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**TOWN OF NORTH HEMPSTEAD
TOWN BOARD PUBLIC HEARING**

December 5, 2023

7:00 p.m.

COUNCILMEMBERS PRESENT

JENNIFER DESENA	- Town Supervisor
ROBERT J. TROIANO	- District 1 Councilman
PETER J. ZUCKERMAN	- District 2 Councilman
DENNIS J. WALSH	- District 3 Councilman
VERONICA A. LURVEY	- District 4 Councilwoman
DAVID A. ADHAMI	- District 5 Councilman
MARIANN DALIMONTE	- District 6 Councilwoman

ALSO PRESENT

MARGARET MALITO	- Chief Deputy Town Clerk
RAGINI SRIVASTAVA	- Town Clerk
JOHN CHIARA, ESQ.	- Town Attorney
MICHAEL LEVINE	- Planning Commissioner

PROCEEDINGS

SUPERVISOR DESENA: Okay, is everybody ready? Okay, let's please get started by standing for the Pledge of Allegiance.

(WHEREUPON, the Pledge of Allegiance was recited.)

SUPERVISOR DESENA: Madam Clerk, will you please call the roll?

CLERK SRIVASTAVA: Good evening, everyone. Town of North Hempstead Town Board meeting, December 5th, 2023

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Present.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Here.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Here.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Here.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Here.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Here.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Here.

CLERK SRIVASTAVA: Thank you.

SUPERVISOR DESENA: Okay, so normally we start with 30 minutes of public comment but I know we have an Item on the agenda of great interest to our staff, many of whom are still here after a long day. I would like to move to call, out of order, Item number 30, and then once we do that, we'll go back to public comment.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: I'm sorry, are you asking for my vote to move the Item?

SUPERVISOR DESENA: To move it out of order.

CLERK SRIVASTAVA: Yes.

COUNCILMAN TROIANO: Yeah, so --

SUPERVISOR DESENA: And then we'll have 30 minutes of public comment.

COUNCILMAN TROIANO: What I would like to do is, I need to recuse myself from voting on the contract, and so I'd like to also recuse myself from even voting on the resolution, your proposal to move it out of order. I'm going to step out.

SUPERVISOR DESENA: Okay.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN TROIANO: Don't forget me out there, let me know - -

SUPERVISOR DESENA: Okay.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item number 30. A resolution authorizing the town to execute a memorandum of agreement with CSEA, Unit 7555, North Hempstead.

SUPERVISOR DESENA: I offer the resolution -- oh, do we have cards? Okay, we have a card.

CLERK SRIVASTAVA: Oh, yeah.

MR. McDONOUGH: I think it's still in the back. Got it? Yeah, this thing is trouble.

COUNCILMAN WALSH: Trouble with that all night.

MR. McDONOUGH: I got it fixed.

SUPERVISOR DESENA: All right.

MR. McDONOUGH: Good evening, Supervisor, Councilmembers.

SUPERVISOR DESENA: Good evening.

MR. McDONOUGH: Tom McDonough, President of CSEA, 7555, representing the union employees of the Town of North Hempstead. Before you tonight is the long awaited contract between the Town of North Hempstead and its unionized employees represented by CSEA. I would like to first thank Supervisor DeSena and her negotiating committee and the members of my negotiating committee for the time and work that they have put into this fair and equitable agreement. This agreement is both fair and equitable to the union members of the Town of North Hempstead and responsible to taxpayers of the town which a number of our employees are. As the cost of living on Long Island is high, this contract will help improve the lives of our current employees and help ensure that the Town of North Hempstead stays competitive with

other municipalities to attract talented individuals to continue to provide excellent services to our taxpayers and the services that they deserve. It's been almost a year since the expiration of the current contract and the union employees of the Town of North Hempstead, which, a bunch of them here tonight in support of this agreement, we ask that the Board support this resolution tonight, and I thank you.

SUPERVISOR DESENA: Thank you. Does anyone else wish to be heard?

(WHEREUPON, there was no response.)

SUPERVISOR DESENA: Okay, seeing none, I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

(WHEREUPON, there was no response.)

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: The union members of the Town of North Hempstead deserve a good contract. Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: The union is the backbone of the town. I said it in a Facebook post, it's outside, and I mean it, and I truly mean it, and I really -- I appreciate each and every one of you for all the work that you do from doing all the work that helps us look good up here. I really do, from the bottom of my heart, thank each and every one of you. I wish you a happy holiday, and I vote aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: And I also want to thank you, Tom, for your advocacy and your leadership and all -- and everyone on the negotiating team and thank all of our staff. You are the backbone, and people often thank us but you deserve the thanks for all that -- everything you do for our residents, and with that, I vote aye.

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

RESOLUTION NO. 650 - 2023

A RESOLUTION AUTHORIZING TOWN TO EXECUTE A MEMORANDUM OF AGREEMENT WITH CSEA UNIT 7555, NORTH HEMSPSTEAD.

WHEREAS, the Town of North Hempstead has entered into negotiations with CSEA Unit 7555, North Hempstead for its contract; and

WHEREAS, the Town of North Hempstead and CSEA Unit 7555, North Hempstead contract expired 12/31/2022; and

WHEREAS, the Town of North Hempstead and CSEA Unit 7555, North Hempstead, have agreed to certain changes in the contract as contained in the Memorandum of agreement ; and

WHEREAS, the Town Board of North Hempstead wants to ratify an Memorandum of Agreement; and

NOW, THEREFORE, BE IT

RESOLVED, that based on the foregoing, the Town Board hereby expresses its intent that the Supervisor execute the memorandum of agreement on behalf of the Town.

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

Recuse: Councilperson Troiano.

COUCIL WOMAN DALIMONTE: Go enjoy your evening.

SUPERVISOR DESENA: You're welcome to stay. You're welcome to stay with us but have a good night. Have a good night. Happy holidays.

COUNCIL WOMAN DALIMONTE: Happy holidays.

SUPERVISOR DESENA: Happy holidays, happy New Year.

COUNCILMAN TROIANO: Where is everybody going?

SUPERVISOR DESENA: Oh, I'm so glad you're back.

COUNCIL WOMAN DALIMONTE: Can I tell you, Robert, I did forget.

SUPERVISOR DESENA: I did, too, because I was watching the crowd. We would have remembered.

COUNCIL WOMAN LURVEY: So now we need the dates.

SUPERVISOR DESENA: Should we do that now or do public comment? Yeah, okay, and now we will proceed with 30 minutes for public comment.

COUNCILMAN TROIANO: Can I just ask that we not start the clock yet so I can have a couple of minutes to say something?

SUPERVISOR DESENA: Yes.

COUNCILMAN TROIANO: Thank you, Supervisor. Can you hear me because I'm -- okay, great. This is a, you know, you hear about bitter, sad occasions, but this is, for me, not a bitter occasion but it is a sad occasion, and I think all of you should be sad, as well. Tonight is the last time I will be sitting on this dais with two of my colleagues here, Peter Zuckerman, Councilman Zuckerman and Veronica Lurvey, Councilwoman Lurvey, and I think it's a real -- I know it's a loss for me. Are you going to tear up and make me cry?

COUNCIL WOMAN LURVEY: Maybe.

COUNCILMAN TROIANO: It's a -- I feel a real personal loss. I have come to respect and admire both of them for their service to our community. They are both consummate professionals. They are everything you would want to have in an elected official. They are reflective on every issue, they are thoughtful about every issue, they take everything very seriously, they give it all for their constituents, they leave it all on the playing field, and I am -- I will miss them as colleagues in government, but they will forever be my friends, and I just wanted to make that statement and tell you that I really do appreciate you and all you've given to this town, and thank you.

COUNCIL WOMAN DALIMONTE: I completely agree with you Robert. I'm going to miss you guys.

COUNCIL WOMAN LURVEY: Thank you.

COUNCIL WOMAN DALIMONTE: You guys are very -- the town, you know --

COUNCIL WOMAN LURVEY: Yeah, so I won't -- I have to say something, I won't go on for long, but I do want to say it's been an honor and a privilege to serve the residents of District 4, and on many of the legislations that we voted on, on many of the site plans, on many of the budgets, you know, serving the residents of the entire Town of North Hempstead, and I want you

all to know that I have taken this position very seriously. It has been really one of the most important, influential and challenging tasks that I have ever set myself to, and I want to thank those that I learned from. I want to thank, you know, when I got onto the Board with Mariann, with Robert, with Peter, and then joined by David and Jen and Dennis. It's been an honor serving with all of you. Thank you.

COUNCILMAN TROIANO: Thank you.

SUPERVISOR DESENA: Thank you.

COUNCILMAN ZUCKERMAN: So I just want everybody to know, the first meeting, when I took office in 2014, it went to about after one o'clock, so I'm hoping, you know, coming in and going out. So hopefully --

SUPERVISOR DESENA: Let's not bookend like that.

COUNCILMAN ZUCKERMAN: But it's been an honor and a privilege to serve as a Councilman for the Town of North Hempstead. I've had the pleasure of being a Councilman and us here in North Hempstead having the best workforce that any place could ever have. Our workforce is so tremendous and has made myself and all the other electeds that have sat up here look wonderful for such a long time. I really have to thank the residents of the Town of North Hempstead who put their faith in me and having me serve. To serve in a position of public trust is really the highest honor, and I appreciate it very much. I've had the opportunity to serve with some wonderful elected officials, Judy Bosworth, Lee Seemen, my little league coach, Angelo Ferrara.

COUNCILWOMAN LURVEY: Yeah.

COUNCILMAN ZUCKER: It's true. Anna Kaplan, Viviana Russell --

COUNCILWOMAN LURVEY: Viviana Russell, yeah.

COUNCILMAN ZUCKERMAN: -- Dina De Giorgio --

COUNCILWOMAN LURVEY: Yeah.

COUNCILMAN ZUCKERMAN: -- and all the members of this current Board. I just want everyone to know, although over the -- the last few years we've had differences of opinion, I can tell you that everyone up here wants the best for the Town of North Hempstead, and you should have tremendous faith in everyone up here because that is 100 percent the case. To the two new Council people that are coming in, I wish them the best of luck in their new endeavor, and I'm sure they'll both be wonderful. You know, I thought about tonight, and when you serve in office for the period of time that I did, you make a lot of friends and acquaintances, and I just have to say that this has been something that I am so proud of, and really, God bless everyone here tonight, God bless the Town of North Hempstead, and God bless America, and thank you, very much.

COUNCILWOMAN DALIMONTE: I would like to point out that Councilwoman Christine Liu is here if you want to stand so everyone could see. She will be joining us in January. I don't know if Scott is here.

SUPERVISOR DESENA: Okay.

COUNCILWOMAN LURVEY: He will join us in January.

SUPERVISOR DESENA: That was very well said, and I want to thank you for your service to the town. I know that it is difficult, but we try very hard to balance the needs, there's always, there's always competing needs, competing money, and it's difficult, and we do try very hard to represent this great town.

So thank you so much for your service. I have learned a lot from working with you, and don't be strangers.

COUNCILMAN ZUCKERMAN: Thank you.

COUNCILWOMAN LURVEY: Thank you.

COUNCILMAN TROIANO: Thank you, Supervisor.

SUPERVISOR DESENA: Thank you.

CLERK SRIVASTAVA: We'll start with our public comment?

SUPERVISOR DESENA: Yes, please.

CLERK SRIVASTAVA: Thank you.

(WHEREUPON, there was 20 minutes of public comment.)

SUPERVISOR DESENA: Okay, if there's no more public comment, then we'll move into our agenda, and first, I would like to move call Item 53 out of order.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: I just want to see what Item 53 is .

SUPERVISOR DESENA: Item 53 is setting the dates for our meetings next year which we need so that we can schedule some public hearings coming up.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

SUPERVISOR DESENA: Well, you can call -- you can call Councilman Troiano, he's back.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: I'm still here. Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Here.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILWOMAN LURVEY: Oh, yeah, aye.

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you. Item number 53. A resolution setting dates for meetings of the Town Board of the Town of North Hempstead for calendar year 2024.

COUNCILWOMAN DALIMONTE: So Supervisor, before you call for it, a couple of weeks ago, right after Election Day, I asked for the dates so I could look at them. I didn't receive anything. Then on Friday I looked at the agenda when it went live, and I was able to get the dates. So I do have some issues with the dates that I just want answered. All our meetings are taking place on Tuesday. Can you just tell me why April 4th, the meeting is on a Thursday?

SUPERVISOR DESENA: That was a typographical error. It should be April 2nd, Tuesday.

COUNCILWOMAN DALIMONTE: And also, we need to strike August 6th and pick a different date because August 6th is National Night Out, and we have one in Port Washington, we have one in Manhasset, we have one in Westbury. So that needs to be taken off, and a new date needs to be put on, and also, why are we not having a meeting in November because I think by state law we have to have one meeting per month.

SUPERVISOR DESENA: That was --

COUNCILWOMAN DALIMONTE: Is that correct Town Attorney?

MR. CHIARA: That's correct.

SUPERVISOR DESENA: Okay.

COUNCILWOMAN DALIMONTE: So November, there's no meeting date. So we have to meet in November. So there are --so how do we handle this; Town Attorney? The April 4th is supposed to be April 2nd, we have to strike August 6th if the Town Board agrees, and there's no date for November, which, by law, we have to have.

SUPERVISOR DESENA: Well, I would suggest -- Town Attorney, you can, also, you know, comment.

MR. CHIARA: If you want to strike an Item, if you want to omit an Item, I don't have it -- I don't think there's a legal issue with that because you're omitting something, but you -- but in order to add them, you should, we should just, you should put a resolution on the January 9th meeting, and add the additional meetings that need to be added.

SUPERVISOR DESENA: Okay, we'll have time to add a November date. Regarding August 6th, you know, the National Night Out, they're wonderful events but they do take place in the afternoon.

COUNCILWOMAN DALIMONTE: No.

SUPERVISOR DESENA: They take -- I went to all three that we had last year, and they take

place in the afternoon, and I do believe that we -- we should also do our job, and you know, and have our Board meeting.

COUNCILMAN TROIANO: Just for the record.

COUNCILWOMAN DALIMONTE: Yeah.

COUNCILMAN TROIANO: The Westbury National Night Out starts the parade at five o'clock.

COUNCILWOMAN DALIMONTE: Yeah.

COUNCLMAN TROIANO: And the event itself starts at six and ends at about eight.

COUNCILWOMAN DALIMONTE: Right, and after a whole day, because I'm one of the organizers for Port, you are -- you're cleaning up, you're physically exhausted, there's no way, and that's why we struck it last year from not having it, and that's -- I was scared this was going to happen again. So I do think that we need to pick a new date in August, and so, and there's a typo in it that it should be Tuesday, so --

SUPERVISOR DESENA: April 2nd.

COUNCILWOMAN DALIMONTE: Right. So how do we handle -- so --

COUNCILMAN WALSH: I wonder if I could comment? Are you done?

COUNCILWOMAN DALIMONTE: Yeah, yeah, I'm done.

COUNCILMAN WALSH: Okay, you know, National Night Out is not a legal holiday, it's a night out, I think I kind of remember when it started. I think Carolyn McCarthy came to Mineola the first time that they had a National Night Out, and it was very interesting, several people came out, and National Night Out doesn't necessarily mean going to a park. It might not be a bad night for a meeting because people could come out here to this meeting and watch democracy in action. So perhaps having a meeting on National Night Out, some people are interested in going to the parks, some people are interested in coming to meetings, and that's just how I feel.

COUNCILMAN TROIANO: Well, Dennis, I don't know how it is in Mineola, but I just want you to know, in Westbury, National Night Out has become almost a cultural event, and it's an event that's run by the town.

COUNCILWOMAN DALIMONTE: Yeah.

COUNCILMAN TROIANO: I'm not quite sure why we don't just move it back one week. I'm not sure what the -- what the problem would be with that.

COUNCILMAN WALSH: Well, I wasn't suggesting not doing it, I'm just saying that I believe that it could be interesting, and I don't know about a cultural event, nobody told me it was a cultural event. I never saw that in any places.

COUNCILMAN TROIANO: That's why I was informing you, Dennis, that in Westbury, maybe not in other places, maybe not in Mineola, because it started out as an event to bring the police and the community together.

COUNCILWOMAN DALIMONTE: Yes.

COUNCILMAN WALSH: I remember.

COUNCILMAN TROIANO: And in Westbury, it has become something bigger than that, people look forward to it, and as the elected representative of that community, and I'm sure it's true for everybody, and the Supervisor comes to National Night Out in Westbury and all the other locations. I think that she would want to also be able to be at National Night Out in all the communities and not have to have a Town Board meeting, which, it's so much time, I'm not sure why we just can't consider moving it to another date. I mean, unless there's some special reason that August 6th has to be the date.

SUPERVISOR DESENA: It's just, you know, the pattern of us doing our business.

COUNCILWOMAN DALIMONTE: But we moved it last year --this year.

COUNCILMAN WALSH: And August, August is eight months from now, so I'm sure that this could all be handled, you know, in due time. This is December.

COUNCILMAN TROIANO: I agree. So I'm not sure why we can't, as the Town Attorney said, strike August 6th --

COUNCILWOMAN DALIMONTE: Yes.

COUNCILMAN TROIANO: -- and come January, we can set a new date in August.

COUNCILWOMAN DALIMONTE: And also correct --we have to strike also April 4th, as well.

COUNCILMAN TROIANO: And we can make the adjustment in January.

COUNCILWOMAN DALIMONTE: Yes, April 4th has to be --

COUNCILMAN TROIANO: We're not stopping it.

COUNCILWOMAN DALIMONTE: -- struck because it's really supposed to be April 2nd. It was a typo error, and I brought this up. We would have been able to, if I got a response, we would have been able to fix this before. So what I would suggest is that we strike April 4th, we strike August 6th, then in January we put on April 2nd, and we put on a new date for August and a date for November because by state law we have to have it.

COUNCILMAN TROIANO: So I think we have to also strike October 29th. There's no reason for two meetings in October; right? And instead we would have a January -- a November meeting.

COUNCILMAN WALSH: Well, I don't think we have to strike it now because this can be handled by the next Board.

COUNCILWOMAN LURVEY: Right.

COUNCILMAN WALSH: I mean, this is the last meeting of the outgoing Board, and we have - - we're talking about months from now, November --

COUNCILWOMAN DALIMONTE: So why not --

COUNCILMAN WALSH: -- you know, and I just think that this will all be taken care of.

COUNCILMAN TROIANO: You're right, Dennis, and we could wait till January to do this. I'm not really sure, though, why there's any fighting going on. We're all in agreement that we need to have a November meeting, and there's probably not a need for the October 29th meeting, that's all I'm saying. If you want to wait till January to strike October 29th, wait, but let me - -

while we're at this, I also sent you an e-mail, Supervisor, which maybe you didn't see, that I'd like to have the January 9th meeting moved as an accommodation to me. I made it very clear last year when we moved the meetings to Tuesday that I would be agreeable, but I asked that we not schedule meetings on the second or third Tuesday of any month because that's when the -- my school board meets, and that's knowable, that's on our website, and I'd just like an accommodation.

SUPERVISOR DESENA: Okay, well, I think it would be difficult at this late time, and I did get you -- you sent the e-mail Sunday afternoon, you know, two days ago. These dates were sent out two weeks ago.

COUNCILWOMAN DALIMONTE: No, I got it Friday.

COUNCILMAN TROIANO: No, they were not.

COUNCILWOMAN DALIMONTE: We got them Friday.

COUNCILMAN TROIANO: Yeah, we got them Friday.

COUNCILWOMAN DALIMONTE: And I asked for it three weeks ago.

SUPERVISOR DESENA: Well, I don't think that we can accommodate all these individual schedules. We can't have the meeting on January 2nd because it's so close to the holiday, it'll be difficult for all of our staff, and that is why we moved it to the second Tuesday. So at this point I would like us to be able to schedule, to be able to pass this resolution. We can correct for November, but we do have Items coming up that we need to set a date for, and I think the best thing would be to go with January 9th.

COUNCILMAN TROIANO: Okay, so I'm not --in the interest of cooperation, I'm going to not object to that, but I just would ask, again, that when we set the calendar for next year or any other dates, that it be recalled that I've said repeatedly that the second Tuesday and the third Tuesday of every month are a problem for me.

SUPERVISOR DESENA: Okay, thank you.

COUNCILWOMAN DALIMONTE: So Town Attorney, do we just strike April 4th and August 6th?

SUPERVISOR DESENA: Can we change April 4th to April 2nd?

MR. CHIARA: You can't add, you can subtract.

SUPERVISOR DESENA: Okay.

MR. CHIARA: It should be a motion to amend.

COUNCILWOMAN DALIMONTE: I make a motion to amend Item 53 removing April 4th and removing August 6th from the listing of dates.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 651 - 2023

A RESOLUTION SETTING DATES FOR MEETINGS OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD FOR CALENDAR YEAR 2024.

WHEREAS, in order for the Town of North Hempstead (the "Town") to conduct business, it is necessary to establish dates for the Town Board meetings for the year 2024; and

WHEREAS, this Board wishes to establish the dates.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board meeting dates for the calendar year 2024 are as follows:

January 9, 2024
February 6, 2024
March 5, 2024
~~April 4, 2024~~
May 7, 2024
June 4, 2024
July 2, 2024
~~August 6, 2024~~
September 3, 2024
October 1, 2024
October 29, 2024
December 3, 2024

; and be it further

RESOLVED that unless otherwise stated, each meeting shall begin at 7:00 p.m.

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Finance Admin Services Dept. Heads

CLERK SRIVASTAVA: Thank you. Moving on to our Item number 1. A public hearing to consider the application of Hillside Islamic Center for site plan review for the premises located at 300 Hillside Avenue, New Hyde Park and designated on the Nassau County Land and Tax Map as Section 8, Block 3, Lots 6, 11 and 13.

MS. DEEGAN DICKSON: Good evening.

SUPERVISOR DESENA: Good evening.

MS. DEEGAN DICKSON: Bear with me for one minute while we get our --

SUPERVISOR DESENA: Mm-hmm.

MS. DEEGAN DICKSON: -- AV Stuff going.

MS. DEEGAN DICKSON: Good evening.

SUPERVISOR DESENA: Good evening.

MS. DEEGAN DICKSON: My name is Kathleen Deegan Dickson, I'm a partner in the law firm of Forchelli Deegan Terrana, 333 Earle Ovington Boulevard, Uniondale, New York, here on behalf of the Hillside Islamic Center. Please excuse me, I'm at the end of a cold and my voice isn't as strong and lovely as it usually is.

COUNCIL WOMAN DALIMONTE: Do you want a cough drop?

MS. DEEGAN DICKSON: I might in the middle of it, thank you. So we're here this evening for the proposal of the Hillside Islamic Center that's a proposal to expand the existing house of worship located at 300 Hillside Avenue in New Hyde Park. I know this Board has had quite a bit of process over the last several months before I was retained in September, so I would like to ask that the record of the all of the previous hearings, including the submissions and testimony received by this Board to date be incorporated into the record for tonight's proceedings as well. The Hillside Islamic Center has been in this location since 2005. The membership in utilization has certainly increased over the years since the congregation was established, and the last construction at this site was in 2012 when they constructed the currently existing building on the site. Over the last ten years or so, the growth of the congregation has outgrown the space and it became difficult to accommodate all of their members at their services. This created some issues with neighboring property owners as occupancy spilled outside of the building, and some of the parking spilled off of the property and into the neighborhood. The proposed building expansion that's before you this evening is to accommodate the existing congregation inside the building. The center was able to utilize additional properties that are adjacent to the existing parking lot to create more parking to accommodate the additional size of the building, and this additional parking will more than double the existing parking onsite from 30 parking spaces to 63 parking spaces. I want to start out by saying that the proposed expansion is fully zoning compliant. I think this is something very important for both the Board to recognize and for the community to recognize. The use is a permitted use, the height is within the height regulations of the code, and the parking is within the parking requirements of the code. We're not here for any variances, and we're not even here for a conditional or special use. We're only here for site plan review which is your basic site layout, landscaping, lighting, drainage, stormwater control, site circulation. So my clients were here last in August. They had meetings with this Board in June and July, and at each appearance neighbors expressed their concerns about parking, about noise and about other activities that tended to spill over outside of the site. There's no question

that my client got off to a rocky start with both the Board and the community, but I have to say, with the assistance of Councilman Adhami, that they have had some informal meetings with the community and with concerned members of the neighborhood. Since their first several meetings with the town, they have been very responsive to community concerns. They've scheduled additional services to reduce the number of worshipers at each service, they've rented space at the nearby Elks Lodge for additional services, and then since their last appearance here in August, the plan before you has been modified to include the demolition of the residence at 1039 North 3rd Street to create more parking and also the holding of outdoor services has ceased. As mentioned before, the parking has now been expanded to bring the number of parking spaces to 63, up from the existing 30. Also since that time, they've hired outside security guards to police parking in the neighborhood and on the lot, and they've enlisted community members as volunteers who will help with onsite and site circulation and also assist in patrolling the neighborhood to discourage illegal parking by its members. I do have a copy of the agreement with the security company that I'd like to just submit for the record so that you know that they've done what they've committed to do. If I could submit that. As a showing of good faith to the community, they've also obtained commitments from approximately 40 of their members who live within the nearby neighborhood, within a few blocks of the mosque, and that they've committed that they will only walk to services and will not bring their cars or move their cars in order to reduce the burden on parking in the area. They have signed commitments from these members of the community. I'd like to submit these as well as an exhibit, so that, again, you can see their commitment toward making this work for the entire community. This is the first time in a hearing I've ever submitted a commitment from members of the public to not drive to a site. I think this is above and beyond what any commercial business could or should be expected to do, and certainly more than any other local house of worship is expected to do. But that being said, my client is really committed to -- and their congregation is really committed to trying to be a good neighbor and to make this expansion less of a burden on the community than their current operations. At the prior public hearings, you've heard testimony that this expansion is not due to an anticipated expansion of their congregation. It's really to accommodate what is already existing. The increase in the parking area will eliminate the need for services to be broadcast in the parking lot, and during the month of Ramadan, when the peak hours are shifted to the evenings when presumably more of the area residents are home, additional parking areas are leased from nearby businesses to handle the reduction in neighborhood parking. The peak hours during the rest of the year are on Friday afternoons, when again, presumably, many of the neighborhood residents are at work or not at home, but they have, again, expanded the parking areas so that those heavily attended services can be accommodated. You have a traffic study that was submitted as part of this application. The traffic study confirms that the number of vehicles entering and exiting and parking on the site during peak hours will remain unchanged and that the area intersections will not suffer any decrease in the level of service based on this expansion. The primary difference with this expansion is that all of the activities can be brought inside now because there will be enough room on the inside of the building and that the areas on the outside where people were holding their worship services will now be available for parking, so it's actually a further increase in available parking. We do have the traffic engineer from GPI Engineering here this evening if you have any questions for him but I believe that you have heard from him already at past meetings of the Board. So all of these efforts will relieve some of the parking pressure in the neighborhood. The alternative would be to do absolutely nothing there, and then we go back to the situation with 30 parking spaces, with not enough space inside

to accommodate the current worshipers, and services will end up being held outside, taking up parking spaces and continuing to be a burden on the neighborhood. As your counsel will tell you, religious uses in New York State are presumed by law to be beneficial to communities, and they are entitled to special treatment. We're not actually asking for any special treatment. We're looking for a site plan approval tonight. Your Planning Department and the town's engineers have reviewed the site plan and have not -- have no problems with the drainage, lighting, landscaping, things that are site-related issues. But it is important for the town to recognize the importance of having religious institutions in neighborhoods, that there is a positive impact on societal wellbeing when you have your religious institutions in your neighborhoods, and it's an acknowledgment of the importance of religious freedom in our country. This presumption of benefit reflects on the state's commitment to fostering religious practices and to the potential contributions to the community's overall welfare. So to this end, municipalities are not only not allowed to make it more burdensome for religious institutions to exist, but they actually must provide a preference, and while there's no question there have been issues with parking in the neighborhood, this is an enforcement issue. My client has promised and committed to this Board and to the community that it will do its part to encourage its members to be respectful of their neighbors and to be respectful of the town's parking regulations and other traffic regulations. We would encourage the town to enlist the assistance of the Nassau County Police Department or Code Enforcement during the hours of heaviest activity to support and to augment the efforts that the Hillside Islamic Center will be making on behalf of its members. Unfortunately, they don't have any ability to ticket people, all they can do is, if they see somebody that they know is parking illegally, to go out there, and say, hey, c'mon, be a good neighbor, please move your car. We'd like to let the neighborhood know that Hillside Islamic Center is encouraging continued community engagement, they look forward to continuing a dialogue with their neighbors. When there are issues, they want to hear about them, and they will do their part to make them better. That being said, I think it's time this evening to close the public hearing and for this Board to make a decision on this matter. It has been going on for a very long time. There is a desire to get the building under construction before winter weather prohibits that and pushes us off for until after the spring. I know that there are people here who have some comments that they'd like to share. I know -- I'm going to assume that several of them are comments that you've heard before, so I would just ask that you take them in the spirit in which they're offered, our comments in the spirit in which they're offered and approve the application this evening. Thank you, very much.

SUPERVISOR DESENA: Thank you.

COUNCILMAN TROIANO: Can I make a comment?

MS. DEEGAN DICKSON: Yes.

COUNCILMAN TROIANO: I understand the religious liberty issue, and Kathleen, I've said it for previous hearings, and you may not be aware of it, but I live very close to the mosque in Westbury, and I've lived through the growing pains that are now being experienced by the New Hyde Park community with a mosque that is not -- the size of which was not sufficient to meet the size of its growing congregation, and I've experience all of these things that the neighbors come up and complain about with cars parking across my driveway and other driveways and not being, I'm going to say it straight out, not being good neighbors. Parking in front of a fire hydrant knowing that that presents risk not just to the home they're parked in front of but to their own cars and to other homes, and it took a long time, but we've reached an accommodation. But

I have to tell you, and I told the mosque leadership in Westbury, anyway, just this evening, that I've been very disappointed, despite the things you said tonight about the changes that are being made and asking neighbors not to drive their car and hiring a security force. But there's been a spotlight on this property since June or July, and still, I get weekly photos of congregants who continue to ignore signs that say you can't park in certain locations, that ignore good sense by parking in front of a hydrant, and I'm really very -- I'm telling you straight, I'm really frustrated by that when there's a light being shined on this property. Now, after the vote tonight, a lot of that pressure, if you can put it that way, goes away, and I don't know what might happen. So I understand, again, the religious liberty issue, and I understand that we can't be capricious in turning down an application like this, and I understand that we're really only here to approve the site plan. But I need you to understand that this is not -- and I've said this to you before, this is not fair to the neighbors, and I really don't understand why we continue to have these problems with your congregants parking, and clearly, not everybody, but some of your congregants not seeming to care and only wanting get into the mosque, which I appreciate, but I don't think that's in accord with the principles of the Quran.

MS. DEEGAN DICKSON: So if I could just respond. It's something that's been a frustration to the leadership of the Hillside Islamic Center, as well. They start every service and end every service with a request that their members respect the neighbors. There are always bad apples, there are people who are never going to change. That's where enforcement has to come into the picture. But I would also say that the expanded parking that will come along with this building expansion where we're not expanding our congregation, we're just expanding the accommodation. We're going to have an additional parking -- 33 parking spaces onsite that will take 33 parking spaces off of the street, and I know that it's something that the leadership of the center take very, very seriously, they're concerned about it, and they are -- they really do welcome enforcement as much as it may harm members getting tickets. I think that they would like to have the town's code enforcement and Nassau County Police as their partner in this because they really do want to be good neighbors, and unfortunately, they can't control every single person there as much as they would like to, and as much as they can talk about the principles of their religion and this being contrary to it, there's only so much you can do with the horse once you've led it to water, so, but we do appreciate your comments.

COUNCILMAN WALSH: I wonder if I can ask you something. You said that they -- there are other properties that they're going to use to park the cars in, if necessary. Did you make any arrangement with the Stop & Shop parking area across the street?

MS. DEEGAN DICKSON: So my understanding is that the outreach to Stop & Shop has not been received well by them. They have been unable to make an accommodation for the Islamic Center. We can commit to continuing to try, and if we can, even on certain dates, especially in the evenings. I think at Dayfacto (phonetic), sometimes some people park there.

COUNCILMAN WALSH: Okay, I was just wondering, the answer is no, that you didn't make an accommodation there.

MS. DEEGAN DICKSON: We weren't able to.

COUNCILMAN WALSH: Okay, so that's, you know, that's one of my problems is safety issues because, you know, I have been to this location several times between 1:05 and 1:25 in the afternoon when the drive goes on, and I see a tremendous amount of cars now parking in the Stop & Shop parking lot across Hillside Avenue, and I see a tremendous amount of people

darting across Hillside Avenue, there's no light there, there's no car restrictions. I've seen somebody with a walker, a man, I've seen children being held by the hand, older people, younger people, and when it gets close to 1:05, they go faster and faster. So I find that to be a big time safety issue, and I wonder if I can ask Mr. Levine about the parking. We just heard 33 spaces. The existing dirt field that's there, that was a house that was plumbed out, how many parking spaces is that going to generate?

MR. LEVINE: I believe it can properly be striped for 16, and I think there were about 20 the way it is now, not striped, because you tend to pack them in tighter.

COUNCILMAN WALSH: So in that --

COMMISSIONER LEVINE: I'm saying there's two rows of eight.

COUNCILMAN WALSH: I'm not sure if I heard you because I -- you said between 16 and 20 or 20?

COMMISSIONER LEVINE: Sixteen if it's properly striped with 10-by-20 spaces.

COUNCILMAN WALSH: 10-by-20.

COMMISSIONER LEVINE: And I believe when it's unstriped, you tend to pack them in tighter.

COUNCILMAN WALSH: Now for me, the problem with that is that every week there is a dirt field there, and on that dirt field there is a tremendous amount more than 16 or 20 cars parked right now. So if you're going to take more cars off the street, they're already being taken off the street and put in this dirt field, which is, you know, you're not supposed to do that. So I don't know how that would be a savings, and you know, just the other issue that I have is in listening and speaking with the Imam at the last hearing, he said that 70 people come at night, and I asked him how many people come in the afternoon at one o'clock, and he said between 4 and 500. So that's an awful lot of people, and I understand that the parking is an enforcement issue but it's also an awful lot of people with an awful lot of cars coming in a half hour period and leaving when the half hour is up, and what I observed is an awful lot of -- most people drive by themselves in a car, it's not in -- in life, we all have our own cars, we all have our own cell phones, and there's an awful lot of young men pulling up at the last minute and darting to pray, and just, there's no parking spaces, and they put their car anywhere, and that was my observation, you know, and I don't know if that number, from 4 to 500, has changed but at the last hearing that was what the testimony revealed by the Imam.

MS. DEEGAN DICKSON: So what I would, excuse me, say to that, Councilman, is that's the current existing condition. Whether that exists with a building that's too small and parking that's not improved or that exists in a park, a building that's built big enough to accommodate people and an improved parking lot, there's not going to be a difference other than the potential benefit of having a newer facility with a paved lot, with proper drainage.

(WHEREUPON, there was an off-the-record discussion.)

MS. DEEGAN DICKSON: Right, so actually, that's a very good point, I'm sorry. Since the last plan that this Board saw at a public hearing, there's been an additional house that's been slated for demolition that's owned by the center that's going to create additional parking. That's how I think the number originally was at 30. It went to somewhere around 43 or 46, and now we're up to 63 parking spaces, so that's additional. The last -- this rendering doesn't show all of

it, there's still another parcel here, this is on older rendering. But the site plan does show this additional parking here.

COUNCILMAN WALSH: So if you did tear down another house, it would add an additional 16 spaces maybe; right? And the 16 to 20, so where does 44 come from? Sixteen and is 32, striped, and listen, almost everybody has to go by the requirements which is 10-by-20. So I don't know how it would work. What would you go by; 19-by-8 1/2 or, you know --

MS. DEEGAN DICKSON: Well, we could go to the Zoning Board to have them striped smaller, you know, that's not our preference, because as I said, we are fully zoning compliant. It's something that maybe we can do down the road, maybe while construction is ongoing, we could go to the Zoning Board and ask for permission to do tandem parking or to stripe the parking smaller. We discussed the possibility of doing valet parking but because the services are short, I don't think that will help the issue, I think that would actually exacerbate the problem.

COUNCILMAN WALSH: Thank you.

MS. DEEGAN DICKSON: So the 44 parking spaces that we were talking about, that I was talking about, so there's 30 spaces now. The plan we saw at the beginning of August was 44 spaces, that was with two houses demolished. This one now is at 63 spaces with the third house demolished. There's been a reconfiguration of the parking lot to accommodate that, so I can't say that those additional 16 spaces on the south side of the property are the delta, but I think the whole parking lot has been reconfigured --

COUNCILMAN WALSH: Okay.

MS. DEEGAN DICKSON: --in order to accommodate that.

COUNCILMAN WALSH: Just so I understand, you're talking about demolishing three houses all together; is that correct?

MS. DEEGAN DICKSON: Correct, yes.

COUNCILMAN WALSH: Thank you.

MS. DEEGAN DICKSON: Thank you.

SUPERVISOR DESENA: The Hillside Islamic Center owns those three houses?

MS. DEEGAN DICKSON: Yes. So I would just like to have an opportunity to respond to any comments that -- I'm sorry, would you like to speak?

MR. ARAKHAN: Just to clarify, just a clarification. Two of the houses have already been demolished. One is existing to be demolished.

COUNCILMAN WALSH: I saw the two that were demolished, thank you.

MR. ARAKHAN: Yes, thank you.

COUNCILMAN WALSH: That's why I was wondering about the third house.

MR. ARAKHAN: Yes, the third house is still standing.

COUNCILMAN WALSH: Yeah.

MR. ARAKHAN: It's part of the plan.

COUNCILMAN WALSH: The other two with dirt fields that people are parking on.

MS. DEEGAN DICKSON: Yeah, so part of this applications is to improve that with drainage --

COUNCILMAN WALSH: Yeah.

MS. DEEGAN DICKSON: -- with paving, with striping. It'll be in a more attractive condition.

COUNCILMAN WALSH: Yeah, and because it's against the code to park cars on a dirt field without stripes.

MS. DEEGAN DICKSON: We do strive to be in compliance.

COUNCILMAN WALSH: It's against the code.

COUNCILWOMAN LURVEY: I have a question. When I look on the agenda that the town Board has been provided, the site plan does not reflect that addition to the left on the bottom. Is that -- am I looking at the right thing; Mr. Levine? Do we have these plans?

COMMISSIONER LEVINE: The last one that came to our department through Buildings is the one that does not have the third house incorporated. So the one that's on the easel is -- the last one that we have of record is the one that was here in August.

MS. DEEGAN DICKSON: That was submitted August -- it's dated August 28th, 2023.

COMMISSIONER LEVINE: The one on the easel?

MS. DEEGAN DICKSON: Yes.

MR. LEVINE: Okay, and that was submitted to Buildings?

MS. DEEGAN DICKSON: Yes, we received a new Notice of Disapproval that cited just site plan review as the only issue.

COMMISSIONER LEVINE: Okay, that did not make it -- the last one I have is July 25th which does not yet incorporate the southernmost house.

