

**TOWN OF NORTH HEMPSTEAD  
BOARD MEETING  
AGENDA**



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**November 20, 2018**

**7:00 PM**

**PUBLIC HEARINGS:**

1. A PUBLIC HEARING TO CONSIDER THE RESCISSION OF AN ORDINANCE AFFECTING VILLAGE ROAD IN MANHASSET, NEW YORK.

Synopsis: The rescission of this ordinance will remove the stop sign on Village Road for the westbound approach at its intersection with The Mall in Manhasset.

2. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING HILLSIDE AVENUE IN ROSLYN HEIGHTS, NEW YORK.

Synopsis: The adoption of this ordinance will establish a reserved parking space on the south side of Hillside Avenue in Roslyn Heights.

3. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING VAN NOSTRAND AVENUE IN ROSLYN HEIGHTS, NEW YORK.

Synopsis: The adoption of this ordinance will establish a full stop for northbound traffic on Van Nostrand Avenue at its intersection with Elm Street in Roslyn Heights.

4. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 23 OF THE TOWN CODE ENTITLED "GOVERNMENTAL DEPARTMENTS."

Synopsis: The proposed local law would amend the grievance procedure contained in the Town's anti-discrimination provisions.

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

Synopsis: The proposed local law would prohibit medical marijuana dispensaries from being used as marijuana retail stores.

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

Synopsis: The proposed local law would implement zoning regulations for medical marijuana facilities.

7. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING LOCAL LAW NO. 11 OF 2017, ADOPTED DECEMBER 19, 2017, AS AMENDED BY LOCAL LAW NO. 6 OF 2018, ADOPTED JUNE 5, 2018 AND AS FURTHER AMENDED BY LOCAL LAW NO. 9 OF 2018, ADOPTED SEPTEMBER 27, 2018, ESTABLISHING A BUILDING MORATORIUM IN THE WATERFRONT BUSINESS (B-W) DISTRICT.

Synopsis: The proposed local law would extend the building moratorium in the Waterfront Business (B-W) District until July 1, 2019.

**RESOLUTIONS:**

8. A RESOLUTION ADOPTING THE ANNUAL BUDGET OF THE ROSLYN GARBAGE DISTRICT FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2019.

9. 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."

Synopsis: The proposed local law would ban the retail sale of recreational marijuana in the Town of North Hempstead. Tentative hearing date is January 8, 2019.

10. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 23 OF THE TOWN CODE ENTITLED "GOVERNMENTAL DEPARTMENTS."

Synopsis: The purpose of the local law is make comprehensive amendments to the Town's regulations regarding unlawful discrimination, harassment and retaliation. Tentative hearing date is December 18, 2018.

11. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING OLD COURTHOUSE ROAD IN MANHASSET HILLS, NEW YORK.

Synopsis: The adoption of this ordinance will establish a "No Parking 2am -6am" parking restriction on the east side of Old Courthouse Road, north of Knolls Drive North, in Manhasset Hills. Tentative hearing date is December 18, 2018.

12. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING RIDGE DRIVE IN PORT WASHINGTON, NEW YORK.

Synopsis: The adoption of this ordinance will establish a full stop southbound and northbound on Ridge Drive, at its intersection with Bogart Avenue, in Port Washington. Tentative hearing date is December 18, 2018.

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

Synopsis: The adoption of this ordinance will establish a reserved parking space on the east side of Fourth Avenue, northeast of Sixth Avenue, in Westbury. Tentative hearing date is December 18, 2018.

14. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING GORDON DRIVE IN HERRICKS, NEW YORK.

Synopsis: The adoption of this ordinance will establish a full stop southbound on Gordon Drive, at its intersection with Lafayette Street, in Herricks. Tentative hearing date is December 18, 2018.

