (\$15.00) per month; and an amount of \$0.05 cents per text message sent (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 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Comptroller

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

RESOLUTION NO. 418 - 2022

A RESOLUTION ESTABLISHING A NEW PROPERTY ADDRESS OF 66 HIGHLAND TERRACE, MANHASSET, NEW YORK FOR THE PREMISES IDENTIFIED AS SECTION 3, BLOCK 47, LOT 10 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU.

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

WHEREAS, Fan Zhang, (the “Owner”), is the owner of real property located at 54 Highland Terrace, Manhasset, New York designated on the Nassau County Land and Tax Map as Section 3, Block 47, Lots 10 and 12 (the “Original Street Address”); and

WHEREAS, the property is being subdivided and the Owner, through Donald Alberto Architect P.C., (the “Applicant”) has requested that Lot 12 retain the Original Street Address of 54 Highland Terrace, Manhasset, New York and that the Original Street Address for Lot 10 be changed to 66 Highland Terrace, Manhasset, New York (the “Address Re-designation”); and

WHEREAS, the Manhasset 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 designations 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 Lot 12 retain the Original Street Address of 54 Highland Terrace, Manhasset, New York and that the Original Street Address for Lot 10 be changed to 66 Highland Terrace, Manhasset, 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 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

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

Deputy Supervisor Scalero 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 - 2022

A RESOLUTION AMENDING THE TOWN OF NORTH HEMPSTEAD TRANSFER STATION RESIDENTIAL DROP-OFF FEE SCHEDULE.

WHEREAS, Section 23-9.6 of the Town Code of the Town of North Hempstead permits the Town Board, on the recommendation of the Commissioner of Solid Waste Management (the “Commissioner”) and subject to the provisions of Chapter 46 of the Town Code, to fix and collect rates, rentals, fees and other charges for disposal of acceptable waste and recyclables at the Town's Transfer Station; and

WHEREAS, the Town’s Department of Solid Waste Management (the “Department”) will soon be undertaking the reconstruction (the “Reconstruction Project”) of the Sunday Residential Drop-Off Area (the “Drop-Off Area”) at the Transfer Station, which will require the area to be closed; and

WHEREAS, in an effort to continue the Town’s Sunday Residential Drop-Off Program (the “Program”) during the period of the Reconstruction Project, the Department will be moving the Program location to another area of the Transfer Station; and

WHEREAS, moving the location of the Program will make it impractical to have vehicles pass through the Transfer Station’s weigh scale twice in order to determine the weight of the materials being disposed of at the Transfer Station on Sundays and to collect weight-based fees, as is currently the case; and

WHEREAS, having studied past Program collections at the Transfer Station, the Deputy Commissioner of the Department has recommended that, during the period of the Reconstruction Project, the fees for the use of the Program be temporarily amended to be based on the type of vehicle entering the Transfer Station, as follows:

Cars	\$11.00
SUV's	\$15.00
Pickup Trucks	\$33.00
Vans	\$45.00

(the “Amended Drop-Off Fees”); and

WHEREAS, this Board wishes to adopt the Amended Drop-Off Fees to be charged by the Department during the period of the Reconstruction Project.

NOW, THEREFORE, BE IT

RESOLVED that a fee schedule for use of the Town of North Hempstead Transfer Station Sunday Residential Drop-Off Area is hereby temporarily amended during the period of the Reconstruction Project as follows:

Cars	\$11.00
SUV's	\$15.00
Pickup Trucks	\$33.00
Vans	\$45.00

; and be it further

RESOLVED that for the purposes of this Resolution, the “period of the Reconstruction Project” shall commence at such time as the Commissioner or Deputy Commissioner of the Department issues a Notice to Proceed to the contracting company performing the Reconstruction Project and shall terminate at such time as the Commissioner or Deputy Commissioner files with the Town Clerk a statement that the Reconstruction Project has been substantially completed and that the Drop-Off Area is once again ready for use; and be it further

RESOLVED that upon the filing of the statement described above, the Amended Drop-Off Fees shall cease to be of further effect and the fees for the use of the Drop-Off Area in effect prior to the adoption of this Resolution shall be automatically reinstated without the need for further action by this Board; and be it further

RESOLVED that the Commissioner or Deputy Commissioner is hereby authorized and directed to take any and all actions and provide any and all notices to effectuate the provisions of this Resolution.

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Comptroller Solid Waste

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. 420 - 2022

A RESOLUTION AMENDING THE TOWN OF NORTH HEMPSTEAD PARKS FEE SCHEDULE.

WHEREAS, the Town Board of the Town of North Hempstead (“Town Board”) is empowered pursuant to § 39-23 of the Town Code, upon recommendation of the Commissioner of the Department of Parks and Recreation (the “Commissioner”), to set the fees and charges for use of facilities and services in Town parks; and

WHEREAS, the Town Board adopted a schedule of user fees for the use of Town facilities and services, including certain facilities at various Town parks (the “Fee Schedule”); and

WHEREAS, the Kiwanis Club of Manhasset-Port Washington Foundation (the “Kiwanis Club”), is a not-for-profit organization that provides assistance to residents of the Town; and

WHEREAS, the Kiwanis Club is holding its annual BBQ picnic at North Hempstead Beach Park (“NHBP”) on August 13, 2022 from 11:00am through 3:00pm; and

WHEREAS, the Commissioner has recommended that the Town Board approve a change in the Fee Schedule to temporarily waive parking fees for the north parking lot at NHBP for vehicles coming to NHBP to attend the picnic (the “Amendment”); and

WHEREAS, the Town Board wishes to approve the Amendment to the Fee Schedule as recommended by the Commissioner.

NOW, THEREFORE, BE IT

RESOLVED that the Fee Schedule shall be amended to reflect the Amendment; and be it further

RESOLVED that except as herein modified, the Fee Schedule shall remain unchanged and in full force and effect.

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Parks and Recreation 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. 421 - 2022

A RESOLUTION APPOINTING BONNIE PARENTE AS A MARRIAGE OFFICER FOR THE TOWN OF NORTH HEMPSTEAD.

WHEREAS, Domestic Relations Law §11-c authorizes the Town Board to appoint marriage officers who shall have the authority to solemnize marriages within the Town; and

WHEREAS, this Board wishes to appoint Bonnie Parente, Mayor of the Incorporated Village of East Williston, as an additional marriage officer.

NOW, THEREFORE, BE IT

RESOLVED that Bonnie Parente, a resident of the Town of North Hempstead, being duly qualified, be and hereby is appointed as a marriage officer of the Town of North Hempstead for the period commencing August 5, 2022 and ending October 31, 2022, to serve without compensation from the Town of North Hempstead.

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Comptroller

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

RESOLUTION NO. 422 - 2022

A RESOLUTION CONFIRMING THE APPOINTMENT OF PETER GAFFNEY TO THE TOWN OF NORTH HEMPSTEAD TREE ADVISORY COMMITTEE.

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

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

WHEREAS, there are currently Committee positions remaining open awaiting appointment by the Supervisor and individual members of the Town Board; and

WHEREAS, Councilman Robert Troiano has appointed Peter Gaffney to the Committee, for a term commencing retroactively on July 8, 2022 and ending July 7, 2024 (the "Appointment"); and

WHEREAS, this Board wishes to confirm the Appointment.

NOW, THEREFORE, BE IT

RESOLVED that the Appointment is hereby confirmed.

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Finance

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

RESOLUTION NO. 423 - 2022

A RESOLUTION CONFIRMING THE APPOINTMENT OF JAMES MCHUGH TO THE TOWN OF NORTH HEMPSTEAD TREE ADVISORY COMMITTEE.

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

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

WHEREAS, there are currently Committee positions remaining open awaiting appointment by the Supervisor and individual members of the Town Board; and

WHEREAS, Councilman David Adhami has appointed James McHugh to the Committee, for a term commencing retroactively on July 8, 2022 and ending July 7, 2025 (the "Appointment"); and

WHEREAS, this Board wishes to confirm the Appointment.