MS. DEEGAN DICKSON: I will check my records but I'm very sure that they were submitted.

COMMISSIONER LEVINE: Okay, yeah, you don't have the response from Buildings with you?

MS. DEEGAN DICKSON: I'm sure I have it in my file. I can look.

COMMISSIONER LEVINE: Okay, yeah, if you can just bring that up.

MS. DEEGAN DICKSON: Yes, sure.

CLERK SRIVASTAVA: We have a few cards on this Item, the public is here.

SUPERVISOR DESENA: Before we call anyone else, Commissioner Levine, can you explain what is the parking ratio that, you know, because we've been told that there's no problem with the parking but what is the assumption of the parking and the occupancy?

COMMISSIONER LEVINE: Right. The requirement of the code is this is classified as a place of public assembly, and the required ratio is one for every four occupants, and the occupancy is determined under the state building code. So that number is divided by four and Buildings has confirmed that the number provided in the last plan was actually 45 spots, that was adequate. This new one is 63, so that would be more than adequate as per code.

SUPERVISOR DESENA: But that would assume that there's four occupants in each car.

COMMISSIONER LEVINE: It's predicated, I mean, it's not literally predicated on that assumption, but the rationale for why it was --

SUPERVISOR DESENA: Mm-hmm.

COMMISSIONER LEVINE: -- I mean, that ratio's been in the code for decades, so one can presume it was, you know, anticipated that you're coming four per car.

SUPERVISOR DESENA: So how -- when you say decades, how long ago, how old is that ratio that's part of our code?

COMMISSIONER LEVINE: I don't exactly know.

SUPERVISOR DESENA: Mm-hmm.

COMMISSIONER LEVINE: I can tell you it predates my tenure with the town and that goes back as you know. So what we've had in practice is that for some land uses that ratio is more than adequate, a gym and health club is an example I've given that those are places of public assembly that tend to have much lower occupancies per square foot. For houses of worship, where you tend to have fixed seating fairly close together, sometimes that ratio doesn't work but they do meet the code requirement, and we do appreciate that they've taken whatever steps they can to expand that number beyond the code requirement.

COUNCILMAN WALSH: I wonder if I could ask you a question. What defines occupancy, and I don't mean what's the definition of occupancy, I mean that the occupancy of the building is going to be 70-something, but what happens when 400 to 500 people come? Do they count as occupancy or --

COMMISSIONER LEVINE: Right. What happens is, under the state code, the gross floor area of the building, the gross floor area of the building is divided, and there is a ratio in the state code that your occupancy is one person for so many square feet, and actually, Mr. McHugh made, a couple of meetings ago, it's not just how many you can fit, because it would be more than that, it's how many can you fit and still clear the building in, I believe, three minutes if there is a fire or emergency. So there is a set ratio in the state code, the Building Department reviews the gross floor area on the plan that's submitted to them, does a simple calculation and then divides that by four to determine the required parking number.

COUNCILMAN WALSH: Thank you.

SUPERVISOR DESENA: Okay, I know we have people who would like to comment, and you know, as was said, we -- some people have commented at the earlier sessions of this hearing. So I would ask that if you have not commented yet, that you -- we hear you first. If there's anybody who hasn't commented at the prior hearings who would like to be heard? All right, let's just wait, let's see if there's anyone else. Is there anyone who hasn't been heard who would like to be heard tonight?

(WHEREUPON, there was no response.)

SUPERVISOR DESENA: Okay, all right, then you can call the cards, please.

CLERK SRIVASTAVA: Mr. Heeseman? Heeseman?

MR. HEESEMAN: Good evening everybody. My name is Gary Heeseman, I live at 1018 Hillside Boulevard. I'd like to start this out by reading something that was said at the October

Board meeting by Mr. Adhami, okay, and it was also said by Commissioner Levine. If you'd like to read it, I have the minutes right here, and if you want to see Mr. Adhami, it's at 44 minutes on the tape; okay? What he said was "the Zoning Board requires a 15-foot landscaping buffer for all commercial properties bordering a residential area." The current proposal doesn't have a 15-foot landscaping buffer; okay? That was when he was talking about the temple. So they wanted to add eight spots, so that was what he said, that because the landscaping buffer doesn't come into effect, so the eight spots are fine. Look at the footprint of the mosque right now. The fence and then there's a 3-foot --

COUNCILMAN WALSH: You're confusing me. You're talking about the mosque or the Islamic Center?

MR. HEESEMAN: Well, what I just said was what they were talking about with the temple.

COUNCILMAN WALSH: I heard that, but then you said the mosque.

MR. HEESEMAN: Yeah, now I'm going to the mosque.

COUNCILMAN WALSH: Okay.

MR. HEESEMAN: Okay? So if you look at the mosque, they don't have 15-foot, they don't have a 15-foot landscaping buffer anywhere. So if you put that in, how many spots are they going to move? Unfortunately, no one's even seen this before this second. No one's seen this thing. So that's one thing. The second thing I'd like to talk about is how they're getting summonses; okay? I put in for FOIL requests. I got one from the Town of North Hempstead on 9/23/15 when they were still constructing it; okay? There was three items on it. They had no working certificate and many men working on plumbing, gas piping and sprinkler piping. There was a stop work order and no sprinkler installers license. Now they were supposed to go to, on 11/20/15, to the Third District Court and finish it. I have another FOIL in with the Town of North Hempstead to find out what the results of that was; all right? This year the fire marshals went on -- another FOIL request, they went on July 28th of this year. They issued four summonses, two of them sprinklers and two of them for no emergency light testing; okay? So for eight years, did anybody from the Town of North Hempstead go to see if it was compliant with the sprinklers? I don't know. That's my next FOIL I'm going to put in to the town. I'd like to know how many people went to this location, and obviously, they didn't write any tickets because they didn't give it to us, they didn't give it to me on this FOIL. So how many people did they put in danger? They already said they're putting 400 people into this building at the 1:30 service. The CO is 122, I think, just so you know. So they're breaking the law every week, but it's okay because they're doing it but when it comes to our neighborhood, we get yelled at all the time. We tell people they can't park. Who are you? You know, I got called an infidel once. I had a surgery, I couldn't even -- I couldn't do it, I just walked to the corner and back. You're parking in a hydrant, I said, you know, you can't park there. They called me an effing infidel, and they drove off. Eh, I've been called worse, it happens. But you know, the lawyer -- their lawyer today said the Zoning Board cleared it. Now I'm talking -- Mr. Adhami, you said this at the October meeting. Why would it be talked about when it didn't count? But when it counts over here, you'll probably lose about 12, 15 spots there because if you have to move it out 15 feet, you're going to lose all the spots by North 2nd Street with the house there and the back of all the houses. So I don't know what's going on here, I mean, we come -- except for last month when we were told we didn't have to come. The people from the neighborhood are here every week for six months, every month for six months, and we always give you something, we give

you new stuff, we give you old stuff, whatever, but because it's just, you know, we've had enough. We let it go for ten years, no one bothered them for ten years, and they just kept, you know, it just got worse and worse. So finally, you know, the people got together to try and stop it. You know, I hope you make a decision tonight and let your conscience be your guide. That's all I can say. Does anybody have any questions?

COUNCILMAN TROIANO: Yeah, I missed your comment about the sprinkler system. You said it's not working or it's not even installed?

MR. HEESEMAN: Which one? The Town of North Hempstead or the fire marshals?

COUNCILMAN TROIANO: What was your comment about the sprinkler system?

MR. HEESEMAN: They were both -- they were both sprinkler systems. The Town of North Hempstead, it said, no sprinkler installer's license because they were still building the building because they were shut down so many times because they keep lying, and people catch them in lies.

COUNCILMAN TROIANO: But is the sprinkler system there now?

MR. HEESEMAN: Yeah, the fire department shut it down or they issued four tickets on 8/15 of '23, oh, no, I'm sorry, July 28th, the court appearance was 8/15. I put the FOIL request in to the Law Department.

COUNCILMAN TROIANO: I'm sorry, what year is that?

MR. HEESEMAN: This year, this year.

COUNCILMAN TROIANO: So I'm having a hard time following. Is there a sprinkler system in place now?

MR. HEESEMAN: Yes, but there's no recordkeeping. You have to have recordkeeping, and there's a failure to maintain.

COUNCILMAN TROIANO: You mean recordkeeping in the sense of inspections?

MR. HEESEMAN: I guess so, yeah. I don't know when the last one was done, maybe it was done eight years ago, the last time we were there. I don't know if anyone was there. The fire department -- the fire marshals, they've never been there. The Town of North Hempstead, the code enforcement, they've never been there. So for eight years maybe they had no sprinkler system. So you got 400 people plus the kids going in there. If something ever happened there, besides the people that get hurt, the neighborhood is just going to be -- it's going to be chaos, and then the Town of North Hempstead is going to look, like, silly. You never went and inspected? In the city, just so you know, the fire department goes to to every BOPA. BOPA is a building of public assembly, it's 75 people or more in the city. I was told there's 50 or more on Long Island. But they go to every building, and they check all their fire stuff once a year, they make sure it's working. They make sure all the paperwork's up-to-date, they make sure that the sprinkler systems are energized. We don't do any of that here. I hope I gave you two new things, I hope I gave you something here. We'll let you think about it. Thank you, very much.

SUPERVISOR DESENA: Thank you.

CLERK SRIVASTAVA: Thank you. Jim? Jim McHugh?

COMMISSIONER LEVINE: Hang on, I have to respond.

COUNCILMAN WALSH: Do you want to take a recess?

COMMISSIONER LEVINE: No, I have to respond to the prior question. The sprinkler, of course, that's the Building Department, that I don't have information on. The buffer, though, is on the drawing.

COUNCILWOMAN DALIMONTE: I can't hear you, Commissioner Levine.

COMMISSIONER LEVINE: Okay, let me repeat that. The sprinkler system, that I wouldn't be able to address, it's a Building Department issue. The buffer, though, is on the drawing. Now the one that's on the easel is just the parking plan, so I could ask the applicant to flip to the landscaping plan but the required buffer is on the drawing.

COUNCILMAN WALSH: Okay, and I guess the attorney can answer if there is a current sprinkler system when she comes back up.

COUNCILMAN ADHAMI: If we could -- Mr. McHugh, if I could call Ms. Deegan Dickson back to the podium.

MR. McHUGH: Sure.

COUNCILMAN ADHAMI: Sorry.

MS. DEEGAN DICKSON: Yes.

COUNCILMAN ADHAMI: So one question. Have the modified plans been submitted with the additional parking spaces? Because that's not what we have here tonight; correct?

MS. DEEGAN DICKSON: That is what you have here tonight. It was submitted to the Building Department. Unfortunately, I don't have my entire file with me but we did receive a new Notice of Disapproval that indicated the only relief was the site plan review, and then, I can't find my e-mail, unfortunately, my associate who does the submissions through the portal is away this week, so I don't have -- I don't have the proof that it was submitted to the Planning Department. But this is the plan I believe that the Planning Department has been working with since early September.

COUNCILMAN ADHAMI: So just for clarification. The plan that we're voting on tonight has the third house being knocked down and added as parking.

MS. DEEGAN DICKSON: Yes, that's correct, and it does also show a 15-foot planted buffer between the parking lot and the adjacent residential properties.

COUNCILMAN ADHAMI: And Commissioner Levine, that's accurate with the 15-foot buffer?

COMMISSIONER LEVINE: The buffer is there, yeah. Now what I see on this drawing that's on the easel, because it's only the parking plan, I see where the space is allocated for it. I'm assuming there's another plan on the easel that shows the landscaping.

COUNCILMAN ADHAMI: So the amount of parking spaces is including the 15-foot buffer, that's not going to reduce --

COMMISSIONER LEVINE: It's already accounted for, correct.

MR. HEESEMAN: What about the footprint right now?

CLERK SRIVASTAVA: Mr. McHugh, yes.

COUNCILWOMAN DALIMONTE: Wait, can I --

SUPERVISOR DESENA: Hold on, hold on, hold on.

MS. DEEGAN DICKSON: You don't have it on the easel but it's in the set.

COUNCILWOMAN DALIMONTE: Can I ask a question to the Commissioner?

SUPERVISOR DESENA: Yeah, I just didn't want to go past her.

COUNCILWOMAN DALIMONTE: Commissioner Levine? Before I couldn't really hear you but who inspects the sprinkler systems? I'm being told it's the Nassau County Fire Marshals Department.

COMMISSIONER LEVINE: Okay, that would be a question for our Building Department, which of the two agencies has jurisdiction.

COUNCILWOMAN DALIMONTE: Okay, thank you.

COUNCILWOMAN LURVEY: Is there anyone here from the Building Department?

(WHEREUPON, there was no response.)

COUNCILWOMAN LURVEY: No.

MS. DEEGAN DICKSON: And I wasn't clear, it's going to be a little hard for me to respond. I wasn't clear if the gentlemen was saying that this was a past issue or a current issue because we had heard there were rumors of violations. I FOIL'd the Building Department, code enforcement and the town planning records and found -- and the Town Attorney's records, and found no violations for this property. My client just confirmed that there was a violation issued by the fire marshal for a minor issue with the sprinkler that was corrected and reinspected and cleared. So we don't -- I don't have the paperwork on it tonight but that is --

(WHEREUPON, there was an off-the-record discussion.)

MS. DEEGAN DICKSON: It's submitted but not yet approved. But everything, the submission has complied with the violation that was issued. The landscape plan is in this set shown on drawing A-001.00, Site Plan and Green Area Layout. I do have the updated disapproval here on the phone.

(WHEREUPON, there was an off-the-record discussion.)

SUPERVISOR DESENA: Sir, I think you said you found something about the sprinkler? A follow-up before we move on?

MR. HEESEMAN: If you want to see it, it's right here.

SUPERVISOR DESENA: Can you just say what it is?

MR. HEESEMAN: It's from the fire marshals. It's the four tickets. I got the ticket numbers, 31986, 87, 88, 89, failure to maintain sprinkler system records; sprinkler system records; non-emergency lighting tests. They have to go to court August 15th.

SUPERVISOR DESENA: Of what year?

MR. HEESEMAN: This year.

SUPERVISOR DESENA: So it passed, and it was not resolved?

MR. HEESEMAN: I guess so because I put a FOIL, I put a FOIL request in to get these four, and the Town of North Hempstead one results. I can show you the Town of North Hempstead one, too. I have that. Now, they're showing these things. We don't know that there's a 15-foot buffer, we never saw it. But in the existing parking lot they have now, it's not 15-foot, it's for 3 feet. The building itself is within 15-foot of the gas station on Hillside Avenue but that's not a commercial business, like, so I guess that doesn't count. But if you go around to North 2nd Street, there's a 6-foot fence all the way up to the sidewalk, by the way, I think that's illegal, too, but I don't know, maybe the code compliance can go out there and see it. I thought you couldn't have it past the front of your, you know, your house, but that's 6-foot all the way to the curb. The parking lot is -- has a 3-foot buffer all around it. So how many spots are you going lose there? I don't know.

SUPERVISOR DESENA: Okay, thank you.

MR. HEESEMAN: Do you want to see the other one?

SUPERVISOR DESENA: No, that's okay.

MR. HEESEMAN: Okay, I can show -- all right.

SUPERVISOR DESENA: Do you want to just respond? Were those sprinkler tickets resolved in August?

MR. BHUIYAN: Yes, we did appear for this August -- I think it was August 6th or 7th hearing. We went back, and there was still one issue with the emergency light. So that's why you have to go back in January, 2024, and they will come and do the reinspection. That was this, that was the only thing. They never issued any penalty for anything, just asking us to repair those things. It was minor issues. Second thing, we do have also updated Certificate of Occupancy. It was -- what was it? August of this year, actually by the Building Department. So fire department were there, there was a hearing, we went to the hearing. Now it's rescheduled after --in January this year -- next year, and hopefully, by then everything will be resolved.

SUPERVISOR DESENA: Okay, thank you.

MR. BHUIYAN: Okay, thank you.

SUPERVISOR DESENA: Okay, Mr. McHugh?

MR. McHUGH: Jim McHugh, 15 White Avenue, New Hyde Park, New York. I want to get this off my chest right away. Some statements were made --

SUPERVISOR DESENA: Mr. McHugh, we have to keep it to three minutes.

MR. McHUGH: Sure.

SUPERVISOR DESENA: Okay.

MR. McHUGH: A lot of statements were made at the November hearing that in some way the community was responsible for all the delays with this project, and that is, obviously, this Board sat through it all, was not true; okay? It was the unpreparedness of the applicant, which again, tonight, they seem to be unprepared, that delayed all of this; okay? When it comes to the fire marshal, there's four summonses that were issued. Two about the sprinklers, two about the emergency lighting. They want an additional addition onto their building. They're not

maintaining what they already have. They're in violation of the Nassau County Fire Marshal Code. This town, what's going on; okay? And yet they've been running hundreds of people through the building. That's why, originally, I said there's two issues here. There is an issue of quality of life in the community, and there's a public safety issue, and this highlights the -- what I was saying before about the public safety issues. It's not just about the parking, that's public safety, also. Now we have these new issues, which by the way, in the community meeting in September were denied that these even existed. There's no record of that meeting but when we brought it up, oh, we don't know anything about that. Now, here's the number -- what's the magic number on this building? What's the fire code allowance number? I had 134 originally; has that been changed? I would like to know, legally, which our Building Department sets, and the fire marshal enforces, how many people with the expansion, would legally be allowed in the building? What's the magic number? Anybody got that answer? What is it? How many people are allowed in the building? That could be -- that is based on how you can, in an event of an emergency, it's not just the parking ratio. You don't multiply it, you divide it. It's how many people can safely be evacuated from the building in an emergency. What's that number? I don't have it. I'm not getting an answer to this; okay? The other thing is, I have the resolution here, the full resolution, not just the backup -- it's the backup, not just the summary. One of the reasons you have this hearing is because you're required to because they're changing the curb cuts. The number of curb cuts is increasing. They're moving curb cuts, they're closing the archway. So that requires -- one of the reasons, besides the size of the plan and how much they're doing in their expansion number, this is required. We haven't even addressed that tonight. No one's addressed the ingress and egress and the changes and what that does to 2nd Street light. HomeGoods, by the way, is going into Stop & Shop.

CLERK SRIVASTAVA: Thank you.

MR. McHUGH: Once HomeGoods goes in there, that's going to increase what happens at that light, that intersection. Traffic is going to -- heading west; okay? So this is about quality of life, this is about public safety. I ask this Board, if you decide to vote on this tonight, and you vote -- if you decide for some reason to vote in the affirmative, in your own resolution you're allowed conditions. It says it in the last paragraph.

CLERK SRIVASTAVA: Thank you, your three minutes are up.

MR. McHUGH: Okay? So I implore you, if you even think about giving a yes vote on this that you look into some real conditions.

SUPERVISOR DESENA: Thank you.

CLERK SRIVASTAVA: Joe D'Amico?

SUPERVISOR DESENA: Can you say that, again?

CLERK SRIVASTAVA: Joe D'Amico? J-O-E.

MR. D'AMICO: Good evening, Supervisor --

SUPERVISOR DESENA: Good evening.

MR. D'AMICO: -- Councilmembers. My name is Joe D'Amico, I'm a resident of New Hyde Park where I've been living for the past 35 years or so. I originally lived in Astoria, and I left Queens for a better quality of life. One of the driving factors was the difficulty in finding parking in Queens, so you know, it's very important to me that we, you know, try to preserve the

quality of life that we've been enjoying for many years, and that's not to say that this expansion can't happen and that we can still preserve quality of life, I think we can. We just have to make sure that we go about it the right way. One of the biggest issues here, as we all know, is parking, and of course, traffic safety. Now, from what I've seen over the years is this has been building. You know, the fact that we're drawing, attracting so many congregants to the area to visit the Hillside Islamic Center, this is something that didn't happen overnight, and my concern here is traffic safety. From what I've seen, anytime that there's services, especially on Fridays, and of course, during the month of Ramadan, we see latecomers who are rushing to get to service, overrunning stop signs, driving aggressively, aggressively looking for parking, sometimes blocking driveways, and even when you see them and you appeal to them, you ask them to move, they don't always cooperate. So my concern here is traffic safety. Now from what I understand, there was a traffic study that was done. However, it was done a year ago. Well, we've seen changes over the past year. I don't think that's what that study reflects, having been done a year ago, is what we're seeing today. So I think it's probably due time to have an updated traffic study, and the concern here is also upcoming Ramadan. Every Ramadan month is busier and creates more congestion than the one from the year before. So I'm not sure, you know, what to expect for the next one, and I think that we should update the study, and it probably should include the month of Ramadan just to see what, you know, if we might have a safety issue that needs to be dealt with. So I keep hearing with this here is that the expansion is being done so that we can accommodate, you know, the parking situation, alleviate, you know, some of the burdens imposed on a community but my concern here or my fear is that it's a case of possibly, if you build it, they will come. I'm afraid that it's just going to draw more congregants into the area, and it's just going to further exacerbate an existing problem.

CLERK SRIVASTAVA: Thank you.

SUPERVISOR DESENA: Thank you.

MR. D'AMICO: Okay, thank you.

CLERK SRIVASTAVA: Donna O'Callaghan? Donna "O" --

MS. O'CALLAGHAN: Hello, my name is Donna O'Callaghan, I live at 1028 Hillside Boulevard. At last month's community meeting the center informed us the proposed expansion was approved by the Building Department, and the occupancy would go from approximately 120 to over 220 people. I was told just because I didn't like it doesn't mean they can't do it. After some research on RLUIPA, which is Religious Land Use and Institutionalized Persons Act, I learned that response was incorrect. All RLUIPA suits decide on whether an adverse zoning decision truly infringes on religious exercise or is only a matter of preference or convenience which frequently reject claims of financial cost and inconvenience, as well as frustration of not getting what one wants as constituting a burden of religion. The center is where there are presently other nearby options for expansion available to them. The Town of North Hempstead can reject the expansion based on the expected size and impact of the religious uses and still comply with RLUIPA. According to the U.S. Supreme Court, municipalities must consider compelling interest, such as promoting health and safety. In our case, the Board has been given numerous photos, heard ample stories, seen plenty of parking and code violations, and personally, witness the present chaos the residents deal with on a daily basis on a very congested intersection but may not be - - but may not have seen the additional congestion the month of Ramadan brings. The U.S. Supreme Court also states you must consider preserving the single

family residential character of a residential zone and enforcing regulations to ensure the safety of residential neighborhoods. In this case, the center has been practicing in the community since 2005. In 2014, they did their first expansion. They knocked down houses on North 2nd and North 3rd Street, not only changing the look of the residential blocks, but the expansion attracted so many nonlocal worshipers. It continues to be a burden to the residents and the businesses. Now again, the center has begun demolition of additional residential houses with plans of expanding. Religious uses are not exempt from zoning. A religious group has no Constitutional right to be free from reasonable zoning regulations nor does it have a Constitutional right to build a house of worship wherever it pleases. RLUIPA does not entitle a religious group to carte blanche. The Town of North Hempstead must focus on the size and the impact this new proposed expansion will have on the residents of our community, especially the ones who have already been severely impacted by the last expansion. There is no room for additional 100-plus cars. There is no room for the hundreds of cars that presently attend to legally park. This is not about religion, it's about the size and impact the proposed expansion would add to the existing problems caused by the last expansion. The town should not allow this dangerous expansion which will compound the existing problems, and I put the footnotes, and I made a copy for everybody.

CLERK SRIVASTAVA: Thank you.

MS. O'CALLAGHAN: Okay.

SUPERVISOR DESENA: Thank you.

MS. O'CALLAGHAN: And may I also address one thing that -- one thing that was said at the community meeting that was something that was said before, that I'm asking Mr. Adhami. I believe you said at the community meeting, you said you reached out to the stores, to the Stop & Shop Shopping Center, and the landlord said it would not rent the space because the tenant's lease is solely for the parking for the tenants. Is that --

COUNCILMAN ADHAMI: My office has not reached out. I believe the applicant has, and their attorney has, but my office did not reach out or request a reason why Stop & Shop would not, you know, accommodate.

MS. O'CALLAGHAN: All right, and one last thing.

SUPERVISOR DESENA: Okay, we're past three minutes.

CLERK SRIVASTAVA: Thank you.

MS. O'CALLAGHAN: Oh, all right.

SUPERVISOR DESENA: Thank you.

MS. O'CALLAGHAN: Thank you.

CLERK SRIVASTAVA: Colleen Heeseman?

MS. HEESEMAN: My name is Colleen Heeseman, I live in -- I forget where I live -- 1018 Hillside Boulevard, New Hyde Park. I'll just read it. If your landscaper couldn't do your lawn because there was no parking available on your block and you could not have a guest park in front of your house or even on your block, I know how you would be voting on this proposal. If you watch beautiful houses get knocked down on a once residential block and watch kids walking in between double parked cars in the dark every evening, I know how you would be

voting on this expansion. If you were unable to find parking at your local shops, even though the stores were empty and you had to drive around cars that were double parked, I know how you would be voting. If you had to come home a different route or an ambulance had to find a new path to get to your house because the town closed the street that leads to your block to accommodate cars from another county to park, I know how you would be voting. If any business, church, school or any other entity proposed to close off the main entrance of their establishment and instead use side streets to enter and exit services which begins before dawn and lasts till almost midnight, I know how you would be voting. If you couldn't sleep because the services were being held outside and being broadcast over a loudspeaker, I know how you would be voting. The center has a place to worship. They claim they only want to make the people already coming more comfortable. But that comfort comes at the expense and the safety of the residents. An expansion would create more hardships for more residents. Please let us keep the quality of life we want and deserve as residents of the Town of North Hempstead and preserve the character of our neighborhood. A solution to solve the current parking and safety issues needs to be provided, not an expansion. Keep the Town of North Hempstead a suburban neighborhood. Support your residents and vote no to the expansion. I also want to just show you, I know they said they are improving the parking. These are pictures from the last month of all the people that are still by the fire hydrants, double parking, I mean, it's in the walkways, it hasn't stopped. I mean, they can say it all they want, and I understand that they say 40 people, but a lot of people are coming from Queens, and it's not -- they're not walking there. They're taking the cars, and this is a tow-away zone at Stop & Shop, so they're not supposed to be parking there. That's what they've been trying to do but they're not supposed to be, and when HomeGoods comes, it's going to be a disaster. It really is going to be a mess. So, thank you.

CLERK SRIVASTAVA: Thank you.

SUPERVISOR DESENA: Thank you.

CLERK SRIVASTAVA: Matthew D'Amico? Matthew D'Amico?

AUDIENCE MEMBER: I'll give Jim my three minutes.

COUNCILMAN WALSH: No, no, no, no, no.

SUPERVISOR DESENA: Let's keep -- wait, let's see who else.

COUNCILMAN WALSH: No, no, no.

SUPERVISOR DESENA: Jim, we have to see who else wants to speak.

COUNCILMAN WALSH: Please have a seat, Mr. McHugh. No, no, no, no no .

MR. McHUGH: I only have one thing to add.

COUNCILMAN WALSH: No, Mr. McHugh --

SUPERVISOR DESENA: Mr. McHugh, you have to wait till we call you. Please go back.

COUNCILMAN WALSH: Please.

SUPERVISOR DESENA: Do you want to fill out a card?

CLERK SRIVASTAVA: AnnaMarie D'Amico?

SUPERVISOR DESENA: Hold on.

CLERK SRIVASTAVA: Ann Marie D'Amico.

SUPERVISOR DESENA: The cards are out here in the lobby if you want to fill out a card.

CLERK SRIVASTAVA: Yes, if somebody else, they want to speak, they can fill out a card.
Ann Marie D'Amico?

SUPERVISOR DESENA: No, no, wait, you can't speak from back there, it's being recorded, and you know, and --

CLERK SRIVASTAVA: Please come to the podium.

SUPERVISOR DESENA: -- typed.

MS. D'AMICO: An my name is AnnaMarie D'Amico, and I live on Hillside Boulevard, and I do agree with everything that everybody has said. I have gone through something on my own, looking, walking, people taking pictures of me, and I think I had said that the last time at the meeting, and I felt very violated, and it's still going to be going on. There are other things being said. People just go there, and they're nasty, they curse at you. If you tell them, don't park there, who the blank do you think you are? I said, you don't live there. They just get out of the car, and they just go, they go to the mosque. These are the things that I'm afraid that's going to continue on happening.

COUNCILMAN WALSH: Thank you.

SUPERVISOR DESENA: Thank you.

CLERK SRIVASTAVA: Arianna Nabavi? Arianna?

SUPERVISOR DESENA: Aneja? Aneja? (phonetic) yeah.

CLERK SRIVASTAVA: Aneja, (phonetic) okay?

MS. NABAVI: Good evening, everyone.

COUNCILMAN WALSH: Thank you for complying with the card.

MS. NABAVI: Yeah, thank you, this is my first Town Hall meeting, and I'm really glad to be here. I'm a resident of New Hyde Park. I do appreciate everything that I've heard from the residents as well as the Councilmembers. I have two kids that actually attend the Hillside Islamic Center, it's a beautiful community of -- that provides very important and vital services to the very much growing Muslim population of our communities. Our communities are becoming much more diverse, and it's actually, it's a great thing. I hear a lot of trepidation amongst the community members here, oh, we're inviting people in. Councilmember Walsh, you mentioned that you have a lot of these young men coming in. It's actually a great thing because they're coming in to worship.

COUNCILMAN WALSH: Yeah, but I was just saying that I see a lot of, you know, men in cars coming the last minute and parking.

MS. NABAVI: I understand.

COUNCILMAN WALSH: I didn't say anything about whether it's a good thing for worshipping or not.

MS. NABAVI: Right.

COUNCILMAN WALSH: You know, I don't want that to be misrepresented.

MS. NABAVI: Okay, I appreciate that.

COUNCILMAN WALSH: But I saw, and I can only tell you my observation.

MS. NABAVI: Sure.

COUNCILMAN WALSH: Is the last four or five minutes, a bunch of people come in cars, and normally, it seems to me --

MS. NABAVI: Yes.

COUNCILMAN WALSH: -- more young men than not.

MS. NABAVI: I appreciate that.

COUNCILMAN WALSH: But I did see a woman who -- I was going, look at all these young guys, and I saw a woman, older, back over the cones that the man --

MS. NABAVI: Mm-hmm.

COUNCILMAN WALSH: -- that the man was working so hard to, you know, prevent somebody from --he was talking to a young man, and a woman backed over the cone. So it's not just young men, and I didn't imply in any way that it's not a good thing that people come and worship.

MS. NABAVI: Okay, wonderful. I appreciate your clarification.

COUNCILMAN WALSH: You're welcome.

MS. NABAVI: Thank you, very much. I'm not here -- I actually am not speaking on behalf of HIC. I'm a member, I'm a congregant. I hope that the issues that have been brought up are addressed by the mosque community which I think very much can be. We're talking about here bringing a community together for a good cause. We are not here to -- and one thing I just want to say, I'm glad that land issues are now becoming very prevalent. It's actually becoming an issue when you realize that land is being taken, that you know, what to do with that land, what type of uses that land has. I'm really glad that kind of consciousness is right now happening among the constituents, I hope that continues throughout, and beyond the subject of the HIC, obviously. But I just want to say that because you will be voting on this, that this community center provides vital services to our children, to our elders, to our women. There are such great programs that the mosque community provides that my family takes advantage of, and that I would welcome the community members. I know that in my religion, in Islam, we embrace our neighbors, we welcome them to our centers, and I hope that the HIC community will continue to do the same thing, and I do know that throughout Ramadan, those special months, we do reach out to our community members, we provide gifts to the neighbors, and so I want you to all come in embracing a community that wants to belong, that's wants to be present and have an institution that promotes the values of American democracy --

CLERK SRIVASTAVA: Thank you.

MS. NABAVI: And diversity, and so - -

CLERK SRIVASTAVA: Thank you.

MS. NABAVI: Please don't look at it in a negative light. I think we're trying to resolve

parking issues; right?

CLERK SRIVASTAVA: Thank you.

MS. NABAVI: There's an accommodation, and there's enough land in this country to accommodate for that, and I welcome all the neighbors who are trepidacious, to please come and meet one of us and speak to us in person, and I apologize for any inconvenience that you have seen from any of our community members. Thank you.

CLERK SRIVASTAVA: Thank you.

SUPERVISOR DESENA: Thank you.

CLERK SRIVASTAVA: Marianna? Marianna?

AUDIENCE MEMBER: I yield my - -

SUPERVISOR DESENA: Jim, don't, please, you cannot come until we call you.

MR. McHUGH: Okay.

SUPERVISOR DESENA: We're reading the cards. People have submitted cards. We're going to call all the people who have submitted cards. I don't know about that. We'll see, we'll see.

CLERK SRIVASTAVA: Rose Asparte (phonetic)?

COUNCILMAN WALSH: Please sit, and thank you.

CLERK SRIVASTAVA: Rose Asparte (phonetic)? I don't see, okay. Jennie Wray?

MS. WRAY: Good evening, and I hope everybody had a nice Thanksgiving. I have to tell you, I'm getting very tired of coming here. I've been sending pictures weekly.

COUNCILWOMAN DALIMONTE: Excuse me, can you introduce yourself?

MS. WRAY: Yes, Jennie Ray, North 2nd Street.

COUNCILWOMAN DALIMONTE: Thank you.

COUNCILMAN WALSH: Much better.

MS. WRAY: I have been sending pictures weekly. I know the leadership of the mosque has been making announcements, however, it is going upon deaf ears. Everyone parks at a fire hydrant, and yes, there could be 3, 4, 500 people in that mosque, and I know it only accommodates approximately 130. Standard indicators of the quality of life include wealth, the environment, safety and security. As members of the Town Board, you're supposed to oversee safety. We are no longer safe in New Hyde Park. Since the mosque was built, the quality in New Hyde Park -- the quality of life in New Hyde Park has plummeted. Crosswalks are blocked, fire hydrants are blocked, people speak nasty to us. Cars this week and last week are parked facing the wrong way. It is seriously heart wrenching. I moved from Queens to come to a nice, quiet neighborhood to have a better quality of life, and it's gone, it truly is gone. I wish each one of you were there every Friday to see what it's like, and then it really bothers me that my representative, that I've called on numerous occasions, does not return a phone call, and with that, I say, please do not pass this resolution.

CLERK SRIVASTAVA: Michael O'Donnell?

MR. O'DONNELL: Michael O'Donnell, North New Hyde Park. I'm a little lost. You were talking about a buffer zone around the religious institution, 15 feet. I'm trying to think where in New Hyde Park --

SUPERVISOR DESENA: I actually think it was in a commercial district that it was feet. Is that correct; Commissioner?

COMMISSIONER LEVINE: The code requires, wherever a commercial district abuts a residential district or residential property, that there's a 15-foot landscape buffer. So here this would be on the south side of the property, and the plan -- the plans for the future configuration do show it.

SUPERVISOR DESENA: So it does include a 15-foot buffer.

COMMISSIONER LEVINE: The plan that's in front of the Board, actually, both versions do include the buffer, yes.

MR. O'DONNELL: So am I correct in understanding that this religious institution will have to have a 15-foot buffer zone?

COUNCILMAN ADHAMI: It's there.

COMMISSIONER LEVINE: It's shown on the drawings, yes.

MR. O'DONNELL: But where in New Hyde Park is there another church, synagogue or whatever with 15 feet around it? I can't think of one. None of the Catholic churches, there's only the Baptist church on New Hyde Park Road that has a 15-foot lawn in front of it, the Lutheran church across the street, New Hyde Park, has a 15-foot lawn in front of it. None of the others have.

COMMISSIONER LEVINE: There's two possibilities. The buildings themselves may be in resident zones, not business zones, and the second is, they may have been established long before this requirement was in the code. So there are two possible explanations for why they may not have it.

MR. O'DONNELL: The ambiguity. I know things have to move along and get updated along with the current situation. Just a clarification of the facts. Thank you.

COUNCILMAN WALSH: Thank you.

SUPERVISOR DESENA: Thank you.

CLERK SRIVASTAVA: We're done with our cards. A few of them gave their time to Mr. McHugh.

SUPERVISOR DESENA: There are no other cards?

CLERK SRIVASTAVA: No more --no additional cards.

SUPERVISOR DESENA: Mr. McHugh, you can have a few more minutes. A few.

MR. McHUGH: Just two things to say. Number one, the 63 spaces; okay? If however you vote tonight, if you do vote in the affirmative, those 63 spaces, there needs to be a caveat, there needs to be a parking plan that says they will be existing in perpetuity forever. I don't want 19 spaces appearing today, and three years from now, I'm building a building on it because that was the original alternative to whatever is given today I don't want it to be gone tomorrow, and that

could be put into any site plan that you would approve. No magical spaces. The second thing is that, these issues need to be resolved, and it's going take time to do it. But we need to know some facts, and I don't think you should vote tonight until we know exactly what the number occupancy, the fire code number is on that building because my fear is that they're going to overload it, and again, it's a public safety issue. I talked about this many meetings ago about my concern with that building; okay? And I do not want to see a cataclysmic event happen. Really, I don't. In good conscience, I want whatever happens to be safe, but I need to know some facts, and how do you vote when you don't have that fact in front of you? That's it.

COUNCILMAN WALSH: Thank you.

SUPERVISOR DESENA: Commissioner Levine, do we know --what is the occupancy as with the expansion; do we know that?

COMMISSIONER LEVINE: I don't have the exact numbers, the Building Department determines. What I did at the last meeting, though, I did a reverse calculation based on the 45 parking spaces, came up with around 130. Now adding parking spaces back, I've had this conversation, adding more spaces, of course, does not mean that the building gets bigger. I mean, the building is the set size, the occupancy is based on the gross floor area. But working backwards from the last plan, I came up with approximately 130.

SUPERVISOR DESENA: So even with the expansion, the maximum occupancy would be 130.

COMMISSIONER LEVINE: No, that was before expansion.

SUPERVISOR DESENA: Oh, what about after the expansion?

COMMISSIONER LEVINE: I don't know.

SUPERVISOR DESENA: Okay, okay, thank you, thank you.

COMMISSIONER LEVINE: Yeah, that's what I need.

SUPERVISOR DESENA: Thank you.

MS. DEEGAN DICKSON: So I can clarify that for you.

SUPERVISOR DESENA: Okay.

MS. DEEGAN DICKSON: So on the cover sheet for the plans, we indicate a total occupancy of 220 people through the building. So it's an increase of 100 occupants over what's permitted in the current building. We have a recently issued Public Assembly Permit from, I believe, earlier this fall. I have a copy of that on my phone, but if I do that, I'll lose this other e-mail that I want to show you that indicates occupancy of 120 in the existing building with those parking spaces. So the new building will have expanded area to accommodate 220 people. When we talked about 4 to 500 people coming for services on Friday, those will be spread out over three and four services. So they're not all at the same time.

COUNCILMAN WALSH: They're all at the same time. I see them all the time.

MS. DEEGAN DICKSON: Well, they kind of roll, one into the next.

COUNCILMAN WALSH: That's not my observations. So they may be, but my observation, I've been there many times, and these people all come, these folks all come at the same time, and I asked the Imam, the Imam offered that there were 70 people that were there at night. I said, how many people are there at 1:05 in the -- on Wednesday -- on Friday afternoon, and he said, 4

to 500 people. So that's just my learning from his testimony, and my observation is, I don't see - I think they pray at a certain time, they don't pray multiple times, but I could be wrong.