15. A RESOLUTION AUTHORIZING THE TOWN BOARD TO ACCEPT GIFTS TO THE TOWN PURSUANT TO TOWN LAW SECTION 64.
16. A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS COMPANION ANIMAL CAPITAL FUND 2018-2019 AND THE TAKING OF RELATED ACTION.
17. A RESOLUTION AUTHORIZING AN AWARD IN CONNECTION WITH A REQUEST FOR PROPOSALS FOR AN EMERGENCY SPILL CONTRACTOR (TNH205-2018).
18. A RESOLUTION AUTHORIZING AN AWARD IN CONNECTION WITH A REQUEST FOR PROPOSALS FOR NURSING SERVICES (TNH055-2018).
19. A RESOLUTION AUTHORIZING AN AWARD IN CONNECTION WITH A REQUEST FOR PROPOSALS FOR ANNUAL AUDIT SERVICES FOR THE TOWN OF NORTH HEMPSTEAD AND THE TOWN OF NORTH HEMPSTEAD SOLID WASTE MANAGEMENT AUTHORITY (TNH150-2018).
20. A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE COLLECTION AND DISPOSAL OF ACCEPTABLE WASTE AND RECYCLABLES IN THE NEW HYDE PARK-GARDEN CITY PARK-FLORAL PARK CENTRE GARBAGE DISTRICT.
21. A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE COLLECTION AND DISPOSAL OF ACCEPTABLE WASTE AND RECYCLABLES IN THE NEW CASSEL GARBAGE DISTRICT.
22. A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE COLLECTION AND DISPOSAL OF WASTE AND PAPER RECYCLABLES FROM HARBOR LINKS GOLF COURSE (TNH079-2018).
23. A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR SECURITY SERVICES FOR THE OFFICE OF THE RECEIVER OF TAXES (TNH062-2018).
24. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH P.W. GROSSER CONSULTING ASSOCIATED WITH DRAINAGE IMPROVEMENTS AT HUTCHINSON COURT, GREAT NECK, NY (ENGINEERING).

25. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HENRICH EQUIPMENT CO. INC. FOR A SITE AUDIT OF TOWN FUELING FACILITIES.
26. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH AFFORDABLE CESSPOOL SEWER AND DRAIN INC. FOR CATCH BASIN AND SINK HOLE REPAIRS AT GERRY POND PARK, ROSLYN.
27. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE COMMUNITY CHEST OF PORT WASHINGTON, NY, INC. TO CO-SPONSOR A THANKSGIVING DAY RUN.
28. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH GENERAL CODE FOR UPGRADES TO THE TOWN'S DOCUMENT MANAGEMENT SYSTEM.
29. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CUSTOM MARINE FOR THE REMOVAL OF A DERELICT VESSEL.
30. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH AN EXCELSIOR ELEVATOR CORP. FOR ELEVATOR MAINTENANCE.
31. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH GENUINE PARTS COMPANY D/B/A NAPA AUTO PARTS.
32. A RESOLUTION AMENDING RESOLUTION 289-2018, ADOPTED JUNE 5, 2018, AUTHORIZING THE USE OF AGREEMENTS BETWEEN THE NATIONAL JOINT POWERS ALLIANCE AND NO FAULT SPORT GROUP, LLC AND PLAYPOWER LT FARMINGTON, INC. D/B/A LITTLE TIKES COMMERCIAL FOR PLAYGROUND EQUIPMENT AND SURFACING FOR MARY JANE DAVIES GREEN, MANHASSET.
33. A RESOLUTION AUTHORIZING THE PURCHASE FROM TRAFFICWARE OF TRAFFIC ANALYSIS SOFTWARE FOR THE DEPARTMENT OF PUBLIC WORKS.
34. A RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE MAINTENANCE AND TECHNICAL SUPPORT SERVICES FOR VARIOUS APPLICATIONS FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS.
35. A RESOLUTION AUTHORIZING THE TOWN BOARD TO SUSPEND PARKING METER REGULATIONS ON NOVEMBER 24, 2018 AND FROM DECEMBER 2, 2018 THROUGH AND INCLUDING DECEMBER 26, 2018, ON CERTAIN ROADS IN PORT WASHINGTON.