NOW, THEREFORE, BE IT

RESOLVED that the Appointment is hereby confirmed.

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Town Attorney Finance

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

RESOLUTION NO. 424 - 2022

A RESOLUTION AMENDING THE TOWN BOARD RULES OF PROCEDURE.

WHEREAS, Town Law §63 allows the Town Board to adopt Rules of Procedure (the "Rules");
and

WHEREAS, the Town Board has heretofore adopted such rules and subsequently amended same;
and

WHEREAS, the Town Board wishes to further amend the Rules as follows (the "Amendment"):
(*Strikeout font indicates text being deleted. Bold/Underlining indicates text being added.*)
(Updated 6/2/22)

**TOWN BOARD
RULES OF PROCEDURE**

Article 1: Declaration of Intent

It is the intent of this Town Board that its meetings and public hearings be conducted in as efficient a manner as practicable. It is also this Town Board=s intention that participants recognize the importance of the business being conducted, and the importance of basic courtesy, respect and decorum in the Board=s proceedings. These Rules of Procedure are intended to encourage efficiency and courtesy in the conduct of the business of the people of this Town.

Article 2: Definitions

For the purposes of this resolution,

A. "Calendar" means a list or schedule of resolutions or other legislative items for consideration or disposition, or an agenda.

B. "Members" means members of the Town Board, comprising the Town Supervisor and the Council members.

C. "Reserve decision" means to refrain from taking a final vote or other disposition on a proposal until a future date.

D. "Town Board" means the Town Supervisor and the Council members.

E. "Town Law" means the New York State Town Law.

F. "Urgent or of an emergency nature" means a pressing or critical situation that poses or may pose an immediate risk to, or have an immediate negative impact upon, health, life, safety, property, economy, environment or Town governance requiring prompt action or attention. For purposes of this definition, a resolution approving the action of a fire company to add to, or remove from, membership shall be deemed urgent.

Article 3: Scope

These Rules of Procedure shall apply to all meetings and public hearings of the Town Board [~~of the Solid Waste Management Authority,~~] and of all special districts or other bodies for which the Town Board serves as Commissioners, Directors or Trustees.

Article 4: Conditions of Meetings and Hearings

A. Location of Meetings. All meetings and public hearings of the Town Board shall, unless otherwise specified in public notices, be held in the Main Hearing Room on the second floor of Town Hall, 220 Plandome Road. By a majority vote, and with appropriate public notice, the Town Board may designate alternative **meeting and public hearing** locations within the Town, **or use videoconferencing when authorized by local law adopted by the Town Board and in accordance with Section 103-a of the Public Officers Law, or authorize meetings to be held remotely by conference call or similar service when authorized by New York State law.**

B. Time of Meetings. Meetings and hearings of the Town Board, unless otherwise specified in public notices, shall begin at 7:00 p.m. Special or emergency meetings may be scheduled between 8:00 a.m. and 8:00 p.m.

C. Time limits of Meetings. In the event that a public hearing continues beyond 12:00 midnight, the Board shall reserve decision, unless by majority vote the Town Board determines that delay is not in the public interest.

D. Quorum. Four or more members of the Town Board, present at a meeting or hearing, constitute a quorum. If no quorum is present, no official votes on any resolution or local law may be taken, and the meeting may be adjourned on the motion of one member of the Town Board.

E. Actions. No action, resolution, local law or ordinance shall be adopted without the affirmative vote of a majority of Members then in office.

Article 5: Organization of the Town Board

A. If present, the Supervisor shall preside at all meetings and hearings of the Town Board. If the Supervisor is absent, the Deputy Supervisor shall preside. If both the Supervisor and the Deputy Supervisor are absent, the members present shall select by majority vote a presiding officer for the meeting or hearing. The Supervisor may, in the course of a meeting or hearing, temporarily designate another Member as acting presiding officer.

B. During meetings or hearings, the Town Attorney or his/her designee shall act as counsel to the Town Board and as Parliamentarian.

C. (1) During meetings or hearings, the Town Clerk shall act as secretary of the Town Board.

(2) Notwithstanding any other responsibilities pursuant to state law, the Town Clerk shall be responsible for keeping summary minutes, including a written record of all proceedings and votes, and for maintaining and publishing such records. The minutes shall be made available to the public by the Town Clerk within seven calendar days of any meeting or hearing.

(3) A certified stenographic reporter shall be present to record a precise transcript of all proceedings. The transcript shall be made available to the public by the Town Clerk within twenty-one calendar days of any meeting or hearing.

Article 6: Calendar of the Town Board

A. The Town Attorney shall be responsible for preparation of the Calendar of each Town Board meeting. The Calendar shall include all items properly submitted to the Town Attorney in accordance with this Article. Each item on the Calendar shall include a "synopsis" of the items effect in plain English, where the caption is not otherwise clear.

B. Members wishing to place resolutions or other legislation on a Town Board Calendar shall submit a memorandum in writing, **electronically through the agenda management system utilized by the Town,** to the Town Attorney or the Town Attorney's designee with appropriate descriptions and support materials attached. The memorandum shall include a suggested "synopsis" for the calendar which explains in plain English the effect of the proposal. Such memorandum shall be submitted not later than 5 p.m. on the fourteenth calendar day prior to a scheduled Town Board meeting. Applications for approval of a site plan must demonstrate compliance with the Long Island Workforce Housing Act, where applicable. The Town Attorney shall prepare in proper form for consideration by the Town Board any resolution or other legislation submitted in such manner.

If a proposed item is not in proper form, or if the submission is otherwise insufficient, the Town Attorney's office shall notify the Member making the proposal in writing within three business days of its receipt by the Town Attorney as to the nature of the deficiency and, upon request, shall assist said Member in making the necessary corrections.

C. No resolution or other legislation shall be placed on the Calendar of any meeting without the written request of a Member.

D. **Members, and their designees, shall be notified contemporaneously upon the submission of each and every item submitted through the electronic agenda management system. Members, and their designees, shall at all times have equal and unrestricted access to view all Calendars and all backup materials for any prior or future meeting of the Town Board, including draft Calendars. No Member or their designee shall have access to the electronic agenda management system that is not the same as any other Member. Only the Town Attorney or his/her designee shall have the authority to delete Calendar items.**

E. Not later than 5PM on [Wednesday] **the third calendar day**⁽¹⁾ prior to a scheduled meeting, the Town Attorney shall [deliver] **make available to each Member and the Town Clerk,** the Calendar **in its final form, together with** [and] all backup materials, ~~[to the Members. Not later than 5 PM on the Friday prior to a scheduled meeting, the Town Attorney shall deliver to each Member, and to the Town Clerk,]~~ **and** a copy of each resolution or other legislation which has been placed on

a Calendar, except that a proposed Local Law must be placed on the desk of each member not less than seven (7) calendar days, exclusive of Sunday, prior to its final passage or otherwise delivered to each of the Members in accordance with Municipal Home Rule Law Section 20(4) [the Town Board meeting at which a Public Hearing on said proposal is to be held].

[E]F. The Member who submitted the written request that a resolution or other legislation be placed on the Calendar may withdraw the request and remove the item from consideration at any time prior to the call to order of the meeting. The Supervisor will announce the change in the Calendar at the appropriate time pursuant to Article 7.

[F]G. **Urgent or Emergency Matters.**

(1) Additional resolutions or legislation considered urgent or of an emergency nature may be added to the Calendar after 5 p.m. on the fourteenth calendar day prior to a scheduled [commencement of any meeting, by the Town Supervisor or by a majority vote of the] Town Board meeting, but prior to the Calendar being publicly posted, [- Added resolutions or legislation will be added to the end of the Calendar not later than three hours prior to the scheduled start of the Town Board meeting] in the following manner:

([1]a) If the resolution is to schedule a matter for a Public Hearing at a future date or to approve the action of a fire company to add to, or remove from, membership, it may be added by any member; or

([2]b) All other resolutions may be added only at the request of the Supervisor or [F]two Members of the Town Board.