MS. DEEGAN DICKSON: Well, individual people pray once but they're over the course of separate services. I know in my Catholic church on Sunday morning, there's four masses --

COUNCILMAN WALSH: This isn't Catholic church.

MS. DEEGAN DICKSON: --to accommodate.

COUNCILMAN WALSH: I go to mass every Sunday, also. This is not Catholic church. This is people that all come at the same time according to the Imam.

MS. DEEGAN DICKSON: I think maybe at one point they did, but they've created additional services to spread that burden out so that it's not all at once.

MR. BHUIYAN: First of all, I'm not an Imam, I'm the Chairman of the Board of Trustees. My name is Bhuhuiyan Aziz, by the way. We have 12:30 service; 1:20 service; 2:15 service, and then on 1:30 service, then at, at lodge. So people do come in at different services.

SUPERVISOR DESENA: When did you create that? Wait, when did you create that?

MR. BHUIYAN: That's been going on for almost two years, I would say.

SUPERVISOR DESENA: Well, we've all watched it.

MR. BHUIYAN: 12:30, one second, 12:30 one we started in September, that's the new one. All other was always going on, it's always there. 12:30 new services, we just -- I don't know if you've been there.

COUNCILMAN WALSH: I see some people do come at 12:30.

MR. BHUIYAN: Yeah, yeah, so 12:30 one is a new actual service. Before people used to come early, but there was no, they had to wait till 1:15. But now there is an actual service at 12:30 in order for us to reduce the people staying outside, taking over the parking lot in those parking spaces. So we include --we increase another service which is 12:30. Thank you.

COUNCILMAN TROIANO: I'm sorry, can I just --it doesn't -- it seems that there might be an overlap there in that timing of the services, and that the people that come at 12:30 may not be done and gone by -- the next one is 1:15; you said?

MR. BHUIYAN: 12:30, each service is about half an hour. So the next service starts at 1:20. So you have, by one o'clock, everybody's out, 1:05, 1:05 everybody's out. That gives the next service 10, 15 minutes interval for the people, the next service people to come in.

COUNCILMAN TROIANO: And you don't think there's any overlap between one group, and the next group that's coming in.

MR. BHUIYAN: There's -- there might be some, maybe 10, 15 will be coming in overlap, but generally speaking, you have enough, 15, 20 people, and our volunteers are there pushing people out, making it -- before we had 1:15 and then 2:15. It was even better.

COUNCILMAN TROIANO: Right.

MR. BHUIYAN: More room, but because we wanted to make sure we spread them even more, with less people in, you know each services, so we added another 12:30 one, and so we reduced the time of interval maybe, as opposed to half an hour, maybe 20 minutes. So it's a little bit

more, more I would say, overlapping people, about 10, 15 people will be coming in earlier, but it's not an issue, hasn't been an issue for us because we have enough volunteers helping people, and with the parking lot since we don't have anybody parking, praying outside. So that hasn't been an issue for us.

MS. DEEGAN DICKSON: I'd also like to point out that the purpose of this application is to make the situation better. It will accommodate more people in the building so that we don't have an overcrowding situation, and it'll accommodate more cars so that we'll have fewer parking issues off site. There were a couple of comments that I just wanted to touch on. The issue with the fire marshal violations, I wasn't aware of them until tonight, but the way they've been described to me, or actually, I guess, by Mr. Heeseman, is that they were for records maintenance and for emergency lighting. Typically, and your counsel will tell you how the process works generally with violations. The objective of issuing violations is to bring compliance. So when you go to court, which they did in August, they discuss what needs to be done for compliance. It's bringing their records up-to-date and making sure that their lighting is appropriate. Those plans have been submitted back to the fire marshal, and they're waiting for approval of those. Their next court date is in January where the case will be disposed of, presumably, once compliance is demonstrated, and the fire marshal will be there and will confirm that. If they don't confirm that, the violations will continue, and the court will adjudicate that based on the violations. But my client has told me that the violations have been cured, they've submitted evidence to the fire marshal, and they're waiting for confirmation that it's sufficient. I have to say, just in my experience in 30 years of being an attorney for commercial property owners, those kind of violations are fairly common. If somebody gets a phone call, and say, hey, go check out this restaurant or this public assembly place, most of the time the fire marshal will find something. The fact that the violations were so minor I think is very telling, and I think that any insinuation that my client is not concerned about the health and welfare of its congregants I think is patently untrue. The occupancy question that Mr. McHugh raised, I think we've addressed that. The proposal is for a building that will accommodate 220 occupants. The current building accommodates 120 occupants. The traffic study that this Board has was updated in August of 2023 to reflect the change in the plan, the additional parking. So that's already been updated. Ms. O'Callaghan opined that RLUIPA does not apply in this situation. I have to respectfully disagree very strongly. I think counsel will tell you that any time that a religious institution is being --is presenting something and being reviewed by a Board, RLUIPA definitely comes into play. It puts an obligation on the municipality to not allow an undue burden on a religious institution, and as I mentioned earlier, there is a deference that has to be given. It doesn't mean that we're exempt from zoning. We've never claimed to be exempt from zoning. We are compliant with zoning. That's the difference. I agree with Mr. McDonald's (sic) comments that we don't want to see this religious institution treated any differently from other religious institutions. I know his comments were anecdotal but I do think you have to keep in mind that just because this is something that's different, that it is not part of the Judeo-Christian culture that this should not be looked at any differently. I know none of the Board members here would do that, and I'm certainly hoping that that's not being urged by any members of the public but I do think you have to keep in mind that religious institutions definitely have peaks and valleys. On a Tuesday afternoon there's nothing going on at any of them other than some office work and maybe some outreach. On Sundays and on Christmas Eve and on Yom Kippur those religious institutions are busy, just as in Islam, Ramadan is a very busy time and Friday afternoons are a busy time, and you know, we don't have any --we don't

have any problem with a condition that says that those parking spaces will remain parking spaces. That's what's being proposed to you, and that's what we're willing to commit to. So with all that being said, unless you have more questions, I would ask that you close the public hearing and make a decision on the matter.

COUNCILMAN ADHAMI: I have one more question or request. Would the applicant be willing to also represent in their -- as part of their application, that there will be no outdoor services or tents put up.

MR. BHUIYAN: Yes, we'll be -- we'll give guarantee that there will not be any outdoor services except that when we have a death come in, a funeral, prayers are recommended to be done outside each check five minutes only. That usually happens in the afternoon. But other than that, when it rains, it has to be inside anyway, but except for the funeral prayer, no other -- we don't need any outside service.

COUNCILMAN ADHAMI: No, but I know in the past tents have been put up.

MR. BHUIYAN: Yeah, we had to be because we had no other choice.

COUNCILMAN ADHAMI: And no speakers or loudspeakers.

MR. BHUIYAN: No, if you don't have any tent, then we would definitely wouldn't need these speakers, as well.

COUNCILWOMAN DALIMONTE: The only reason why I asked that question to the Councilman, because when I was there, I did see speakers on poles. I did see that they were not connected, but you know, it doesn't take much to connect them again.

MR. BHUIYAN: Correct. So we had those speakers -- we installed because, you know, when we were not able to accommodate people inside, so we were accommodating those people outside. So that's why we had the speakers installed on this pole.

COUNCILWOMAN DALIMONTE: Right.

MR. BHUIYAN: But definitely we have not be using them at all.

COUNCILWOMAN DALIMONTE: But even -- I don't know how to say it -- even if you were not able to put them inside again, you would --

MR. BHUIYAN: We're not providing outside services anymore.

COUNCILWOMAN DALIMONTE: Because I think that's a huge problem.

MR. BHUIYAN: So that's -- we're not providing any -- we're not going to use, or at least, you know, expand our services to outside at all because otherwise, it will never end. It has to end somewhere, I mean, otherwise just, you know.

MS. DEEGAN DICKSON: We have nothing further.

COUNCILMAN TROIANO: Well, I have some questions for the Commissioner. I'm not sure if it's for the Commissioner and/or our attorney. To what extent can we consider issues that are in the purview of the fire marshal in perhaps denying an application?

COMMISSIONER LEVINE: Fire code compliance is not a discretionary item, it's cut and dried or it isn't. So if something is deemed not to comply, then you would hold off on approval because -- you wouldn't deny, you would simply hold any decision in abeyance until compliance

was proven, and then if there was an inability to come into compliance, okay, then the project wouldn't be eligible for permit.

COUNCILMAN TROIANO: Compliance?

COMMISSIONER LEVINE: Compliance, right.

COUNCILMAN TROIANO: I mean, they've got a sprinkler system --

COMMISSIONER LEVINE: Right.

COUNCILMAN TROIANO: -- they've got an emergency lighting system, that seems to me to be in compliance. But if a bulb is out when they test the emergency lighting system, are they now not in compliance?

COMMISSIONER LEVINE: That detail I wouldn't know. I mean, generally, these items are not site plan review items --

COUNCILMAN TROIANO: Right.

COMMISSIONER LEVINE: -- they're handled by Building at a later stage. If the question comes up, again, it wouldn't be the basis for a denial, it would be the basis of holding off --

COUNCILMAN TROIANO: Mm-hmm.

COMMISSIONER LEVINE: -- until compliance was proven.

COUNCILMAN TROIANO: And then we were given a, I'll call it a fact sheet, that says, according to the U.S. Supreme Court, municipalities must consider compelling interests, and in quotes, public -- promoting public health and safety. Does that apply just to the property or does it apply to the outstanding neighborhood in how far that applies to safety?

COMMISSIONER LEVINE: Safety issues are broad. They're broader than just the building or property.

COUNCILMAN TROIANO: It's more than just the building.

MS. DEEGAN DICKSON: If I could just address the --one of the comments about people driving fast and disobeying the laws. I just want to reiterate what I said earlier about that being an enforcement issue. Our traffic study indicated that, empirically, the number of cars that are coming to the site doesn't talk about how fast they're driving or whether they're stopping on stop signs because that's something we don't have any control over, it's just the number of cars in the area and coming to the site, that it's not going to increase with this expansion. You know, again, enforcement is key, and we're all on board with enforcement. There's only so much we can do. Nassau County Police Department, you know, State of New York, if they would put in a crosswalk from the other side of the street, if Nassau County would send a crossing guard, those would all be things I think would benefit everybody. There's things that are outside of our control, but I could tell you that we'd be very happy to support any requests, put in a request if the Town Board would support it. You know, enforcement is something that we struggle with, as well, and I understand that, you know, there's not enough code enforcers to get every neighborhood all the time but you do know that Friday afternoons are a time here. So maybe you can assign some code enforcers, and maybe people will get the message when they start getting violations issued. So thank you, again.

COUNCILMAN ADHAMI: Thank you. Madam Clerk, are there any more cards?

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

COUNCILMAN ADHAMI: Okay. Seeing that there are no additional -- sorry, Town Attorney?

MR. CHIARA: Yes. I think you need to go into Executive Session.

COUNCILMAN ADHAMI: Executive Session? Okay, I move to go into Executive Session.

CLERK SRIVASTAVA: Councilman Troiano? Councilman Troiano?

COUNCILMAN TROIANO: I vote aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Executive Session.

(WHEREUPON, there was a 15 minute pause in proceedings for an Executive Session.)

CLERK SRIVASTAVA: Do we have a motion to resume? Everybody's back; right? Supervisor, we need a motion to resume.

COUNCILWOMAN DALIMONTE: Motion to resume.

SUPERVISOR DESENA: Oh, yeah, motion to resume.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

COUNCILMAN ADHAMI: So there's been a new revelation that has come to our attention that the site plan submitted and the site plan that is before us on the resolution is slightly different, and our town counsel has suggested that there may be an issue with this. Being that it may, the site plan that is on this evening's resolution, it shows two houses being knocked down, and Ms. Deegan Dickson, when I asked you, you said that the site plan submitted to the Building Department has the three houses being knocked down. But unfortunately, Zoning doesn't have that, and it did not get to them for one reason or another, and I'm not trying to put blame on anybody.

MS. DEEGAN DICKSON: I can -- I'd like to just contradict that because I do have an e-mail back from one of the planners in the Planning Department from September 11th, saying that, talking about the plans that were revised after August 8th. This is in response to my question about the Notice of Disapproval, and it said, unfortunately, we did not receive them in time to proceed with the scheduled September 5th Town Board meeting but it's my understanding that they are zoning compliant in every way except for needing site plan approval. So the Planning Department had them, I thought this Board had them, I'm not sure where the disconnect came in. This is the plan that we've been working with since August 28th when it was shortly thereafter submitted to the Building Department, we received a Notice of Disapproval saying we required site plan, and that was sent to the Planning Department. So while I understand that the resolution is incorrect, I think that all of the facts that you've had tonight are, should be sufficient for you to close the public hearing, and then reserve decision, if necessary, if you can't vote on the resolution that's in your packet.

SUPERVISOR DESENA: I think once the correct site plan is submitted, and the Commissioner has had a chance to look at it, and the Board has reviewed it, that we will need to have the public hearing still open. So I do believe we can get through -- we don't have to cover things that have already been covered, but I don't think we should close the public hearing.

COUNCILMAN ADHAMI: And I do concur with the Supervisor. It would be my application to continue this hearing to the January 9th, 2024, Town Board meeting.

MS. DEEGAN DICKSON: You will have two new Town Board members at that time. I would ask that they be given the transcripts so that they can be brought up to speed so there will be no other reason for undue delay. You know, I think --

SUPERVISOR DESENA: We will do -- we will try and do that.

MS. DEEGAN DICKSON: All right. I guess you -- my objection is on the record but we will, you know, you'll vote as you will vote. Thank you.

SUPERVISOR DESENA: Thank you.

COUNCILMAN ADHAMI: Thank you.

SUPERVISOR DESENA: Will you call the roll? It's a motion to continue until January 9th.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: I'm sorry, aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: So I vote aye, but I'm asking Councilman Adhami to set up a meeting with the two new Councilpeople and Commissioner Levine by the end of this month so that this can be - January 9th we can vote on this. I vote aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item number 2.

SUPERVISOR DESENA: Sorry.

MS. DEEGAN DICKSON: Happy holidays.

CLERK SRIVASTAVA: Item number 2. A public hearing to consider the adoption of a local law amending Chapter 19 of the town code entitled Explosives.

COUNCILWOMAN DALIMONTE: I move to continue this Item to the January 9th, 2024, Town Board meeting.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami? Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item number 3. A public hearing to consider the adoption of a local law amending Chapter 70 of the town code entitled Zoning.

COUNCILMAN TROIANO: I'd like to make a motion to continue this meeting to the February 6th meeting.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item number 4. A public hearing to consider the adoption of a local law amending Chapter 18 of the town code entitled Highway Excavations and Curb Cuts.

COUNCILMAN TROIANO: I'd like to make a motion to continue this meeting to the February 6th meeting.

CLERK SRIVASTAVA: Councilman Troiano?

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item number 5. A public hearing to consider the application of Rahmat Yousefzadeh/Autozone, Inc., for site plan review for the premises located at 565 Old Country Road, Westbury, and designated on the Nassau County Land and Tax Map as Section 10, Block 60, Lots 220 and part of 210.

COUNCILMAN WALSH: Okay.

SUPERVISOR DESENA: Number 5.

COUNCILMAN WALSH: We're on number 6?

SUPERVISOR DESENA: We're at number 5.

COUNCILWOMAN DALIMONTE: Number 5.

SUPERVISOR DESENA: Five, this is Robert.

COUNCILWOMAN DALIMONTE: Robert, this is your district?

COUNCILMAN WALSH: No, it's not, it's Robert's.

SUPERVISOR DESENA: Councilman Troiano? Oh, we have an applicant preparing?

COUNCILWOMAN DALIMONTE: Have you been waiting long?

MR. MIGATZ: Actually, three years, to tell you the truth, before we got here.

COUNCILWOMAN LURVEY: Yeah, right.

MR. MIGATZ: Bruce W. Migatz, law firm of Albanese & Albanese, 1050 Franklin Avenue in Garden City, counsel for the applicant, AutoZone. Good evening, members of the Board --

COUNCILWOMAN DALIMONTE: Christina, can you please shut the doors? Thank you.

MR. MIGATZ: This property was the subject of a change of zone that was passed on August 13th, 2020, and I was reading the transcript of that hearing, and at the end of the hearing, I thanked the Board for adopting the change of zone, and I said, and we'll see you at the site plan review, hopefully, not too far away.

SUPERVISOR DESENA: Whoops.

MR. MIGATZ: Well, it took three years to get here but here we are, and we are pleased to present this to the Board. Now there are only three members of this Board who were at the 2020 hearing for change of zone, and I'll just very quickly recap that. We do have mounted, a colored site plan. It's the same site plan in the packet where this one is colored, and I have a copy for

each member of the Board, and I have some extras for the audience if they are -- I'll show who is still here for this. I'm not sure who would stay here for this. Anyone in it public wants a copy? Just very briefly, in the original change of zone application, AutoZone was looking to remove the house that's at the top of the site plan, and owned by the same ownership. They were looking to remove that house, reconfigure the building and rezone that parking district and have parking spaces. We had numerous meetings with then Councilwoman Russell, Commissioner Levine, the civic organization, residents, I think we had three, at least three meetings. The consensus was the town and the neighborhood wanted to preserve that house. So the plan was redone to preserve the house, to make the parking lot a little bit smaller and to add more landscaping which was a major concern of the residents. With me tonight, representing the project engineers is Terence Wilkinson, the Atlantic Traffic and Design that did the traffic study, they are represented by Ethan Schukoske, I'll spell that for you, S-C-H-U-K-O-S-K-E, and the AutoZone District Manager, Ryan Pinheiro, P-I-N-H-E-I-R-O, all here to answer questions that you might have. We went to the Zoning Board, we got some variances. The plan that is before you is the same conceptual plan that was before you with the change of zone with one very slight modification. This buffer zone was 5 feet on the conceptual plan for the change of zone, but when it was engineered, it got reduced by six inches. That's the only change in the plan that was before this Board when you adopted the change of zone to permit this building to be constructed. It's the same plan that was before the Zoning Board that granted several variances which were all disclosed at the change of zone hearing, that we had to get those variances. We went to the Nassau County Planning Commission to get subdivision approval so that the AutoZone site will be one separate tax lot, and the house will be a second separate tax lot. AutoZone is the contract lessee of the proposed AutoZone site, subject, of course, to getting approval from the town, and this is the last hurdle that we have to get over. Let me -- I will recite the variances. I know the resolution before you tonight does cite what those variances were but we can answer questions about those if you want. Let me summarize AutoZone's operations at this site, and how it might affect this site. AutoZone is a retail store. It sells automobile parts and accessories. It does not repair cars, it does not let customers repair cars in their parking lot. At the change of zone hearing, AutoZone agreed to post signs in the parking lot that repairs are not permitted. We submitted a sample sign to the Planning Department, and I have -- I can show you. I also have a copy if you'd like to see that, and we also agreed at the change of zone hearing to have cameras mounted in the parking lot to be monitored at the cashier's stations to make sure that people are not doing repairs, and this is a sample. Typical sign that AutoZone puts in all of their properties to prohibit repairs, and that will be enforced by the employees. AutoZone's typical store hours, and of course, they vary depending upon customer demand, but the typical hours, Monday through Friday, 7:30 to 8 p.m. -- to 10 p.m.; Saturday 8 a.m. to 8:00 p.m.; and Sunday varies from store to store. Typical shift has three to five employees. They get deliveries once a week by a tractor-trailer. Typical offloading time is 20 minutes. Offloading occurs when the employees are there to receive the pallets and to bring them into the store. Trash is typically picked up just once a week. They are not a big trash generator. They do have a recycling program inside their stores for cardboard and for plastics, they encourage their customers to do that, and the traffic study before you demonstrate that an auto parts store compared to other retail stores that could go in here, as of right, is a fairly low traffic generator. Not as low as a furniture store that is presently there, but a lot lower than other retail stores, pharmacies, other retail stores that have much higher traffic generation, and Ethan is here to answer any questions you might have about his traffic study. I would like to have Terence Wilkinson explain the landscaping to

you because I know that was a concern of the residents, and we do not have --we did not have a detailed landscape plan at the change zone but we now do. So with your permission, I'll have Mr. Wilkinson walk through the landscape zone for you, the landscape plan.

COUNCILMAN TROIANO: Sure.

MR. MIGATZ: Yup.

MR. WILKINSON: Good evening, Terence Wilkinson, Bohler Engineering, 275 Broadhollow Road, Melville, New York. So just to start, approximately 16.4 percent, or about 4,400 square feet of this site is proposed to be landscaped as illustrated on the plan to my left. I just want to note this is an approximate 12.6 percent increase as the site currently only has about 1,000 square feet of landscaping today. Along the western and southern portion of the site, in front of the building along the two street frontages, will be a mixture of shrubs, perennials, deciduous trees and ground cover with lawn. The variety of species proposed for the landscape areas include shade trees, ornamental trees, evergreen trees and shrubs, deciduous shrubs, ground covers and perennials, and will provide an aesthetically pleasing landscaped area and seasonal variety for the property throughout the year. The proposed Emerald Green Arborvitaes on the north property line, as you'll see to the rear of the trash enclosure abutting the adjacent residence, and when installed will be about 5 to 6 feet in height and will have a mature height of 10 to 15 feet to provide adequate screening. In total for this site, which is about 26,000 square feet, we are proposing two trees, deciduous shrubs, 57 evergreen shrubs and 33 ornamental grasses, and I can answer any other questions the Board may have regarding landscaping.

SUPERVISOR DESENA: Thank you.

COUNCILMAN TROIANO: I have a question about the landscaping, but I believe your firm or maybe you were asked earlier today about whether or not the entrance on Longfellow could be closed off. Was that you who asked that question?

MR. WILKINSON: My -- I was not personally, but my firm was, and I was made aware, yes. So unfortunately, that is not possible due to the truck circulation. It would not be possible for the truck to make a movement to turn around and get back out onto the site just through Old Country Road.

COUNCILMAN TROIANO: So they could get onto the site from Old Country Road, but getting off the property would be difficult because of the need to turn around.

MR. WILKINSON: Correct.

COUNCILMAN TROIANO: So these -- what size trucks are these?

MR. WILKINSON: It's a WB50, which is a standard tractor-trailer.

COUNCILMAN TROIANO: Tractor-trailer.

MR. WILKINSON: Yes, and as Mr. Migatz just mentioned, those deliveries only occur once per week.

COUNCILMAN TROIANO: And they -- and this may not be for you, but there's only going to be one delivery a week.

MR. WILKINSON: Yes.

COUNCILMAN TROIANO: So could that -- again, this may not be for you to answer, but

could that not be gated off and opened up when a truck comes? So I'm concerned about passenger vehicles making a right off of this property and going down a residential street into what is a residential community, and there's a school four or five blocks down the street.

MR. WILKINSON: Sure. Can I take a moment to confer with my project attorney and client? (WHEREUPON, there was an off-the-record discussion.)

MR. MIGATZ: If I may, Councilman Troiano. This was discussed at the change of zone.

COUNCILMAN TROIANO: I'm sorry, discussed where?

MR. MIGATZ: At the change of zone hearings and with the residents with the meetings with them. The residents were satisfied with the compromise we made. The change of zone resolution did request that the entrance/exit on Longfellow be channelized, which we have done.

COUNCILMAN TROIANO: It's hard to see that on this drawing.

MR. MIGATZ: I know that to some degree, with the pavement and the angle of the curb, and they posted a no right-hand turn sign coming out.

COUNCILMAN TROIANO: You know, you and I know that signs are pretty meaningless, and I don't see that in what you're calling channelizing, I don't see that that would be very effective, and whether it was discussed at zoning or not, I'm putting on the -- you know, what I was told this afternoon was that closing off that entrance and exit on Longfellow wasn't possible because trucks couldn't, the way I understood it, trucks couldn't turn into the property, and now I have a better understanding that trucks can't get out of the property.

MR. MIGATZ: Who did you speak with?

COUNCILMAN TROIANO: The Planning Department spoke to somebody at Polar Engineering.

MR. MIGATZ: But it doesn't matter; right?

COMMISSIONER LEVINE: I spoke to Polar Engineering, the problem was that trucks could get in but then they had no way to turn around --

COUNCILMAN TROIANO: Right.

COMMISSIONER LEVINE: --to come back out to Old Country Road.

COUNCILMAN TROIANO: And I understand now that that --what I understood this afternoon was incorrect. But now that I've heard that a truck's only going to come, and let's just say that that's wrong, and it's twice a week. What would be the objection to gating off so that, you know, other vehicles can't come out of that property and turn into a residential area?

MR. MIGATZ: Because of traffic, traffic flow. I haven't had the traffic engineer address that. We're going to have very, very poor site circulation, if everybody comes in and out one entrance on Old Country Road.

MR. SCHUKOSKE: Yeah, I do want to address that. Ethan Schukoske with Atlantic Traffic and Design. I do want to address that a little bit just in terms of the geometry of that driveway. It's a much smaller radius for that right turn which will --

COUNCILMAN TROIANO: Which driveway are you talking about?

MR. SCHUKOSKE: For the driveway on Longfellow. The radius of the curb on the north side to make that right turn is much tighter. So it definitely discourages that movement. But to the point that --

COUNCILMAN TROIANO: I'm sorry, are you saying that what I see here discourages a right-hand turn?

MR. SCHUKOSKE: For exiting, yeah, it's a tighter radius for the northern curb line.

COUNCILMAN TROIANO: Just tell me. So, I can't see where there's anything.

MR. SCHUKOSKE: So the curb line on the north side of the driveway to make a right turn, it's got about a 3-foot radius, whereas, the curb line on the south side has got about a 30-foot radius which is much more forgiving for turning movements. So it really encourages -- discourages a right out. But in terms of the other point made about circulation, this plan has been conceptually approved by Nassau County DPW as that's a county roadway on Old Country Road. That driveway is to be right in/right out. If you limit the access on Longfellow Avenue, what I believe is, you're encouraging left turns off of Old Country Road which is a dangerous condition that we've restricted through coordination with DPW. You'd much rather them make the left --

COUNCILMAN TROIANO: Let me understand.

MR. SCHUKOSKE: -- with the left turn lane.

COUNCILMAN TROIANO: You're proposing that cars get into the property how?

MR. SCHOKOSKE: So if you're coming westbound on Old Country Road, you make a right in off of Old --

COUNCILMAN TROIANO: That's easy; right?

MR. SCHUKOSKE: Yep.

COUNCILMAN TROIANO: Whether we close Longfellow off or not.

MR. SCHUKOSKE: Sure, sure.

COUNCILMAN TROIANO: Give me --

MR. SCHUKOSKE: What I'm saying --

COUNCILMAN TROIANO: I'm sorry, so tell me, cars from the west heading eastbound.

MR. SCHUKOSKE: Yeah.

COUNCILMAN TROIANO: How are they impacted by closing off Longfellow?

MR. SCHUKOSKE: So instead of -- right now, if you look at the aerial, they have a left turn lane to queue in to enter onto Longfellow Avenue, and then make a right into the site. Should you close off that access, they would then have to queue -- well, first of all, they can't because we've instituted a right in/right out on the Old Country Road access, but you know, you may have vehicles attempting to make that left turn off of Old Country Road into the site, and I would argue that that's a more dangerous maneuver than allowing them to turn left onto Longfellow.

COUNCILMAN TROIANO: But you wouldn't make that argument if you had children that lived on Longfellow and had cars coming down your road.

MR. MIGATZ: If I --

COUNCILMAN TROIANO: I'm just -- I'm sorry, Bruce. I'm not sure I understand your reaction because I make a point about safety, about the residents -- I'm sorry, the residents that are north of the property and you smirk. So explain that to me.

MR. SCHUKOSKE: I apologize, I didn't mean to come off a certain way, you know, I just think it's -- it's my opinion that it's safer for the movements on Old Country Road to have the left turn.

COUNCILMAN TROIANO: Right, on Old Country Road, I hear you. But my opinion is that it's really unsafe for the residents of Longfellow who have to face cars, maybe trucks coming down their street.

MR. MIGATZ: Can I address that?

COUNCILMAN TROIANO: I'd like to hear from this gentlemen. I'm sorry, Bruce, I'd like to hear from this gentleman right here.

MR. SCHUKOSKE: So there is a small increase in traffic to the site, you know, based on -- when you compare the existing dinette furniture store, it's under 100 trips during a peak hour for a Saturday, and as the attorney mentioned earlier --

COUNCILMAN TROIANO: I'm sorry, it's what?

MR. SCHUKOSKE: It's under 100 trips to the site. It would probably be less than 20 using that access.

COUNCILMAN TROIANO: Over what period?

MR. SCHUKOSKE: Over a peak hour.

COUNCILMAN TROIANO: A peak hour.

MR. SCHUKOSKE: On a Saturday, yeah.

COUNCILMAN TROIANO: So it could be 100 trips --

MR. SCHUKOSKE: No, no, no, well under 100 trips.

COUNCILMAN TROIANO: Twenty trips.

MR. SCHUKOSKE: Approximately.

COUNCILMAN TROIANO: Going down Longfellow. No, I'm asking, I'm trying to get clarity. Where are the 20 trips?

MR. SCHUKOSKE: It's an additional, around 39 trips to the site. I would expect --

COUNCILMAN TROIANO: From where?

MR. SCHUKOSKE: From Old Country Road, primarily.

COUNCILMAN TROIANO: Okay, talk to me about Longfellow.

MR. SCHUKOSKE: Longfellow Road, you could see 20 trips during a peak hour.

COUNCILMAN TROIANO: During a peak hour, so 20 --

MR. SCHUKOSKE: To enter from --

COUNCILMAN TROIANO: So 20 more trips.

MR. SCHUKOSKE: Correct.

COUNCILMAN TROIANO: And in your opinion, that's okay.

MR. SCHUKOSKE: In my opinion, that shouldn't be a significant impact over an hour period.

COUNCILMAN TROIANO: So you're concerned about --so what you're telling me is that you want to - - you want to keep the Longfellow entrance/exit open because there's a turning lane on Old Country Road; right? And let me just follow your logic, and so you're actually saying, let's encourage people to turn down Longfellow and use the entrance/exit on Longfellow.

MR. SCHUKOSKE: I think it's better for the overall flow of the site.

COUNCILMAN TROIANO: Right, but you're -- hear me out; okay? Hear exactly what I'm saying; okay?

MR. SCHUKOSKE: Okay.

COUNCILMAN TROIANO: You're saying you're better off encouraging vehicles to make the left onto Longfellow and go onto Longfellow. So we're going to encourage another 20 trips; right?

COUNCILMAN ADHAMI: Councilman Troiano, if I may be allowed just a question?

COUNCILMAN TROIANO: I'd really like to hear from the -- I'm happy to have you speak.

COUNCILMAN ADHAMI: It seems like there would be a technical difficulty. There's no left turn lane on the --if you look at the aerial, there's nowhere to turn left from Old Country Road directly into the site.

COUNCILMAN TROIANO: No, no, I know, that's what he's saying.

COUNCILMAN ADHAMI: Yeah.

MR. SCHUKOSKE: Hey, I think --

COUNCILMAN TROIANO: There is one into Longfellow.

COUNCILMAN ADHAMI: Into Longfellow.

COUNCILMAN TROIANO: Right, I understand that. So what I'm saying is, he's encouraging --

MR. SCHUKOSKE: I think there may be a minor increase in traffic turning -- that would turn onto Longfellow in order to enter the site.

COUNCILMAN TROIANO: Because it's safer.

MR. SHUKOSKE: Correct.

COUNCILMAN TROIANO: That's what you said; right?

MR. SCHUKOSKE: Yes.

COUNCILMAN TROIANO: So then -- so my problem, though, is you're now inviting people, you're welcoming them to turn onto Longfellow. Now, when they -- so now they've made that turn onto Longfellow, they got a comfort level now. They go into the property, go shopping, they come out, and they say, oh, I don't want to -- I don't want to deal with Old Country Road, there's too much traffic, so I'm going to turn down Longfellow and go into this residential

community. That's my concern.

MR. SCHUKOSKE: Sure.

COUNCILMAN TROIANO: And so everything you've said so far is with respect to Old Country Road but that's not really my concern. My concern is the residents that live on Longfellow, as well as the other streets that intersect with Longfellow.

COUNCILMAN WALSH: I wonder if I could ask you a question before you go any further. I wonder if I could ask a question. In your traffic study, did you determine how many cars would be entering from Old Country Road into this property and returning to Old Country Road?

MR. SCHUKOSKE: We looked at about an increase, like I mentioned, of 39 vehicles. I would anticipate most traffic would be coming from Old Country Road, and one other point as far as --

COUNCILMAN WALSH: My question was, how many are going to be returning to Old Country Road?

MR. SCHUKOSKE: Most traffic would return to Old Country Road.

COUNCILMAN WALSH: So they would be coming out of Longfellow and making a left to get back on Old Country Road.

MR. SCHUKOSKE: Yeah, they would make a left to get back or they would use the right out driveway to get directly back. Yep, yep.

COUNCILMAN WALSH: They would come out and make the left to go back to --

MR. SCHUKOSKE: So if you look at the existing driveway on Longfellow Road, it's 120 feet along -- it's basically, you turn in and there's a row of parking, you know. What we're proposing here is a much safer access point along Longfellow Road. So I would argue that's also an improvement.

COUNCILMAN TROIANO: Safer to who?

MR. SCHUKOSKE: Safer to the residents of Longfellow, because currently, under the existing layout of the site --

COUNCILMAN TROIANO: If we take all the traffic off of Longfellow, and put it all on Old Country Road, why are the residents on Longfellow not safe?

MR. SCHUKOSKE: Well, but --

MR. MIGATZ: First of all, that's never going to happen. Let me tell you why. This is the fallacy. If somebody wants to come out of AutoZone for some reason and for some reason go through the neighborhood, you close off Longfellow, what are they going to do? They're going to come out Old Country Road and make a right. They go through the neighborhood, anyway. You're not going to stop them from going through the neighborhood if you close off that --

COUNCILMAN TROIANO: So okay, I'm -- but you know, that may be, but I have --

MR. MIGATZ: Not maybe, it is.

COUNCILMAN TROIANO: Well, I don't know that it is because --

MR. MIGATZ: And people coming into the store are not driving through the neighborhood. This is all business property, it's its own business. There's a gas station, they're coming into

Longfellow making a right. They have absolutely no reason, no reason to drive through the neighborhood to get into the shopping center.

COUNCILMAN TROIANO: Well, I would not agree with you. I do all I can to stay off Old Country Road, but just tell me this, because --

MR. MIGATZ: You turn onto Longfellow.

COUNCILMAN TROIANO: This is what I'm not understanding, though, is why is there an objection to closing off the entrance/exit on Longfellow since you only need that to handle delivery trucks, and I've heard about circulation flow, but I don't really understand that because you have people, cars pull in, they park; right? Then they back out, and they come back through the entrance/exit onto Old Country Road. Why is there a circulation flow problem? You created -- so just tell me that because I'm not getting that.

MR. SCHUKOSKE: Well, so the curb cut on Old Country Road is a right in/right out only; right? That's what was proposed and worked with out with DPW. So when you have that you're -- and you limit the access on the side road, you're either encouraging cars to make an illegal left turn or you're encouraging cars to go around the block or maybe make a U-turn somewhere else, whereas, this access works better for the circulation of the site, and thus limits those types of unsafe maneuvers around the site.

COUNCILMAN TROIANO: Okay, so you're saying cars that want to go left are coming out of the property, they want to go east coming off the property, they wouldn't be able to go east because there's so much traffic on Old Country Road.

MR. SCHUKOSKE: Right.

COUNCILMAN TROIANO: So they would do a right-hand turn and then do what?

MR. SCHUKOSKE: Wait, I'm sorry, I just want to understand your question. So making a right out of the site onto westbound Old Country Road, you know --

COUNCILMAN ADHAMI: Well, it seems to make a right onto Longfellow, and then probably make a U-turn to get --

MR. SCHUKOSKE: Yeah, yeah, that would, you know --

MR. MIGATZ: But they would do that even if you have Longfellow closed off, they would do the same thing.

COUNCILMAN ADHAMI: That's what I'm saying. Even if it's closed off --

MR. SCHUKOSKE: Right.

COUNCILMAN ADHAMI: -- they would still go in there.

MR. MIGATZ: They'll do the same thing.

COUNCILMAN ADHAMI: And the bigger problem I see is traffic going eastbound on Old Country Road that wants to get into the site will have to make an illegal left turn, and there's -- because there's no left turn lane to turn from traveling eastbound on Old Country Road into the site.

MR. SCHUKOSKE: Yeah.

COUNCILMAN ADHAMI: If the Longfellow exit is closed.

MR. SCHUKOSKE: That's the point I was making right there.

COUNCILMAN ADHAMI: And Councilman Troiano, to your point, I understand what you're saying but I think if you close the Longfellow exit, people that want to go eastbound will either make the illegal left turn out of the entrance or make a right turn and a right turn onto Longfellow and make a U-turn --

COUNCILMAN TROIANO: Well, I don't know that it will, I don't know that it will be an illegal turn because that's going to be -- there will be a no turn sign on your property; right? But that's not enforceable; right?

MR. SCHUKOSKE: The no turns --

COUNCILMAN ADHAMI: There's not a turn lane there. There's only a left turn lane for westbound traffic on Old Country Road.

MR. SCHUKOSE: The county also had us add no turn signs on Old Country Road. So it would be an illegal maneuver.

MR. MIGATZ: The town can make those signs enforceable.

COUNCILMAN TROIANO: So what can you do to better channelize the entrance -- the exit off of Longfellow? Because what I'm looking at here, you know, I can't see how that stops anything.

MR. SCHUKOSKE: You know --

COUNCILMAN WALSH: How about some type of pork chop barrier, if that's what they're called, so you can't make a turn, you can only make a left coming out.

MR. SCHUKOSKE: Yeah, I mean, we can look into that. I mean, the problem was, I believe, the truck turning movements would, would be hitting over that pork chop and damaging it. So for the truck, left turn out to get back to Old Country Road.

COUNCILMAN WALSH: Okay, so you're saying that that's not possible.

MR. SCHUKOSKE: It's -- we're kind of constrained by that truck movement.

COUNCILMAN WALSH: It would resolve part of the problem.

MR. SCHUKOSKE: But with the signage and the striping, and like I said, that smaller radius on your right turn, it makes it difficult to make -- you know, it's basically, you know a 90 degree, you know, you have a 3-foot radius but it's a 90 degree curb there, you know, it's much tougher to swing out and make that right turn.

COUNCILMAN WALSH: Yeah, no, I get that. So you're saying that it's not possible or it's not feasible.

MR. SCHUKOSKE: It doesn't seem to be feasible with a truck.

COUNCILMAN WALSH: Okay, I don't know what you can do to resolve it.

COUNCILMAN ADHAMI: Can I throw a bigger wrench into the gears?

COUNCILWOMAN DALIMONTE: No.

MR. SCHUKOSKE: Sure.

COUNCILMAN ADHAMI: What if the building was moved over towards the middle of the property --

COUNCILMAN ZUCKERMAN: Oh, boy.