36. A RESOLUTION AUTHORIZING AN AMENDMENT TO THE TOWN OF NORTH HEMPSTEAD'S PROPERTY INSURANCE POLICY.
37. A RESOLUTION SETTING DATES FOR MEETINGS OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD FOR CALENDAR YEAR 2019.
38. 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.
39. A RESOLUTION APPROVING THE ACTION OF THE ALBERTSON FIRE CO., ALBERTSON, NEW YORK, IN ADDING TO MEMBERSHIP ROGER ROBINSON.
40. A RESOLUTION APPROVING THE ACTION OF THE PROTECTION ENGINE COMPANY 1, PORT WASHINGTON, NEW YORK IN REMOVING FROM MEMBERSHIP DONALD L. SMALLWOOD III.
41. A RESOLUTION APPROVING THE ACTION OF THE FIRE-MEDIC CO., NO. 1, PORT WASHINGTON, NEW YORK, IN ADDING ELIZABETH WEISBURD AND KRISTINA BURKE TO MEMBERSHIP AND REMOVING FROM MEMBERSHIP ANDREW WEBER, STEVEN SANDOVAL AND KEIRY CHAVEZ AND CHANGING THE STATUS OF KELLY KENNEDY FROM ACTIVE TO EXEMPT.
42. A RESOLUTION APPROVING THE ACTION OF THE ATLANTIC HOOK & LADDER COMPANY, NO. 1, INC., PORT WASHINGTON, NEW YORK IN ELECTING TO MEMBERSHIP KRIS LEDINS, BRANDON LEFCOURT AND THOMAS NATOLI.

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

**ORDINANCE NO. 19 - 2018**

**A PUBLIC HEARING TO CONSIDER THE RESCISSION OF AN ORDINANCE AFFECTING VILLAGE ROAD IN MANHASSET, NEW YORK.**

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

**ORDINANCE NO. T.O. 19 - 2018  
MANHASSET, NEW YORK**

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

PROPOSAL:

RESCIND:

1. T.O. 22-2015

Adopted October 20, 2015

**VILLAGE ROAD – THE MALL– FULL STOP –**

All traffic westbound on Village Road shall come to a Full Stop at its intersection with The Mall.

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 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: November 20, 2018  
Manhasset, New York

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

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**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. 524 - 2018**

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

**WHEREAS**, the Town Board (the “Board”) of the Town of North Hempstead has held a public hearing to consider enacting an ordinance (the “Ordinance”), pursuant to Section 1660 of the Vehicle and Traffic Law to establish a reserved parking space on the south side of Hillside Avenue in Roslyn Heights from a point 176 feet east of the east curb line of Mineola Avenue, east, for a distance of 20 feet; and

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

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Ordinance establishing a reserved parking space on the south side of Hillside Avenue in Roslyn Heights from a point 176 feet east of the east curb line of Mineola Avenue, east, for a distance of 20 feet, pursuant to Section 1660 of the Vehicle and Traffic Law of the State of New York is adopted by this Board, the Ordinance being more particularly described in the Notice of Adoption (the “Notice”); and be it further

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

**NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that the Town Board of the Town of North Hempstead at a regular public meeting of the Board held on the 20<sup>th</sup> day of November, 2018 at 7:00 P.M. at Town Hall, 220 Plandome Road, Manhasset, New York, duly adopted an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

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



**AN ORDINANCE ESTABLISHING A RESERVED PARKING SPACE ON HILLSIDE AVENUE, ROSLYN HEIGHTS, NEW YORK.**

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

“101” A reserved parking space is established on the south side of Hillside Avenue in Roslyn Heights from a point 176 feet east of the east curb line of Mineola Avenue, east, for a distance of 20 feet.

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

Dated: Manhasset, New York

November 20, 2018

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

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney      Comptroller      Traffic Safety      Public Safety

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

**ORDINANCE NO. 20 -2018**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING VAN NOSTRAND AVENUE IN ROSLYN HEIGHTS, NEW YORK.**

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

**ORDINANCE NO. T.O. 20 - 2018  
ROSLYN, NEW YORK**

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

PROPOSAL:

ADOPT:

1. VAN NOSTRAND AVENUE – ELM STREET – FULL STOP –

All traffic northbound on Van Nostrand Avenue shall come to a Full Stop at its intersection with Elm Street.