The request shall be submitted in writing, electronically through the agenda management system, and shall identify the Member(s) making the request, together with an explanation identifying the urgent or emergency nature. Such resolutions or legislation will be added at the end of the Calendar.

(2) Once a regular meeting Calendar has been publicly posted, additional resolutions or legislation considered urgent or of an emergency nature (also referred to as an “added starter” resolution) may be added to the Calendar after the Calendar is publicly posted, including after commencement of any meeting, by the Town Supervisor or by a majority vote of the Town Board, only in an extraordinary circumstance, provided that no local law may be adopted by emergency by the Town Board except in accordance with Municipal Home Rule Law Section 20(4). Added resolutions or legislation will be added to the end of the Calendar. Except where impracticable, a resolution or legislation sought to be added to the Calendar under this section shall be distributed to all Members, the Town Clerk and the Town Attorney, not later than three hours prior to the scheduled start of the Town Board meeting. The request shall be submitted in writing, electronically through the agenda management system, and shall identify the Member(s) making the request, together with a statement identifying: (i) the urgent or emergency nature; and (ii) the extraordinary circumstance. As used in this section, “extraordinary circumstance” shall mean a circumstance where the sponsoring Member could not anticipate or foresee the need for the added starter resolution prior to the Calendar being publicly posted.

[G]H. The Town Attorney is authorized to [promulgate] recommend specific guidelines, requirements or formats for requests that a resolution or other legislation be placed on the Calendar.

Any such guidelines, requirements or formats shall be described in writing and shall apply to all Members.

Article 7: Order of Business

Unless suspended or changed, without debate, by a majority vote of the Members, the following shall be the order of business of meetings:

- A. Call to order by the Supervisor or acting presiding officer
- B. Recital of the Pledge of Allegiance to the flag
- C. Roll Call of Members by Town Clerk to determine attendance and quorum
- D. Announcements and Special Presentations
- E. Public Comments
- F. Announcement of changes in the Calendar
- G. Disposition of the Calendar, which shall be arranged in the following order:
 - i. Site plan review business
 - ii. Public Hearings
 - iii. Resolutions
 - iv. Other hearings
- H. Adjournment
- I. Additional Public Comments, if any

Article 8: Motions and Proceedings

- A. The vote on every question shall be by "ayes" and "noes." **An abstention, silence or absence shall not be considered either an affirmative or a negative vote for the purposes of determining the final vote on a matter. A Member may pass his or her vote once per question and will be called on again after the voting order is completed.** When polled by the Town Clerk, voting shall be done in [~~alphabetical~~] **council district** order **with** [~~except that~~] the Supervisor [~~shall~~] **being** polled last.
- B. The names of the Members present and their votes upon every question shall be entered in the minutes and transcripts of the Town Board.
- C. The following motions shall be received by the Supervisor or acting presiding officer, and these motions shall have precedence in the order stated:
 - 1. For an adjournment of the meeting or hearing, or to continue a hearing past midnight.
 - 2. For a Call of the Town Board (a roll call to determine attendance or quorum)
 - 3. To temporarily suspend the Rules of Procedure.**
 - ~~[3]~~**4.** To change the arrangement of the Calendar

- [4]5. To enter an Executive Session, pursuant to the Open Meetings Law
- [5]6. To recess the Town Board temporarily
- [6]7. To lay on the table (to temporarily place a matter aside) or to take from the table
- [7]8. To postpone to a certain day (to reserve decision or)
- [8]9. Refer a resolution or other legislation to a Committee of the Board, consisting of not less than one nor more than three Members for a period not to exceed ninety (90) days. Said Committee shall report its findings to the Board in writing at least seven calendar days before a scheduled Town Board meeting within the aforementioned ninety day period and the resolution or legislation shall be placed on the calendar of the next scheduled Town Board meeting after said report is made to the Members.

The Committee shall be appointed by a majority vote of the Town Board as part of the motion to Refer

- [9]10. For the previous question (to call for a vote on the matter under consideration)

- 1[0]1. To amend

D. A motion to reconsider a vote may be made only during the same meeting on which the vote proposed to be reconsidered was taken. A motion to reconsider may be made under any order of business. This subsection shall not be deemed to limit the authority of the Town Board, at a subsequent meeting, to pass a resolution rescinding or modifying any previous resolution.

E. Neither debate, nor a motion to reconsider, shall be entertained for any motion to adjourn, for a Call of the Town Board, to lay on the table, to take from the table, or for the previous question.

F. Except as otherwise required by law, any rule of the Town Board may at any time be temporarily suspended for special reasons by a majority vote of all of the Members of the Town Board. Whether "special reasons" present themselves is to be decided on a case-by-case basis and shall be stated on the record prior to voting on a motion to suspend the rules. No permanent alteration may be made except, in writing, by resolution of the Town Board, duly filed prior to the meeting in accordance with these rules.

Article 9: Conduct of Meetings

A. The Supervisor shall maintain order at Town Board meetings.

B. No member of the public shall be permitted to address the Town Board unless recognized by the Supervisor or acting presiding officer.

C. Persons addressing the Town Board shall address their remarks to the Town Board only, and not to other members of the audience in the form of a debate.

D. Persons addressing the Town Board, including during public comment, shall state their name and home community, and shall state their business or question within three minutes. The Supervisor may allow a speaker to continue if time permits.

E. Members of the public shall be permitted to address the Town Board regarding any resolution or other legislative proposal then under consideration, after Members have had a chance to address questions or comments on the proposal. For resolutions not subject to a public hearing, the Supervisor may limit the number of such questions or comments.

F. Speakers who wish to submit documents to the Town Board for consideration during a Public Hearing shall provide a copy of the document to the Town Clerk who shall mark each of the documents with the date of the meeting, the agenda number, the name of the speaker and if more

than one document is submitted, each document shall be itemized "Name of Speaker- document 1" etc.

G. For regularly scheduled meetings, there may be a period of public comment not exceeding 30 minutes in duration, except that the Supervisor, in his/her discretion, may extend such time limitation. This period of public comment shall occur prior to the announcement of changes in the Calendar, if any, or disposition of the Calendar. After adjournment, there shall be an additional period of public comment, the duration of which shall be determined by the Supervisor. Subject to the requirements of Article 9, Paragraph D, members of the public shall be permitted to address the Town Board on any subject not on the Calendar or under consideration at that meeting or hearing. No stenographic transcript of this public comment period is required.

H. The Town Board may invite and permit residents of the Town or other guests to participate in a meeting.

I. The Supervisor may designate an area or areas of the meeting room to be reserved for special guests, for witnesses, or for the news media.

J. The use of handheld sound or video recording devices by the public is allowed, unless the recording devices or their use interrupt and interfere with the orderly conduct of the meeting or with the ability of the public to hear or see the proceedings.

K. The Supervisor may order anyone who violates these Rules to leave the meeting room. If the person refuses to leave, the Supervisor may direct that any law enforcement officer present shall remove the offending person from the meeting room.

L. Effective February 25, 2014, Town Board meetings shall be broadcast and accessible on the Town of North Hempstead's website. Viewing will be made available via live video streaming at the time of the meeting.

NOW, THEREFORE, BE IT

RESOLVED that the Amendments to the Rules are hereby approved.

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: Councilperson Adhami, Councilperson Walsh.

Absent: Supervisor DeSena.

^[1] **For a Town Board meeting scheduled on a Thursday, the third calendar day prior to the meeting shall be the preceding Monday. If the preceding Monday is a public holiday, the Town Attorney shall make the required information available no later than the preceding Tuesday at 2:00pm.**

PROPOSED RESOLUTION

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

RESOLUTION NO. - 2022

A RESOLUTION AMENDING THE TOWN BOARD RULES OF PROCEDURE.