COUNCILMAN ADHAMI: -- and then there's two entrances on Old Country Road. Two entrances --

MR. MIGATZ: The original design had the building on this side. The residents did not like that, parking along Longfellow and landscaping along Longfellow, and so if you shift it to the east, then the parking shifts to the west, and the residents do not want that. They want landscaping. That's why --

COUNCILMAN WALSH: You know, I may be confused. You have referred to what the residents want or don't want from when? From 2000, before I came here?

COUNCILMAN ADHAMI: 2020.

COUNCILMAN WALSH: When did the residents make those comments?

MR. MIGATZ: At the 2020 hearing.

COUNCILMAN WALSH: Okay, so thank you, that's all. I wasn't there.

COUNCILMAN ADHAMI: Well, I guess the question beckons then, would they rather have landscaping or less cars going down their block?

MR. MIGATZ: They were not that concerned about cars going down the block. In fact, some residents who live in the back, they said, we want to make a right-hand turn to go to our house unless we go to AutoZone. But the majority of thinking was, we don't want them making a right turn.

COUNCILMAN WALSH: So you know what I think would've been helpful? Because I've seen on several traffic studies having to do with, for an example, Bolla gas station, you know, and they -- and part of their study indicated the percentage of cars that would come off, in this case, Jericho Turnpike, and return to Jericho Turnpike, in this case, Old Country Road, and you don't have that study. But they came up with the conclusion that there would be more than 90 percent of the cars that would come off the major road and go back on the major road. If you had that in your study, then we could understand that they would be making a left-hand turn and going back to Old Country Road but you don't have that in your study, so --

MR. SCHUKOSKE: It would be my professional opinion that more than 90 percent of the traffic would come off of Old Country Road based on the volume of that roadway and the adjacent road. So, for the record.

MR. MIGATZ: You know, I have to say that I'm very disappointed to hear this being raised now at the 11th hour after we spent many, many, many hours and many meetings with the residents to arrive at this plan. I remember it well because I just got over rotator cuff surgery, I had one arm in a sling, and I'm driving to these with one arm, to go to these meetings to meet with these residents, and they spoke at the -- they came back and spoke at the Zoning Board hearing. I don't know if any of them are here today. They spoke at the Zoning Board hearing, and we agree, we're happy to move forward with it.

COUNCILMAN TROIANO: So let me express my own disappointment then.

MR. MIGATZ: Sure.

COUNCILMAN TROIANO: As long as you want to express some disappointment about this being at the 11th hour. With regard to the community's preference that you not get rid of the buffer, you did that anyway. I've been sitting in this seat for two years now, and I've never been approached by you or your client about anything you had planned, and so therein is my disappointment that at the 11th hour I have to bring this up. I would have much preferred to have had a meeting with you, and we could have discussed this.

MR. MIGATZ: But you could have reached out to me, you know my number, Councilman.

COUNCILMAN WALSH: This is your application.

COUNCILMAN TROIANO: I'm sorry, this is your application; right? Not mine, and so this is my opportunity -- this is when I -- it's a hearing for everybody here, and that's when we can do this; okay? But you -- you know, I wasn't going to say anything, Bruce, but you expressed your disappointment about it being the 11th hour, and so I'm expressing to you my disappointment that there was no consultation with me, whatsoever, none.

MR. MIGATZ: Of course, so --

COUNCILMAN TROIANO: So we can have dueling disappointment, it's not really important.

MR. MIGATZ: I did not think it was necessary --

COUNCILMAN TROIANO: So explain to me -- I know you didn't but since you expressed disappointment, but explain to me also, like you spoke about the community being in favor of this, that's not true. They didn't want this. You know, you have -- you put -- you insisted, for some reason, on creating more parking spaces than you needed and getting rid of a buffer. I don't -- but then you want to present and represent that the community was okay with that. They weren't.

MR. MIGATZ: They were.

COUNCILMAN TROIANO: They were not.

MR. MIGATZ: Did you read the transcript?

COUNCILMAN TROIANO: They were not okay with it.

MR. MIGATZ: Did you read the transcript, Councilman? And you know --

COUNCILMAN TROIANO: Don't --

MR. MIGATZ: We had a 15-foot buffer on the original plan when we were making this more parking to not walk that. The residents did not want that. So there was a trade-off. In order to preserve that house, we had to reduce the buffer.

COUNCILMAN TROIANO: You didn't have to reduce the buffer, you chose to reduce the buffer.

MR. MIGATZ: To have extra parking.

COUNCILMAN TROIANO: So I'm --

MR. MIGATZ: At the hearing, the big thing was, we don't have enough parking. We're providing more parking than the code requires. I listened for two and a half hours people

complaining there's not enough parking, people are driving through our neighborhoods. AutoZone doesn't want that to happen. So they provided nine extra parking spaces so that doesn't happen.

COUNCILMAN TROIANO: So you're not going to pick me off or this community off by talking about what some community members wanted because I can bring -- I could bring -- unfortunately, the president of the civic association is traveling and couldn't come. But I could bring people who would tell you they didn't want that.

MR. MIGATZ: I know that.

COUNCILMAN TROIANO: Okay.

MR. MIGATZ: I know that.

COUNCILMAN TROIANO: So let's be careful. Let's not represent that the community wanted that or some people wanted that. I know some people did, others didn't.

MR. MIGATZ: I know that, I know that.

COUNCILMAN TROIANO: Okay, well great, and so part of the problem here is that you're talking with, I'm going to call laymen, don't know what their rights are, don't know how to -- don't know what other possibilities are, and so they have a one-sided representation about what can be done and what can't be done. But there's no -- they have no attorney there, they don't have a Councilman there who's got some experience to guide them. Nothing.

MR. MIGATZ: Councilwoman Russell guided them.

COUNCILMAN TROIANO: This is now 2023.

MR. MIGATZ: It's the same plan.

COUNCILMAN TROIANO: It's now 2023.

MR. MIGATZ: It's the same plan.

COUNCILMAN TROIANO: Right?

MR. MIGATZ: We had --

COUNCILMAN TROIANO: And there were community meetings that you held since then without me there; okay? And I could have just as well been invited, and we wouldn't have to have this stalemate right now.

MR. MIGATZ: Well, I still don't think --

COUNCILMAN TROIANO: You know, all I've --

MR. MIGATZ: Concern --

COUNCILMAN TROIANO: -- gotten so far is this gentlemen saying that -- and apparently Councilman Adhami agrees with him, that cars are going to come -- because they can't make a left-hand turn, presumption number one, and that they can't make a left-hand turn, a presumption. So now they're going to make a right-hand turn coming out of the property, and then they're going to make another right-hand turn onto Longfellow, a second presumption.

COUNCILMAN ADHAMI: Okay, Councilman Troiano, it's not a presumption. The proof is in the picture. There's -- there isn't space to make a left-hand turn coming out of the Old

Country Road exit.

COUNCILMAN TROIANO: So as a resident --

COUNCILMAN ADHAMI: -- the markings.

COUNCILMAN TROIANO: As a resident of this community

COUNCILMAN WALSH: Let him finish, let him finish.

COUNCILMAN ADHAMI: The marking on the pavement is clear. If you could show me otherwise, if I'm seeing it mistakenly, please tell me.

COUNCILMAN TROIANO: Can I tell you from real experience as a resident of this community who's lived here for 60 years now, and who has frequented the Fortune Dinette, and I know that you can, and people do make a left-hand turn coming off of that property. If I can tell you that just further to the east, there is a strip mall shopping center which has the same dynamic as here, that people routinely come out off of there and make a left-hand turn all the time. So I don't care about the markings here. I'm going to talk to you about real life experience; all right?

COUNCILMAN ADHAMI: That's illegal.

COUNCILMAN TROIANO: I beg your pardon?

COUNCILMAN ADHAMI: But that's illegal.

COUNCILMAN TROIANO: It's not currently illegal. What Mr. Migatz said is that it could be made illegal, and we've heard in your community about the enforcement issues.

COUNCILMAN ADHAMI: I understand, but --

COUNCILMAN TROIANO: So don't tell me because there's a no left-hand turn that that means people say, okay, I can't make a left-hand turn because there's a sign.

COUNCILMAN ADHAMI: I didn't say that they, it physically stops them, but --

COUNCILMAN TROIANO: No, you said it would be illegal, and we heard in the previous hearing, we heard that enforcement is an issue. So I'm left with, I'm left with a plan, that in my estimation, my opinion, promotes people to make a right-hand turn into a residential neighborhood, and so what am I to do? I've got two opposing problems, and I'm most concerned about the residents of my district having to deal with an additional 20 trips at a peak hour on a Saturday, but also additional trips at other times during the week.

MR. MIGATZ: But those trips are not going through the neighborhood. They're just coming down Longfellow into the store.

COUNCILMAN WALSH: Yeah, I don't understand where it promotes, I mean, I understand what you're saying, but this layout doesn't promote people to go through the neighborhood. They could go through the neighborhood. But again, most of the cars will come off of Old Country Road and return to Old Country Road, and they will be doing that by coming down and making a left going that way. They could make a right, they could go into the neighborhood, but it doesn't promote them to go into the neighborhood which is a completely different, you know.

COUNCILMAN TROIANO: Fine. So in my view, Dennis, and this is my use of the word promote.

COUNCILMAN WALSH: Yeah.

COUNCILMAN TROIANO: But if I have a choice between going out onto Old Country Road and going down Longfellow, I'm going down Longfellow. So if I live -- if I'm -- if I live north of this site, let's say in the Village of Westbury or even further north, I'm going down Longfellow rather than having to negotiate Old Country Road.

MR. MIGATZ: But you're going to --

COUNCILMAN TROIANO: And so, and Dennis, if this was closed off --

COUNCILMAN WALSH: I understand that you would like to get it closed off, and I'm not opposed to that but I come from Mineola. If I'm heading that way on Old Country Road, and I want to go back to Mineola, I'm not going to go the wrong way down Longfellow, I'm going to return to Old Country --

COUNCILMAN TROIANO: No, because you live -- because you -- if you're coming from Mineola, that's west of this.

COUNCILMAN WALSH: Yeah.

COUNCILMAN TROIANO: My proposition was if you live north of this site.

COUNCILMAN WALSH: If you live north of the site.

COUNCILWOMAN DALIMONTE: Robert.

COUNCILMAN WALSH: Most of the people that go to an AutoZone don't live in the immediate area. Some may, but most of the people come from everywhere to go --

COUNCILMAN TROIANO: AutoZone, I imagine, serves a middle class and lower middle class clientele.

COUNCILMAN WALSH: Which exists all over Long Island.

COUNCILMAN TROIANO: Right, but it - -

MR. MIGATZ: I don't --

COUNCILMAN TROIANO: It exactly fits their customer profile.

COUNCILMAN ADHAMI: Councilman Troiano, I don't understand what that statement means, that AutoZone serves a middle class or lower class.

COUNCILMAN TROIANO: Because I -- it's -- well, I don't know why you don't understand what that means. An affluent consumer is unlikely to go to AutoZone to buy parts so he can fix his car.

COUNCILMAN ADHAMI: I resent that argument because I do --

MR. MIGATZ: I do all the time.

COUNCILMAN TROIANO: There nothing to resent with it. You may not agree.

COUNCILMAN WALSH: So that means that you're affluent.

COUNCILMAN TROIANO: Okay, let me ask you. Can somebody give me the profile of an AutoZone customer? This is like a ridiculous argument because --

COUNCILMAN ADHAMI: Councilman Troiano, I can probably name multiple people that work for the town that frequent AutoZone. I've spoken with the town employees that work on

their own vehicles. I work on my own vehicle.

COUNCILMAN TROIANO: How do I get out of this line? Well, Councilman, if you spoke with the residents, which I have - -

COUNCILMAN ADHAMI: It's stereotyping, and I'm surprised that you, of all people, would do that.

MR. MIGATZ: I know they told you that they want to see AutoZone there. They want to see AutoZone there.

COUNCILMAN TROIANO: So yeah, so let's -- no, because I want to help you, Bruce; okay? Fortune Dining, Fortune Dinette, whatever, Fortune is an eyesore; okay? This is an improvement on that; okay? But help me think through how I protect the residents that live on - - this area's called Poet's Corner. How do I protect them from increased traffic?

MR. MIGATZ: You can't, because if you close off the Longfellow entrance, people can still go through the neighborhood if they want to.

COUNCILMAN TROIANO: They still can, right, but, but, but, in my estimation, fewer than what your plan says here.

MR. MIGATZ: I don't see that logic. It takes me one -- 30 seconds more to go around the corner than -- I don't see that logic, at all. I can also tell you this, because I've said this at the prior hearings, and it's not an ultimatum or a threat, but if you close off that, that Longfellow entrance, AutoZone will walk away from this. They were very close to walking away from this when they had to compromise their plan and preserve the house and reduce the parking, but they --that's one of the reasons it took so long to get here, well, the pandemic didn't help, either, but they were, you know, they had to make a lot of compromises, and I can tell you that if you change that, they'll walk away from this.

COUNCILMAN TROIANO: And so, you know, let's get down to the real nitty-gritty, if you will; all right? It was exactly that threat --

MR. MIGATZ: I said it's not a threat.

COUNCILMAN TROIANO: Yeah, I know you said that. It's exactly that threat that caused some of the residents to cave when it came to the BZA because you said, you, you --

MR. MIGATZ: My client said.

COUNCILMAN TROIANO: You said -- but you were the mouthpiece --

MR. MIGATZ: That's right.

COUNCILMAN TROIANO: -- and you said that if you don't go along with this, that AutoZone may not come here.

MR. MIGATZ: That's right.

COUNCILMAN TROIANO: So, and that's what I mean by --that's what I mean by you set them up.

MR. MIGATZ: Yeah, it's a reality.

COUNCILMAN ADHAMI: It's a reality, I mean, if you choke a business, they're going to give up, and they're going to --

COUNCILMAN TROIANO: I don't think they're being choked, but no matter what you want to call it, Councilman Adhami, or Mr. Migatz, that's a threat and I understand exactly what that is.

MR. MIGATZ: It's not --

COUNCILMAN WALSH: I don't see it as a threat.

COUNCILMAN TROIANO: There's really no -- there's really no need for you to mention that because if AutoZone doesn't want to come there, fine. Is it my job -- is it the community's job to protect AutoZone's profits if they come there? They don't want to come, fine. If closing off that is going to cause them not to come, fine.

COUNCILMAN ADHAMI: Well, would we rather have a vacant lot over there?

COUNCILMAN TROIANO: It's not a vacant lot.

COUNCILMAN ADHAMI: Even if they closed the business?

COUNCILMAN TROIANO: It's not a vacant lot, so stop, don't even, you know, have you been there?

COUNCILMAN ADHAMI: Yes, I'm familiar with the area.

COUNCILMAN TROIANO: Okay, so you're going to call that a vacant lot?

COUNCILMAN ADHAMI: It's not a vacant lot, but --

COUNCILMAN TROIANO: Okay, then don't use those terms.

MR. MIGATZ: Well, one of the things that was discussed at the change of zone hearing was that, and Commissioner Levine was on the record, of course, he was asked a question that the building that exists there now, as of right, can be changed to any retail use without ever coming before this Board, any retail store could go into that existing building and generate much more traffic than an AutoZone is going to generate and make many more right-hand turns out of that property. That's a reality, not a threat. That's a reality. So this is a compromise. The residents, when they heard that, they were surprised, and that's one of the things that swayed them over. Are they happy about it? No. Are they -- were they satisfied with it? Yes. And that was one of the factors that was a major consideration, I believe, when the Board adopted the change of zone. It's better for the community to have a modern new low traffic generating retail store than what could go into that vacant building because the dining -- Fortune Dinette is going out of business, so it'll be rented as some other retail store, and you're going to have more traffic. It's a compromise.

COUNCILMAN TROIANO: Does anybody wish to be heard; do we have any cards?

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

MR. MIGATZ: That speaks volumes.

COUNCILMAN TROIANO: You know, had I wanted to, I could bring a lot of people out here. You know, the community, despite your representation, is not happy with AutoZone.

MR. MIGATZ: They're satisfied.

COUNCILMAN TROIANO: They are not happy with AutoZone. They've been -- they would say they've been beaten down by what I'm going to call a threat.

MR. MIGATZ: Well, I resent that comment.

COUNCILMAN WALSH: I don't see a threat, either. That's going a little too far. I don't see a threat.

COUNCILMAN TROIANO: You can resent that.

COUNCILMAN WALSH: I resent that, too.

COUNCILMAN TROIANO: But we're left with -- you have on two separate occasions now thrown out that AutoZone may not come.

MR. MIGATZ: That's a reality.

COUNCILMAN WALSH: Because it's a reality. I agree.

COUNCILMAN TROIANO: Right, it may be, but when you couch it as, I'm not threatening --

COUNCILMAN ADHAMI: It's not a threat.

COUNCILMAN TROIANO: -- but we are very much aware of what that really means, and my two Councilmembers may disagree with that, and that's okay. But I'm speaking for myself, and I'm speaking for the residents of this community who I have been associated with in elected office for 30 years now, and I know this community, I know these people, and so Councilman Walsh and Councilman Adhami have not had those conversations like I have with those people, and so I can tell you, I can tell you, I can tell you how they felt.

COUNCILMAN WALSH: Don't point at me when you talk. Don't point at me when you talk to me.

COUNCILMAN TROIANO: I can point at anybody I want.

COUNCILMAN WALSH: If you want to be upset, be upset. Don't point your finger at me.

COUNCILMAN TROIANO: So they can't --

COUNCILMAN ADHAMI: -- when their business comes in there.

COUNCILMAN TROIANO: So they can't --

COUNCILMAN WALSH: This guy.

COUNCILMAN TROIANO: They can't speak to actual conversations with the residents of the community.

COUNCILMAN WALSH: I can speak to what I see in front of me.

COUNCILMAN TROIANO: Right.

COUNCILMAN WALSH: Don't tell me I can't speak to what I see in front of me.

COUNCILMAN TROIANO: But you cannot tell me --

COUNCILMAN WALSH: Now you're going too far.

COUNCILMAN TROIANO: You cannot tell me that the residents --

COUNCILMAN WALSH: I can tell you that I see what -- I see what's going on in the hearing, and I'm entitled to vote, and I think this should be moved along one way or another because you can't speak for everybody, either. You can say you speak for everybody, but you don't speak for

everybody. You just assume you're speaking for everybody in the neighborhood.

COUNCILMAN TROIANO: No, I have not said I'm speaking for everybody. I have --

COUNCILMAN WALSH: It sounded like that to me.

COUNCILMAN TROIANO: Well, I will have to run back the transcript for you.

COUNCILMAN WALSH: Good.

COUNCILMAN TROIANO: I said that there are some that were favoring removal --

COUNCILMAN WALSH: You said, I know these --

COUNCILMAN TROIANO: -- and some that are, but I also talked to residents, Councilman Walsh, and this is a hearing, so it's meant to inform everybody. So let me inform you --

COUNCILMAN WALSH: You don't need to inform me about anything. Please speak to the applicant.

COUNCILMAN TROIANO: Let me --

COUNCILMAN WALSH: You don't need to inform me.

COUNCILMAN TROIANO: It's a hearing --

COUNCILMAN WALSH: Please speak to the gentlemen over there.

COUNCILMAN TROIANO: -- it's a hearing so the Councilmembers can be informed; right? And so I am informing you that there are residents in this community who felt threatened by Mr. Migatz's representation.

COUNCILMAN WALSH: And they're not here to say that.

COUNCILMAN TROIANO: And -- okay.

COUNCILMAN WALSH: Where are they here to say that?

COUNCILMAN TROIANO: Okay, so --

COUNCILMAN WALSH: Yeah.

COUNCILMAN TROIANO: If you wanted, if you want to question my trustworthiness, you can do that.

COUNCILMAN WALSH: I didn't say that. See, you add things to conversations. I'm not going to -- I didn't question your trustworthiness, I just said they're not here to say that. That's what I said.

COUNCILMAN TROIANO: All right.

COUNCILMAN WALSH: You know, and then you reverse it to, I'm questioning your trustworthiness.

COUNCILMAN TROIANO: Well --

COUNCILMAN WALSH: I didn't say that.

COUNCILMAN TROIANO: Okay.

COUNCILMAN WALSH: So let's get on with it.

MR. MIGATZ: You know, what if I did not say; okay, that AutoZone is going to walk away from this if you close off that curb cut. So, I didn't say that; okay? Now you close the curb cut, now AutoZone walks. Now the residents say, why didn't you tell us that they would walk if you close that curb cut. We don't want them to walk.

COUNCILMAN TROIANO: Mm-hmm, all right, and there's a way of expressing that, and this is my opinion; okay? There's a way of expressing that without even invoking the word threat.

COUNCILMAN ADHAMI: It's not a threat.

SUPERVISOR DESENA: All right, Councilman Troiano, do you want to -- do you want to move --

COUNCILMAN TROIANO: I do want to move.

SUPERVISOR DESENA: --it one way or another?

COUNCILMAN TROIANO: I do want to move it, I do.

SUPERVISOR DESENA: -- because I think this is --

COUNCILMAN TROIANO: So who's here from -- who's part of the AutoZone team?

MR. MIGATZ: Mr. Pinheiro.

COUNCILMAN TROIANO: And who are you?

MR. PINHEIRO: The District Manager, Ryan Pinheiro.

COUNCILMAN TROIANO: And I know who you are and you are, are you with them as well? I'm sorry? So I am going to surprise you, and I am going to ask my Councilmembers to support this, which does not mean that I'm happy with it or that I'm happy with some of the actions that have been taken by AutoZone. I'm not happy that -- I'm not happy that the buffer was reduced, I'll tell you that straight up, I'm not happy about that, because -- and while, you know, the people that live in this home, they may -- I can't believe that they're happy with that. I'm not happy by the attitudes that I'm hearing, that I've heard from, and I'm going to say, Mr. District Manager, by the people that represent you. I don't feel the level of cooperation and accommodation I would have liked to have seen -- I would have liked to have seen some outreach to the Councilmember representing this area, that's the way it's typically done, and none of that has happened. But I am partially persuaded by the argument that if closing off the Longfellow entrance and exit might not accomplish anything, and that would be -- that would be a waste for me to have that fight and not accomplish anything, and so with that, I offer the resolution and move for it's adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: So I'm a little bit troubled by the lack of respect given to Councilman Troiano, and I just --it is my last meeting, I would like to say that because we're in a councilmatic district, we're in councilmatic districts, there's a reason why we defer to the Councilmen and Councilwomen in whose district a particular project is located. It is because they know the community, they know the residents, they know the players, and often they know the history. So I would hope that we all remember that. The way that a Councilman conducts a hearing might not be the way you would conduct a hearing but we do owe each other a level of respect. I vote aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: I just have one question for the applicant. How many AutoZones are in the Town of North Hempstead?

MR. MIGATZ: As of now, none.

COUNCILMAN ADHAMI: So I would like to welcome AutoZone to the Town of North Hempstead and their significant investment. I vote aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: I vote Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you.

MR. MIGATZ: Thank you, very much. Merry Christmas, happy Chanukah, happy holidays, happy New Year to everyone.

SUPERVISOR DESENA: Happy holidays.

MR. MIGATZ: Thank you.

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. 652 - 2023

A PUBLIC HEARING TO CONSIDER THE APPLICATION OF RAHMAT YOUSEFEZEDEH/AUTOZONE, INC. FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 565 OLD COUNTRY ROAD, WESTBURY AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 10, BLOCK 60, LOTS 220 & PART OF 210.

WHEREAS, Rahmat Yousefezedeh/Autozone, Inc (the "Applicant") has applied (the "Application") to the Town Board (the "Town Board") of the Town of North Hempstead (the "Town") to construct a 7,382 s.f. retail store with 31 parking spaces with associated improvements to drainage, lighting and landscaping on a 0.78-acre lot located at 565 Old Country Road, Westbury and identified on the Nassau County Land and Tax Map as Section 10, Block 60, Lots 220 and part of 210 (the "Premises"); and

WHEREAS, it has been determined that the Application is subject to site plan review pursuant to § 70-219(A)(1)(a) of the Code of the Town of North Hempstead (the "Town Code") for the construction of a new building greater than 750 square feet ("Site Plan Review"); and

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

WHEREAS, the Town Clerk, pursuant to and in accordance with Town Code §§ 70-219(F)(1), has published notice of a public hearing scheduled for December 5, 2023 for the Site Plan Review (the "Public Hearing"), as authorized and directed by the Town Board pursuant to Resolution No. 599-2023, adopted on November 14, 2023; and

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

WHEREAS, the Town's Department of Building Safety, Inspection and Enforcement (the "Building Department") issued a Notice of Disapproval on May 18, 2023 citing the following items: (1) the application requires a parking variance for insufficient parking stall size with proposed dimensions of 10'x 18' where not less than 10'x 20' is required pursuant to Town Code §70-103(B); (2) the application requires a parking variance for insufficient access aisle width pursuant to §70-103(O); (3) the

application proposes a garage enclosure with an insufficient rear yard set back in violation of Town Code §70-134; (4) the application proposes a ground sign that exceeds square footage permitted by §70-196(J)(2)(b), and has an insufficient setback from the property line in violation of §70-196(J)(2)(c); (5) the application proposes a landscape buffer along the North and East property lines which is too narrow and lacks trees and shrubs in violation of Town Code §70-203(G); and (6) the application requires site plan review pursuant to Town Code § 70-219(A)(1)(a); and

WHEREAS, on August 16, 2023, pursuant to Appeal No. 21417, the Board of Zoning Appeals (the "BZA") granted the necessary variances to Town Code §§ 70-103(B), 70-103(O), 70-134, 70-196(J)(2)(b), 70-196(J)(2)(c) and 70-203(G) to construct a new retail store with parking spaces that are too small, access aisles that are too narrow, a garbage enclosure that is too close to the rear property line, landscape buffers that are too narrow and lack required trees and shrubs, and a ground sign that is too large and too close to the street; and

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

WHEREAS, pursuant to Resolution No. 10545-23, adopted October 5, 2023, the Nassau County Planning Commission recommended a local determination; and

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

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

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

WHEREAS, the BZA has further determined that the Action will not result in any significant adverse impacts on the environment based upon the analysis set forth in the SEAF Parts 2 and 3, for the reasons that: (1) the proposed action will not create a substantial conflict with the zoning district in which it sits or conflict with adopted land use plans; (2) the proposed action will not result in a change to the use or intensity of the land; (3) the proposed action will not impair the character of quality of the existing community; (4) the proposed action will not result in change to the existing air quality; (5) the proposed action will not result in the impairment of a Critical Environmental Area or historic, archaeological, architectural or aesthetic resources; (6) this project

would not include the removal or destruction of large quantities of flora or fauna, nor impact a habitat area; and (7) it is not anticipated that this project will generate a significant amount of traffic or represent a hazard to human health; and

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

WHEREAS, this Board has carefully considered the Application, testimony and other relevant evidence at the Public Hearing held on December 5, 2023 and afforded all interested persons the opportunity to be heard; and

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

NOW, THEREFORE, BE IT

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

RESOLVED that this Board hereby adopts the BZA'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 finds that the Application and site plan are in compliance with Chapter 70 of the Town Code, and this Board further finds that the site plan is consistent with the spirit and intent of Town Code § 70-219; and be it further

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

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

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

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

Henry Krukowski, being duly sworn, deposes and says that on the 20th day of November, 2023, he posted the attached Notice of Hearing to consider the application for site plan review submitted by Rahmat Yousefzadeh/Autozone, Inc to construct a 7,382 s.f. retail store with 31 parking spaces with associated improvements to drainage, lighting and landscaping on a 0.78-acre lot, at the following locations:

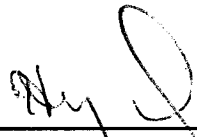
Town Clerk Bulletin Board

Westbury Post Office

In front of 565 Old Country Road

Old Country Road & Longfellow Road

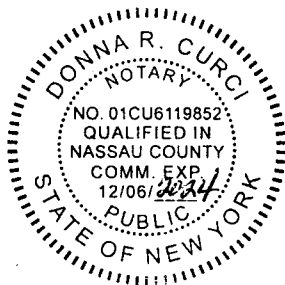
Old Country Rd, 200 feet East of Longfellow Ave


Henry Krukowski

Sworn to me this

20th day of November, 2023


Notary Public



Affidavit of Publication

County of Nassau
State of New York,

SS

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

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

1 weeks, viz:

November 22, 2023

**LEGAL NOTICE
NOTICE OF HEARING
PLEASE TAKE NOTICE**
that a public hearing will be
held by the Town Board of the
Town of North Hempstead
on December 5, 2023, at
7:00 P.M. in the Town
Board Meeting Room, Town
Hall, 220 Plandome Road,
Manhasset, New York, on
the application for site plan
review submitted by Rahmat
Yousefzadeh/Autozone, Inc
to construct a 7,382 s.f. retail
store with 31 parking spaces
with associated improve-
ments to drainage, lighting
and landscaping on a 0.78-
acre lot.

**PLEASE TAKE FUR-
THER NOTICE** that the
property which is the subject
of this application is located
at 565 Old Country Road,
Westbury and identified on
the Nassau County Land and
Tax Map as Section 10, Block
60, Lots 220 and part of 210.
Dated: Manhasset, New
York

November 14, 2023

**BY ORDER OF THE
TOWN BOARD OF
THE TOWN OF**

**NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK
11-22-2023-IT-#243603-
NIN/WBY**

Sworn to me this 22 day of
November-2023

Notary Public

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

SUPERVISOR DESENA: Number 6.

CLERK SRIVASTAVA: Number 6. A public hearing to consider the adoption of an ordinance affecting First Avenue in Garden City Park.

COUNCILMAN WALSH: Number 6. Okay, this is a hearing to establish no parking any time restrictions on First Avenue at Railway Avenue in Garden City Park. It's right off Denton Avenue just south of Jericho Turnpike, and these three spots prevent the -- these three spots prevent the building across from these spots to use their loading zone. It makes it very difficult. Sometimes I can't even turn in. There's been no objection from the community. I wonder if anybody's here who wants to comment on this application.

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

COUNCILMAN WALSH: Are there any cards?

SUPERVISOR DESENA: No.

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

COUNCILMAN WALSH: There are no cards, and this will allow the building directly across the street to be able use their loading dock without any conflict, and I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: No.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN TROIANO: Because I -- well, I'm --

COUNCILMAN WALSH: Aye.

SUPERVISOR DESENA: No, just vote, go, go, go, that's it.

COUNCILMAN WALSH: You voted, that's it. Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILMAN WALSH: And you just said to respect the people in the district; right?

COUNCILWOMAN LURVEY: Aye.

COUNCILMAN WALSH: Thank you.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

COUNCILMAN WALSH: I appreciate that.

COUNCILWOMAN DALIMONTE: I'm sorry, did you call me?

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

ORDINANCE NO. 23 - 2023

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING FIRST AVENUE IN GARDEN CITY PARK.

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

ORDINANCE NO. T.O. 23 - 2023

GARDEN CITY PARK, NEW YORK

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

PROPOSAL:

ADOPT:

1. FIRST AVENUE – WEST SIDE – NO PARKING ANYTIME

From a point 40 feet from the north curblineline of Railroad Avenue, North, for a distance of 95 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

December 5, 2023

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

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

Henry Krukowski, being duly sworn, deposes and says that on the 20th
day of November, 2023, he posted the attached Notice of Hearing to consider the adoption
of ordinances affecting First Avenue, Garden City Park, New York, at the following
locations:

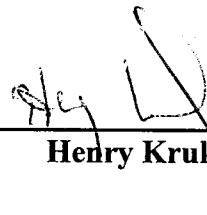
Town Clerk Bulletin Board

New Hyde Park Post Office

First Ave & Railroad Ave

First Ave, 100 feet north of Railroad Ave

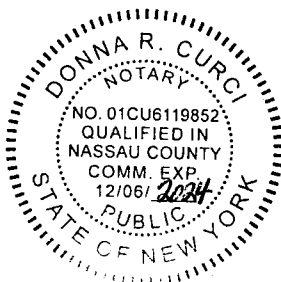
First Ave, 300 feet north of Railroad Ave


Henry Krukowski

Sworn to me this

21st day of November, 2023


Notary Public



Affidavit of Publication

County of Nassau
State of New York,

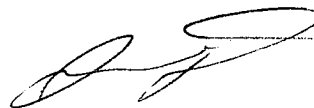
SS

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

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

1 weeks, viz:

November 22, 2023



Sworn to me this 22 day of
November-2023

Notary Public

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

**LEGAL NOTICE
NOTICE OF HEARING
PLEASE TAKE NOTICE**
that a public hearing will be held by the Town Board of the Town of North Hempstead on the 5th day of December, 2023, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**FIRST AVENUE
GARDEN CITY PARK
NEW YORK**

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

PROPOSAL:

ADOPT

1. FIRST AVENUE - WEST SIDE - NO PARKING ANY TIME

From a point 40 feet from the north curbline of Railroad Avenue, North, for a distance of 95 feet.

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

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

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

Section 5. This ordinance shall be incorporated in the Uniform Traffic Code of the Town of North Hempstead.
Dated: November 14, 2023
Manhasset, New York

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

11-22-2023-IT-#243604-
NIN/NHP

Affidavit of Publication

County of Nassau
State of New York,

SS

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

1 weeks, viz:

December 13, 2023

Sworn to me this 13 day of
December-2023

Notary Public

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

LEGAL NOTICE

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

ORDINANCE NO. T.O.

23 - 2023

GARDEN CITY PARK

NEW YORK

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

PROPOSAL:

ADOPT:

1. FIRST AVENUE - WEST SIDE - NO PARKING ANYTIME

From a point 40 feet from the north curbline of Railroad Avenue, North, for a distance of 95 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: December 5, 2023
Manhasset, New York

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

12-13-2023-1T-#243883-
NIN/NHP

CLERK SRIVASTAVA: Item number 7. A public hearing to consider the adoption of an ordinance affecting New Charles Avenue in Port Washington.

COUNCILWOMAN DALIMONTE: So this came from the Harbor Homes Management who claims that the garbage trucks encounter difficulties when navigating to pick up trash due to vehicles being parked close to the dumpsters. So I am -- I don't think there's anyone here that wishes to be heard. I would like to close the public hearing, offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano? Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: I'm sorry, I didn't hear the first response. What was the vote?

SUPERVISOR DESENA: Aye.

COUNCILMAN WALSH: Aye? We have two ayes?

SUPERVISOR DESENA: Yes.

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

ORDINANCE NO. 24 - 2023

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING NEW CHARLES AVENUE IN PORT WASHINGTON.

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

ORDINANCE NO. T.O. 24 - 2023

PORT WASHINGTON, NEW YORK

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

PROPOSAL:

ADOPT:

1. NEW CHARLES AVENUE – EAST SIDE – NO PARKING ANYTIME
From the north curblineline of Charles Avenue, North, for a distance of 65 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

December 5, 2023

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

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

Henry Krukowski, being duly sworn, deposes and says that on the 20th
day of November, 2023, he posted the attached Notice of Hearing to consider the adoption
of ordinances affecting New Charles Avenue, Port Washington, New York, at the following
locations:

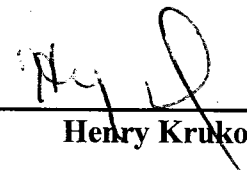
Town Clerk Bulletin Board

Port Washington Post Office

New Charles Ave & Charles Ave

New Charles Ave & Harbor Rd

Charles Ave, 100 feet south of Harbor Rd


Henry Krukowski

Sworn to me this

21st day of November, 2023


Notary Public



Affidavit of Publication

County of Nassau
State of New York,

SS

**LEGAL NOTICE
NOTICE OF HEARING
PLEASE TAKE NOTICE**
that a public hearing will be held by the Town Board of the Town of North Hempstead on the 5th day of December, 2023, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**NEW CHARLES
AVENUE, PORT
WASHINGTON,
NEW YORK**

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

PROPOSAL:

ADOPT:

1. NEW CHARLES AVENUE - EAST SIDE - NO PARKING ANYTIME

From the north curbline of Charles Avenue, North, for a distance of 65 feet.

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

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

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

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

**Dated: November 14, 2023
Manhasset, New York**

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

**11-22-2023-1T-#243606-
PORT**

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

The **PORT WASHINGTON NEWS**

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

1 weeks, viz:

November 22, 2023

Sworn to me this 22 day of
November-2023

Notary Public

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

Affidavit of Publication

County of Nassau

SS

State of New York,

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: December 5, 2023 Manhasset, New York

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

12-13-2023-1T-#243884-
PORT

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

ORDINANCE NO. T.O.
24 - 2023
PORT WASHINGTON,
NEW YORK

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

PROPOSAL:
ADOPT:

1. NEW CHARLES AVENUE - EAST SIDE - NO PARKING ANYTIME

From the north curbline of Charles Avenue, North, for a distance of 65 feet.

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

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

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

1 weeks, viz:

December 13, 2023

Sworn to me this 13 day of
December-2023

Notary Public

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

CLERK SRIVASTAVA: Item number 8. A resolution and order after public hearing held on December 5, 2023, authorizing the increase and improvement of facilities of the Port Washington Water Pollution Control District, pursuant to Section 202-B of the town law.

COUNCIL WOMAN DALIMONTE: I believe that the attorney for the Port Washington Water Pollution Control District has anything to say. Do you have any --do you want to - -

MR. INGRAHAM: I cut it down as much as I can.

COUNCIL WOMAN DALIMONTE: Please.

MR. INGRAHAM: I can't, I really did cut it down.

CLERK SRIVASTAVA: Thank you.

MR. INGRAHAM: But for a \$15 million bond issue, we're going to say, at least for a few minutes, what we're going to do.

COUNCIL WOMAN DALIMONTE: Mm-hmm.

MR. INGRAHAM: So --

COUNCIL WOMAN DALIMONTE: Well, you've already had your public hearing also in your --

MR. INGRAHAM: We did, we did. For the sake of speed, I would respectfully request that this Town Board approve a capital improvement facilities bond not to exceed \$59 million for the improvements that this district desperately needs since it was established in 1915, and borrowing on Supervisor Murphy's history lesson last meeting --

SUPERVISOR DESENA: Mm-hmm.

MR. INGRAHAM: That was the presidency of Woodrow Wilson, and it was World War I. So I respectfully move that the Board adopt that resolution.

COUNCIL WOMAN DALIMONTE: Is there any -- do we have any cards on this Item?

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

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCIL WOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 653 - 2023

A RESOLUTION AND ORDER AFTER PUBLIC HEARING HELD ON DECEMBER 5, 2023, AUTHORIZING THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE PORT WASHINGTON WATER POLLUTION CONTROL DISTRICT, PURSUANT TO SECTION 202-b OF THE TOWN LAW.

Recitals

WHEREAS, maps, plans and reports have been prepared by D&B Engineers and Architects, P.C., engineers duly licensed by the State of New York (herein called the "Engineers"), for the increase and improvement of facilities of the Port Washington Water Pollution Control District (herein called the "District"), in the Town of North Hempstead, New York (the "Town"), consisting of various improvements to and upgrades of the District's (i) wastewater treatment plant located at 70 Harbor Road, Port Washington, New York and (ii) collection system, including lining of approximately 8,300 linear feet of sewer mains and upgrades of existing pump stations; all of the foregoing to include any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing, all as further described in detail in each map, plan and report prepared by the Engineers, at the estimated total cost of \$59,000,000; and

WHEREAS, such maps, plans and reports and estimates of cost have been filed with the Town Board, and the Town Board thereafter adopted a Resolution on November 14, 2023 describing in general terms the proposed increase and improvement of facilities of the District, specifying the estimated cost thereof, and stating that the Town Board would meet on the date hereof at 7:00 o'clock P.M. (Prevailing Time) at Town Hall to hear all persons interested in said increase and improvement of facilities; and

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

WHEREAS, a Notice of such public hearing was also mailed by first class mail to each owner of taxable real property in the District; and

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

WHEREAS, the Board of Commissioners of the District, as lead agency, has given due consideration to the impact that the increase and improvement of the facilities of the District

may have on the environment and the District has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), constituting Article 8 of the Environmental Conservation Law and the applicable documentation thereof has been filed in the office of the Town Clerk;

NOW, THEREFORE, on the basis of the information given at such hearing, it is hereby

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to at the estimated maximum cost of \$59,000,000; and it is hereby

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

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of \$59,000,000 serial bonds of the Town, and the cost of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District which the Town Board shall deem benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable; and it is hereby

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

DATED: DECEMBER 5, 2023

**TOWN BOARD OF THE TOWN OF
NORTH HEMPSTEAD**

CERTIFICATE

I, Ragini Srivastava, Town Clerk of the Town of North Hempstead, in the County of Nassau, New York, DO HEREBY CERTIFY that I have compared the preceding Resolution and Order After Public Hearing with the original thereof filed in my office on the 5th day of December, 2023, and the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 1st day of December, 2023.

(SEAL)

Ragini Srivastava
Town Clerk

CLERK SRIVASTAVA: Item number 9. A bond resolution

COUNCILWOMAN DALIMONTE: One more --

MR. INGRAHAM: I know.

COUNCILWOMAN DALIMONTE: -- for you.

MR. INGRAHAM: I know.

CLERK SRIVASTAVA: A bond resolution of the Town of North Hempstead, New York, adopted December 5, 2023, appropriating \$59 million for the increase and improvement of facilities of the Port Washington Water Pollution Control District, and authorizing the issuance of not to exceed \$59 million serial bonds of said town to finance said appropriation.

COUNCILWOMAN DALIMONTE: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: I would like to thank the three Commissioners and the attorney that are here, and thank you, very much for all spending the evening with us. Happy holidays. I vote aye.

MR. INGRAHAM: My pleasure.

CLERK SRIVASTAVA: Supervisor --

MR. INGRAHAM: I do admire your dedication to public service. Thank you.

CLERK SRIVASTAVA: Thank you.

SUPERVISOR DESENA: I vote aye.

CLERK SVIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: And thank you for your dedication to the Port Washington taxpayers and to good water. Thank you.

COUNCILWOMAN DALIMONTE: No, no, no, they're sewer. We don't want their water.

SUPERVISOR DESENA: Oh, sorry.

COUNCILWOMAN DALIMONTE: We don't want your water.

COUNCILMAN WALSH: Thanks for the sewers.

COUNCILWOMAN DALIMONTE: Yes.

THE WITNESS: Absolutely.

COUNCILWOMAN DALIMONTE: Just keep cleaning, just keep cleaning that water that's going into Manhasset Bay so those oysters live.

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. 654 - 2023

A BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED DECEMBER 5, 2023, APPROPRIATING \$59,000,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE PORT WASHINGTON WATER POLLUTION CONTROL DISTRICT, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$59,000,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

Recital

WHEREAS, following preparation of maps, plans and reports for the increase and improvement of facilities of the Port Washington Water Pollution Control District (the "District"), consisting of various improvements to and upgrades of the District's (i) wastewater treatment plant located at 70 Harbor Road, Port Washington, New York and (ii) collection system, including lining of approximately 8,300 linear feet of sewer mains and upgrades of existing pump stations; all of the foregoing to include any ancillary or related work necessary in connection therewith, in the Town of North Hempstead (herein called the "Town"), in the County of Nassau, New York, and after a public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be increased and improved;

Now, therefore, be it

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

Section 1. The Town hereby appropriates the amount of \$59,000,000 for the increase and improvement of facilities of the District as described in the above Recital, all in accordance with each map, plan and report prepared by D&B Engineers and Architects, P.C, engineers duly licensed by the State of New York, on file in the office of the Town Clerk and hereby approved. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$59,000,000. The plan of financing includes the issuance of not to exceed \$59,000,000 bonds of the Town to finance said appropriation, and the assessment, levy and collection of assessments upon the several lots and parcels of land within the District which the Town Board shall deem benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of \$59,000,000, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

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

a) The period of probable usefulness of the specific object or purpose for which said \$59,000,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 4. of the Law, is forty (40) years.

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

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

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

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

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

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

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "Newsday" and the "Port Washington News," two newspapers each having general circulation in the Town and hereby designated the official newspapers of the Town for such publication.

* * *

CERTIFICATE

I, Ragini Srivastava, Town Clerk of the Town of North Hempstead, in the County of Nassau, New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on December 5, 2023 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 11th day of December, 2023.

(SEAL)

Ragini Srivastava
Town Clerk

(NOTICE AND SUMMARY OF BOND RESOLUTION FOR PUBLICATION)
NOTICE

The resolution, a summary of which is published herewith, has been adopted on December 5, 2023, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of North Hempstead, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

Ragini Srivastava
Town Clerk

**BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW
YORK, ADOPTED DECEMBER 5, 2023, APPROPRIATING \$59,000,000
FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE PORT
WASHINGTON WATER POLLUTION CONTROL DISTRICT, IN SAID TOWN,
AND AUTHORIZING THE ISSUANCE OF \$59,000,000 SERIAL BONDS OF
SAID TOWN TO FINANCE SAID APPROPRIATION**

The object or purpose for which bonds are authorized is various improvements to and upgrades of the District's (i) wastewater treatment plant located at 70 Harbor Road, Port Washington, New York and (ii) collection system, including lining of approximately 8,300 linear feet of sewer mains and upgrades of existing pump stations, including any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing.

The maximum amount of obligations authorized to be issued is \$59,000,000.

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

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

Dated: December 5, 2023
Manhasset, New York

STATE OF NEW YORK)

) SS. :

COUNTY OF NASSAU)

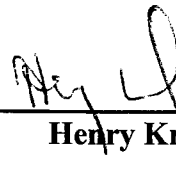
Henry Krukowski, being duly sworn, deposes and says that on the 20th day of November, 2023, he posted the attached Notice of Hearing regarding the increase and improvement of facilities of the District, consisting of various improvements to and upgrades of the District's (i) wastewater treatment plant located at 70 Harbor Road, Port Washington, New York and (ii) collection system, including lining of approximately 8,300 linear feet of sewer mains and upgrades of existing pump stations; all of the foregoing to include any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing, all as further described in detail in the maps, plans and reports respectively entitled "Improvements to Reduce Sanitary Sewer System Overflows (SSO's) and Wastewater System Outfall Inspection and Repairs," dated July 2022 and "Wastewater Treatment Plant and Pump Station Capital Improvements," dated September 2022 (collectively, the "Report"), prepared by D&B Engineers and Architects, P.C., engineers duly licensed by the State of New York. The estimated total cost of the foregoing is \$59,000,000, at the following locations:

Town Clerk Bulletin Board

Port Washington Post Office

In front of 70 Harbor Road

Harbor Road, 100 east of Pleasant La



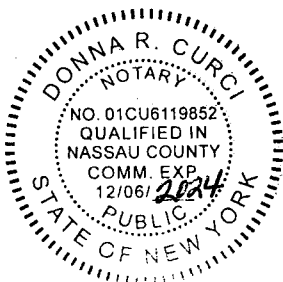
Henry Krukowski

Sworn to me this

21th day of November, 2023



Notary Public



NEWSDAY

AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021824575

:SS.:

COUNTY OF ERIE)

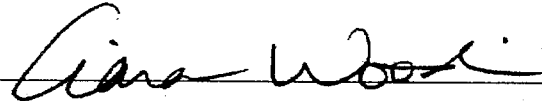
The undersigned, being duly sworn, says that such person is a duly authorized custodian of records of Newsday LLC, the publisher of Newsday, a daily newspaper published in Melville, County of Suffolk, State of New York, and circulated in Nassau, Suffolk, and Queens Counties, and that the Legal Notice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

Monday

November 20, 2023

Nassau

By: _____

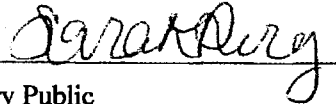


Ciara Woodin

Print Name: _____

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
20 Day of November, 2023.



Notary Public

Sarah Perez

Notary Public - State of New York

No. 01PE0006459

Qualified in Erie County

Commission Expires 04/27/2027

Ad Content

Legal Notice # 21824575

NOTICE OF

PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of North Hempstead, in the County of Nassau, State of New York, will meet at the Town Hall, 220 Plandome Road, Manhasset, New York, on December 5, 2023, at 7:00 P.M. (Prevailing Time), for the purpose of conducting a public hearing regarding the increase and improvement of facilities of the District, consisting of various improvements to and upgrades of the District's (i) wastewater treatment plant located at 70 Harbor Road, Port Washington, New York and (ii) collection system, including lining of approximately 8,300 linear feet of sewer mains and upgrades of existing pump stations; all of the foregoing to include any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing, all as further described in detail in the maps, plans and reports respectively entitled "Improvements to Reduce Sanitary Sewer System Overflows (SSO's) and Wastewater System Outfall Inspection and Repairs," dated July 2022 and "Wastewater Treatment Plant and Pump Station Capital Improvements," dated September 2022 (collectively, the "Report"), prepared by D&B Engineers and Architects, P.C., engineers duly licensed by the State of New York. The estimated total cost of the foregoing is \$29,000,000.

At said public hearing, the Town Board will hear all persons interested in said subject matter thereof.

BY ORDER OF

THE TOWN BOARD OF

THE TOWN OF

NORTH HEMPSTEAD

Dated: November 14, 2023

Manhasset, New York

RAGINI SRIVASTAVA

Town Clerk

NEWSDAY PROOF

Ad Number: 0021824575

Advertiser: TOWN OF NORTH HEMP TOWN CLERK

Affidavit of Publication

County of Nassau
State of New York,

SS

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

1 weeks, viz:

November 22, 2023

LEGAL NOTICE NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of North Hempstead, in the County of Nassau, State of New York, will meet at the Town Hall, 220 Plandome Road, Manhasset, New York, on December 5, 2023, at 7:00 P.M. (Prevailing Time), for the purpose of conducting a public hearing regarding the increase and improvement of facilities of the District, consisting of various improvements to and upgrades of the District's (i) wastewater treatment plant located at Harbor Road, Port Washington, New York and (ii) collection system, including laying of approximately 8,300 linear feet of sewer mains and grades of existing pump stations; all of the foregoing include any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, acces-

sories and related engineering and other costs in connection with the foregoing, all as further described in detail in the maps, plans and reports respectively entitled "Improvements to Reduce Sanitary Sewer System Overflows (SSO's) and Wastewater System Outfall Inspection and Repairs," dated July 2022 and "Wastewater Treatment Plant and Pump Station Capital Improvements," dated September 2022 (collectively, the "Report"), prepared by D&B Engineers and Architects, P.C., engineers duly licensed by the State of New York. The estimated total cost of the foregoing is \$59,000,000.

At said public hearing, the Town Board will hear all persons interested in said subject matter thereof.

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

Dated: November 14, 2023
Manhasset, New York

RAGINI SRIVASTAVA
Town Clerk
11-22-2023-243699-PORT

Sworn to me this 22 day of
November-2023

Notary Public

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

NEWSDAY

AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021827466

:SS.:

COUNTY OF ERIE)

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

Friday

December 08, 2023

Nassau

By:



Print Name:

Ciara Woodin

Authorized Designee of Newsday LLC, Publisher of Newsday

SWORN to before me this
08 Day of December, 2023.

Notary Public

Tyshawn Harrison
Notary Public - State of New York
No. 01HA0005298
Qualified in Erie County
Commission Expires 04/07/2027

Ad Content

Legal Notice # 21827466

NOTICE

The resolution, a summary of which is published herewith, has been adopted on December 5, 2023, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of North Hempstead, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

Ragini Srivastava
Town Clerk

BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED DECEMBER 5, 2023, APPROPRIATING \$59,000,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE PORT WASHINGTON WATER POLLUTION CONTROL DISTRICT, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF \$59,000,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

The object or purpose for which bonds are authorized is various improvements to and upgrades of the District's (i) wastewater treatment plant located at 70 Harbor Road, Port Washington, New York and (ii) collection system, including lining of approximately 8,300 linear feet of sewer mains and upgrades of existing pump stations, including any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing.

The maximum amount of obligations authorized to be issued is \$59,000,000.

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

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

Dated: December 5, 2023
Manhasset, New York

NEWSDAY PROOF

Ad Number: 0021827466

Advertiser: TOWN OF NORTH HEMPSTEAD

Affidavit of Publication

County of Nassau

SS

State of New York,

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

The PORT WASHINGTON NEWS

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

1 weeks, viz:

December 13, 2023

Sworn to me this 13 day of
December-2023

Notary Public

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

LEGAL NOTICE NOTICE

The resolution, a summary of which is published herewith, has been adopted on December 5, 2023, and the validity of the obligations authorized by such resolution may be hereafter contested, only if such obligations were autho-

rized for an object or purpose for which the Town of North Hempstead, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

Ragini Srivastava

Town Clerk
BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED DECEMBER 5, 2023, APPROPRIATING \$59,000,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE PORT WASHINGTON WATER POLLUTION CONTROL DISTRICT, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF \$59,000,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

The object or purpose for which bonds are authorized is various improvements to and upgrades of the District's (i) wastewater treatment plant located at 70 Harbor Road, Port Washington, New York and (ii) collection system, including lining of approximately 8,300 linear feet of sewer mains and upgrades of existing pump stations, including any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing.

The maximum amount of obligations authorized to be issued is \$59,000,000. The period of probable usefulness is forty (40) years. A complete copy of the bond resolution summarized above shall be available for public inspection during normal business hours at the office of the Town Clerk, Town Hall, 220 Plandome Road, Manhasset, New York.
Dated: December 5, 2023
Manhasset, New York
12-13-2023-1T-#243885-PORT

CLERK SRIVASTAVA: Item number 10.

COUNCILWOMAN DALIMONTE: Happy holidays.

CLERK SRIVASTAVA: Thank you. Item number 10. A resolution setting a date for a special meeting of the Town Board of the Town of North Hempstead for January 11th, 2024 at 10:00 a.m.

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

COUNCILWOMAN DALIMONTE: Do we have a card?

SUPERVISOR DESENA: What?

COUNCILWOMAN DALIMONTE: Someone's standing, so I think we have a card.

CLERK SRIVASTAVA: Mr. Peter Gaffney.

MR. GAFFNEY: Pete Gaffney, Westbury/Carle Place School District. Just a question. First of all, having it at 10 a.m., is there going to be any published options beforehand that we were able to comment on this Capital Plan on what you were actually planning on doing or are you just going to end up doing this?

COUNCILWOMAN DALIMONTE: Well, it's a work session.

MR. GAFFNEY: I know it's a work session.

COUNCILWOMAN DALIMONTE: I'm sorry.

MR. GAFFNEY: I understand, I understand that it's a work session, so I can come, and I could just sit, but I'm just saying, is there going to be any actions that are going to be taken? We're going to do this in the roadways in '26 and '27, we're going to do that. Is there any agenda items that you're going to be working on?

SUPERVISOR DESENA: This is the -- the Capital Plan is a guideline of things that we --

MR. GAFFNEY: Correct, I understand that.

SUPERVISOR DESENA: -- want to do in the future. So I mean, I can't tell you that we're going to -- I can't give you a definite answer that we're doing this and that. This is --

MR. GAFFNEY: No, no, I understand, I'm not specific. I'm wanting to see, you know, don't you want input for '27 and '28 from all of your constituents on some of the things that actually need to have improvement?

SUPERVISOR DESENA: You should e-mail us in advance.

MR. GAFFNEY: But that's why I'm asking --

SUPERVISOR DESENA: Oh.

MR. GAFFNEY: -- what actually that you're looking at because there might be -- residents might be interested in that. Do you understand what I'm saying?

COUNCILWOMAN DALIMONTE: I just want to let you know that the Councilmembers were not asked what they want to put in the Capital Plan for this year. I found out the department heads were asked, so then I sent -- I went to my list, and I figured out what I would like to do for

the Capital Plan, a couple of things that I wanted to get done. So --

MR. GAFFNEY: Okay.

COUNCILWOMAN DALIMONTE: -- I sent them. So --

MR. GAFFNEY: I understand that.

COUNCILWOMAN DALIMONTE: -- just so you know, I know, like, the Councilmembers weren't asked, so I don't know if the -- but it's going to be a work session, and then we have to vote on it.

MR. GAFFNEY: Right.

COUNCILWOMAN DALIMONTE: So I think it's important to come to the work session.

MR. GAFFNEY: Yeah.

COUNCILWOMAN DALIMONTE: That's just my opinion.

MR. GAFFNEY: I completely agree, or you know, it'll be televised, also. Thank you.

COUNCILWOMAN DALIMONTE: Right, you can watch it.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 655 - 2023

A RESOLUTION SETTING A DATE FOR A SPECIAL MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD FOR JANUARY 11, 2024 AT 10:00 A.M.

WHEREAS, the Town Board desires to set a Special Meeting of the Town Board (the "Board") to conduct a work session relating to the Town's 2024 Capital Plan, known as the 2024-2028 Multi-Year Capital Plan, and to further consider any other matters that may come before the Board.

NOW, THEREFORE, BE IT

RESOLVED that a Special Meeting of the Town Board shall be held on January 11, 2024 at 10:00 a.m. to conduct a work session relating to the Town's 2024 Capital Plan, known as the 2024-2028 Multi-Year Capital Plan and to further consider any other matters that may come before the Board; and be it further

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

NOTICE OF SPECIAL MEETING

PLEASE TAKE NOTICE that a Special Meeting of the Town Board of the Town of North Hempstead will be held on January 11, 2024 at 10:00 a.m. to conduct a work session relating to the Town's 2024 Capital Plan, known as the 2024-2028 Multi-Year Capital Plan, and to further consider any other matters that may come before the Board.

Dated: Manhasset, New York

December 5, 2023

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

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Town Clerk

CLERK SRIVASTAVA: Item number 11. A resolution setting a date for a public hearing to consider the adoption of a local law amending Chapter 70 of the town code entitled Zoning.

COUNCILWOMAN LURVEY: So this is a set date resolution. It was a local law adopted to help establishments, especially restaurants that were struggling because of COVID-19 by allowing temporary outdoor seating and other temporary outdoor uses. It does expire at the end of this year. There are a handful of restaurants and cafes throughout the town that are making use of this local law. So the proposal is to extend it another year, through December 31st, 2024. I am putting this on the agenda but I am not going to be here next year.

COUNCILWOMAN DALIMONTE: Right, I'll take it in January.

COUNCILWOMAN LURVEY: So, okay, should I extend it to January 9th or is that --

COUNCILWOMAN DALIMONTE: Yes, January 9th.

COUNCILWOMAN LURVEY: Set date for January 9th.

COUNCILWOMAN DALIMONTE: So just so that everyone knows that the restaurants that are mainly using this is in Manhasset, Port Washington, and I believe one or two in Roslyn.

COUNCILMAN ZUCKERMAN: That's true, there are a few. There's a couple.

COUNCILWOMAN DALIMONTE: So there's -- those are the restaurants when we got the list from the Building Department that are using it. So we don't -- we know that, you know, four or five still want to keep that, and you know, those restaurants still want to keep that stuff for the sidewalk. So those are the main --

COUNCILWOMAN LURVEY: Right.

COUNCILWOMAN DALIMONTE: -- mainly the three --

COUNCILWOMAN LURVEY: Right.

COUNCILWOMAN DALIMONTE: -- the three towns that are using it.

COUNCILWOMAN LURVEY: Right, and those restaurants that have made use of it, I think the customers, the clientele and the restaurants --

COUNCILWOMAN DALIMONTE: Really enjoy it.

COUNCILWOMAN LURVEY: -- are, yeah, really enjoy it. So I offer the resolution setting the hearing date for January 9th, 2024.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 656 - 2023

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

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

WHEREAS, this Board wishes to set a date for a public hearing to consider the adoption of a Local Law amending Chapter 70 of the Town Code entitled "Zoning" in order to further assist those establishments affected by the COVID-19 pandemic by extending the timeframe to continue allowing temporary outdoor seating and other temporary outdoor uses through December 31, 2024.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on January 9, 2024, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, for the purpose of considering the adoption of the Local Law amending Chapter 70 of the Town Code entitled "Zoning" in order to further assist those establishments affected by the COVID-19 pandemic by extending the timeframe to continue allowing temporary outdoor seating and other temporary outdoor uses through December 31, 2024; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead, on January 9, 2023, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, to consider the adoption of a Local Law amending Chapter 70 of the Town Code entitled "Zoning" in order to further assist those establishments affected by the COVID-19 pandemic by extending the timeframe to continue allowing temporary outdoor seating and other temporary outdoor uses through December 31, 2024.

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

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

Dated: Manhasset, New York

December 5, 2023

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

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Town Clerk

CLERK SRIVASTAVA: Item number 12. A resolution setting a date for a public hearing to consider the recommendation of the Commissioner of the Department of Building Safety, Inspection and Enforcement to demolish and remove the building located at 380 Northern Boulevard, Great Neck, identified on the Land and Tax Map of the County of Nassau as Section 2, Block 85, Lot 14. We have a few people who here wants to speak on this, and they're sitting here for quite some time. That's the first one. Mr. Steve?

MR. PERLMAN: Good evening, I'm Steve Perlman, 21 Merrivale Road, University Gardens in Great Neck.

COUNCILMAN ADHAMI: Good evening Mr. Perlman, it's good to see you.

MR. PERLMAN: I'd like to thank Councilman Adhami for bringing this matter to the Board's attention. Our community has been suffering with this site at 380 Northern Boulevard, it's now upwards of 18 years that the property has been vacant and in a progressively declining condition, and now it's an utter wreck, and there have been a succession of owners who have represented to us that they wish to develop this site, and our board has worked with them to, you know, to approve architectural plans and supported them in their zoning variance requests and conditional use requests, and this current owner, we've even assisted in making contact with state authorities in pursuing the demolition which they were planning to do, and then backed off for reasons unknown. They've invested million of dollars and now seem to have abandoned the site. It's very strange, we don't understand it, they haven't told us why, they haven't responded to our requests for, you know, for an explanation of what's going on, and they've had more than ample opportunity to, you know, to demolish the property if they wanted to. So I would just like to ask that if this resolution is passed, as I understand is pretty much pro forma at this point, that it be clarified or amended just slightly to place a short, reasonable time limit on the time that's given to them to either, you know, it says either repair or demolish the property. They've had more than enough years --

COUNCILWOMAN DALIMONTE: It's a set date.

MR. PERLMAN: Sorry?

COUNCILMAN ADHAMI: So this evening is not to pass the resolution, we're going to set a date for January 9th.

MR. PERLMAN: Okay. Will the text of the resolution be set somewhere along the way, or in other words, the January 9th will have a resolution?

COUNCILMAN ADHAMI: Yes.

MR. PERLMAN: Somebody's going to put in the words.

COUNCILMAN ADHAMI: Absolutely, you have to.

MR. PERLMAN: And I'm just asking if the Board will consider putting a short time limit on the time that's given to them. We've already waited 18 years, we can hold that a little bit longer, but we don't want it open-ended where that would leave us just where we're already at this point. So we're asking for some kind of reasonable time limit given to the owner.

COUNCILMAN ADHAMI: I will discuss it with the Town Attorney.

MR. PERLMAN: Okay.

COUNCILMAN ADHAMI: We will review the code, and I'm very familiar --

MR. PERLMAN: Yes.

COUNCILMAN ADHAMI: -- with the former Bombay Palace, and it is quite an eyesore and safety hazard, and it's had numerous issues throughout the years.

MR. PERLMAN: Okay, with that said, I thank the Board for their consideration.

SUPERVISOR DESENA: Thank you.

COUNCILMAN ADHAMI: Thank you.

CLERK SRIVASTAVA: Thank you. Mr. Milton Rabinowitz?

MR. RABINOWITZ: Hi, I'm Milton Rabinowitz, I live at 12 Somerset Drive North in Great Neck, I'm probably 200 feet away from that building, and our family's lived there since 1953. First of all, I'd like to thank the Council for your diligence, and I see how late it is and how hard you work. I appreciate Councilman Adhami for bringing this before the honorable Council, and I appreciate you hearing us. I'd just like say that I don't know what the ultimate decision is going to be when it comes up at the next meeting, but I just would like to advise this Council that the building is open, several entrances on the building, one of the doors doesn't even exist anymore, so animals or people are free to walk in and out of the building which is full of clutter, things that can catch on fire which has happened there before. There are numerous vehicles in the parking lot, weeds growing, and the construction fence that protects the property from trespassers is broken in several places, and the curtains that cover that fence to sort of hide the mess are torn and flying in the breeze. So it's -- and the fence that divides the residential property behind it at 24 Somerset Drive North from the actual parking lot of 380 Northern Boulevard is almost nonexistent. The fence is so old and pieces of it are laying in the parking lot. One spot, there's an 8-foot wide gap in the fence where you can just walk into the backyard of the other house. So we'd appreciate it if whatever gets done, if at a very, very minimum, some sort of correction of some of the hazards that are there and some of the visual problems that we have can at least be alleviated in some way as an alternative to, if in case we can't get something more substantial done, that we can at least improve it a little bit.

SUPERVISOR DESENA: Okay.

MR. RABINOWITZ: I appreciate it.

SUPERVISOR DESENA: Thank you.

MR. RABINOWITZ: Thank you so much for hearing me.

COUNCILMAN WALSH: Thank you for staying until 5 minutes to 11 to make those comments.

CLERK SRIVASTAVA: Thank you.

COUNCILMAN WALSH: Thank you.

COUNCILMAN ADHAMI: Madam Clerk, are there any more cards?

CLERK SRIVASTAVA: No, we're done with our cards on this Item.

COUNCILMAN ADHAMI: All right, I move to set a tentative hearing date of January 9th, 2024.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: This will be a great move to clear up that area. Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 657 - 2023

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE RECOMMENDATION OF THE COMMISSIONER OF THE DEPARTMENT OF BUILDING SAFETY, INSPECTION AND ENFORCEMENT TO DEMOLISH AND REMOVE THE BUILDING LOCATED AT 380 NORTHERN BOULEVARD, GREAT NECK, IDENTIFIED ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU AS SECTION 2, BLOCK 85, LOT 14.

WHEREAS, the Commissioner of the Department of Building Safety, Inspection and Enforcement (the "Building Commissioner") has deemed the building located at 380 Northern Boulevard, Great Neck, New York, identified in the Land and Tax Map of the County of Nassau as Section 2, Block 85, Lot 14 (the "Premises") to be an "Unsafe Building" pursuant to Town Code Chapter 2A; and

WHEREAS, the Building Commissioner has recommended to this Board that action be taken pursuant to Town Code Chapter 2A to direct the owner of record of the Premises to repair or demolish and remove the "Unsafe Building", and upon the owner of record's failure to comply with such order, to authorize the Town or its agent to demolish the building located at the Premises; and

WHEREAS, this Board wishes to set a date for a public hearing to consider the adoption of a resolution directing the owner of record to repair or demolish and remove the "Unsafe Building" located at the Premises, and in the event the owner of record fails to do so, authorizing the Town or its agent to demolish and remove the building.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 9th day of January, 2024, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, for the purpose of considering the adoption of a resolution directing the owner of record to repair or demolish and remove the "Unsafe Building" located at the Premises, and in the event the owner of record fails to comply with such order, authorizing the Town or its agent to demolish and remove the building; and be it further

RESOLVED that the Town Clerk be and hereby is authorized and directed to publish a notice of the public 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 at Town Hall, 220 Plandome Road, Manhasset, New York, on the 9th day of January, 2024, at 7:00 P.M., to consider the adoption of a

resolution pursuant to Town Code Chapter 2A directing the owner of record of the premises located at 380 Northern Boulevard, Great Neck, New York, identified in the Land and Tax Map of the County of Nassau as Section 2, Block 85, Lot 14 (the "Premises") to repair or demolish and remove the building at the premises, which the Building Department has deemed to be "Unsafe Building", and in the event the owner of record fails to comply with such order, authorizing the Town or its agent to demolish and remove the building.

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

Dated: Manhasset, New York

December 5, 2023

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

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Town Clerk Planning Building

CLERK SRIVASTAVA: Item number 13. A resolution setting a date for a public hearing to consider the adoption of an ordinance affecting Primrose Drive in New Hyde Park, New York.

COUNCILMAN ADHAMI: Madam Clerk, are there any cards on this Item?

CLERK SRIVASTAVA: Not on this Item.

COUNCILMAN ADHAMI: Okay. I move to set a tentative hearing date of January 9th, 2024.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 658 - 2023

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING PRIMROSE DRIVE IN NEW HYDE PARK, NEW YORK.

WHEREAS, a recommendation has been made for the adoption of an ordinance affecting Primrose Drive, New Hyde Park, New York

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by the Town Board of the Town of North Hempstead on the 9th day of January, 2024, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

PROPOSAL:

ADOPT:

1. PRIMROSE DRIVE – MAPLELEAF LANE – FULL STOP

All Traffic westbound on Primrose Drive shall come to a Full Stop at its intersection with Mapleleaf Lane.

2. PRIMROSE DRIVE – MANOR COURT – FULL STOP

All Traffic eastbound on Primrose Drive shall come to a Full Stop at its intersection with Manor Court.

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

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

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Public Safety Comptroller Traffic Safety

CLERK SRIVASTAVA: Item number 14. A resolution authorizing the Town Board to accept gifts to the town pursuant to town law Section 64.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 659 -2023

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

WHEREAS, Story Hour Workshop has generously offered, as a gift, 45 reading books for the "Yes We Can" Community Center after school program; and

WHEREAS, Island Harvest, Junior League of Long Island, Meadow Carting, Westbury Paper Stock, County Ready Mix and Green Acres Mall have partnered together to generously offer, as a gift, turkeys for the Thanksgiving Turkey Giveaway at the "Yes We Can" Community Center; and

WHEREAS, Print Station of New York LTD has generously offered, as a gift, one hundred twenty (120) T-shirts with a value of \$7.00 per shirt, for volunteers at the Town's 2023 Spooky Walk held at Clark Botanic Gardens; 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

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Parks and Recreation

CLERK SRIVASTAVA: Item number 15. A resolution authorizing the preparation and submission of an expression of interest to the Long Island Sound Resilience Planning Support Program and the taking of related action.

COUNCILWOMAN DALIMONTE: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: This is part of the Climate Smart Community; right?

COUNCILWOMAN DALIMONTE: Yeah.

COUNCILWOMAN LURVEY: Another fantastic grant opportunity. I vote aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: I thank Megan from the the Planning Department. This is a grant not matching \$200,000 for the Climate Smart Communities, and I vote aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 660 - 2023

A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF AN EXPRESSION OF INTEREST TO THE LONG ISLAND SOUND RESILIENCE PLANNING SUPPORT PROGRAM AND THE TAKING OF RELATED ACTION.

WHEREAS, the Town Board (the "Board") of the Town of North Hempstead (the "Town") desires to undertake programs which aim to adapt to climate change and build resilience in our communities (the "Project"); and

WHEREAS, the Long Island Sound Study, through the Long Island Sound Resilience Planning Support Program, has acquired funding from the United States Environmental Protection Agency to assist municipalities with the development of sustainability and resilience focused project that will impact communities within the Long Island Sound coastal boundary; and

WHEREAS, the Department of Planning and Environmental Protection has recommended that the Town submit an expression of interest to the Long Island Sound Resilience Planning Support Program to undertake the Project (the "Expression of Interest"); and

WHEREAS, the Project has an estimated cost in the amount of Two Hundred Thousand and 00/100 Dollars (\$200,000.00) with no required local match; and

WHEREAS, the Board wishes to authorize the preparation and submission of the Expression of Interest.

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby authorizes the preparation and submission of the Expression of Interest; and be it further

RESOLVED that the Board hereby authorizes the Supervisor and/or her designee to execute any and all contracts, project agreements and other instruments or documents required in connection with the awarding of the Expression of Interest ("Contract Documents"), file the Contract Documents in the Office of the Town Clerk, submit Project documentation, and take such other action as may be reasonably required to undertake and complete the Project; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Contract Documents in connection with the Project and the Expression of Interest.

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

CLERK SRIVASTAVA: Item number 16. A resolution authorizing the award of a bid for concrete, fine sand and masonry.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 661 -2023

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR CONCRETE, FINE SAND AND MASONRY (TNH012-2023).

WHEREAS, the Division of Purchasing (the "Division") has solicited bids for concrete, fine sand and masonry; and

WHEREAS, bids were received as forth in Exhibit A attached hereto (the "Bids"); and

WHEREAS, following a review of the Bids, it has been recommended that awards be made as set forth in Exhibit B attached hereto (the "Awards"); and

WHEREAS, this Board wishes to authorize the Awards.

NOW, THEREFORE, BE IT

RESOLVED that the Awards as recommended are hereby authorized; and be it further

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute, on behalf of the Town, any purchase agreements and related documents, a copy of which shall be on file in the Division of Purchasing, and to take such other related action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

December 5, 2023

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

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

Nays: None.

cc: Town Attorney Comptroller Purchasing

	TNH012-2023-Concrete, Fine Sand & Masonry					B and B Maintenance Services 25 Grucci Lane Brookhaven, NY 11719 631-803-2227 Bobby@bbmaintenance.com Robert Waldhaf Jr.	D and A Sand and Gravel Inc 335 Sagamore Ave Mineola, NY 11501 516-746-4341 EP22@aol.com Jonathan Brenza Emilio Persico	Phoenix Building Products Inc. 321 Denton Ave New Hyde Park, NY 11040 516-746-4341 jonathanb@stxstones.com Jonathan Brenza
26	WIRE MESH SHEETS, #6686 LIFT	5' X 10' 50 PIECES	EACH PER 50	NB NB	NB NB	\$ \$	\$ \$	20.25 19.29
27	FIBERMESH	1LB	PER LB	NB	NB	\$	\$	13.95
28	CRUSHED BLUE STONE. Must be clean with no foreign materials such as trash, wood, construction debris, steel, etc.							
a.	SCREENED SIZE 1/4" - DELIVERED	YARD	PER YARD	\$	40.00	\$	85.00	\$ 94.99
b.	SCREENED SIZE 3/8" - DELIVERED	YARD	PER YARD	\$	45.00	\$	85.00	\$ 94.99
c.	SCREENED SIZE 1/2" - DELIVERED	YARD	PER YARD	\$	45.00	\$	85.00	\$ 94.99
d.	SCREENED SIZE 5/8" - DELIVERED	YARD	PER YARD	\$	45.00	\$	85.00	\$ 79.99
e.	SCREENED SIZE 1/4" - PICK UP	YARD	PER YARD	\$	45.00	\$	75.00	\$ 94.99
f.	SCREENED SIZE 3/8" - PICK UP	YARD	PER YARD	\$	45.00	\$	75.00	\$ 94.99
g.	SCREENED SIZE 1/2" - PICK UP	YARD	PER YARD	\$	45.00	\$	75.00	\$ 94.99
h.	SCREENED SIZE 5/8" - PICK UP	YARD	PER YARD	\$	45.00	\$	75.00	\$ 79.99
29	PEA GRAVEL ROUND WASHED -							
a.	SCREENED SIZE 3/8" - DELIVERED	YARD	PER YARD	\$	79.00	\$	85.00	\$ 89.99
b.	SCREENED SIZE 3/4" - DELIVERED	YARD	PER YARD	\$	79.00	\$	85.00	NB
c.	SCREENED SIZE 3/8" - PICK UP	YARD	PER YARD	\$	65.00	\$	75.00	\$ 89.99
d.	SCREENED SIZE 3/4" - PICK UP	YARD	PER YARD	\$	65.00	\$	75.00	NB
30	PAVERS - CAMBRIDGE with ARMORTEK or EQUIVALENT ** Identify Brand and Model if not Cambridge							
a.	6" x 9"	SQUARE FOOT	PER SQUARE FOOT	NB	NB	\$	NB	NICOLOCK STD COLORS ONLY
b.	4" x 8"	SQUARE FOOT	PER SQUARE FOOT	NB	NB	\$	NB	\$ 4.25
c.	6" x 6"	SQUARE FOOT	PER SQUARE FOOT	NB	NB	\$	NB	\$ 4.25
d.	8" x 8"	SQUARE FOOT	PER SQUARE FOOT	NB	NB	\$	NB	\$ 4.50
e.	12" x 12"	SQUARE FOOT	PER SQUARE FOOT	NB	NB	\$	NB	\$ 4.99
31	PAVING AND RETAINING WALL SUPPLIES -							
a.	NICOLOCK, DELIVERED	COMPLETE CATALOGUE	PERCENT OFF LIST PRICE	NB	NB		NB	10%
b.	NICOLOCK, PICK UP	COMPLETE CATALOGUE	PERCENT OFF LIST PRICE	NB	NB		NB	10%
c.	CAMBRIDGE, DELIVERED	COMPLETE CATALOGUE	PERCENT ABOVE COST	NB	NB		NB	30%
d.	CAMBRIDGE, PICK UP	COMPLETE CATALOGUE	PERCENT ABOVE COST	NB	NB		NB	30%
	*MUST SUPPLY CATALOG for NICOLOCK AND COST BOOK for CAMBRIDGE							
32	LEDGE STONE CIRCULAR KIT - CAMBRIDGE with ARMOR TEK or EQUIVALENT	KIT	EACH	NB	NB	\$	NB	489.99
33	WALL STONE - CAMBRIDGE with ARMOR TEK or EQUIVALENT							
a.	OLD ENGLISH	LINEAR FOOT	PER LINEAR FOOT	NB	NB		NB	\$15.89 PER SQ FT
b.	VYKING	LINEAR FOOT	PER LINEAR FOOT	NB	NB		NB	\$9.25PER SQ FT
c.	PYZIQUE	LINEAR FOOT	PER LINEAR FOOT	NB	NB		NB	\$15.29PER SQ FT
d.	MAYTRX	LINEAR FOOT	PER LINEAR FOOT	NB	NB		NB	\$15.05PER SQ FT

TNH012-2023-Concrete, Fine Sand & Masonry					B and B Maintenance Services	D and A Sand and Gravel Inc	Phoenix Building Products Inc.
					25 Grucel Lane	335 Sagamore Ave	321 Denton Ave
					Brookhaven, NY 11719	Mineola, NY 11501	New Hyde Park, NY 11040
					631-803-2227	516-746-9444	516-746-4341
					Bobby@bbmaintenance.com	EP22@aol.com	jonathanb@stixstones.com
					Robert Waldhaf Jr.	Emilio Persico	Jonathan Brienza
d.	8" RESIDENTIAL DOWNSPOUT ADAPTOR				NB	NB	NB
e.	8" COUPLING				NB	NB	NB
f.	8" TEE				NB	NB	NB
g.	8" WYE				NB	NB	NB
51	ASSORTED ELBOWS & CONNECTORS WHITE 10"						
a.	10' 90 DEGREE ELBOW				NB	NB	NB
b.	10' 45 DEGREE ELBOW				NB	NB	NB
c.	10' COMMERCIAL DOWNSPOUT ADAPTOR				NB	NB	NB
d.	10' RESIDENTIAL DOWNSPOUT ADAPTOR				NB	NB	NB
e.	10' COUPLING				NB	NB	NB
f.	10' TEE				NB	NB	NB
g.	10' WYE				NB	NB	NB
52	ASSORTED ELBOWS & CONNECTORS GREEN 10"						
a.	10' 90 DEGREE ELBOW				NB	NB	NB
b.	10' 45 DEGREE ELBOW				NB	NB	NB
c.	10' COMMERCIAL DOWNSPOUT ADAPTOR				NB	NB	NB
d.	10' RESIDENTIAL DOWNSPOUT ADAPTOR				NB	NB	NB
e.	10' COUPLING				NB	NB	NB
f.	10' TEE				NB	NB	NB
g.	10' WYE				NB	NB	NB
53	ASSORTED ELBOWS & CONNECTORS WHITE 12"						
a.	12' 90 DEGREE ELBOW				NB	NB	NB
b.	12' 45 DEGREE ELBOW				NB	NB	NB
c.	12' COMMERCIAL DOWNSPOUT ADAPTOR				NB	NB	NB
d.	12' RESIDENTIAL DOWNSPOUT ADAPTOR				NB	NB	NB
e.	12' COUPLING				NB	NB	NB
f.	12' TEE				NB	NB	NB
g.	12' WYE				NB	NB	NB
54	ASSORTED ELBOWS & CONNECTORS GREEN 12"						
a.	12' 90 DEGREE ELBOW				NB	NB	NB
b.	12' 45 DEGREE ELBOW				NB	NB	NB
c.	12' COMMERCIAL DOWNSPOUT ADAPTOR				NB	NB	NB
d.	12' RESIDENTIAL DOWNSPOUT ADAPTOR				NB	NB	NB
e.	12' COUPLING				NB	NB	NB
f.	12' TEE				NB	NB	NB
g.	12' WYE				NB	NB	NB
55	RCA - RECYCLED CONCRETE AGGREGATE	YARD	PER YARD	\$	\$11.50	\$	22.00 \$
56	BLUE STONE DUST	YARD	PER YARD	\$	NB	\$	75.00 \$
							24.50
							79.99

	TN#012-2023-Concrete, Fine Sand & Masonry			B and B Maintenance Services 25 Gucci Lane Brookhaven, NY 11719 631-803-2227 Bobby@bbmaintenance.com Robert Waidhaf Jr.	D and A Sand and Gravel Inc 335 Sagamore Ave Mineola, NY 11501 516-248-9444 EP22@aol.com Emilio Persico	Phoenix Building Products Inc. 321 Denton Ave New Hyde Park, NY 11040 516-746-4341 jonthanhstixstones.com Jonathan Brienza
					* Items 17a, 17b awarded -only vendor DOT approved	

TNH012-2023-Concrete, Fine Sand & Masonry	
Winning Vendor	Items Won
Phoenix Building Products Inc.	1-4, 5 a,b, 15, 16 a,b,c,
321 Denton Ave	18-27
New Hyde Park, NY 11040	30-35 a,b,c
516-746-4341	37-41 a,b
jonathanb@stixnstones.com	43, 45 a-g,47 a,b, e-g, 57, 58,59a,60 a,b
Jonathan Brienza	61, 62, 63a,64 a-d, 65 a-c,66 a,b, 67
	68a-d, 69 a-b, 70-74, 76 a, b, 77a,b, 78-87
D and A Sand and Gravel Inc	6 -14 A ,B
335 Sagamore Ave	17 A, B
Mineola, NY 11501	56
516-248-9444	
EP22@aol.com	
Emilio Persico	
B and B Maintenance Services	28 A-H
25 Grucci Lane	29 A-D
Brookhaven,NY 11719	55
631-803-2227	
Bobby@bbmaintenanceservices.com	
Robert Waldhaf Jr.	