WHEREAS, Town Law §63 allows the Town Board to adopt Rules of Procedure (the "Rules");
and

WHEREAS, the Town Board has heretofore adopted such rules and subsequently amended same;
and

WHEREAS, the Town Board wishes to further amend the Rules as shown in Exhibit A attached hereto and made a part hereof (the "Amendments").

NOW, THEREFORE, BE IT

RESOLVED that the Amendments to the Rules are hereby approved.

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Walsh.

Nays: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Zuckerman.

Absent: Supervisor DeSena.

TOWN BOARD RULES OF PROCEDURE

Article 1: Declaration of Intent

It is the intent of this Town Board that its meetings and public hearings be conducted in as efficient a manner as practicable. It is also this Town Board's intention that participants recognize the importance of the business being conducted, and the importance of basic courtesy, respect and decorum in the Board's proceedings. These Rules of Procedure are intended to encourage efficiency and courtesy in the conduct of the business of the people of this Town.

Article 2: Definitions

For the purposes of this resolution,

- A. "Calendar" means a list or schedule of resolutions or other legislative items for consideration or disposition, or an agenda.
- B. "Members" means members of the Town Board, comprising the Town Supervisor and the Council members.
- C. "Reserve decision" means to refrain from talking a final vote or other disposition on a proposal until a future date.
- D. "Town Board" means the Town Supervisor and the Council members.
- E. "Town Law" means the New York State Town Law.
- F. "Urgent or of an emergency nature" means a pressing or critical situation that poses or may pose an immediate risk to, or have an immediate negative impact upon, health, life, safety, property, economy, environment or Town governance requiring prompt action or attention. For purposes of this definition, a resolution approving the action of a fire company to add to remove from membership shall be deemed urgent.

Article 3: Scope

These Rules of Procedure shall apply to all meetings and public hearings of the Town Board ~~[of the Solid Waste Management Authority,]~~ and of all special districts or other bodies for which the Town Board serves as Commissioners, Directors or Trustees.

Article 4: Conditions of Meetings and Hearings

- A. Location of Meetings. All meetings and public hearings of the Town Board shall, unless otherwise specified in public notices, be held in the Main Hearing Room on the second floor of Town Hall, 220 Plandome Road, **Manhasset, New York**. By a majority vote, and with appropriate public notice, the Town Board may designate alternative **meeting and public hearing**

locations within the Town, or use videoconferencing when authorized by local law adopted by the Town Board and in accordance with Section 103-a of the Public Officers Law, or authorize meetings to be held remotely by conference call or similar service when authorized by New York State law.

- B. Time of Meetings. Meetings and hearings of the Town Board, unless otherwise specified by the Town Board in public notices, shall begin at 7:00 p.m. Special or emergency meetings may be scheduled between 8:00 a.m. and 8:00 p.m.
- C. Time limits of Meetings. In the event that a public hearing continues beyond 12:00 midnight, the Board shall reserve decision, unless by majority vote the Town Board determines that delay is not in the public interest.
- D. Quorum. Four or more members of the Town Board, present at a meeting or hearing, constitute a quorum. If no quorum is present, no official votes on any resolution or local law may be taken, and the meeting may be adjourned on the motion of one member of the Town Board.
- E. Actions. No action, resolution, local law or ordinance shall be adopted without the affirmative vote of a majority of the members present at the meeting.

Article 5: **Organization of the Town Board**

If present, the Supervisor shall preside at all meetings and hearings of the Town Board. If the Supervisor is absent, the Deputy Supervisor shall preside. If both the Supervisor and the Deputy Supervisor are absent, the members present shall select by majority vote a presiding officer for the meeting or hearing. The Supervisor may, in the course of a meeting or hearing, temporarily designate another Member as acting presiding officer.

- B. During meetings or hearings, the Town Attorney or his/her designee shall act as counsel to the Town Board ~~and as Parliamentarian~~
- C.
 - (1) During meetings or hearings, the Town Clerk shall act as secretary of the Town Board.
 - (2) Notwithstanding any other responsibilities pursuant to state law, the Town Clerk shall be responsible for keeping summary minutes, including a written record of all proceedings and votes, and for maintaining and publishing such records. The minutes shall be made available to the public by the Town Clerk within seven calendar days of any meeting or hearing.
 - (3) A certified stenographic reporter shall be present to record a precise transcript of all proceedings. The transcript shall be made available to the public by the Town Clerk within twenty-one calendar days of any meeting or hearing.

Article 6: **Calendar of the Town Board**

- A. The Town Attorney shall be responsible for preparation of the Calendar of each Town

Board meeting. The Calendar shall include all items properly submitted to the Town Attorney in accordance with this Article. Each item on the Calendar shall include a "synopsis" of the item's effect in plain English, where the caption is not otherwise clear,

- B. Members wishing to place resolutions or other legislation on a Town Board Calendar shall submit a memorandum in writing, electronically through the agenda management system utilized by the Town, to the Town Attorney or the Town Attorney's designee with appropriate descriptions and support materials attached. The memorandum shall include a suggested "synopsis" for the calendar which explains in plain English the effect of the proposal. Such memorandum shall be submitted not later than 5 p.m. on the fourteenth calendar day prior to a scheduled Town Board meeting. Applications for approval of a site plan must demonstrate compliance with the Long Island Workforce Housing Act, where applicable.

The Town Attorney shall prepare in proper form for consideration by the Town Board any resolution or other legislation submitted in such manner,

If a proposed item is not in proper form, or if the submission is otherwise insufficient, the Town Attorney's office shall notify the Member making the proposal in writing within three business days of its receipt by the Town Attorney as to the nature of the deficiency, and upon request shall assist said Member in making the necessary corrections even if beyond the deadline for submission.

- C. No resolution or other legislation shall be placed on the Calendar of any meeting without the written request of a Member.
- D. Members, and their designees, shall be notified contemporaneously upon the submission of each and every item submitted through the electronic agenda management system. Members, and their designees, shall at all times have equal and unrestricted access to view all Calendars and all backup materials for any prior or future meeting of the Town Board, including draft Calendars. No Member or their designee shall have access to the electronic agenda management system that is not the same as any other Member. Only the Supervisor Town Attorney or his/her designee shall have the authority to delete Calendar items.
- E. No later than 5PM on ~~[Wednesday]~~ the third calendar day¹ prior to a scheduled meeting, the Town Attorney shall ~~[deliver]~~ make available to each Member and the Town Clerk, the Calendar in its final form, together with ~~[and]~~ all backup materials, ~~[to the Members. Not later than 5 PM on the Friday prior to a scheduled meeting, and to the Town Clerk,]~~ and a copy of each resolution or other legislation which has been placed on a Calendar, except that a proposed Local Law must be placed on the desk of each member not less than seven (7) calendar days, exclusive of Sunday; prior to its final passage or otherwise delivered to each of the Members in accordance with Municipal Home Rule Law Section 20(4)

¹ For a Town Board meeting scheduled on a Thursday, the third calendar day prior to the meeting shall be the preceding Monday. If the preceding Monday is a public holiday, the Town Attorney shall make the required information available no later than the preceding Tuesday at 2:00pm.

~~[the Town Board meeting at which Public Hearing on said proposal is to be held].~~

[E] ~~F~~ The Member who submitted the written request that a resolution or other legislation be placed on the Calendar may withdraw the request and remove the item from consideration at any time prior to the call to order of the meeting, The Supervisor will announce the change in the Calendar at the appropriate time pursuant to Article 7.

[F] ~~G.~~ Urgent or Emergency Matters.