CLERK SRIVASTAVA: Item number 17. A resolution authorizing the award of a bid for boiler maintenance and repair.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 662 - 2023

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR BOILER MAINTENANCE AND REPAIR (TNH245-2023).

WHEREAS, the Division of Purchasing (the "Division") has solicited bids for boiler maintenance and repair services; and

WHEREAS, bids were received as forth in Exhibit A attached hereto (the "Bids"); and

WHEREAS, following a review of the Bids, it has been recommended that an award be made as set forth in Exhibit B attached hereto (the "Award"); and

WHEREAS, this Board wishes to authorize the Award.

NOW, THEREFORE, BE IT

RESOLVED that the Award as recommended is hereby authorized; and be it further

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute, on behalf of the Town, any purchase agreements and related documents, a copy of which shall be on file in the Division of Purchasing, and to take such other related action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

December 5, 2023

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

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

Nays: None.

cc: Town Attorney Comptroller Purchasing

	TNH245-2023-Boiler Maintenance, Servicing and Replacement				Maccarone Plumbing Inc.		Energy Mechanical Inc.
					10 Sea Cliff Ave		77 Brightside Ave
					Glen Cove, NY 11542		Central Islip, NY 11722
					516-671-3232		71-866-8544
					johnm@maccaroneplumbing.com		service@energymechanicalny.com
					John Maccarone		Mike Raguseo
No.	DESCRIPTION	UNIT	ESTIMATED NUMBER PER YEAR*	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	STEAMFITTER	HOURLY	100	\$ 222.00	\$ 22,200.00	\$ 105.00	\$ 10,500.00
2	SHEETMETAL WORKER	HOURLY	25	\$ 191.00	\$ 4,775.00	\$ 110.00	\$ 2,750.00
3	ELECTRICIAN**	HOURLY	20	\$ 145.00	\$ 2,900.00	\$ 80.00	\$ 1,600.00
4	PLUMBER**	HOURLY	20	\$ 145.00	\$ 2,900.00	\$ 68.00	\$ 1,360.00
5	FLAT FEE FOR PROJECT ESTIMATE (if applicable)^	EACH	20	\$ -	\$ -	\$ 25.00	\$ 500.00
6	PARTS****	EACH		15% above Certified cost		15% above Certified cost	
7	BOILERS AND EQUIPMENT***	EACH		15 % above Certified cost		15 % above Certified cost	
8	SUBCONTRACTOR**	EACH		10% above certified invoice		10% above certified invoice	
	TOTAL			\$ 32,775.00	\$ 32,775.00	\$	\$ 16,710.00

TNH245-2023-Boiler Maintenance, Servicing and Replacement	
Winning Vendor	Items Won
Energy Mechanical Inc.	
77 Brightside Ave	
Central Islip, NY 11722	All items
71-866-8544	
service@energymechanicalny.com	
Mike Raguseo	

CLERK SRIVASTAVA: Item number 18. A resolution authorizing the execution of an agreement with Zoda, LLC, d/b/a Mad Science of Long Island for Saturday and after-school programs at Michael J. Tully Park, New Hyde Park.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 663 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ZODA LLC D/B/A/ MAD SCIENCE OF LONG ISLAND FOR SATURDAY AND AFTER SCHOOL PROGRAMS AT MICHAEL J. TULLY PARK, NEW HYDE PARK.

WHEREAS, the Town has previously contracted with Zoda LLC d/b/a Mad Science of Long Island, 75 Howe Street, Woodmere, New York 11598 (the "Contractor") for science programs at various Town facilities; and

WHEREAS, the Commissioner of the Department of Parks and Recreation has recommended that the Town enter into an agreement with the Contractor for a term commencing on January 1, 2024 and terminating on December 31, 2024 to provide six (6) week session Saturday and after school programs at Michael J. Tully Park, in consideration of payment to the Town of ten percent (10%) of the gross revenue generated by the Contractor from participants in the programs (the "Agreement"); and

WHEREAS, the Town Board deems it to be in the best interests of the residents of the Town to enter into the Agreement as described above.

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute the Agreement on behalf of the Town, as more particularly set forth in a copy of the agreement which will be on file in the Office of the Town Clerk, and to take such other related action as may be necessary to effectuate the foregoing resolution; and be it further

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

Dated: Manhasset, New York

December 5, 2023

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

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

Nays: None.

cc: Town Attorney Comptroller Parks and Recreation

CLERK SRIVASTAVA: Item number 19. A resolution authorizing the execution of an agreement with the Town of Oyster Bay for summer youth employment worksite at Yes We Can Community Center, Martin Bunky Reid and Whitney Pond Park.

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

MR. GAFFNEY: Pete Gaffney, Westbury/Carle Place School District. Do we have a problem getting youth employment at Yes We Can Center or Bunky Reid or Whitney Park? Question number one. Question number two is, does Oyster Bay reciprocate to our youth? Are they able to go over there and work?

SUPERVISOR DESENA: This is a grant program that we are joining --

MR. GAFFNEY: Not understanding. That's not what it's saying to me. It's saying that it's a summer youth employment workshop. In other words, they would work there. I'm just going by what I read.

COUNCILMAN TROIANO: I'm not sure I understand your question.

MR. GAFFNEY: Yeah, okay, well, to me this sounds like this is like entering into an agreement with Oyster Bay for youth employment during the summer at Yes We Can Center and Bunky Reid and also Whitney Pond Park.

COUNCILMAN TROIANO: Right.

MR. GAFFNEY: Possibility that it would be youth employment.

COUNCILMAN TROIANO: Right.

MR. GAFFNEY: Okay, if that's it. So that means Oyster Bay can send their youth over to here.

COUNCILMAN TROIANO: So this is --

MR. GAFFNEY: All I'm just trying to find that out reciprocate --

COUNCILMAN TROIANO: Right.

MR. GAFFNEY: -- and then does Oyster Bay reciprocate.

COUNCILMAN TROIANO: So this is listed as the Town of Oyster Bay, but they really just administer it.

MR. GAFFNEY: Okay.

COUNCILMAN TROIANO: So --

MR. GAFFNEY: Thanks, that's all. Now we understand.

COUNCILMAN TROIANO: I was going to tell you that all the towns in the county contribute to it but Oyster Bay administers it.

MR. GAFFNEY: Okay, that's fine. Thanks.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 664 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE TOWN OF OYSTER BAY FOR SUMMER YOUTH EMPLOYMENT WORKSITE AT "YES WE CAN" COMMUNITY CENTER, MARTIN BUNKY REID AND WHITNEY POND PARK.

WHEREAS, the Town of North Hempstead (the "Town") is a member of the Workforce Partnership with the Town of Oyster Bay ("Oyster Bay") and the City of Glen Cove and wishes to participate in the Summer Youth Employment and Training Program (the "Program") which provides eligible young adults the opportunity to be employed and paid through funding received by Nassau County; and

WHEREAS, the Town has agreed to allow the "Yes We Can" Community Center, Martin "Bunky" Reid Park and Whitney Pond Park to be locations in which individuals of the Program can be placed as volunteers to the Town; and

WHEREAS, this Board wishes to authorize the execution of an agreement with Oyster Bay for participation in the Program for a term commencing on January 1, 2024 and terminating on December 31, 2026.

NOW, THEREFORE, BE IT

RESOLVED that the Town hereby authorizes an agreement with Oyster Bay for participation in the Program at the "Yes We Can" Community Center, Martin "Bunky" Reid Park and Whitney Pond Park; and be it further

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

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the agreement and any related documents, and to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Parks & Rec.

CLERK SRIVASTAVA: Item number 20. A resolution ratifying and authorizing the execution of an agreement with Maccarone Plumbing for emergency repairs at Michael J. Tully Park, New Hyde Park.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 665 - 2023

A RESOLUTION RATIFYING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MACCARONE PLUMBING FOR EMERGENCY REPAIRS AT MICHAEL J. TULLY PARK, NEW HYDE PARK.

WHEREAS, the Town of North Hempstead Department of Parks and Recreation (the "Department") required emergency plumbing work at Michael J. Tully Park, New Hyde Park (the "Services"); and

WHEREAS, the Department retained Maccarone Plumbing, 10 Sea Cliff Avenue, Glen Cove, New York 11542 (the "Contractor") to provide the Services; and

WHEREAS, it has been recommended that the Town Board (the "Board") ratify the Department's actions in retaining the Contractor to provide the Services and to further authorize the Town to enter into an agreement with the Contractor for the provision of the Services for an amount not to exceed Four Thousand Five Hundred Two and 44/100 Dollars \$4,502.44 (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Agreement is hereby authorized, which Agreement which shall be on file in the Office of the Town Clerk; 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, 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

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Parks & Rec

CLERK SRIVASTAVA: Item number 21. A resolution authorizing the execution of an agreement with PKF O'Connor Davis for annual audit services for the town.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 666 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PKF O'CONNOR DAVIS FOR ANNUAL AUDIT SERVICES FOR THE TOWN (TNH150-2023).

WHEREAS, the Town of North Hempstead (the Town") requires annual auditing services; and

WHEREAS, the Division of Purchasing has issued a Request for Proposals (the "RFP") for the Services, in accordance with the Town's Procurement Policy; and

WHEREAS, after reviewing and scoring the proposals submitted in response to the RFP, a Town review committee has recommended that the Town enter into a professional services agreement with PKF O'Connor Davis, 500 Mamaroneck Avenue, Harrison, New York 10528 (the "Consultant"), to provide the services for three (3) years beginning with fiscal year ending December 31, 2023 through fiscal year ending December 31, 2025, with two (2) one (1) year renewals at the sole discretion of the Town, in consideration of the rates and fees stated in the Consultant's response to the RFP (the "Agreement"); and

WHEREAS, this Board wishes to authorize the Agreement.

NOW, THEREFORE, BE IT

RESOLVED that the Agreement 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 a duly executed Agreement and certified claims therefor.

Dated: Manhasset, New York

December 5, 2023

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

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

Nays: None.

cc: Town Attorney Comptroller Purchasing

CLERK SRIVASTAVA: Item number 22. A resolution authorizing the execution of an agreement with the Great Neck Social Center for the lease of space for a Project Independence office.

COUNCILWOMAN LURVEY: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 667 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE GREAT NECK SOCIAL CENTER FOR THE LEASE OF SPACE FOR A PROJECT INDEPENDENCE OFFICE.

WHEREAS, the Town of North Hempstead's (the "Town") Department of Services for the Aging ("DOSA") requires the use of a space in connection with its Project Independence program for the Great Neck region; and

WHEREAS, the Commissioner of DOSA has recommended that the Town enter into a sub-lease agreement (the "Sub-Lease Agreement") with the Great Neck Social Center, Inc., formerly known as the Great Neck Senior Center, (the "Sub-Landlord") for use of a space in its facility located at 80 Grace Avenue, Great Neck, New York 11021 commencing January 1, 2024 and terminating December 31, 2024 in consideration of rental payments in the amount of Two Thousand One Hundred Seventy-One and 86/100 Dollars (\$2,171.86) per month for a total amount not to exceed Twenty-Six Thousand Sixty-Two and 31/100 Dollars (\$26,062.31); and

WHEREAS, the Sub-Lease Agreement is effectively a one (1) year renewal, on the same terms and conditions (excluding the rental payment amount), of a sub-lease agreement for the same premises between the Town and the Sub-Landlord effective for calendar years 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022 and 2023; and

WHEREAS, the Town Board finds it in the best interests of the Town to authorize the execution of the Sub-Lease Agreement.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board determines that the Proposed Action is a Type II action under Section 617.5(c)(26) of the implementing regulations for the State Environmental Quality Review Act and that no further environmental review is necessary; and be it further

RESOLVED that the Supervisor or her designee be and hereby is authorized and directed to execute the Sub-Lease Agreement on behalf of the Town, as more specifically set forth in documents 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 supervise the execution of the Sub-Lease Agreement, and to take any and all other action reasonably necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller DOSA

CLERK SRIVASTAVA: Item number 23. A resolution authorizing the execution of an agreement with North Shore Child and Family Guidance Center for grandparenting respite services in connection with Project Independence.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 668 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH NORTH SHORE CHILD AND FAMILY GUIDANCE CENTER FOR GRANDPARENTING RESPITE SERVICES IN CONNECTION WITH PROJECT INDEPENDENCE.

WHEREAS, the Town's Department of Services for the Aging ("DOSA") requires an organization to provide support and non-medical respite services to seniors aged 60 and older, who have responsibility for the care of their grandchildren, participating in the Project Independence program (the "Services"); and

WHEREAS, the Commissioner of DOSA has recommended that this Board authorize the execution of an agreement with North Shore Child and Family Guidance Center, 480 Old Westbury Road, Roslyn Heights, New York to provide the Services in consideration of an amount not to exceed Nineteen Thousand Five Hundred and 00/100 Dollars (\$19,500.00), payable at the rate of Fifty-Three and 00/100 Dollars (\$53.00) per hour, for a term beginning January 1, 2024 and ending on December 31, 2024 (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

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

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller DOSA

CLERK SRIVASTAVA: Item number 24. A resolution authorizing the execution of an agreement with the Rehabilitation Institute for minor home repair services in connection with Project Independence.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 669 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE REHABILITATION INSTITUTE FOR MINOR HOME REPAIR SERVICES IN CONNECTION WITH PROJECT INDEPENDENCE.

WHEREAS, the Town's Department of Services for the Aging ("DOSA") desires to contract with organizations to make repairs and accessibility improvements to homes as well as provide assistance with minor household repairs and accessibility repairs for seniors aged 60 and older participating in the Project Independence program (the "Services"); and

WHEREAS, the Commissioner of DOSA has recommended that this Board execute an agreement for the Services with The Rehabilitation Institute, 123 Frost Street, Suite B, Westbury, New York 11590 in consideration of an amount not to exceed Fifteen Thousand and 00/100 Dollars (\$15,000.00) payable at the rate of Twenty and 00/100 Dollars (\$20.00) an hour, for a term beginning January 1, 2024 and terminating December 31, 2024 (the "Agreement"); and

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

NOW, THEREFORE, BE IT

RESOLVED that the Agreement is hereby authorized, which Agreement shall be on file in the Office of the Town Clerk; and be it further

RESOLVED that the Supervisor or her designee be and hereby is authorized to execute the Agreement on behalf of the Town, 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

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller DOSA

CLERK SRIVASTAVA: Item number 25. A resolution authorizing the execution of an agreement with Rebuilding Together Long Island in connection with Project Independence.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: I just want to take the time to pause a second and appreciate that the last three resolutions are for wonderful services that Project Independence provides including, you know, non-medical grandparenting respite service for seniors, home repair services for seniors, and it's just -- what the town does for seniors is great, and I'm proud to be a part of the Board to authorize these kinds of things. I vote aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 670 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH REBUILDING TOGETHER LONG ISLAND IN CONNECTION WITH PROJECT INDEPENDENCE.

WHEREAS, the Town of North Hempstead's (the "Town") Department of Services for the Aging ("DOSA") desires to contract with an organization to make repairs and accessibility improvements to homes as well as provide assistance with minor household repairs and accessibility repairs for seniors aged 60 and older participating in the Project Independence program (the "Services"); and

WHEREAS, the Commissioner of DOSA has recommended that this Board execute an agreement for the Services with Rebuilding Together Long Island, Inc., 208 Route 109, Farmingdale, NY 11735 in consideration of an amount not to exceed Nineteen Thousand Five Hundred and 00/100 Dollars (\$19,500.00) for a term beginning January 1, 2024 and terminating December 31, 2024, payable based on the actual cost of materials plus an administrative fee of Three Hundred and 00/100 Dollars (\$300.00) for home repairs that do not involve the installation of a ramp and One Thousand and 00/100 Dollars (\$1,000.00) for home repairs involving the installation of a ramp (the "Agreement"); and

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

NOW, THEREFORE, BE IT

RESOLVED that the Agreement be and hereby is authorized, which Agreement shall be on file in the Office of the Town Clerk; 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, 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

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller DOSA

CLERK SRIVASTAVA: Item number 26. A resolution authorizing the execution of an agreement with the Port Washington Senior Citizens, Inc., for staff funding.

COUNCILWOMAN DALIMONTE: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilman Adhami? Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 671 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE PORT WASHINGTON SENIOR CITIZENS, INC. FOR STAFF FUNDING.

WHEREAS, the Town of North Hempstead (the "Town") desires to provide recreational, nutritional, transportation, and supportive services for people 60 years of age and older pursuant to General Municipal Law §95-a; and

WHEREAS, the Port Washington Senior Citizens, Inc. (the "Contractor"), a non-profit corporation within the Town, has entered into an agreement to provide the services for calendar year 2023 and anticipates entering into a similar agreement for calendar year 2024; and

WHEREAS, the Town has previously provided a director for the Port Washington Adult Activities Center (the "Center"), a Town-owned facility, at which the Contractor holds its programs; and

WHEREAS, following the departure of the Town's executive director the Contractor agreed to hire a new Center director to work with the Contractor in performing services for the Town's senior population and the Town entered into an agreement with the Contractor to contribute funding for the employment of a Center director which Agreement, as amended, expires on December 31, 2023; and

WHEREAS, the Commissioner of the Department of Services for the Aging (the "Commissioner") has recommended that the Town enter into an agreement with the Port Washington Senior Citizens, Inc. to continue to contribute funding for the Center director for calendar year 2024 in the amount of Sixty Thousand and 00/100 Dollars (\$60,000.00), payable at the rate of Five Thousand and 00/100 Dollars (\$5,000.00) per month (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

CLERK SRIVASTAVA: Item number 27. A resolution authorizing the execution of an agreement with Education and Assistance Corporation, Inc., for respite care in connection with Project Independence.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 672 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH EDUCATION AND ASSISTANCE CORPORATION, INC. (EAC) FOR RESPITE CARE IN CONNECTION WITH PROJECT INDEPENDENCE.

WHEREAS, the Town of North Hempstead's ("Town") Department of Services for the Aging ("DOSA") requires trained volunteer companions to offer non-medical support and friendship to seniors aged 60 and older participating in the Town's Project Independence program (the "Services"); and

WHEREAS, the Commissioner of DOSA (the "Commissioner") has recommended that this Board execute an agreement with Education and Assistance Corporation, Inc. ("EAC") with offices located at 50 Clinton Street, Hempstead, New York 11550 to provide the Services for a term beginning January 1, 2024 and terminating December 31, 2024 (the "Agreement") for an amount not to exceed Fourteen Thousand Five Hundred and 00/100 Dollars (\$14,500.00), payable at the rate of Fifteen Dollars (\$15.00) an hour plus a fifteen percent (15%) administrative fee; and

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

NOW, THEREFORE, BE IT

RESOLVED that the Agreement be and hereby is authorized, which Agreement shall be on file in the Office of the Town Clerk; and be it further

RESOLVED that the Supervisor or her designee be and hereby is authorized to execute the Agreement on behalf of the Town, 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

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller DOSA

CLERK SRIVASTAVA: Item number 28. A resolution authorizing the execution of an agreement with the Chabad of Manhasset for a Chanukah Festival at Town Hall and Mary Jane Davies Park.

COUNCILWOMAN LURVEY: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 673 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE CHABAD OF MANHASSET FOR A CHANUKAH FESTIVAL AT TOWN HALL AND MARY JANE DAVIES PARK.

WHEREAS, the Chabad of Manhasset, 80 Shore Road, Port Washington, New York 11050 (the "Chabad") graciously provides the Town with a menorah that is placed in front of Town Hall and lit each night of Chanukah; and

WHEREAS, the Chabad (the "Licensee") has requested a license for the lighting of an additional menorah with torches at Mary Jane Davies Green on December 10, 2023 accompanied by a dance performance (the "Use"); and

WHEREAS the Commissioner of the Town Department of Community Services has recommended granting the License; and

WHEREAS, the Board wishes to grant the License and to authorize the Town to execute an agreement with the Licensee for the License (the "Agreement").

NOW, THEREFORE, BE IT

RESOLVED that the License be and hereby is granted; and be it further

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

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

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

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Public Safety

CLERK SRIVASTAVA: Item number 29. A resolution authorizing the execution of a local development and professional services agreement between the Town of North Hempstead and the Town of North Hempstead Business and Tourism Development Corporation. We have a card on this.

MR. GAFFNEY: Pete Gaffney, Westbury/Carle Place School District. Business and tourism. I want to know exactly what they do. We gave them 100 grand, we're going to give them another \$100,000. I know that somebody works there but I've yet to see anything. I mean, there's so much free social media that's out there, there's papers, Long Island Press and so on, The Marketplace. I don't see anybody out there actually promoting the benefits of North Hempstead. We've got a great town, we've got great businesses, we've got great shopping. It's not being done. So I just don't know what this group does right now; okay? Has done in the past couple of years. This was redeveloped, again, by the previous Supervisor but I haven't seen anything. All I just see is \$100,000 for funding. We've got to do better.

COUNCILWOMAN DALIMONTE: I don't think, you know, Rosemary's here, Mrs. Olsen's here, I don't think you understand, like some of the things that are happening you might not realize are a part of the BTDC that they're helping promote bringing people into the Town of North Hempstead. For example, the Great Neck Arts Center, Landmark in Port Washington, and there's all these others that bring people from other towns into the community that are advertising about the Town of North Hempstead. That's just a little bit of it, of the \$100,000, but I don't know if you realize that.

MR. GAFFNEY: I do. I don't see it. I don't see the active promotion of a business and tourism organization.

SUPERVISOR DESENA: They're actually just -- they're mostly grants --

COUNCILWOMAN DALIMONTE: Yeah, they're grants.

SUPERVISOR DESENA: -- that we give to certain organizations that are doing work and a lot of it is in Port Washington, so that's why you're not seeing it.

MR. GAFFNEY: I read virtually --

COUNCILWOMAN DALIMONTE: I don't think SO.

MR. GAFFNEY: -- every periodical out there; okay?

COUNCILWOMAN DALIMONTE: I know of two in Port Washington.

SUPERVISOR DESENA: Well, that's most of it.

MR. GAFFNEY: I'm just saying to you, I read the majority of it, and I'm also online --

COUNCILWOMAN DALIMONTE: Like \$20,000.

MR. GAFFNEY: -- and I'm not seeing it; okay? And if I'm not seeing it, it's not happening. I'm just letting you know that.

CLERK SRIVASTAVA: Thank you. Tom McDonough?

COUNCILWOMAN DALIMONTE: Rosemary, would you be able to just come to the podium? Yeah, yes, please. Is it mainly in Port Washington?

MS. OLSEN: No, no.

COUNCILWOMAN DALIMONTE: Thank you.

MS. OLSEN: What it - -

COUNCILWOMAN DALIMONTE: I didn't think so.

MS. OLSEN: There's two different programs right now that the BTDC runs. The CDA administers it on behalf of the town. So there's no salaries involved. It's basically two different types of programs. One is sponsorships, and right now we've been sponsoring two things in Port, one is the Port Fest, small sponsorship, and the other is The Landmark on Main Street which is a multi-purpose center and senior affordable housing, and so they are a great promoter of the town. They're part of Discover Long Island which is the regional tourism and destination - - Discover Long Island is the Long Island regional tourism --

COUNCILWOMAN DALIMONTE: Yup.

MS. OLSEN: -- component. So they get funding from Nassau and Suffolk County. So we're leveraging that money, they're participating with that. So is Great Neck Center for the Arts.

COUNCILWOMAN DALIMONTE: I'd just like to say something. When Landmark is having a show, our Main Street is booming. We have so many -- our restaurants are filled, our ice cream, Smusht, is filled. So by having shows at Landmark, it's bringing tourism to Port Washington, just for, I think, \$12,000 a year.

MS. OLSEN: Right, and the other one --

COUNCILWOMAN DALIMONTE: -- which is not bad.

MS. OLSEN: -- the Great Neck Center for the Arts, they're known as a Gold Coast Arts Center, they do the Gold Coast Film Festival, which is a town-wide film festival at different locations. So they've been promoting that, and they also do a youth arts program. So you know, the range of people that are helped with these two programs are from youth to seniors.

COUNCILWOMAN DALIMONTE: Yup.

MS. OLSEN: The other is Port Fest which is a, you know, town-sponsored or the town basically is a sponsor of those three types of programs.

COUNCILWOMAN DALIMONTE: And I believe we only give them \$2,500.

MS. OLSEN: Right, but the other component is something that we haven't done since COVID but we'd like to get started next spring which is giving out grants to each Council district so they can work with their chambers, their BIDS or other organizations to do some streetscape improvements. You know, in the past we've worked with the Manhasset Chamber of Commerce, Westbury Chamber of Commerce and BID in Great Neck. So it's each Council District would get \$10,000, a total of \$60,000 out of that budget. The Councilmembers can reach out to their community groups, and they can split it up however they want. The Planning Department actually does a lot of the work on that, and we work closely with Planning on this.

COUNCILWOMAN DALIMONTE: Just so everyone knows, because I don't know if you were -- it's a grant because I filled out the grant application as Executive Director of the BID in Port Washington, it's a grant application, and then it gets scored, and then I know like one year there were three organizations that received the grant, and we are recognized, and if you go to the Port Washington post office, you actually see the BTDC logo because they helped renovate that

garden with Residents Forward. So it's a great way for each Councilperson to help their chamber and their business improvement districts with beautification and things like that.

SUPERVISOR DESENA: And is this grant money or is this taxpayer money?

MS. OLSEN: So the -- this is a small, you know, a small amount of taxpayer money that gets distributed throughout the town.

COUNCILWOMAN DALIMONTE: Right.

MS. OLSEN: In terms of sponsorships, I know most of the townships do some sort of sponsorships of events that go on throughout their towns. It's the way that the Town of North Hempstead's done it in the past. We were asked to take it over because it's a, you know, the BTDC's considered a public authority, and so we've been, you know, having to do things like -- some of the extra money that's in the budget, you know, I provided that to you in the backup material, goes to audits and some compliance -- and some compliance issues, but between the Planning Department and the CDA, we donate our time towards getting these programs out there. It's to do things in the public realm, you know, for example, the grants that go into the different Council Districts are to help with the types of things, instead of the town having to do it, it's a matching grant where a BID would put up some money or a chamber would put up some money as a match, the town would match that money to do planters, you know, we were working --

COUNCILWOMAN DALIMONTE: The planters on Plandome Road are actually BTDC.

MS. OLSEN: On Plandome Road, the planters on Plandome Road, you know, if they wanted to put in some benches, if they have a bigger project. So they're wonderful projects, but again, it was put on hold during COVID.

SUPERVISOR DESENA: But it is -- it's our tax dollars.

COUNCILWOMAN DALIMONTE: Yeah.

SUPERVISOR DESENA: That the Councilpeople are able to give to --

COUNCILWOMAN DALIMONTE: No, no, no, we can't get it. It's scored. We don't --

SUPERVISOR DESENA: Well, okay, it's scored but then you're giving it to someone in your district.

MS. OLSEN: Right, well, what they do is they --

SUPERVISOR DESENA: Yeah, each Councilperson gets to give it out to people in their district.

COUNCILWOMAN DALIMONTE: No, no, no, it's --

SUPERVISOR DESENA: Well, it's scored but then they get to --

COUNCILWOMAN DALIMONTE: It's scored but we don't have any say of who it goes to. It is --

SUPERVISOR DESENA: Except that you know that it's someone in your district that you get to give it to.

COUNCILMAN WALSH: Is this -- let me ask you, please, because you just said it. Is this \$10,000 for each district?

COUNCILWOMAN DALIMONTE: Mm-hmm.

MS. OLSEN: Correct.

COUNCILMAN WALSH: Is this \$10,000 for each district?

MS. OLSEN: Each district can solicit applications from, you know, it depends upon if the -- an organization within the district.

COUNCILMAN WALSH: So if I put in -- if I put in an application for something, it's not deemed to be of value, my district would not get money for that project; is that correct?

MS. OLSEN: Well, you -- the individual Councilmembers don't put the applications --

COUNCILWOMAN DALIMONTE: Right.

MS. OLSEN: -- in. They're put in by different organizations --

COUNCILMAN WALSH: Okay.

MS. OLSEN: -- that do this type of work within your community. For example, in Mineola, you have -- a chamber of commerce could come in and say, well we're doing something in the public realm, you know, in public spaces to promote the village, because it could be in a village, it doesn't have to be in a hamlet, and --

COUNCILMAN WALSH: And can a village, per se, put in for that or does it have to be a chamber or something? Like for example, if the Williston -- the Village of Williston Park had a project they wanted to do, could this be part of that?

MS. OLSEN: I'd have to check with Planning but I don't see why not. But if they wanted to put the match in, if they wanted to put -- you know it's a 50/50 matching program.

COUNCILMAN WALSH: Yeah, no, but I mean, I'm going to be asked to vote tonight, so --

MS. OLSEN: Right.

COUNCILMAN WALSH: -- I'm wondering can a village itself --

COUNCILWOMAN DALIMONTE: Michael Levine's here; do you want to ask him? Would he know?

MS. OLSEN: I would think so, I couldn't see why a village couldn't promote this.

COUNCILMAN WALSH: So that's a yes.

SUPERVISOR DESENA: I think Michael left.

MS. OLSEN: I would say so. I mean, I would check with Planning on this, but I'm just letting you know, I mean, it's --

COUNCILMAN WALSH: Thank you.

MS. OLSEN: -- it's something that is, that in the past the town liked doing because it helped promote the downtown areas within the town. CDA is doing this voluntarily at the request of the prior Town Board, and that's why we're doing it, you know. Our goal is to better the community and to provide for economic development and community development and housing. That's what we do for the town, and we function, mostly -- our budget at the CDA is all grant money. So our salaries are paid out of grants, it's you know, we're bringing resources to the

community that otherwise wouldn't be there, and this is just a small project that we've taken on on behalf of the town to promote the downtown areas within the town.

COUNCILWOMAN DALIMONTE: And it's great, it's really, you know, work filling out the grant and being a recipient of the grant. It's great for the downtowns, for the chambers and the BIDS to help. You can use it for marketing plus you can use it for so many things that really help your community and Michael Levine is here. Can a village apply for the BTDC Council District \$10,000?

COMMISSIONER LEVINE: As far as I know, the criteria was, this was for private entities. So they could have the support of a village but it wouldn't be the municipal government actually applying.

COUNCILWOMAN DALIMONTE: Okay.

COMMISSIONER LEVINE: That if it was a grant to a municipality, it'd be a different mechanism, but this is really for community organizations or small businesses.

COUNCILMAN WALSH: So a village cannot apply for this.

COMMISSIONER LEVINE: My understanding is not directly, that this doesn't go to municipal entities, it goes to non-government entities.

COUNCILWOMAN DALIMONTE: So like their chamber of commerce.

COUNCILMAN WALSH: If I could finish. I'm glad you're here, Mr. Levine, because that clears up the question for me because we just heard that, I don't see why not, and you're saying no; am I correct?

MS. OLSEN: If they want to put up the money for the match.

COUNCILMAN WALSH: In other words, if Williston Park wanted to apply for part of this, would they be able to do it just on their own or would the chamber of commerce in Williston Park?

COMMISSIONER LEVINE: Usually it would be the chamber, and the village, and Rosemary said, the village can provide matching funds but the applicant is typically a non-government organization.

COUNCILMAN WALSH: So the applicant could not be an incorporated village.

COMMISSIONER LEVINE: I'm going to hold off on saying can't be because I'm not 100 percent sure, but the way this program has functioned, it's --

MS. OLSEN: In the past.

COMMISSIONER LEVINE: -- it's always been, yeah it's always been non-government entities.

COUNCILMAN WALSH: Thank you.

COUNCILWOMAN DALIMONTE: And just so everyone knows, the way it used to work in the past, that if you're, say, Dennis, your village -- not your village, say your district, no one applied for it, nobody else can take that money. It just sits there for your district.

SUPERVISOR DESENA: Well, does it stay in the --

COUNCILMAN WALSH: My question was, can a village, per se, by themselves apply for

this? And the answer is probably not.

MS. OLSEN: Well, the idea is --

COUNCILMAN WALSH: It would have to be a chamber. I understand.

MS. OLSEN: Yeah, it's to try to work through the chambers and the --

COUNCILMAN WALSH: Yeah, no, I understand.

MS. OLSEN: -- those similar type of organizations, but certainly I don't see why they couldn't come up with the help -- help the chamber with the match portion of it.

COUNCILMAN WALSH: That's not what I asked. I asked standalone.

MS. OLSEN: Right, okay.

COUNCILMAN WALSH: Can the village, incorporated village, apply for this, and the answer is probably no. Thank you, Mr. Levine, that's all. Thank you.

CLERK SRIVASTAVA: Tom McDonough?

MR. CHIARA: I actually -- I think probably not also because the town can't give villages within the town General Fund money.

COUNCILMAN WALSH: That's what I always understood.

MS. OLSEN: Right.

COUNCILMAN WALSH: So then when I got an answer of I don't see why not.

MR. CHIARA: You can't tax the --

COUNCILMAN WALSH: Yeah, yeah, I always understood that, and I thought I heard something.

MS. OLSEN: Yeah, the point that I was trying to make is, you know, sometimes these chambers don't have a lot of money, and if the -- if a village was working with the chamber on a program and came up with the matching funds to match.

COUNCILMAN WALSH: I understand that.

MS. OLSEN: Right.

COUNCILMAN WALSH: Thank you.

MS. OLSEN: Thank you.

COUNCILWOMAN DALIMONTE: Like a civic could apply. Like Lakeville Civic Association, they could apply, they're a nonprofit.

MS. OLSEN: Correct.

COUNCILMAN WALSH: Yeah.

COUNCILWOMAN DALIMONTE: They could apply.

MS. OLSEN: Correct.

COUNCILMAN WALSH: Okay, thank you.

CLERK SRIVASTAVA: Thank you.

SUPERVISOR DESENA: And then you said if the money doesn't get spent, say, in Dennis' district, where does it go? Does it just --

COUNCILWOMAN DALIMONTE: It would just Stay in --

SUPERVISOR DESENA: It goes back to the taxpayers or

MS. OLSEN: What we do is -- what we do is we -- well, we hold it in reserve, and like we, for the last few years, we've spent reserve money rather than asking the town for additional funds even though it's been budgeted.

SUPERVISOR DESENA: So you spend it on something else.

MS. OLSEN: No, on audits, and on the, you know, we just kind of roll it over, spend it on sponsorships, don't ask the town for any more money and pay for our very modest costs which are like audits, bookkeeping. We don't hire anybody, you know, it's just basically a small economic developments program. We run on a very thin budget, and it's something that's up to the town Board, if this is something that the town Board wants to continue to do.

COUNCILWOMAN DALIMONTE: And we have it in our 2024 budget budgeted already.

COUNCILMAN WALSH: Okay.

SUPERVISOR DESENA: Okay, thank you.

CLERK SRIVASTAVA: Thank you.

MS. OLSEN: You're welcome.

COUNCILMAN WALSH: Next.