~~(1)~~ Additional resolutions or legislation considered urgent or of an emergency nature may be added to the Calendar after 5 p.m. on the fourteenth calendar day prior to a scheduled commencement of any meeting, by the Town Supervisor or by a majority vote of the Town Board meeting, but prior to the Calendar being publicly posted. [. Added regulations or legislation will be added to the end of the Calendar not later than three hours prior to the scheduled start of the Town Board meeting] in the following manner:

~~([F]a)~~ If the resolution is to schedule a matter for a Public Hearing at a future date or to approve the action of a fire company to add to, or remove from, membership, it may be added by any member; or

~~([2] b)~~ All other resolutions may be added only at the request of the Supervisor or ~~[F]two~~ Members of the Town Board.

The request shall be submitted in writing, electronically through the agenda management system, and shall identify the Member(s) making the request, together with an explanation identifying the urgent or emergency nature. Such resolutions or legislation will be added at the end of the Calendar.

ill Once a regular meeting Calendar has been publicly posted, additional resolutions or legislation considered urgent or of an emergency nature (also refined to as an "added starter" resolution) may be added to the Calendar after the Calendar is publicly posted, including after commencement of any meeting, by the Town Supervisor or by a majority vote of the Town Board, only in an extraordinary circumstance, provided that no local law may be adopted by emergency by the Town Board except in accordance with Municipal Home Rule Law Section 20(4). Added resolutions or legislation will be added to the end of the Calendar. Except where impracticable, a resolution or legislation sought to be added to the Calendar under this section shall be distributed to all Members, the Town Clerk and the Town Attorney, not later than three hours prior to the scheduled start of the Town Board meeting.

The request shall be submitted in writing, electronically through the agenda management system, and shall identify the Member(s) making the request, together with a statement identifying: (i) the urgent or emergency nature; and (ii) the extraordinary circumstance. As used in this section, "extraordinary circumstance" shall mean a circumstance where the sponsoring Member could not anticipate or foresee the need for the added starter resolution prior to the Calendar being publicly posted.

[G]H. The Town Attorney is authorized to [promulgate] recommend specific guidelines, requirements or formats for requests that a resolution or other legislation be placed on the Calendar. Any such guidelines, requirements or formats shall be described in writing and shall apply to all Members.

Article 7: Order of Business

Unless suspended or changed, without debate, by a majority vote of the Members, the following shall be the order of business of meetings:

- A. Call to order by the Supervisor or acting presiding officer
- B. Recital of the Pledge of Allegiance to the flag
- C. Roll Call of Members by Town Clerk to determine attendance and quorum
- D. Announcements and Special Presentations
- E. Public Comments
- F. Announcement of changes in the Calendar
- G. Disposition of the Calendar, which shall be arranged in the following order:
 - i. Site plan review business
 - ii. Public Hearings
 - iii. Resolutions
- H. Other hearings Adjournment
- I. Additional Public Comments, if any

Article 8: Motions and Proceedings

- A. The vote on every question shall be by "ayes" and "noes." ~~An abstention, silence or absence shall not be considered either an affirmative or a negative vote for the purposes of determining the final vote on a matter. A Member may pass his or her vote once per question and will be called on again after the voting order is completed.~~ When polled by the Town Clerk, voting shall be done in [alphabetical] council district order with [, except that] the Supervisor [shall] be polled last,
- B. The names of the Members present and their votes upon every question shall be entered in the minutes and transcripts of the Town Board.
- C. The following motions shall be received by the Supervisor or acting presiding officer,

and these motions shall have precedence in the order stated:

1. For an adjournment of the meeting or hearing, or to continue a hearing past midnight.
 2. For a Call of the Town Board (a roll call to determine attendance or quorum)
 3. **To temporarily suspend the Rules of Procedure,**
 - [3]4. To change the arrangement of the Calendar
 - [4]5. To enter an Executive Session, pursuant to the Open Meetings Law
 - [5]6. To recess the Town Board temporarily
 - [6]7. To lay on the table (to temporarily place a matter aside) or to take from the table
 - [7]8. To postpone to a certain day (to reserve decision or)
 - [8]9. Refer a resolution or other legislation to a Committee of the Board, consisting of not less than one nor more than three Members for a period not to exceed ninety (90) days. Said Committee shall report its findings to the Board in writing at least seven calendar days before a scheduled Town Board meeting within the aforementioned ninety-day period and the resolution or legislation shall be placed on the calendar of the next scheduled Town Board meeting after said report is made to the Members.
The Committee shall be appointed by a majority vote of the Town Board as part of the motion to Refer
 - [9]10. For the previous question (to call for a vote on the matter under consideration)
- D. 1(0)1. To amend
~~A motion to reconsider a vote may be made only during the same meeting on which the vote proposed to be reconsidered was taken. A motion to reconsider may be made under any order of business. This subsection shall not be deemed to limit the authority of the Town Board, at a subsequent meeting, to pass a resolution rescinding or modifying any previous resolution,~~
- F. Neither debate, nor a motion to reconsider, shall be entertained for any motion to adjourn, for a Call of the Town Board, to lay on the table, to take from the table, or for the previous question,
- G. Except as otherwise required by law, any rule of the Town Board may at any time be temporarily suspended for special reasons by a majority vote of all of the Members of the Town Board. Whether "special reasons" present themselves is to be decided on a case-by-case basis and shall be stated on the record prior to voting on a motion to suspend the rules. No permanent alteration to the rules may be made except, in writing and by a resolution of the Town Board, duly filed prior to the meeting in accordance with these rules.

Article 9: Conduct of Meetings

- A. The Supervisor shall maintain order at Town Board meetings.

- B. No member of the public shall be permitted to address the Town Board unless recognized by the Supervisor or acting presiding officer.
- C. Persons addressing the Town Board shall address their remarks to the Town Board only, and not to other members of the audience in the form of a debate.
- D. Persons addressing the Town Board, including during public comment, shall state their name and home community, and shall state their business or question within three minutes. The Supervisor may allow a speaker to continue if time permits.
- E. Members of the public shall be permitted to address the Town Board regarding any resolution or other legislative proposal then under consideration, after Members have had a chance to address questions or comments on the proposal. For resolutions not subject to a public hearing, the Supervisor may limit the number of such questions or comments.
- F. Speakers who wish to submit documents to the Town Board for consideration during a Public Hearing shall provide a copy of the document to the Town Clerk who shall mark each of the documents with the date of the meeting, the agenda number, the name of the speaker and if more than one document is submitted, each document shall be itemized "Name of Speaker- document I" etc.
- G. For regularly scheduled meetings, there may be a period of public comment not exceeding 30 minutes in duration, except that the Supervisor, in his/her discretion, may extend such time limitation. This period of public comment shall occur prior to the announcement of changes in the Calendar, if any, or disposition of the Calendar. After adjournment, there shall be an additional period of public comment, the duration of which shall be determined by the Supervisor. Subject to the requirements of Article 9, Paragraph D, members of the public shall be permitted to address the Town Board on any subject not on the Calendar or under consideration at that meeting or hearing. No stenographic transcript of this public comment period is required.
- H. The Town Board may invite and permit residents of the Town or other guests to participate in a meeting.
- I. The Supervisor may designate an area or areas of the meeting room to be reserved for special guests, for witnesses, or for the news media.
- j. The use of hand held sound or video recording devices by the public is allowed, unless the recording devices or their use interrupt and interfere with the orderly conduct of the meeting or with the ability of the public to hear the proceedings.
- K. The Supervisor may order anyone who violates these Rules to leave the meeting room. If the person refuses to leave, the Supervisor may direct that any law enforcement officer present shall remove the offending person from the meeting room.

- J. ~~Effective February 25, 2014, Town Board meetings shall be broadcast and accessible on the Town of North Hempstead's website. Viewing will be made available via live video streaming at the time of the meeting.~~

Article 10: Meetings to Discuss the Agenda

At least one week prior to the scheduled public meeting of the Town Board, the Town Department Heads will be made available to meet with the Town Board members or their designees to discuss the next meeting's agenda.

Deputy Supervisor Scalero 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 - 2022

A RESOLUTION AUTHORIZING THE EMPLOYMENT, APPOINTMENT, TRANSFER, ADJUSTMENT, CORRECTION, CHANGE IN GRADE OR SALARY AND/OR TERMINATION OF EMPLOYEES AND/OR OFFICIALS IN VARIOUS DEPARTMENTS OF THE TOWN.

WHEREAS, approval of this Board has been requested for the employment, appointment, transfer, adjustment, correction, change in grade or salary and/or termination of certain individuals, employees and/or officials in various departments of the Town of North Hempstead (the “Town”) as more particularly set forth in the below resolutions; and

WHEREAS, that employments, appointments, transfers, adjustments, corrections, changes in grade or salary, and/or terminations (the “Employment Actions”) that have been adopted are subject to completion of paperwork and civil service approval and are subject to the rules and regulations of the Nassau County Civil Service Commission and New York State Civil Service Law; and be it further

WHEREAS, that the term of appointment and employment of any person to an exempt position shall be at the pleasure of the Town Board.

WHEREAS, this Board finds it to be in the best interest of the Town to authorize the Employment Actions as follows:

RESOLVED

cc: Town Attorney Human Resources

RESOLUTION NO: -1

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of John Angelaras in the title of Clerk-Typist 1 Bilingual in the amount of \$1,924.07 bi-weekly / \$50,026 annually in the Buildings Department effective 08/06/22.

RESOLUTION NO: -2

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Zachary Abbondanelo in the title of PT Parking Meter Servicer in the amount of \$19.00 hourly in the Public Safety - Code Enforcement effective 08/06/22.

RESOLUTION NO: -3

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Dylan Chaman in the title of Lifeguard Trainee in the amount of \$18.00 hourly in the Department of Parks & Recreation - Harbor Hills effective 08/06/22.

RESOLUTION NO: -4

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Emily Eng in the title of Lifeguard Trainee in the amount of \$18.00 hourly in the Department of Parks & Recreation - Michael J Tully effective 08/06/22.

RESOLUTION NO: -5

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Nyle Farooqi in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - Michael J Tully effective 08/06/22.

RESOLUTION NO: -6

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Ginelle Mutchler in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - NHBP effective 08/06/22.

RESOLUTION NO: -7

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Victor Sluetsky in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - Michael J Tully effective 08/06/22.

RESOLUTION NO: -8

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Jensen Weingard in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - Manorhaven effective 08/06/22.

RESOLUTION NO: -9

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the department, title, grade, step and salary change for Vincent Facciuto to the title of Public Safety Officer 1 to the amount of \$30.92 hourly / \$64,323 annually to the Department of Parks & Recreation - Parks Public Safety effective 08/06/22.

RESOLUTION NO: -10

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change for Oral Parsons to the title of Laborer 2 to the amount of \$29.88 hourly / \$62,142 annually in the Department of Admin Services effective 08/06/22.

RESOLUTION NO: -11

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change for Nicholas Esposito to the title of Equipment Operator 1 to the amount of \$25.33 hourly / \$52,689 annually in the Highways Department effective 08/06/22.

RESOLUTION NO: -12

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change for Luigi Masiello to the title of Equipment Operator 1 to the amount of \$25.33 hourly / \$52,689 annually in the Highways Department effective 08/06/22.

RESOLUTION NO: -13

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change for Hector Montalvo to the title of Equipment Operator 2 to the amount of \$26.94 hourly / \$56,030 annually in the Highways Department effective 08/06/22.

RESOLUTION NO: -14

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change for Robert Montgomery to the title of Equipment Operator 2 to the amount of \$26.94 hourly / \$56,030 annually in the Highways Department effective 08/06/22.

RESOLUTION NO: -15

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change for Brandon Newbeck to the title of Equipment Operator 2 to the amount of \$26.94 hourly / \$56,030 annually in the Highways Department effective 08/06/22.

RESOLUTION NO: -16

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change for Connor Owens to the title of Equipment Operator 2 to the amount of \$26.94 hourly / \$56,030 annually in the Highways Department effective 08/06/22.

RESOLUTION NO: -17

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change for Marcello Veltri to the title of Equipment Operator 2 to the amount of \$26.94 hourly / \$56,030 annually in the Highways Department effective 08/06/22.

RESOLUTION NO: -18

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Kathleen Blair in the title of Recreation Aide to the amount of \$28.03 hourly / \$58,293 annually in the Department of Parks & Recreation - Michael J Tully effective 08/06/22.

RESOLUTION NO: -19

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Jennifer Eberhardt in the title of Recreation Aide to the amount of \$2,622.30 bi-weekly / \$68,180 annually in the Department of Parks & Recreation - Yes We Can CC effective 08/06/22.

RESOLUTION NO: -20

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Kiersten Gaertner in the title of Code Enforcement Inspector to the amount of \$2,704.50 bi-weekly / \$70,317 annually in the Public Safety - Code Enforcement effective 08/06/22.

RESOLUTION NO: -21

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the hourly rate change for Sherri Marx-Eisenstadt in the title of Clerk Typist P/T to the amount of \$50.00 hourly in the Human Resources Department effective 08/06/22.

RESOLUTION NO: -22

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the budget location change for Thomas Devaney in the title of Grants Technician in the amount of \$3,453.70 bi-weekly / \$89,796 annually to the Supervisor's Office - Finance Department retroactively to 01/01/22.

RESOLUTION NO: -23

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the location change for Elena Loughlin in the title of Attendant in the amount of \$15.00 hourly to the Department of Parks & Recreation - Harbor Hills effective 08/06/22.

RESOLUTION NO: -24

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to part-time with seasonal hours status change for Leonel Ruffino in the title of Attendant / 311 Call Rep in the amount of \$16.00 hourly in the 311 Call Center retroactively to 07/25/22.

RESOLUTION NO: -25

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to part-time with seasonal hours status change for Jade Ortiz in the title of Attendant / 311 Call Rep in the amount of \$16.00 hourly in the 311 Call Center retroactively to 07/25/22.

RESOLUTION NO: -26

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time with seasonal hours hourly rate change for Doris Toepfer in the title of Rec Aide in the amount of \$22.00 hourly in the Department of Parks & Recreation - Michael J Tully effective 08/06/22.

RESOLUTION NO: -27

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time with seasonal hours hourly rate change for Mollie Zimmerman in the title of Lifeguard II in the amount of \$21.00 hourly in the Department of Parks & Recreation - Harbor Hills effective Retro to 6/17/2022.

RESOLUTION NO: -28

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time with seasonal hours hourly rate and title change for Nicolas Rubinic to the title of Lifeguard II in the amount of \$21.00 hourly in the Department of Parks & Recreation - Manorhaven effective 08/06/22.

RESOLUTION NO: -29

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time with seasonal hours hourly rate and title change for Matthew Novella to the title of Lifeguard II in the amount of \$21.00 hourly in the Department of Parks & Recreation - Clinton G. Martin effective 08/06/22.

RESOLUTION NO: -30

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time with seasonal hours hourly rate and title change for Michael Baltzer to the title of Lifeguard II in the amount of \$21.00 hourly in the Department of Parks & Recreation - Martin Reid effective 08/06/22.

RESOLUTION NO: -31

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hourly rate and title change for Nolan Blaize to the title of Lifeguard II in the amount of \$21.00 hourly in the Department of Parks & Recreation - Michael J Tully effective 08/06/22.

RESOLUTION NO: -32

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time with seasonal hours hourly rate and title change for Antonio Lazo to the title of Lifeguard II in the amount of \$21.00 hourly in the Department of Parks & Recreation - Whitney Pond Park effective 08/06/22.

RESOLUTION NO: -33

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time with seasonal hours hourly rate and title change for Katherine DeMeo to the title of Lifeguard II in the amount of \$21.00 hourly in the Department of Parks & Recreation - Clinton G. Martin effective 08/06/22.