MR. McDONOUGH: Tom McDonough, CSEA 7555. So I mean, I had some questions about this because it pops up, it's got \$100,000. I know the former Supervisor kind of disbanded this, got rid of it, got rid of the Executive Director of it, and that person used to bring business and tourism into the town. There used to be filming nonstop throughout this entire town, not just in Port Washington, not just in Great Neck, everywhere, Carle Place. There was filming everywhere in this town but because that individual wasn't liked, we're going to get rid of him, and we're --

COUNCILMAN WALSH: Which individual?

MR. McDONOUGH: -- we're going to do what we want.

COUNCILMAN WALSH: I'm not understanding.

MR. McDONOUGH: It was a gentleman that took care of it, that was very involved with the chambers of commerce any everything. The thing that bothered me just now is that we're going to take the money and we're going to give it to Councilmembers. It sounds like block grants to me with taxpayer money. We're going to help out the BIDs. Business improvement districts are already taxpayer funded. So we're going to give more taxpayer money to those business improvement districts. Why are we not taking care of our businesses and our residents and bringing somebody back, bringing somebody back to run this, the Business and Development Corporation and bringing these filming companies back in? They just -- they're opening a new studio in Port Washington. The guy that owns Grumman Studios bought Publishers

Clearinghouse. He's going to be looking for locations. There's somebody from the town that kind of needs to be with them to recommend spots because it's good. It's good for business, it's good for the communities, it's good for the town because it brings in permits to us because I don't know how many permits we fail on getting now, unless they're using a piece of town property, we're not getting those permits because there's nobody keeping an eye on them. When Roy was here, they used to have to go across the street and get permits. Those permits, go look at the -- go get the income from the time that he left to the time that's going on now. So it's kind of --

COUNCILWOMAN DALIMONTE: You just have to --

MR. McDONOUGH: -- Gold Coast Art Center, Gold Coast Art Center gets -- already gets money from the community services, from DOSA, it takes half of their budget. Why are we giving them more money out of this? That's ridiculous. We shouldn't even be funding Gold Coast Art Center. We pay their -- we pay their rent, we pay all the electric bills, we pay every bill over there. We work on that building, we spend money on that building all the time, it's one of administrative services responsibilities. It's crazy. But we're going to give them more? I think they take \$75,000 out of community services, and we're giving them more money out of this? Sorry, I can hire a couple of more full-time people, too.

MR. O'DONNELL: Michael O'Donnell. The young lady here opened a Pandora's box talking about what this group does, how they advertise, how they publicize, and I'm sitting here scratching my head. I've heard of the Gold Coast Theater and stuff, and ask you, well, where is it? What do they -- where do the movies? Where is this? Nothing is advertised below the expressway. This is the problem. Everything's up here, nothing's down there. Nobody south of the expressway knows where all this so-called entertainment, all this intellectual properties are. Nothing is ever communicated south and this is like Councilman Walsh was, there's money here for community groups as you've mentioned, the civic association. So community groups have funding for a lot of programs, other community groups I hear throughout the rest of the town are looking for money to get things done, and now you're telling each Council district because something sitting's there, it's like a Christmas present that hasn't been opened.

COUNCILWOMAN DALIMONTE: Well, we have to vote on it.

MR. O'DONNELL: But there's funding here. But again, my problem was when she got up, and she's saying, oh, we do this, we do that. Yeah, but where do you do it? You're doing it only up here. You're not doing it down there. You're not doing anything below the expressway.

COUNCILWOMAN DALIMONTE: But she can't answer -- but you know, to her defense, she can't answer that, you'd have to ask the Gold Coast Art Center. I mean, I know I get their flyers. I know that there's banners put up. I don't know.

MR. O'DONNELL: I see the banners, Councilwoman. I see the banners when I come up here. I see the information, the literature, when I come up here. There's nothing sent down there. Nothing has been dispersed here. I hear it every once in a while where I can take a flyer and ask them to reproduce it or whatever in communities below the expressway. This is an unfortunate problem with this town. In all the years I've lived here, the center is geared to one area, not to the other area which causes a lot of problems and has caused serious problems in the past, by Supervisors in the past who did not like to come south because they were going to get screamed at and yelled at because you totally ignored below the expressway. Facts of life, thoughts to be

reconsidered.

CLERK SRIVASTAVA: Thank you.

COUNCILWOMAN DALIMONTE: Do we have any more cards?

CLERK SRIVASTAVA: No, we are done with our cards.

COUNCILWOMAN DALIMONTE: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: No.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: No.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 674 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF A LOCAL DEVELOPMENT AND PROFESSIONAL SERVICES AGREEMENT BETWEEN THE TOWN OF NORTH HEMPSTEAD AND THE TOWN OF NORTH HEMPSTEAD BUSINESS AND TOURISM DEVELOPMENT CORPORATION.

WHEREAS, pursuant to Resolution No. 388-2004, duly adopted by the Town Board at its meeting held on August 31, 2004, the formation and organization of the Town of North Hempstead (the "Town") Business and Tourism Development Corporation (the "BTDC") was authorized to further the public purposes of reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities, instructing and tutoring individuals to improve or develop their capabilities for such jobs, carrying on scientific research for the purpose of aiding the Town by attracting new industry to the community or area or by encouraging the development of, or retention of industry in the Town, and lessening the burden of government and acting in the public interest (the "Local Development Services"); and

WHEREAS, the Town desires to enter into an agreement with the BTDC to provide the Local Development Services to the Town for a term commencing on January 1, 2024 and ending December 31, 2024 in consideration of the sum of One Hundred Thousand and 00/100 Dollars (\$100,000.00) (the "Agreement"); and

WHEREAS, the Board finds it in the best interests of the Town to enter into the Agreement with the BTDC.

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 to execute, on behalf of the Town, the Agreement, a copy of which Agreement which shall be on file in the Office of the Town Clerk; and be it further

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

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

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: Councilperson Adhami, Councilperson Walsh.

CLERK SRIVASTAVA: Item number 31. A resolution authorizing the execution of an agreement with Paumanok-Port Washington Lodge 885 F. & A.M. for the use of a Port Washington Parking District parking lot for a car show.

COUNCILWOMAN DALIMONTE: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Sorry, did you call me?

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: I'm sorry, aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 675 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PAUMANOK-PORT WASHINGTON LODGE #885 F. & A.M. FOR THE USE OF A PORT WASHINGTON PARKING DISTRICT PARKING LOT FOR A CAR SHOW.

WHEREAS, the Port Washington Public Parking District (the "District") owns certain real property known as Lot 1 located adjacent to Main Street and South Bayles Avenue in Port Washington, New York (the "Premises"); and

WHEREAS, Paumanok-Port Washington Lodge #855 F. & A.M., P.O. Box 867, Port Washington, New York 11050 (the "Licensee") has requested that the Town, on behalf of the District, allow it to use a portion of the Premises consisting of the first two (2) rows of parking spaces to hold a car show on Saturday, June 8, 2024 between 8:30 am and 3:30 pm, with a rain date of Sunday, June 9, 2024, in consideration of payment to the Town in an amount not to exceed Four Hundred and 00/100 Dollars (\$400.00) and the Licensee being responsible for placing litter receptacles and collecting garbage at the Premises (the "Use"); and

WHEREAS, the Commissioner of the Town of North Hempstead's Department of Public Safety has recommended that the Town grant the Licensee a license for the Use (the "License") and authorize the execution of an agreement with the Licensee for the License (the "License Agreement"); and

WHEREAS, this Board wishes to grant the License and to authorize the Town to execute the License Agreement for the License.

NOW, THEREFORE, BE IT

RESOLVED that the License be and is hereby granted; and be it further

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

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

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

RESOLVED that the Supervisor is authorized take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Public Safety

CLERK SRIVASTAVA: Item number 32. A resolution authorizing the execution of an agreement with the Cornell Cooperative Extension of Suffolk County for a shellfish restoration project in Manhasset Bay.

COUNCILWOMAN DALIMONTE: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 676 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE CORNELL COOPERATIVE EXTENSION OF SUFFOLK COUNTY FOR A SHELLFISH RESTORATION PROJECT IN MANHASSET BAY.

WHEREAS, the Town of North Hempstead (the "Town") desires to continue a shellfish restoration project in Manhasset Bay to improve water quality (the "Services"); and

WHEREAS, the Commissioner of the Department of Planning and Environmental Protection has recommended that the Town enter into an agreement with the Cornell Cooperative Extension of Suffolk County, 423 Griffing Avenue, Suite 100, Riverhead, New York 11901 (the "Cooperative") to provide the Services for a one-year term commencing on December 6, 2023 and terminating upon completion of the Services in consideration of an amount not to exceed Nineteen Thousand Five Hundred and 00/100 Dollars (\$19,500.00) to cover all costs associated with scouting, spawning, planting and monitoring to ensure adequate growth and survival of the oysters in addition to the provision of field support and long-term monitoring by the Town's Bay Constables (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item number 33. A resolution authorizing the execution of an agreement with the Nassau County Board of Elections for the use of town facilities as polling locations. We have cards on it. Mr. Pete Gaffney?

SUPERVISOR DESENA: Polling places.

MR. GAFFNEY: Quit napping, it's all your fault, Peter. Put the katahara (phonetic) on us. Anyway, I'm sorry, again, Pete Gaffney.

COUNCILMAN WALSH: I can't hear well, so I'm not sure what you mumbled there.

MR. GAFFNEY: Oh, okay.

COUNCILMAN WALSH: So go on.

MR. GAFFNEY: Peter put the kataharas (phonetic) on.

COUNCILMAN WALSH: Okay.

MR. GAFFNEY: That's why we're staying here this late. Anyway, it's a joke, Peter, I'm kidding. Anyway, do we have a list of the places that we're passing on because they're gotten better, but you know, when they first started doing the -- having these polling places, everything was all up here or away from us, so people in Carle Place had to go travel places. So I'm just looking to see if there's actually, you know, maybe a revised plan or something that actually includes people, not just the Yes We Can Center. Is there another facility possibly? Maybe not just for Carle Place but also for, you know, one of the other hamlets on the south side.

COUNCILMAN TROIANO: Yeah, that's not -- that's not a discussion for the Town Board. That's a decision that's made at the Board of Elections.

MR. GAFFNEY: Yeah, but you're voting to polling places.

COUNCILMAN TROIANO: Right, at the request of the Board of Elections.

MR. GAFFNEY: Am I right?

COUNCILWOMAN DALIMONTE: Yeah, but it's our property, but it's at the request of the Board of Elections, and we'll receive money for it.

MR. GAFFNEY: Yeah, I understand. So I'm asking you, do you tell them, hey, we'd like like you to do here and they go over there?

COUNCILWOMAN LURVEY: No, we have no input.

COUNCILMAN WALSH: No.

MR. GAFFNEY: No input.

COUNCILWOMAN LURVEY: No input.

MR. GAFFNEY: Okay, thanks.

CLERK SRIVASTAVA: No additional cards on this.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 677 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE NASSAU COUNTY BOARD OF ELECTIONS FOR THE USE OF TOWN FACILITIES AS POLLING LOCATIONS.

WHEREAS, the Nassau County Board of Elections (the "Board of Elections") has requested that the Town of North Hempstead (the "Town") enter into polling place agreements (the "Agreements") for the use of the Gayle Community Center, 53 Orchard Street, Roslyn Heights New York 11577 and the "Yes We Can" Community Center, 141 Garden Street, Westbury, New York 11590 (the "Polling Place Locations"), for the following early voting dates:

Saturday, March 23, 2024 through and including Sunday, March 31, 2024,
Saturday, June 15, 2024 through and including Sunday, June 23, 2024
Saturday, October 26, 2024 through and including Sunday, November 3, 2024,

WHEREAS, the use of the Polling Place Locations are requested to be available on weekdays for the hours between 6:00 AM and 8:00 PM and on weekend days for the hours between 9:00 AM and 6:00 PM; and

WHEREAS, the Polling Place Locations are requested to be open two hours prior to voting on the first day and one hour prior to voting on all other days; and

WHEREAS, the Board of Elections shall compensate the Town for the use of the Polling Place Locations in the amount of Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00) per early voting period per location; and

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

NOW, THEREFORE, BE IT

RESOLVED that the Supervisor or her designee, be and hereby is authorized and directed to execute the Agreements, or related documents, if any, on behalf of the Town, a copy of which will be on file with 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 Agreements and related documents, if any, and to take any further action as may be necessary to effectuate the foregoing; and further be it

RESOLVED that the Comptroller be and hereby is authorized to accept reimbursement from the Board of Elections in accordance with the foregoing.

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item number 34. A resolution authorizing the execution of an agreement with Penflex, Inc., for actuarial and administrative services for the Albertson Hook & Ladder, Engine & Hose Company #1 and Floral Park Centre Fire Co., length of service award programs.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 678 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PENFLEX, INC. FOR ACTUARIAL AND ADMINISTRATIVE SERVICES FOR THE ALBERTSON HOOK & LADDER, ENGINE & HOSE COMPANY #1 AND FLORAL PARK CENTRE FIRE CO. LENGTH OF SERVICE AWARD PROGRAMS.

WHEREAS, the Town of North Hempstead (the "Town") is the sole sponsor of the Albertson Hook & Ladder, Engine & Hose Company #1 ("Albertson") and the Floral Park Centre Fire Co. ("Floral Park") Length of Service Award Programs (the "LOSAP Programs"); and

WHEREAS, the LOSAP Programs were established pursuant to Article 11-A of the General Municipal Law; and

WHEREAS, Penflex Actuarial Services, LLC. ("Penflex"), 50 Century Hill Dr., Suite 3, Latham, NY 12110 provides actuarial and administrative services (the "Services") for various fire departments' Length of Service Award Programs including the LOSAP Programs for Albertson and Floral Park; and

WHEREAS, the Comptroller's Office recommends the continued retention of Penflex to perform the Services for the LOSAP Programs for a term retroactively commencing on November 1, 2023 and terminating on October 31, 2024 in consideration of a total annual cost of Six Thousand Three Hundred and 00/100 Dollars (\$6,300.00) for the Albertson LOSAP Program and an annual cost of Five Thousand and 00/100 Dollars (\$5,000.00) for the Floral Park LOSAP Program (collectively the "Agreements"); and

WHEREAS, the Town Board wishes to authorize the execution of the Agreements.

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item number 35. A resolution authorizing the use of an agreement between the Town of Islip and American Recreational Products, Inc., for playground/play equipment and site amenities.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 679 - 2023

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE TOWN OF ISLIP AND AMERICAN RECREATIONAL PRODUCTS, INC. FOR PLAYGROUND/PLAY EQUIPMENT AND SITE AMENITIES.

WHEREAS, the Town of North Hempstead (the "Town") requires playground/play equipment and site amenities (the "Purchases"); and

WHEREAS, the Town of Islip awarded Contract #0223-52 entitled "Playground/Play Equipment & Site Amenities Catalogs Playworld Systems; Little Tikes; Mid-Atlantic Products; Burke Premier Play Environments [or equal]" (the "Agreement") to American Recreational Products, Inc., 144-1 Remington Blvd., Ronkonkoma, NY 11779 (the "Contractor"); and

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

WHEREAS, the Division of Purchasing (the "Division") has recommended that the Town utilize the Agreement for the purchase and installation of playground equipment and site amenities at Donald Street Park in consideration of an amount not to exceed One Hundred Thirty-Three Thousand Two Hundred Sixty-Six and 13/100 Dollars (\$133,266.13) (the "Donald Street Project"); and

WHEREAS, the Department of Parks and Recreation (the "Department") has requested that the Agreement also be made available for use for other projects as the need arises; and

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

NOW, THEREFORE, BE IT

RESOLVED that the use of the Agreement for its duration, inclusive of any extensions, 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, including to effectuate the Donald Street Project; 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

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Admin Services Comptroller

CLERK SRIVASTAVA: Item number 36. A resolution authorizing the execution of an amendment to an agreement with Century Golf Partners Management, LLP, d/b/a Arnold Palmer Golf Management for management of the golf courses at Harbor Links.

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

CLERK SRIVASTAVA: We have a card.

COUNCILMAN WALSH: Somebody must want to talk.

SUPERVISOR DESENA: I think he's gone.

COUNCILMAN WALSH: What?

COUNCILWOMAN DALIMONTE: He left, I believe.

COUNCILWOMAN LURVEY: Hours.

SUPERVISOR DESENA: You just got to wait till 11:30.

CLERK SRIVASTAVA: Mm-hmm.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: I'd like to know when are we going to be issuing this RFP? Because we were supposed to do that this year. So do we have plans on doing that?

SUPERVISOR DESENA: Yes, we will, soon.

COUNCILWOMAN DALIMONTE: Okay, I vote aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 680 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH CENTURY GOLF PARTNERS MANAGEMENT, LP D/B/A ARNOLD PALMER GOLF MANAGEMENT FOR MANAGEMENT OF THE GOLF COURSES AT HARBOR LINKS.

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town entered into and amended an agreement with Century Golf Partners Management, LP d/b/a Arnold Palmer Golf Management, Three Lincoln Centre, 5430 LBJ Freeway, Suite 1400, Dallas, Texas 75240 (the "Contractor") for the management and operation of the Town's public golf recreational facility known as Harbor Links Golf Course ("Harbor Links") located at 1 Fairway Drive in Port Washington (the "Original Agreement"); and

WHEREAS, the Supervisor has recommended that the Town amend the Original Agreement with the Contractor to extend the agreement for one (1) year for a term commencing January 1, 2024 and ending on December 31, 2024 (the "Amendment"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item number 37.

COUNCILWOMAN DALIMONTE: So this, just so everyone knows, this allows golf outings only on Mondays.

CLERK SRIVASTAVA: Item number 37, a resolution --

SUPERVISOR DESENA: But it also allows us to amend that.

COUNCILWOMAN DALIMONTE: Yeah.

COUNCILMAN WALSH: So it doesn't just --

SUPERVISOR DESENA: So it'll --

COUNCILWOMAN DALIMONTE: Well, no --

SUPERVISOR DESENA: As of now.

COUNCILWOMAN DALIMONTE: They have to come in front of the Town Board.

SUPERVISOR DESENA: Right, but it gives the Board the right to approve more.

COUNCILWOMAN DALIMONTE: Right.

CLERK SRIVASTAVA: Item number 37. A resolution authorizing the execution of an amendment to an agreement with Cunningham Duct Cleaning Co., Inc., for air duct, boiler and chimney cleaning.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 681 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH CUNNINGHAM DUCT CLEANING CO. INC. FOR AIR DUCT, BOILER AND CHIMNEY CLEANING (TNH049-2020).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Cunningham Duct Cleaning Co., Inc., 869 Sylvan Avenue, Bayport, New York 11705 (the "Contractor"), for air duct, boiler, and chimney cleaning (the "Services"); and

WHEREAS, the Original Agreement contained the option to renew the Original Agreement for two (2) additional one (1) year periods (the "Options"); and

WHEREAS, the Division of Purchasing (the "Division") has recommended that the Town amend the Original Agreement to exercise the second Option to extend the term of the Agreement for an additional one (1) year period commencing on December 18, 2023 and terminating on December 17, 2024 (the "Amendment"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item number 38. A resolution authorizing the execution of an amendment to an agreement with Graphic Image, Inc., for the printing and mailing of newsletters.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Abstain.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye, and just so everyone knows, these are general town mailings and our Project Independence newsletters that we've always done every single year. I vote aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

Nays: None.

Abstain: Councilperson Walsh.

cc: Town Attorney Purchasing Administrative Services

CLERK SRIVASTAVA: Item number 39. A resolution authorizing the execution of an amendment to an agreement with ZE Creative Communications for public relations services.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: No.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item number 39. A resolution authorizing the execution of an amendment to an agreement with ZE Creative Communications for public relations services.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: No.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 683 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH ZE CREATIVE COMMUNICATIONS FOR PUBLIC RELATIONS SERVICES (TNH138-2022).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with ZE Creative Communications, 5 Bond Street, Great Neck, NY 11021, for public relations services (the "Original Agreement"); and

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

WHEREAS, the Division of Purchasing (the "Division") has recommended that the Town amend the Original Agreement to exercise the first of these Options to extend the term of the Agreement for an additional one (1) year period, commencing on January 1, 2024 and terminating on December 31, 2024 (the "Amendment"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: Councilman Walsh.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item number 40. A resolution authorizing the execution of an amendment to an agreement with Corporate Loss Prevention Associates for security services for the office of the Receiver of Taxes.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 684 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH CORPORATE LOSS PREVENTION ASSOCIATES FOR SECURITY SERVICES FOR THE OFFICE OF THE RECEIVER OF TAXES (TNH062-2018).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into and amended an agreement with Corporate Loss Prevention Associates, 2635 Petit Avenue, Bellemore, New York 11710 (the "Contractor") for Security Services for the Office of the Receiver of Taxes (the "Original Agreement"); and

WHEREAS, the Office of the Tax Receiver has recommended that the Town amend the Original Agreement to extend the term of the agreement for six (6) months such that the Original Agreement will terminate on June 30, 2024, on the same terms and conditions, including price, of the Original Agreement (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

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item number 41. A resolution authorizing the execution of an amendment to the agreement with Elaine Hoskins for the fitness classes at various locations within the town in connection with Project Independence.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 685 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE AGREEMENT WITH ELAINE HOSKINS FOR FITNESS CLASSES AT VARIOUS LOCATIONS WITHIN THE TOWN IN CONNECTION WITH PROJECT INDEPENDENCE.

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Elaine Hoskins, 151 S. Franklin Street, New Hyde Park, New York (the "Contractor") for Zumba, Zumba gold and dance fitness instruction at various locations within the Town in connection with Project Independence for a term commencing January 1, 2023 and terminating December 31, 2023 in consideration of an amount not to exceed One Thousand Seven Hundred Fifty and 00/100 Dollars (\$1,750.00) payable at the rate of Sixty and 00/100 Dollars (\$60.00) an hour (the "Original Agreement"); and

WHEREAS, during the course of the year the Contractor taught additional fitness classes during times when another instructor was unavailable to provide the services; and

WHEREAS, the Commissioner of the Department of Services for the Aging (the "Commissioner") has recommended that the Town amend the Original Agreement to increase the total amount to be paid to the Contractor to account for the additional hours of instruction to an amount not to exceed Three Thousand Three Hundred Seventy and 00/100 Dollars (\$3,370.00) (the "Amendment"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item number 42. A resolution authorizing the execution of an amendment to the agreement with Jacklyn Lischak for fitness classes at various locations within the town in connection with Project Independence.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 686 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE AGREEMENT WITH JACKLYN LISCHAK FOR FITNESS CLASSES AT VARIOUS LOCATIONS WITHIN THE TOWN IN CONNECTION WITH PROJECT INDEPENDENCE.

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Jacklyn Lischak, 3662 Harriad Drive South, Seaford, New York (the "Contractor") for yoga instruction at various locations within the Town in connection with Project Independence for a term commencing January 1, 2023 and terminating December 31, 2023 in consideration of an amount not to exceed One Thousand Six Hundred Twenty and 00/100 Dollars (\$1,620.00) payable at the rate of Sixty and 00/100 Dollars (\$60.00) an hour (the "Original Agreement"); and

WHEREAS, during the course of the year the Contractor taught additional yoga classes during times when another instructor was unavailable to provide the services; and

WHEREAS, the Commissioner of the Department of Services for the Aging (the "Commissioner") has recommended that the Town amend the Original Agreement to increase the total amount to be paid to the Contractor to account for the additional hours of instruction to an amount not to exceed Two Thousand Eight Hundred Twenty and 00/100 Dollars (\$2,820.00) (the "Amendment"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item number 43.

COUNCILWOMAN DALIMONTE: I can't hear you, Madam Clerk. I cannot hear you.

CLERK SRIVASTAVA: Oh, you cannot? Can you hear me now?

COUNCILWOMAN DALIMONTE: Yeah, just back up a little from the mic.

CLERK SRIVASTAVA: Now?

COUNCILWOMAN DALIMONTE: Thank you.

CLERK SRIVASTAVA: Is it okay?

COUNCILWOMAN DALIMONTE: Yes.

CLERK SRIVASTAVA: Okay, I have to maybe speak a little louder. Item number 43. A resolution authorizing the purchase from GolfNow/EZ Links Golf of annual software support and monthly web services for Harbor Links Golf Course, Port Washington.

COUNCILWOMAN DALIMONTE: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 687 - 2023

A RESOLUTION AUTHORIZING THE PURCHASE FROM GOLFNOW/EZ LINKS GOLF OF ANNUAL SOFTWARE SUPPORT AND MONTHLY WEB SERVICES FOR HARBOR LINKS GOLF COURSE, PORT WASHINGTON.

WHEREAS, the Department of Parks and Recreation (the "Department") requires monthly web services at Harbor Links Golf Course, Port Washington (the "Web Services"); and

WHEREAS, the Department also requires software maintenance and technical support for the scheduling software at Harbor Links Golf Course (the "Scheduling Services"); and

WHEREAS, the Commissioner of the Department has recommended that the Town purchase the Services from Golfnow/EZ Links Golf, 7580 Golf Channel Drive, Orlando, Florida 32819 (the "Contractor") for a term of twelve (12) months in consideration of an amount not to exceed One Thousand Nine Hundred Eighteen and 92/100 Dollars (\$1,918.92) payable at the rate of One Hundred Fifty-Nine and 91/100 Dollars (\$159.91) per month for the Web Services (the "Web Services Purchase"); and

WHEREAS, the Commissioner has recommended that the Town purchase the Scheduling Services from Golfnow/EZ Links Golf, 7580 Golf Channel Drive, Orlando, Florida 32819 (the "Contractor") for a term of one (1) year in consideration of an amount not to exceed Five Thousand Eight Hundred Eighty-Four and 47/100 Dollars (\$5,884.47) for the Scheduling Services (the "Scheduling Services Purchase") (collectively, the "Purchases"); and

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

NOW, THEREFORE, BE IT

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

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

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item number 44. A resolution authorizing the purchase of web services for Harbor Links Golf Course.

COUNCILWOMAN DALIMONTE: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 688 - 2023

A RESOLUTION AUTHORIZING THE PURCHASE OF WEB SERVICES FOR HARBOR LINKS GOLF COURSE.

WHEREAS, the Department of Parks and Recreation (the "Department") requires the services of a website provider at Harbor Links Golf Course in Port Washington (the "Services"); and

WHEREAS, the Commissioner of the Department (the "Commissioner") has recommended that the Town purchase the Services from Clubessential, 4600 McAuley Place, Suite 350, Cincinnati, OH 45252 (the "Contractor") for a term of one (1) year in consideration of an amount not to exceed Four Thousand Four Hundred Nine and 52/100 Dollars (\$4,409.52) payable in quarterly installments of One Thousand One Hundred Two and 38/100 Dollars (\$1,102.38) (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

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item number 45. A resolution authorizing the purchase of software maintenance, technical support and subscription services for the Department of Information Technology and Telecommunications.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

Councilperson 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. 689 - 2023

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

WHEREAS, the Town Department of Information Technology and Telecommunications (the "Department") requires annual software maintenance and technical support services for the Town's legal management software (the "LegalFiles Support") and the Town's tax application (the "Govern Support"); and

WHEREAS, the Commissioner of the Department has recommended that the Town purchase LegalFiles Support from LegalFiles Software, Inc., 801 S. Durkin Drive, Springfield, IL 62704 for a term of one (1) year in consideration of an amount not to exceed Five Thousand Five Hundred Fourteen and 00/100 Dollars (\$5,514.00) (the "LegalFiles Purchase"); and

WHEREAS, the Commissioner of the Department has recommended that the Town purchase the Govern Support from Harris Govern, 800 N Watters Road, Allen, TX 75013 for a term of one (1) year in consideration of an amount not to exceed Thirty-Seven Thousand One Hundred Nineteen and 00/100 Dollars (\$37,119.00) (the "Govern Purchase"); and

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

NOW, THEREFORE, BE IT

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

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

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller DOITT

CLERK SRIVASTAVA: Item number 46. A resolution authorizing the reappointment of Daniel Donatelli, Esq., to the Town of North Hempstead Board of Zoning and Appeals.

COUNCILWOMAN LURVEY: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 690 - 2023

A RESOLUTION AUTHORIZING THE REAPPOINTMENT OF DANIEL DONATELLI, ESQ. TO THE TOWN OF NORTH HEMPSTEAD BOARD OF ZONING AND APPEALS.

WHEREAS, the term of Daniel Donatelli, Esq. as a member of the Board of Zoning and Appeals (the "BZA") of the Town of North Hempstead expires on December 31, 2023; and

WHEREAS, Mr. Donatelli has capably served the Town as a member of the BZA; and

WHEREAS, the Town Board is empowered pursuant to Town Law Section 267 to appoint persons to the BZA; and

WHEREAS, Mr. Donatelli has shown himself to be well-qualified to serve on the BZA, and this Board wishes to reappoint him.

NOW, THEREFORE, BE IT

RESOLVED that Daniel Donatelli, Esq. be, and hereby is, reappointed to the BZA as a member, for a term beginning on January 1, 2024 and expiring on December 31, 2028.

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller BZA

CLERK SRIVASTAVA: Item number 47. A resolution reappointing members of the Town of North Hempstead Historic Landmarks Preservation Commission.

COUNCILWOMAN DALIMONTE: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 691 - 2023

A RESOLUTION REAPPOINTING MEMBERS OF THE TOWN OF NORTH HEMPSTEAD HISTORIC LANDMARKS PRESERVATION COMMISSION.

WHEREAS, Pursuant to Chapter 27 of the Town Code of the Town of North Hempstead, the Town has previously appointed members to the Board of the Town of North Hempstead Historic Landmarks Preservation Commission (the "Commission"); and

WHEREAS, the terms of Frank Genese and Harry Nicolaides, as members of the Commission, expire on December 31, 2023; and

WHEREAS, Mr. Genese and Mr. Nicolaides are well qualified and have been excellent members of the Commission; and

WHEREAS, the Board wishes to reappoint Mr. Genese and Mr. Nicolaides to the Commission.

NOW, THEREFORE, BE IT

RESOLVED that Frank Genese be, and hereby is, reappointed to the Commission as a member, for a term beginning on January 1, 2024 and expiring on December 31, 2026; and be it further

RESOLVED that Harry Nicolaides be, and hereby is, reappointed to the Commission as a member, for a term beginning on January 1, 2024 and expiring on December 31, 2026.

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney

CLERK SRIVASTAVA: Item number 48. A resolution authorizing an appointment to the Town of North Hempstead Towing Advisory Committee.

COUNCILWOMAN DALIMONTE: I offer the resolution -- I just would like to say that Madam Clerk and I and Maggie, we worked on this together. Thank you, very much, they interviewed him and they support this nomination. I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Is he related to you?

COUNCILWOMAN DALIMONTE: No, so my cousin -- he's not related.

SUPERVISOR DESENA: Okay.

COUNCILWOMAN DALIMONTE: My cousin --

SUPERVISOR DESENA: I heard he was your cousin, so --

COUNCILWOMAN DALIMONTE: No, no, no, he's not my cousin.

SUPERVISOR DESENA: Okay.

COUNCILWOMAN DALIMONTE: So my mom and his mom --

COUNCILMAN WALSH: I wish I would have heard this before I voted.

COUNCILWOMAN DALIMONTE: Oh, no, no. The reason why I wanted him on, I asked for him to be on the Towing Advisory Committee, he was on it before COVID, and he really wants to, and that's why he met with them, he really wants to make sure that it is fixed because there are a lot of problems, and we've had a lot of issues in our district. Now Town Attorney, that is my cousin's relative, not mine. I could still vote on that; correct?

MR. CHIARA: It's not like you're related to him.

COUNCILWOMAN DALIMONTE: No, I'm not. Okay.

COUNCILMAN TROIANO: And they don't -- he's not getting paid for this; right?

MR. CHIARA: He's not getting paid.

COUNCILWOMAN DALIMONTE: No, no.

COUNCILMAN TROIANO: So you're not deriving any benefit --

COUNCILWOMAN DALIMONTE: No.

COUNCILMAN TROIANO: He's not deriving any benefit, you're not deriving any benefit.

COUNCILWOMAN DALIMONTE: No.

MR. CHIARA: Aren't you related to half of Port Washington?

COUNCILWOMAN DALIMONTE: Yeah, yeah, half the people I deal with on the fire department I'm related to, so -- so, I don't know where we were.

SUPERVISOR DESENA: I think -- I vote aye.

COUNCILWOMAN DALIMONTE: All right. But you could have asked me that offline if you wanted to do so.

SUPERVISOR DESENA: I didn't know anything about it.

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. 692 - 2023

A RESOLUTION AUTHORIZING AN APPOINTMENT TO THE TOWN OF NORTH HEMPSTEAD TOWING ADVISORY COMMITTEE.

WHEREAS, a Towing Advisory Committee has heretofore been established pursuant to §55-55 of the Town Code; and

WHEREAS, this Board wishes to make an additional appointment to said Committee.

NOW, THEREFORE, BE IT

RESOLVED the following individual is to serve, at the pleasure of the Town Board, as a member of the Committee:

Robert Hehn, Chester's Towing, 4 Beechwood Avenue, Port Washington, NY.

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Clerk

CLERK SRIVASTAVA: Item number 49. A resolution allocating American Rescue Plan Act funds.

COUNCILWOMAN DALIMONTE: So this is to allocate the remaining ARPA funds for an emergency that we are having in Manhasset Bay. I offer the resolution and move for its adoption.

COUNCILMAN WALSH: Whoa, who, whoa.

COUNCILWOMAN DALIMONTE: Sorry.

MR. McDONOUGH: Got to look at the cards.

CLERK SRIVASTAVA: I don't have.

MR. McDONOUGH: I gave him five.

CLERK SRIVASTAVA: Okay, please go ahead.

MR. McDONOUGH: Tom McDonough, President, CSEA, 7555. Spending \$3 million on dredging. Where in Manhasset Bay? What are we doing in Manhasset Bay?

COUNCILWOMAN DALIMONTE: So we are --

MR. McDONOUGH: Spending \$3 million of ARPA money.

COUNCILMAN WALSH: Yeah.

COUNCILWOMAN DALIMONTE: So we are applying for permits. As of right, we have some money that is FEMA money, and then there is a town portion over by the sandbar that is town and that needs to be dredged, and if it doesn't get dredged over by -- it's Tom's Point, Manhasset Bay Sportsman's Club, I mean, David and I are both on the Waterfront Advisory Committee, and we can tell you that if we do not dredge there, all those marinas, it's going to become all condos because they're not even going to be able to use it. We have not, the Town of North Hempstead has not taken care of --

MR. McDONOUGH: When Lewis Oil stopped running oil barges into Port Washington, it was suggested to the marina owners over there to get a barge and run it in and out of there once a week to keep the channel deep. So they didn't do that, and it would have kept the channel deep if they had gone --

COUNCILWOMAN DALIMONTE: On the other side of the sandbar; Tom? This is on this side -- other side of the sandbar, so that's not correct.

MR. McDONOUGH: So if Tony --

COUNCILWOMAN DALIMONTE: Where Lewis Oil was would've been on the other side of the sandbar.

MR. McDONOUGH: Yeah, if Tony ran a barge over to Tom's Point Marina, it would have taken care of that but all of those guys knew better, so they didn't get a barge, and this --so now we're going to take public funds, and we're going to do this. I'm not against it, but you know what? I can hire a lot of people for the town to do a lot of work for the town.

COUNCILWOMAN DALIMONTE: You can't use that, it's ARPA funds. You can't do that with --

MR. McDONOUGH: Yes, you can. Yes, you can. Absolutely. ARPA funds were fought for

by the unions, 100 percent, 100 percent. They were fought for by - - that money was fought for by the unions. The unions did most of the fighting.

COUNCILMAN WALSH: This is the first time I'm hearing any of this. This wasn't brought up in --

MR. McDONOUGH: What's that?

SUPERVISOR DESENA: There's been no discussion of this

COUNCILMAN WALSH: There's been no discussion with me about any of this, \$3 million is a lot of money. This is the first I'm hearing about it, you know.

SUPERVISOR DESENA: No, this was --

COUNCILWOMAN DALIMONTE: I put the resolution in.

SUPERVISOR DESENA: No, there was not a detail given until Friday afternoon about this. There was no discussion, there's been no talk of this plan. We have no idea what it costs, I mean, you basically just picked a number as your last chance to have a majority vote and just push this through without anyone having any participation in the discussion.

COUNCILMAN WALSH: Or even any participation at all.

COUNCILMAN TROIANO: We're having a discussion now; right?

SUPERVISOR DESENA: Right, yeah, at 11:36. How is this for the residents? This is where \$3 million of the town's ARPA money is going to dredging Manhasset Bay which has no estimate, no design.

COUNCILWOMAN LURVEY: At least she didn't do it at a press conference like somebody else allocated ARPA funds.

MR. McDONOUGH: Have the FEMA funds been allocated already? Have they been awarded?

COUNCILMAN WALSH: I missed that part about a press conference. What did you say? I missed that.

COUNCILWOMAN LURVEY: I said at least she didn't announce it at a press conference.

SUPERVISOR DESENA: But you're going to vote on it right now. You actually didn't let me do that. I announced it, and by the way, Councilwoman Dalimonte, this already has been -- the \$3 million already has been reported to the federal government. So did you change that?

COUNCILWOMAN DALIMONTE: No, so just so you know, this can be - - that has -- this can be moved to this, and we have not voted on it as a Board. So that does not mean anything. So we just tell the federal government, this is what we're using it. We are applying --we are already in the process applying for these permits because it's part of the town dock renovation.

SUPERVISOR DESENA: No.

COUNCILMAN WALSH: So what projects are you taking the money from?

SUPERVISOR DESENA: It's totally separate from the town dock.

COUNCILMAN WALSH: What projects are you taking the money from because that money could be used for a lot of other projects. I'm sorry.

COUNCILWOMAN DALIMONTE: We never voted on it.

COUNCILMAN WALSH: We never voted on it, but what projects are you taking this money from? It could have been used for many different projects, and maybe we should have all had a discussion because it's \$3 million. But this is what we're doing in the 11th hour in the lame duck session of an outgoing Board to spend \$3 million.

MR. McDONOUGH: The town dock is another elephant in the room. That's 11 years -- 11 years ago that that had happened during Sandy.

COUNCILWOMAN DALIMONTE: Mm-hmm.

MR. McDONOUGH: We're still not there because we took one person's word and changed the material and had to go back for permits, again. So what do we have? I'll put my other hat on, it's called the safety coordinator. So I have holes along the whole, the whole seawall that residents are falling in, and if we keep putting material in there, it just keeps washing out on the bottom. So are we ever going to get the town dock done?

COUNCILWOMAN DALIMONTE: I believe that, right now, is with the Department of State, it's already passed the DEC, it's with the Department of State.

MR. McDONOUGH: And the Department of State has already said they weren't going to let us go out to 18 inches. So they're going to let us go out 6 inches? They're not going to let us go out anything. We should have left it with the vinyl material instead of going back to sheet steel because guess what? We know that sheet steel rusted out in 30 years. That's how long it took that, that dock to rust out.

COUNCILWOMAN DALIMONTE: You're more that welcome to come to the Waterfront Advisory Committee meetings if you want to. They are open to the public.

MR. McDONOUGH: Listen, you could have appointed me to that committee a long time ago because I know more about that waterfront than half of the people on it -- three quarters of the people on it.