RESOLUTION NO: -34

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time with seasonal hours hourly rate and title change for Nicholas Zimmerman to the title of Lifeguard II in the amount of \$21.00 hourly in the Department of Parks & Recreation - Clinton G. Martin effective 08/06/22.

RESOLUTION NO: -35

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of Christelle Woel in the title of Attendant / 311 Call Rep in the amount of \$16.00 hourly in the 311 Call Center retroactively to 07/22/22.

RESOLUTION NO: -36

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of Margaret Salerno in the title of Recreation Aide P/T in the amount of \$18.00 hourly in the Department of Parks & Recreation - Tully Park retroactively to 06/10/22.

RESOLUTION NO: -37

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of Jack Galm in the title of Laborer 1 in the amount of \$23.27 hourly / \$48,411 annually in the Highways Department retroactively to 07/23/22.

RESOLUTION NO: -38

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of Jamal Nazeer in the title of Rec Aide in the amount of \$23.27 hourly / \$48,411 annually in the Department of Parks & Recreation - YWCCC retroactively to 06/29/22.

RESOLUTION NO: -39

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of Elisabetta Veltri in the title of Rec Aide in the amount of \$23.27 hourly / \$48,411 annually in the Department of Parks & Recreation - Michael J Tully effective 08/04/22.

RESOLUTION NO: -40

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title and salary change of Marshah-Reaff Barrett to the title of Commissioner of SWM to the amount of \$5,192.30 bi-weekly / \$135,000 annually in the Division of Solid Waste Management effective 08/06/22.

RESOLUTION NO: -41

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title and salary change of George Morfessis to the title of Commissioner of DoITT to the amount of \$5,336.04 bi-weekly / \$138,737 annually in the DoITT effective 08/06/22.

RESOLUTION NO: -42

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Daniel Woska in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - Martin "Bunky" Reid effective 08/06/22.

RESOLUTION NO: -43

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Grayson Cuneo in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - Manorhaven effective 08/06/22.

RESOLUTION NO: -44

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Sean McClellan in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - Michael J Tully effective 08/06/22.

RESOLUTION NO: -45

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Molly Fitzgerald in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - Michael J Tully effective 08/06/22.

RESOLUTION NO: -46

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Andrew Liu in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - CGM effective 08/06/22.

RESOLUTION NO: -47

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Christian Sikiric in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - CGM effective 08/06/22.

RESOLUTION NO: -48

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Arianna Sikiric in the title of Lifeguard Trainee in the amount of \$18.00 hourly in the Department of Parks & Recreation - Michael J Tully effective 08/06/22.

RESOLUTION NO: -49

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Daniel Gillette in the title of Lifeguard Trainee in the amount of \$18.00 hourly in the Department of Parks & Recreation - Whitney Pond Park effective 08/06/22.

RESOLUTION NO: -50

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Grace Carolan in the title of Lifeguard Trainee in the amount of \$18.00 hourly in the Department of Parks & Recreation - Manorhaven effective 08/06/22.

RESOLUTION NO: -51

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Kaylee Reimes in the title of Attendant in the amount of \$15.00 hourly in the Department of Parks & Recreation - Manorhaven effective 08/06/22.

RESOLUTION NO- 425 -1

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of John Angelaras in the title of Clerk- Typist 1 Bilingual in the amount of \$1,924.07 bi-weekly / \$50,026 annually in the Buildings Department effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -2

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Zachary Abbondanelo in the title of PT Parking Meter Servicer in the amount of \$19.00 hourly in the Public Safety - Code Enforcement effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -3

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Dylan Chaman in the title of Lifeguard Trainee in the amount of \$18.00 hourly in the Department of Parks & Recreation - Harbor Hills effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -4

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Emily Eng in the title of Lifeguard Trainee in the amount of \$18.00 hourly in the Department of Parks & Recreation - Michael J Tully effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -5

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Nyle Farooqi in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - Michael J Tully effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -6

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Ginelle Mutchler in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - NHBP effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -7

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Victor Sluetsky in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - Michael J Tully effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -8

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Jensen Weingard in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - Manorhaven effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -9

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the department, title, grade, step and salary change for Vincent Facciuto to the title of Public Safety Officer 1 to the amount of \$30.92 hourly / \$64,323 annually to the Department of Parks & Recreation - Parks Public Safety effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -10

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change for Oral Parsons to the title of Laborer 2 to the amount of \$29.88 hourly / \$62,142 annually in the Department of Admin Services effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -11

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change for Nicholas Esposito to the title of Equipment Operator 1 to the amount of \$25.33 hourly / \$52,689 annually in the Highways Department effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -12

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change for Luigi Masiello to the title of Equipment Operator 1 to the amount of \$25.33 hourly / \$52,689 annually in the Highways Department effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -13

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change for Hector Montalvo to the title of Equipment Operator 2 to the amount of \$26.94 hourly / \$56,030 annually in the Highways Department effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -14

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change for Robert Montgomery to the title of Equipment Operator 2 to the amount of \$26.94 hourly / \$56,030 annually in the Highways Department effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -15

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change for Brandon Newbeck to the title of Equipment Operator 2 to the amount of \$26.94 hourly / \$56,030 annually in the Highways Department effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -16

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change for Connor Owens to the title of Equipment Operator 2 to the amount of \$26.94 hourly / \$56,030 annually in the Highways Department effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -17

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title, grade, step and salary change for Marcello Veltri to the title of Equipment Operator 2 to the amount of \$26.94 hourly / \$56,030 annually in the Highways Department effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -18

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Kathleen Blair in the title of Recreation Aide to the amount of \$28.03 hourly / \$58,293 annually in the Department of Parks & Recreation - Michael J Tully effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -19

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Jennifer Eberhardt in the title of Recreation Aide to the amount of \$2,622.30 bi-weekly / \$68,180 annually in the Department of Parks & Recreation - Yes We Can CC effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -20

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Kiersten Gaertner in the title of Code Enforcement Inspector to the amount of \$2,704.50 bi-weekly / \$70,317 annually in the Public Safety - Code Enforcement effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -21

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the hourly rate change for Sherri Marx-Eisenstadt in the title of Clerk Typist P/T to the amount of \$50.00 hourly in the Human Resources Department effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -22

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the budget location change for Thomas Devaney in the title of Grants Technician in the amount of \$3,453.70 bi-weekly / \$89,796 annually to the Supervisor's Office - Finance Department retroactively to 01/01/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -23

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the location change for Elena Loughlin in the title of Attendant in the amount of \$15.00 hourly to the Department of Parks & Recreation - Harbor Hills effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -24

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to part-time with seasonal hours status change for Leonel Ruffino in the title of Attendant / 311 Call Rep in the amount of \$16.00 hourly in the 311 Call Center retroactively to 07/25/22.

Ayes: Councilperson Adhami, Councilperson Dalimonte, Councilperson Lurvey,

Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman.

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -25

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to part-time with seasonal hours status change for Jade Ortiz in the title of Attendant / 311 Call Rep in the amount of \$16.00 hourly in the 311 Call Center retroactively to 07/25/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -26

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time with seasonal hours hourly rate change for Doris Toepfer in the title of Rec Aide in the amount of \$22.00 hourly in the Department of Parks & Recreation - Michael J Tully effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -27

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time with seasonal hours hourly rate change for Mollie Zimmerman in the title of Lifeguard II in the amount of \$21.00 hourly in the Department of Parks & Recreation - Harbor Hills effective Retro to 6/17/2022.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -28

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time with seasonal hours hourly rate and title change for Nicolas Rubinic to the title of Lifeguard II in the amount of \$21.00 hourly in the Department of Parks & Recreation - Manorhaven effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -29

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time with seasonal hours hourly rate and title change for Matthew Novella to the title of Lifeguard II in the amount of \$21.00 hourly in the Department of Parks & Recreation - Clinton G. Martin effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -30

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time with seasonal hours hourly rate and title change for Michael Baltzer to the title of Lifeguard II in the amount of \$21.00 hourly in the Department of Parks & Recreation - Martin Reid effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -31

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hourly rate and title change for Nolan Blaize to the title of Lifeguard II in the amount of \$21.00 hourly in the Department of Parks & Recreation - Michael J Tully effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -32

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time with seasonal hours hourly rate and title change for Antonio Lazo to the title of Lifeguard II in the amount of \$21.00 hourly in the Department of Parks & Recreation - Whitney Pond Park effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -33

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time with seasonal hours hourly rate and title change for Katherine DeMeo to the title of Lifeguard II in the amount of \$21.00 hourly in the Department of Parks & Recreation - Clinton G. Martin

effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -34

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time with seasonal hours hourly rate and title change for Nicholas Zimmerman to the title of Lifeguard II in the amount of \$21.00 hourly in the Department of Parks & Recreation - Clinton G. Martin effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -35

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of Christelle Woel in the title of Attendant

/ 311 Call Rep in the amount of \$16.00 hourly in the 311 Call Center retroactively to 07/22/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO – 425 - 36

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of Margaret Salerno in the title of Recreation Aide P/T in the amount of \$18.00 hourly in the Department of Parks & Recreation - Tully Park retroactively to 06/10/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -37

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of Jack Galm in the title of Laborer 1 in the amount of \$23.27 hourly / \$48,411 annually in the Highways Department retroactively to 07/23/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -38

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of Jamal Nazeer in the title of Rec Aide in the amount of \$23.27 hourly / \$48,411 annually in the Department of Parks & Recreation - YWCCC retroactively to 06/29/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -39

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of Elisabetta Veltri in the title of Rec Aide in the amount of \$23.27 hourly / \$48,411 annually in the Department of Parks & Recreation - Michael J Tully effective 08/04/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -40

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title and salary change of Marshah-Reaff Barrett to the title of Commissioner of SWM to the amount of \$5,192.30 bi-weekly / \$135,000 annually in the Division of Solid Waste Management effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -41

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the title and salary change of George Morfessis to the title of Commissioner of DoITT to the amount of \$5,336.04 bi-weekly / \$138,737 annually in the DoITT effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -42

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Daniel Woska in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - Martin "Bunky" Reid effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena

RESOLUTION NO- 425 -43

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Grayson Cuneo in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - Manorhaven effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -44

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Sean McClellan in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - Michael J Tully effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -45

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Molly Fitzgerald in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - Michael J Tully effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -46

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Andrew Liu in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - CGM effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -47

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Christian Sikiric in the title of Lifeguard 1 in the amount of \$18.00 hourly in the Department of Parks & Recreation - CGM effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -48

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Arianna Sikiric in the title of Lifeguard Trainee in the amount of \$18.00 hourly in the Department of Parks & Recreation - Michael J Tully effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -49

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Daniel Gillette in the title of Lifeguard Trainee in the amount of \$18.00 hourly in the Department of Parks & Recreation - Whitney Pond Park effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -50

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Grace Carolan in the title of Lifeguard Trainee in the amount of \$18.00 hourly in the Department of Parks & Recreation - Manorhaven effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

RESOLUTION NO- 425 -51

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal hire of Kaylee Reimes in the title of Attendant in the amount of \$15.00 hourly in the Department of Parks & Recreation - Manorhaven effective 08/06/22.

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

Nays: None.

Absent: Supervisor DeSena.

Deputy Supervisor Scalero 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 - 2022

A RESOLUTION RATIFYING THE PLACEMENT OF A VOLUNTEER FIREFIGHTERS BENEFIT LAW LIABILITY POLICY.

WHEREAS, pursuant to the Volunteer Firefighters' Benefit Law, the Town provides coverage to certain volunteer firefighters that become injured during the line of duty; and

WHEREAS, the Town of North Hempstead's current insurance policy for Volunteer Firefighter Benefit Law coverage expired on July 1, 2022; and

WHEREAS, the Town received favorable pricing and coverage quotations for a Volunteer Firefighter Benefit Law policy from New York State Public Entities Safety Group for the period of July 1, 2022 through July 1, 2023; and

WHEREAS, the Town's insurance broker has recommended placement of the policy as quoted; and

WHEREAS, the Town's insurance broker has placed the policy.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board ratifies the placement of the Volunteer Firefighter Benefit Law policy with New York State Public Entities Safety Group for the period of July 1, 2022 through July 1, 2023; and be it further

RESOLVED that the Supervisor, Comptroller, Commissioner of Human Resources and Town Attorney are hereby authorized to take such other action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

RESOLUTION NO- 425 -36

cc: Town Attorney Supervisor Comptroller

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

RESOLUTION NO. 427 - 2022

A RESOLUTION APPROVING THE ACTION OF THE ALERT ENGINE, HOOK, LADDER AND HOSE CO. NO. 1 INC., GREAT NECK, NEW YORK, IN REMOVING FROM MEMBERSHIP JOHN KING AND DAVIS ORGINSKI.

WHEREAS, the Alert Engine, Hook, Ladder and Hose Co. No. 1, Inc., Great Neck, New York, has advised of removing John King and Davis Orginski from membership.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Alert Engine, Hook, Ladder and Hose Co. No. 1, Inc., 555 Middle Neck Rd., Great Neck, NY 11023, in removing John King and Davis Orginski from membership 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 4, 2022

The vote on the foregoing resolution was recorded as follows:

RESOLUTION NO- 425 -36

cc: Alert Engine 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. 428 - 2022

A RESOLUTION APPROVING THE ACTION OF THE FIRE-MEDIC CO., NO. 1, PORT WASHINGTON, NEW YORK, IN ADDING TO MEMBERSHIP TINGTING KANG AND REMOVING FROM MEMBERSHIP JACOB SILVERMAN.

WHEREAS, the Fire-Medic Co. No. 1, Port Washington, New York, has advised of adding Tingting Kang to membership and removing Jacob Silverman from membership.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Fire-Medic Co. No. 1, 65 Harbor Rd, Port Washington, NY 11050, in adding Tingting Kang of 282 Main Steet, Suite D, Port Washington, NY, 11050 to membership and of removing Jacob Silverman from membership 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 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

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. 429 - 2022

A RESOLUTION APPROVING THE ACTION OF THE FLOWER HILL HOSE COMPANY, NO. 1, PORT WASHINGTON, NEW YORK, IN REMOVING FROM MEMBERSHIP SEAN MCHUGH AND CHRISTIAN LYONS.

WHEREAS, the Flower Hill Hose Company, No. 1, Port Washington, New York, has advised of removing from membership Sean McHugh and Christian Lyons.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Flower Hill Hose Company, No. 1, at 12 Haven Avenue, Port Washington, New York, 11050 in removing from membership Sean McHugh and Christian Lyons, 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 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Flower Hill Hose 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. 430 - 2022

A RESOLUTION APPROVING THE ACTION OF THE PROTECTION ENGINE COMPANY 1, PORT WASHINGTON, NEW YORK IN REMOVING WILLIAM TRAPP FROM MEMBERSHIP AND IN RECLASSIFYING CHRISTOPHER COSTA FROM REGULAR MEMBER TO ASSOCIATE MEMBER.

WHEREAS, the Protection Engine Company 1, 14 S. Washington Street, Port Washington, New York, 11050 has advised of removing William Trapp from membership and in reclassifying Christopher Costa from regular member to associate member.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Protection Engine Company 1, 14 S. Washington Street, Port Washington, New York, 11050, in removing William Trapp from membership and reclassifying Christopher Costa from Regular Member to Associate Member, and the same hereby is approved and the Town Clerk directed to record the name in the Minutes of the Town Board.

Dated: Manhasset, New York

August 4, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Absent: Supervisor DeSena.

cc: Protection Engine Town Clerk