SUPERVISOR DESENA: Anyway, you're asking this Board, you know, who represents the whole town to approve allocating \$3.8 million to a vague dredging project that's sort of connected to the town.

COUNCILWOMAN DALIMONTE: It's either this or it's going to be in the Capital Plan. I mean, it's something --this is an emergency that needs to be done.

SUPERVISOR DESENA: It does sound like a Capital Plan project.

COUNCILWOMAN DALIMONTE: But you can use ARPA funds for this, and the ARPA funds have to be used before 2026. If they're not, they will be taken from us, and the rate we're going, a lot of the other projects are not going to happen, and the funds are going to be taken from us.

COUNCILMAN WALSH: That's an assumption.

SUPERVISOR DESENA: I think it would be appropriate for the whole Town Board to have talked about it before voting on \$3.8 million.

COUNCILWOMAN DALIMONTE: We should have done that with the other funds, as well.

SUPERVISOR DESENA: Except you didn't allocate it for those.

COUNCILWOMAN LURVEY: The fact that, you know, 2026 --

SUPERVISOR DESENA: How long did we discuss the Manhasset sewer project? Six months, before we actually voted on it.

COUNCILMAN WALSH: And this is five minutes.

COUNCILMAN ADHAMI: And had multiple meetings.

SUPERVISOR DESENA: Yeah, so I think this is rushing. Rushing to get this vote in while you have the majority.

COUNCILWOMAN LURVEY: If the funds have to be used by 2026 --

SUPERVISOR DESENA: But there's no plan to use these funds. This is --

COUNCILWOMAN DALIMONTE: There is, there's a plan. There is a plan.

SUPERVISOR DESENA: But you just said you're going to apply for a permit. That's not a plan.

COUNCILWOMAN DALIMONTE: We already started applying for the permit. The plan permit has already gone through the DEC. It is now in the Department of State. We have Nelson Pope. You've approved those amendments, you've approved --

SUPERVISOR DESENA: You're talking about the town dock.

COUNCILWOMAN DALIMONTE: -- those resolutions. Yes, but that's part of it. It's in there. The dredging is in there.

COUNCILMAN WALSH: I'd like to make a motion to table.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: No.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: No.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: No.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: No.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

COUNCILWOMAN DALIMONTE: I make a motion -- I offer the resolution and move for its adoption.

COUNCILMAN ADHAMI: Well, part of the issue with this dredging is also, I mean, I'm on the Waterfront Committee, too. A good portion of it is dredging in front of the town dock which is not shallow.

COUNCILWOMAN DALIMONTE: That's part of FEMA. That's part of the FEMA money. We have that money, already.

COUNCILMAN ADHAMI: No, but by Tom's Point, I understand there's a sandbar there and all of that --

COUNCILWOMAN DALIMONTE: We have to secure all of that.

COUNCILMAN ADHAMI: -- but this is also, I think, in my opinion, wasteful to dredge areas that don't need to be dredged while there are areas that do need to be dredged which are being neglected.

COUNCILWOMAN DALIMONTE: That --we -- that's --

SUPERVISOR DESENA: It's not a well thought out plan, that's clear.

COUNCILWOMAN DALIMONTE: That's your opinion.

COUNCILMAN ADHAMI: No, it's a fact that I boat in Manhasset Bay. I know where the sandbars are, I know where it's shallow.

COUNCILWOMAN DALIMONTE: Right, and we need to secure that sandbar.

COUNCILMAN ADHAMI: And by the town dock is not one of those places.

COUNCILWOMAN DALIMONTE: But, right, but we -- that's the federal government is telling us that we need to dredge that. That's not us. That's the federal government.

COUNCILMAN ADHAMI: And these funds are being used.

COUNCILWOMAN DALIMONTE: No, this has nothing to do with dredging in front of the town dock.

SUPERVISOR DESENA: You just said it was connected to it.

COUNCILWOMAN DALIMONTE: It's connected to the application. The dredging is happening in Manhasset Bay over by Tom's Point, Lamaz (phonetic), by Manhasset Bay Sportsman's Club, that's where that dredging is going to be taking place. We need to secure that sandbar. If we don't secure that sandbar, they're not going to be able to have marinas in Port Washington.

SUPERVISOR DESENA: More money that you're not seeing south of the highway.

COUNCILWOMAN DALIMONTE: We can have Capital Plan money for that, too. I'll just make sure that my resident know that you don't support this.

SUPERVISOR DESENA: I would support a well thought out plan that we discussed.

COUNCILMAN WALSH: And that just sounded like a threat. I'm going to let my resident know that you don't support it. Do you want to know something? You can let your residents know whatever you want but you didn't discuss it with anybody. So what about my residents? Why don't they get an opportunity? This was all planned, and nobody ever spoke to me about it. What about the people in Garden City Park with them getting some money? This is ridiculous,

I'm going to tell the people in my district that you don't support it. The people see this on television.

SUPERVISOR DESENA: Right.

COUNCILMAN WALSH: So they know what's going on.

SUPERVISOR DESENA: This is about the whole town.

COUNCILMAN WALSH: Exactly.

SUPERVISOR DESENA: It's not just about, you know --

MR. McDONOUGH: Does the \$3.8 million include dredging, disposal of the contaminated soils, stockpiling the contaminated soils till they dry out? It's all being -- it's going to be just like the dredging that was done in front of Manorhaven Park.

COUNCILWOMAN DALIMONTE: Manorhaven boat ramp?

MR. McDONOUGH: Yeah.

COUNCILWOMAN DALIMONTE: We took it -- we took it away and everything like that. This money will be used for -- to go towards that, and whatever the estimate is for over, because it's probably going to cost more than this, will have to come out of the Capital Plan.

MR. McDONOUGH: So --

COUNCILMAN WALSH: And who's going to decide that? The next -- not now.

MR. McDONOUGH: So we just turned around, and I'm going to say it because we have employees and we could use more employees, but you just turned around and said 3.8 million out of ARPA, and now you might have to put money into the Capital Plan?

COUNCILMAN WALSH: Yeah.

COUNCILWOMAN DALIMONTE: Yeah.

MR. McDONOUGH: How much?

COUNCILMAN WALSH: We don't know because there was no discussion.

SUPERVISOR DESENA: How much?

COUNCILMAN WALSH: It's just spending \$3.8 million while they still can.

SUPERVISOR DESENA: Do you have any documents?

COUNCILWOMAN DALIMONTE: Yeah, I have documents. I believe the NovusAGENDA --

SUPERVISOR DESENA: Does that show \$3.8 million?

COUNCILWOMAN DALIMONTE: -- shows where the dredging would be taking place.

SUPERVISOR DESENA: No, I mean cost documents, cost items.

COUNCILWOMAN DALIMONTE: Clerk, I called -- I offer the resolution and move for its adoption. Please call the roll.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: No.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: I think this is a smart use of ARPA funds, and there will be a working session on the Capital Plan in January, so all other capital projects can be discussed then. This isn't -- this is ARPA funds, this is not, you know, the town's bonding, this doesn't change the Capital Plans that would be -- the capital projects that would be worked on as part of the town's comprehensive Capital Plan. I vote aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: You know, I find it somewhat peculiar when we had the sewer project for Plandome Road at \$5 million, and there were several entities, including the Great Neck Water Pollution Control District who were all on board along with the businesses, and that was delayed three times to determine whether sewers are better than septic systems, especially for businesses, and over here we have nobody giving any testimony. I do agree with part of this, but I do believe a huge part of this is also flawed. I don't see the harm in tabling this or continuing it, but yet, my co-Councilpersons, for some do, reasons unexplained, but for sewers, I mean, you were so concerned that it had to be continued three times. I vote no.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: No.

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. 693 - 2023

A RESOLUTION ALLOCATING AMERICAN RESCUE PLAN ACT (ARPA) FUNDS.

WHEREAS, the American Rescue Plan Act (ARPA) signed into law by the President of the United States in March 2021, provides approximately \$350 billion in financial assistance to state, local and tribal governments to assist in the continued relief from the impact of the Covid-19 pandemic; and

WHEREAS, the Office of the New York State Comptroller (the "State Comptroller") is tasked with disbursing allocated ARPA funding to eligible cities, towns and villages within the state; and

WHEREAS, the Town of North Hempstead received \$10,114,021.27 under the State and Local Fiscal Recovery Fund program approved by the ARPA (the "ARPA Funding") to cover revenue loss in 2020, which funds were accepted by this Board pursuant to Resolution 156-2022, duly adopted on March 31, 2022, and recorded to the General Fund; and

WHEREAS, it has been requested that \$3,849,723 of the ARPA funding received by the Town be allocated to an appropriate capital account for the purposes of dredging in the Manhasset Bay area; and

WHEREAS, after careful consideration, the Board finds it in the best interests of the Town to allocate the ARPA Funding as outlined above (the "Allocation").

NOW, THEREFORE, BE IT

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

RESOLVED that the Offices of the Town Attorney and Comptroller are hereby directed to take such action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: Councilperson Adhami, Councilperson Walsh, Supervisor DeSena.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item number 50. Councilman Troiano?

COUNCILMAN TROIANO: I'm sorry?

CLERK SRIVASTAVA: Item number 50?

COUNCILMAN TROIANO: Are you going to read the Item?

CLERK SRIVASTAVA: A resolution waiving applicable fees for the Westbury Union Free School District's use of the North Hempstead Yes We can Community Center.

COUNCILMAN TROIANO: So I'm recusing myself from this Item. I'm stepping inside the chamber.

SUPERVISOR DESENA: He's recusing himself. He's on the board for the school district.

COUNCILWOMAN DALIMONTE: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN WALSH: One second, one second, please, one second. I'm not understanding why the Councilman recused himself.

COUNCILWOMAN LURVEY: Because he's on the Westbury School Board.

COUNCILMAN ZUCKERMAN: He's on the Westbury School Board.

COUNCILMAN WALSH: Oh, okay, yeah, yeah, yeah, okay, I forgot that, okay, go on.

SUPERVISOR DESENA: Didn't we, at one point say, we were going to have a policy about when we waive fees? And I thought that's why Councilman Troiano had continued this for a few months.

COUNCILWOMAN DALIMONTE: No, he continued because he wasn't here.

SUPERVISOR DESENA: No, but before that, he continued it because he thought that we should talk about when we waive fees because there's a lot of --

COUNCILWOMAN LURVEY: An overarching policy. Yeah, have a policy about when we waive fees.

COUNCILMAN WALSH: I remember that.

COUNCILWOMAN DALIMONTE: Mr. McDonough?

MR. McDONOUGH: Tom McDonough, CSEA, 7555. Why are we waiving the fees for the school district?

COUNCILWOMAN DALIMONTE: I do know that when we had our Black History month there, they didn't charge us.

COUNCILMAN WALSH: Yeah, but that was --

SUPERVISOR DESENA: But he made us move it there

COUNCILMAN WALSH: We were forced to move it from the Yes We Can Center.

SUPERVISOR DESENA: That was Robert's decision.

COUNCILMAN WALSH: That was the decision made by the Councilman.

COUNCILWOMAN DALIMONTE: I don't know if he can come in and answer that question.

MR. McDONOUGH: He should come in and answer that question.

COUNCILMAN WALSH: I remember --

MR. McDONOUGH: Westbury School District -- Westbury School District uses this building. I had to hold classes for the town employees, I had to work around their schedule, the Westbury School District schedule. It's not a school facility, it's a community facility, and they're teaching students in that building every day. They have a budget that they budgeted that their taxpayers pay, and they should be paying us. You know what? If you're going to do that, then give every fire department, every permit, for free, and we don't, we don't. We pay for permits. We pay for permits. Different fire departments pay for permits all the time.

COUNCILWOMAN DALIMONTE: When was the last one for Port? Because I know that we -- they were supposed to have their dinner at North Hempstead Beach Park, and we waived that fee.

MR. McDONOUGH: And we couldn't have the dinner there.

COUNCILWOMAN DALIMONTE: Well, because they wanted alcohol. They wanted hard alcohol, not beer and wine. That's not our fault.

MR. McDONOUGH: But there's been numerous times that we used to pay for Manorhaven Park all the time, that's why we stopped going to Manorhaven Park, because it would cost us, and I know that we paid for it because I would drop the check off. I know that Great Neck pays for parks but we're giving the school district? The school taxes on Long Island are out of control but we're going to give them, we're going to supplement them? We have employees that work in those buildings that have to be paid. Why are we supplementing the school district?

COUNCILWOMAN LURVEY: There's nobody to move the Item if Robert --

COUNCILWOMAN DALIMONTE: I did, I said, I offer the resolution -- because I didn't know who was going to do it. I said I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: No.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: No.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Abstain.

CLERK SRIVASTAVA: Item number 51.

COUNCILWOMAN DALIMONTE: Oh, can you get -- hold on. Is he allowed to know how the vote went? Town Attorney --John, is he allowed to know?

CLERK SRIVASTAVA: Item number 51.

COUNCILMAN WALSH: No, he's abstained, how can you ask him to vote?

COUNCILMAN ADHAMI: No, it's public record.

SUPERVISOR DESENA: No, he's asking to --

CLERK SRIVASTAVA: Item number 51. A resolution designating parking spaces in the Port Washington Public Parking District, area number four, as electric vehicle parking and charging only and setting a fee for electric vehicle charging in such spaces.

COUNCILWOMAN DALIMONTE: I'm asking for this to be moved to January 9th.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item number 52. A resolution authorizing the Town of North Hempstead to cosponsor and waive fees for use of the Port Washington Adult Activities Center for the Port Washington Public Library to conduct adult English classes from February through December, 2024.

COUNCILWOMAN DALIMONTE: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: I just want to point out it's another example of us waiving fees.

COUNCILWOMAN DALIMONTE: Well, just so you know, this is to better our residents that do not -- that need to learn how to -- they're ESL, English as a Second Language, and the reason why the library is going down to the adult activity center is because these residents don't have transportation. So we're helping out our residents. I mean, come on, guys.

SUPERVISOR DESENA: I'm just pointing out that when we waive fees, there's a cost to the town.

COUNCILWOMAN DALIMONTE: So we're losing, we're losing what; \$200, \$300? But we're enhancing a resident's life. I mean, seriously? That's shameful.

SUPERVISOR DESENA: Shameful that we should have a policy?

COUNCILWOMAN DALIMONTE: Yes.

SUPERVISOR DESENA: I thought we all agreed we should have a policy about it.

COUNCILWOMAN DALIMONTE: It's shameful because we should, we should enhance our resident's lives.

SUPERVISOR DESENA: Okay.

COUNCILWOMAN DALIMONTE: They don't have transportation.

SUPERVISOR DESENA: Of course we --

COUNCILWOMAN DALIMONTE: That's why we're doing it.

COUNCILMAN WALSH: It's also shameful that --

SUPERVISOR DESENA: We also have fees.

COUNCILMAN WALSH: It's also shameful that south of the expressway we get very little play down there, that's shameful, as well. If you're going to start making it shameful.

COUNCILWOMAN DALIMONTE: Those Councilmembers should work harder for those residents.

COUNCILMAN WALSH: Ha, that's because all the money is taken for other places, for example, for example, Broadway Park was attempting to get fencing around there for 13 years, and every single year the money was taken for an emergency somewhere else until this year, and

this year the fencing was put up around Broadway Park. For 13 years the money, every single year, the money was taken away and sent to other locations for an emergency.

COUNCILWOMAN DALIMONTE: Good job, that's great.

COUNCILMAN WALSH: You can look it up, and this year the fencing was put up, thank the Lord.

COUNCILWOMAN DALIMONTE: That's great.

COUNCILMAN WALSH: Because it was long overdue.

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 694 - 2023

A RESOLUTION AUTHORIZING THE TOWN OF NORTH HEMPSTEAD TO CO-SPONSOR AND WAIVE FEES FOR USE OF THE PORT WASHINGTON ADULT ACTIVITIES CENTER FOR THE PORT WASHINGTON PUBLIC LIBRARY TO CONDUCT ADULT ENGLISH CLASSES FROM FEBRUARY THROUGH DECEMBER 2024.

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 (the "Fee Schedule"), including the Port Washington Adult Activities Center (the "Center"); and

WHEREAS, the Port Washington Library (the "Library") has requested to use the Center to hold adult English classes (the "Classes") beginning February 1, 2024 through December 31, 2024; and

WHEREAS, the Town wishes to serve as a co-sponsor of the Classes and desires to waive the fee for the Library's use of the Center for the Classes; and

WHEREAS, this Board finds it in the best interests to waive the fees for the Port Washington Library to use the Center for the adult English classes.

NOW, THEREFORE BE IT

RESOLVED that the fee for use of the Center by the Library to hold adult English classes beginning February 1, 2024 through December 31, 2024 is hereby waived.

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Parks and Recreation

CLERK SRIVASTAVA: Item number 54. A resolution amending resolution number 12-2023, adopted January 12th, 2023, establishing the list of designated depositories for the Office of the Town Clerk for calendar year 2023.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 695 - 2023

A RESOLUTION AMENDING RESOLUTION NO. 12-2023, ADOPTED JANUARY 12, 2023, ESTABLISHING THE LIST OF DESIGNATED DEPOSITORIES FOR THE OFFICE OF THE TOWN CLERK FOR CALENDAR YEAR 2023.

WHEREAS, pursuant to Resolution No. 12-2023, duly adopted on January 12, 2023, the Town Board designated certain banks and trust companies of the State of New York (the "Financial Institutions") as depositories of Town funds for the deposit and drawing of orders for the payment of money by the Town (the "Resolution"); and

WHEREAS, the Office of Town Clerk has requested the Resolution be amended to add JP Morgan Chase Bank as an additional Financial Institution in which Town Clerk may deposit all monies coming into their possession by virtue of their office during the year 2023 (the "Amendment"); and

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

NOW, THEREFORE, BE IT

RESOLVED that the Resolution be and hereby is amended to reflect the Amendment; and be it further

RESOLVED that the Town Clerk is hereby authorized to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item number 55. A resolution authorizing and approving the payment of claims against the Town of North Hempstead and authorizing and directing the Comptroller or Deputy Comptroller to pay the costs thereof.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 696 - 2023

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

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

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

NOW, THEREFORE, BE IT

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

<u>Claimant</u> <u>No.</u>	<u>Amount</u>	<u>File</u>
GEICO a/s/o Michelle Sotnikow And Alexis Rodriguez v. TONH	TI-19-0101	\$14,000.00
Alexis B Rodriguez v. TONH	TI-19-0116	\$100,000.00

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

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

CLERK SRIVASTAVA: Item number 56. A resolution authorizing the employment, appointment, transfer, adjustment, correction, change in grade or salary and/or termination of employees and/or officials in various departments of the town. We have a card, Tom McDonough. This time I found your card.

MR. McDONOUGH: Tom McDonough, CSEA, 7555. Again, I appreciate the full-timers that we get every time we get one. I still have a problem with the part-timers. The other thing that I want to bring up is that these people that are being voted on on this resolution have not been approved by civil service. So you approve them, they got to wait for civil service clearance, and I think that that's completely backwards. We had an individual we hired on the last employment reso, quit his job that he was working at, has not been cleared by civil service as of yet, but he was voted on by you. Well, if civil service doesn't clear him, his name's got to come back to this Board, and you have to vote him out. So there's something backwards there. Years ago it went to civil service, came to the Board. It got changed to where it came to the Board, then went to civil service, and then the person was able to start working.

COUNCIL WOMAN DALIMONTE: But what happened --

MR. McDONOUGH: It was changed again, and then a couple of years ago, it was changed back again because certain people didn't like the way it was. It should be, interview the individual, hire the individual, civil service approves it, you put him on the next employment reso, and they start right away.

COUNCIL WOMAN DALIMONTE: But what happens --

MR. McDONOUGH: Here's a guy that's sitting out of work, it's going to be three weeks, doesn't have a job.

COUNCIL WOMAN DALIMONTE: What happens if we did it that way, and it comes to the Town Board after civil service just did all that work, and now it comes to the Town Board, and it doesn't get approved?

MR. McDONOUGH: Why wouldn't you approve him? Why would you even -- why would you even send it?

COUNCIL WOMAN DALIMONTE: I'm just --

MR. McDONOUGH: Because you're doing an interview process first.

COUNCIL WOMAN DALIMONTE: But the Town Board has to hire the person.

MR. McDONOUGH: Absolutely.

COUNCIL WOMAN DALIMONTE: Wouldn't it go to -- I mean it doesn't make sense doing it the other way because we have seen Town Boards not approve certain things.

MR. McDONOUGH: Why? You turn around and you interview the person.

COUNCIL WOMAN DALIMONTE: But we're not interviewing them.

MR. McDONOUGH: You want to hire this person for whatever department it is, that person's name and all their information, their resume, whatever you want to say, gets sent -- distributed to the Board members, and if there's any objection to it, have a conversation. But it needs to go to civil service first.

COUNCIL WOMAN DALIMONTE: A resume and interviewing someone are completely two

different things, in my opinion. I would always -- and I'm not --

MR. McDONOUGH: The reason why it was changed was because if the Supervisor didn't like the person, the Supervisor didn't hire him and said take him off the employment reso. That's why it was done the way it was.

COUNCILWOMAN DALIMONTE: I kind of agree with the way we're doing it, that we're approving it, and then it's going to civil service or while we're doing this it's going to civil service because I can see where some things -- first of all, the guy should have never quit his job until he was approved by civil service.

MR. McDONOUGH: He wasn't told that, he was told that he was hired. He was told that he was given a job.

COUNCILWOMAN DALIMONTE: Why was --

MR. McDONOUGH: And he was given a start date.

COUNCILWOMAN DALIMONTE: Why is civil service taking so long?

MR. McDONOUGH: I don't know, I don't work for civil service. Depends on how many people -- how many investigations they have to do. Who knows how many -- they do investigations for Nassau County, Town of North Hempstead, Town of Oyster Bay, and every special district and village within the county.

COUNCILWOMAN DALIMONTE: What about the Town of Hempstead? They don't do --

MR. McDONOUGH: Town of Hempstead does their own.

SUPERVISOR DESENA: They have their own --

COUNCILWOMAN DALIMONTE: Why don't we do our own?

MR. McDONOUGH: Town of Hempstead, City of Glen Cove and the City of Long Beach all have their own civil services.

COUNCILWOMAN DALIMONTE: We should have our own.

MR. McDONOUGH: We're not as big as those. Even the Town of Oyster Bay, who's bigger than us, that has more than us. Remember, we used to have almost 800 employees in the town. We've never recovered from that decimation that was done back in the early '90s. So we've never recovered, and our facilities show that. That we've never recovered from that.

COUNCILWOMAN DALIMONTE: I agree.

MR. McDONOUGH: So we need to turn around and start putting some people in in spots in the town. But you know what? That's your job. That's the administration's job to do that. Me, I advocate for it, but that's your job to do that. But if a person turns around and is told they're given a job and they're given a start date, and all of a sudden their paperwork hasn't come back from civil service yet, that's a disservice to them, 100 percent. I go to civil service meetings. I know what they do.

COUNCILMAN ADHAMI: I would like to hear from the head of HR.

MR. WEITZNER: Bob Weitzner, Commissioner of Human Resources. First of all, this situation is more the exception than the rule. There are instances where people's applications are delayed. Sometimes it's background checks that take longer than normal. Nobody in our

department ever will give a start until we know we have civil service approval. So if it happened and someone did do that, they shouldn't have. More importantly, it's important that our department make sure that your Board has total control. It should not be up to our Board to start filling out applications, helping fill out applicants for applicants based on the department head wanting them to go to civil service, and then sending them all to civil service, and then waiting for them to get approved and me come to you as a Board and say, oh, did I tell you the people I just got approved by civil service. What authority did you have, Commissioner Weitzer, to have these people approved if the Board didn't see them first? So I do share the frustration. We've been calling civil service on a daily basis for this one individual. This is the reason that we tell our Commissioners, Deputy Commissioners conducting interviews, Superintendent of Highway, you tell these people that you're interested in hiring them and pending Board approval and civil service approvals, you'll be hired at the town. We have this process where they're on the reso, they're approved by you, we then submit all those applications that you have all agreed to, not HR, not Highway, you have agreed to, and those go to civil service, and we still tell people, don't quit your jobs and Commissioners do not give any start dates because almost 16 years experience, I can count on two hands where the unexpected happens. It can be anything from one of you saying, you know what? I don't want this person hired, to something on their background where we decide we don't want to hire them, and you know, that is the process that we have right now. Is it perfect? No, it's not perfect. But does it put the control into the Board rather than department heads and the HR department? Absolutely, and in my opinion, that's where it should stay.

COUNCILWOMAN DALIMONTE: Who does civil service report to?

MR. WEITZNER: Well there's an Executive Director that, to my knowledge, to date, has yet to be named. They're a little bit rudderless right now. They went through attritions similar to what we went through with retirements a number of years ago. They have not been very reactive to a number of our requests for applications, approvals, et cetera. We are doing our best to jump the gun where we can in a thoughtful manner. Part-timers and seasonals, you should know, in case this comes up, we do submit those in advance because if we didn't, you would not have anybody manning the parks, manning the places that need to be manned. But when it comes to full-time employees, we do it by the book, you know, and we want to make sure that this Board approves everyone that's going to civil service, and to have situations where people are approved by civil service, and all of you didn't know about it or have questions about it or we get a question from the Deputy Supervisor, was this budgeted? Well, I don't know, I was just getting approvals, you know, so this --

COUNCILWOMAN DALIMONTE: Also if you did approve it, we'd be wasting civil service's time and adding workload to them.

MR. WEITZNER: Yeah, I mean, and frankly, the way that the new approval process is established with the Board that each Item can be approved on, it actually -- it's a little more perilous for each individual rather than usually a group approval, which more often than not, would happen. There are possibilities and individuals who will not be approved on a given reso, but most importantly, we continue to tell our Commissioners that you do not give start dates, we give start dates. We will not give a start date unless you approve it and civil service approves it or there won't be a start date, and Councilwoman Dalimonte brought up a good point, no, you should never have anyone leave their job till the Board approves it tonight, until civil service approves it. Look, we've had approvals that can happen in a week and on rare occasions, we've

had some that have taken three weeks, and I will tell you that I do share in Tom's frustration. You have an individual who apparently quit his job, who needs to get back to work. But I can't let him come to work if he's not approved by civil service.

COUNCILMAN WALSH: Who gave him a starting date?

SUPERVISOR DESENA: Livestream -- we're off camera.

MR WEITZNER: I have a way of doing that, you know, my moment of

SUPERVISOR DESENA: Let's wrap it up.

MR. WEITZNER: All right, so I do apologize, I do feel for anyone who would, for whatever reason, was misguided to think that they could quit their jobs to come here without the proper approval, and you know, I will also tell you that in this particular instance, this gentleman arrived on a Monday, and my department found out about it, and we sent him home. I can't -- I can't let somebody work that isn't approved by civil service. It just -- it won't happen.

COUNCILWOMAN DALIMONTE: Thank you.

MR. WEITZNER: All right?

SUPERVISOR DESENA: Thank you.

MR. McDONOUGH: One other food for thought. Out of Oyster Bay, Hempstead, Long Beach and Glen Cove, we're the only town of the big five that doesn't have a resident preference which means if there's a competitive list, that the people that live in the Town of North Hempstead are put on a separate list and it's residents preference. That was removed by two administrations ago at the request of the Town Clerk. I think that should be reestablished and our town residents should get first shot at coming off a competitive list.

COUNCILMAN WALSH: And that's a question for another time.

MR. McDONOUGH: Yup, but it's food for thought, somebody's here that can bring it up.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: I vote aye on Items number 56-1 to 56-14.

COUNCILWOMAN LURVEY: Do we need to revote?

MR. CHIARA: No.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: I vote aye on Items 56-1 through 56-14.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: I vote aye on Items 56-1 through 56-14.

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

RESOLUTION NO. 697 - 2023

A RESOLUTION AUTHORIZING THE EMPLOYMENT, APPOINTMENT, TRANSFER, ADJUSTMENT, CORRECTION, CHANGE IN GRADE OR SALARY AND/OR TERMINATION OF EMPLOYEES AND/OR OFFICIALS IN VARIOUS DEPARTMENTS OF THE TOWN.

WHEREAS, approval of this Board has been requested for the employment, appointment, transfer, adjustment, correction, change in grade or salary and/or termination of certain individuals, employees and/or officials in various departments of the Town of North Hempstead (the "Town") as more particularly set forth in the below resolutions; and

WHEREAS, that employments, appointments, transfers, adjustments, corrections, changes in grade or salary, and/or terminations (the "Employment Actions") that have been adopted are subject to completion of paperwork and civil service approval and are subject to the rules and regulations of the Nassau County Civil Service Commission and New York State Civil Service Law; and be it further

WHEREAS, that the term of appointment and employment of any person to an exempt position shall be at the pleasure of the Town Board.

WHEREAS, this Board finds it to be in the best interest of the Town to authorize the Employment Actions as follows:

RESOLVED

cc: Town Attorney Human Resources

RESOLUTION NO: 697 -1

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of Kevin Cashman to the title of Laborer 1 in the amount of \$22.82 hourly / \$47,471 annually in the Highway Department - Denton Avenue Garage effective 12/09/23.

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

Nays: None.

RESOLUTION NO: 697 -2

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of Kyle Staheli to the title of Laborer 1 in the amount of \$22.82 hourly / \$47,471 annually in the Highway Department - Northside yard effective 12/09/23.

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

Nays: None.

RESOLUTION NO: 697 -3

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time to full-time hire of Giuseppe Piscitelli to the title of Laborer 1 in the amount of \$22.82 hourly / \$47,471 annually in the Department of Parks & Recreation - Michael J. Tully Park effective 12/09/23.

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

Nays: None.

RESOLUTION NO: 697 -4

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Ethan Wilson to the title of Attendant in the amount of \$15.00 hourly in the Department of Parks & Recreation - Michael J. Tully Park effective 12/09/23.

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

Nays: None.

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Marion Sossi to the title of Recreation Aide in the amount of \$20.00 hourly in the Department of Parks & Recreation - Michael J. Tully Park effective 12/09/23.

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

Nays: None.

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Andrew Skolnick to the title of Lifeguard I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Michael J. Tully Park effective 12/09/23.

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

Nays: None.

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Jacob Keiper to the title of Attendant in the amount of \$15.00 hourly in the Department of Parks & Recreation - Michael J. Tully Park effective 12/09/23.

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

Nays: None.

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the seasonal to part-time status change with a change of location for Destiny Gillespie in the title of Attendant in the amount of \$15.00 hourly to the Department of Parks & Recreation - Michael J. Tully Park effective 12/05/23.

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

Nays: None.

RESOLUTION NO: 697 -9

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Patrick Farrell in the title of Laborer 1 P/T in the amount of \$20.00 hourly in the DoITT effective 05/31/23.

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

Nays: None.

RESOLUTION NO: 697 -10

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Sharde Jones in the title of Recreation Aide in the amount of \$17.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 11/01/23.

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

Nays: None.

RESOLUTION NO: 697 -11

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of part-time employee Lisa Cioffi in the title of Attendant in the amount of \$20.00 hourly in the Department of Public Safety - Animal Shelter effective 09/28/23.

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

Nays: None.

RESOLUTION NO: 697 -12

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of full-time employee Christopher Buchalter in the title of Laborer 1 in the amount of \$22.82 hourly / \$47,471 annually in the Highway Department - Denton Avenue Garage effective 12/13/23.

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

Nays: None.

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the resignation of full-time employee Michael Kelly in the title of Deputy Town Attorney in the amount of \$6,272.42 bi-weekly / \$163,083 annually in the Town Attorney's Office effective 12/08/23.

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

Nays: None.

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Vincent Sacco in the title of Park Construction Coordinator to the amount of \$53.75 hourly / \$111,794 annually in the Department of Parks & Recreation - Trades Crew effective 12/09/23.

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

Nays: None.

CLERK SRIVASTAVA: Thank you. Item number 57. A resolution approving the action of the Fire-Medic Co., No. 1, Port Washington, New York, in adding Zachary Osman and Wilbert Molina to membership and removing Max Lazarus from membership.

COUNCILWOMAN DALIMONTE: I offer the resolution and move for its adoption. Guys, we can't hear.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 698 - 2023

A RESOLUTION APPROVING THE ACTION OF THE FIRE-MEDIC CO., NO. 1, PORT WASHINGTON, NEW YORK, IN ADDING ZACHARY OSMAN AND WILBERT MOLINA TO MEMBERSHIP AND REMOVING MAX LAZARUS FROM MEMBERSHIP.

WHEREAS, the Fire-Medic Co. No. 1, Port Washington, New York, has advised of adding Zachary Osman and Wilbert Molina to membership and removing Max Lazarus 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 Zachary Osman, 25 Anette Dr, Port Washington, NY, 11050 and Wilbert Molina, 15 Smull Place, Apt 1, Port Washington, NY, 11050 to membership and removing Max Lazarus from membership hereby is approved and the Town Clerk directed to record their names in the Minutes of the Town Board.

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Fire-Medic Co. No. 1

Town Attorney

Comptroller

CLERK SRIVASTAVA: Item number 58. A resolution approving the action of the Flower Hill Hose Company, No. 1, Port Washington, New York, in adding Sebashan Benden Casapia to membership and removing Andrew Fragosa from membership.

COUNCILWOMAN DALIMONTE: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 699 - 2023

A RESOLUTION APPROVING THE ACTION OF THE FLOWER HILL HOSE COMPANY, NO. 1, PORT WASHINGTON, NEW YORK, IN ADDING SEBASHAN BENDEN CASAPIA TO MEMBERSHIP AND REMOVING ANDREW FRAGOSA FROM MEMBERSHIP.

WHEREAS, the Flower Hill Hose Company, No. 1, Port Washington, New York, has advised of adding Sebashan Benden Casapia to membership and removing Andrew Fragosa from membership.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Flower Hill Hose Company, No. 1, 12 Haven Avenue, Port Washington, New York, 11050 in adding Sebashan Benden Casapia, 287 Main Street, Port Washington, NY, 11050, and removing Andrew Fragosa from membership hereby is approved and the Town Clerk directed to record the names in the Minutes of the Town Board.

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

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

CLERK SRIVASTAVA: Item number 59. A resolution approving the action of the Alert Engine, Hook, Ladder and Hose Co., No. 1, Inc., Great Neck, New York, in removing Brendan Ilpi and Victor Fuentes from membership.

COUNCILWOMAN LURVEY: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

Councilperson 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. 700 - 2023

A RESOLUTION APPROVING THE ACTION OF THE ALERT ENGINE, HOOK, LADDER AND HOSE CO. NO. 1 INC., GREAT NECK, NEW YORK, IN REMOVING BRENDAN ILPI AND VICTOR FUENTES FROM MEMBERSHIP.

WHEREAS, the Alert Engine, Hook, Ladder and Hose Co. No. 1, Inc., Great Neck, New York, has advised of removing Brendan Ielpi and Victor Fuentes from membership.

NOW, THEREFORE, BE IT

RESOLVED that the action of Alert Engine, Hook, Ladder and Hose Co. No. 1, Inc., 555 Middle Neck Rd., Great Neck, NY 11023, in removing Brendan Ielpi and Victor Fuentes from membership hereby is approved and the Town Clerk directed to record their names in the Minutes of the Town Board.

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Alert Engine Town Attorney Comptroller

CLERK SRIVASTAVA: Item number 60. A resolution approving the action of the Albertson Hook & Ladder, E&H, Co. 1, Inc., Albertson, New York, in adding Eric Matthew Betancourt to membership.

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

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

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

RESOLUTION NO. 701 - 2023

A RESOLUTION APPROVING THE ACTION OF THE ALBERTSON HOOK & LADDER, E&H, CO. 1, INC, ALBERTSON, NEW YORK, IN ADDING ERIC MATTHEW BETANCOURT TO MEMBERSHIP.

WHEREAS, the Albertson Hook & Ladder, E&H, Co. 1, Inc, Albertson, New York, in adding Eric Matthew Betancourt to membership.

NOW, THEREFORE, BE IT RESOLVED that the action of the Albertson Hook & Ladder, E&H, Co. 1, Inc, 100 I U Willets Rd., Albertson NY 11507, has advised of adding Eric Matthew Betancourt, of 61 Yale St, Williston Park NY 11596 to membership and the same hereby is approved and the Town Clerk is directed to record this name in the Minutes of the Town Board.

Dated: Manhasset, New York

December 5, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Albertson Hook & Ladder

Town Attorney

Comptroller

SUPERVISOR DESENA: I move to adjourn.

COUNCILWOMAN DALIMONTE: You untabled it.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: This is the motion to adjourn?

CLERK SRIVASTAVA: Yes.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Zuckerman?

COUNCILMAN ZUCKERMAN: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Before I say aye, I would like to say that it's very difficult to sit up here, and Councilman Zuckerman has been up here for around nine years, and that's not an easy thing to do, and he's got nine years serving the people in the Town of North Hempstead, as did Councilwoman Lurvey. I think six years?

COUNCILWOMAN LURVEY: Five.

COUNCILMAN WALSH: Five years, and you know, none of this stuff is easy, it's now 10 after 12, we can't be here much later than this, and with all the bickering and everything else, for me, it was never personal. I wish everyone good luck, I wish Councilman -- Councilwoman Lurvey and Councilman Zuckerman the best of luck, and I think that you did a terrific job for close to a decade. Thank you. Aye.

COUNCILMAN ZUCKERMAN: Thank you, Dennis.

CLERK SRIVASTAVA: Councilwoman Lurvey?

COUNCILWOMAN LURVEY: That is so sweet. I know you're a sweetheart.

COUNCILMAN WALSH: Don't be so sure about that.

COUNCILWOMAN LURVEY: I vote aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: I would like to echo what the sentiments of the rest of the Board has already stated. I know this is a thankless job a lot of times, and you both have served with distinction, and it's a pleasure and an honor to have been on this Board with you, and I wish you both the best of luck in your future endeavors.

COUNCILMAN ZUCKERMAN: Thank you.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: So you work for the people, you truly do, and you work from the heart, and that's what -- that's the way we're supposed to do it, we're supposed to be here for the people, not for egos or anything else, for the people, and the two of you have, and thank you, and it's been a pleasure serving with you, and the last four years, you guys have taught me a lot, and I greatly appreciate it, and I'm going to really miss you.

SUPERVISOR DESENA: And you vote?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

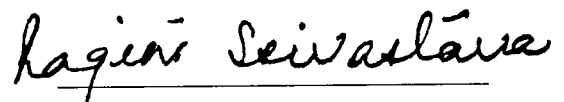
SUPERVISOR DESENA: And just in case you thought you were leaving, I'll talk for a while. No I -- it's been an honor serving with you, it is a difficult job sitting up here, you've done it for a long time and did it very well and very thoroughly and very intelligently. So on behalf of the residents of the Town of North Hempstead thank you, very much, for your service.

COUNCILMAN ZUCKERMAN: Thank you.

COUNCILWOMAN DALIMONTE: Take your name tag with you.

COUNCILMAN WALSH: Merry Christmas, happy holidays.

(WHEREUPON, this meeting was concluded on Wednesday, December 6th, 2023 at 12:20 a.m.)

A handwritten signature in cursive script, reading "Ragini Srivastava". The signature is written in black ink and is positioned above a horizontal line.

Town Clerk