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

Section 3. PENALTIES: “A violation of this ordinance shall be punishable by a fine, or when applicable, by imprisonment, not in 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: November 20, 2018  
Manhasset, New York

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

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

**RESOLUTION NO. 527 - 2018**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW  
AMENDING CHAPTER 23 OF THE TOWN CODE ENTITLED "GOVERNMENTAL  
DEPARTMENTS."**

NO RESOLUTION.

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

**RESOLUTION NO. 522 - 2018**

**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 enact local laws pursuant to the provisions of Article 9 of the New York State Constitution, the Town Law, and the Municipal Home Rule Law; and

**WHEREAS**, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend Chapter 70 of the Town Code entitled "Zoning" to prohibit medical marijuana dispensaries from being used as marijuana retail stores; and

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

**WHEREAS**, due notice has been heretofore given of a public hearing to be held on the 20th day of November, 2018, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

**WHEREAS**, the Town Board has carefully considered the proposed Local Law during the seven-day period, conducted a public hearing on November 20, 2018, with respect to the Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that Local Law No. 10 of 2018 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD  
LOCAL LAW NO. 10 OF 2018**

**A LOCAL LAW AMENDING CHAPTER 70 OF**

## **THE TOWN CODE ENTITLED “ZONING”**

### **Section 1. Legislative Intent**

The Town Board finds that the factors weighed in siting medical marijuana facilities, such as proximity to homes, schools, parks and medical offices, simply do not apply to recreational marijuana facilities. Accordingly, the Town Board finds it in the best interests of the Town to amend Chapter 70 of the Town Code to prohibit medical marijuana facilities from becoming marijuana retail stores, in the event that New York State legalizes the recreational use of marijuana.

### **Section 2.**

Chapter 70 of the Town Code shall be amended to establish Article XXID entitled “Marijuana” as follows:

#### **Article XXID Marijuana**

##### **§ 70-201.11 Prohibitions**

**No building, structure or premises approved or used as a Medical Marijuana Dispensary pursuant to Article 33 of the New York Public Health Law may be used as a Marijuana Retail Store.**

### **Section 3.**

Section 70-231 of the Town Code shall be amended as follows

§ 70-231. Definitions.

[Amended 7-23-1968; 10-15-1968; 12-31-1974 by L.L. No. 22-1974; 2-1-1977 by L.L. No. 2-1977; 3-27-1979 by L.L. No. 3-1979; 8-12-1980 by L.L. No. 11-1980; 8-12-1980 by L.L. No. 12-1980; 8-26-1980 by L.L. No. 13-1980; 9-13-1983 by L.L. No. 6-1983; 2-26-1985 by L.L. No. 4-1985; 12-17-1985 by L.L. No. 13-1985; 12-17-1985 by L.L. No. 18-1985; 3-25-1986 by L.L. No. 3-1986; 4-28-1987 by L.L. No. 10-1987; 2-19-1991 by L.L. No. 5-1991; 7-9-1991 by L.L. No. 10-1991; 5-21-1996 by L.L. No. 8-1996; 1-28-1997 by L.L. No. 2-1997; 3-18-1997 by L.L. No. 6-1997; 5-21-1997 by L.L. No. 9-1997; 12-16-1997 by L.L. No. 25-1997; 6-8-1999 by L.L. No. 7-1999; 12-14-1999 by L.L. No. 14-1999; 10-2-2001 by L.L. No. 8-2001; 3-12-2002 by L.L. No. 2-2002; 6-25-2002 by L.L. No. 9-2002; 3-11-2003 by L.L. No. 1-2003; 9-30-2003 by L.L. No. 12-2003; 11-15-2005 by L.L. No. 13-2005; 1-3-2006 by L.L. No. 1-2006; 1-24-2006 by L.L. No. 2-2006; 8-22-2006 by L.L. No. 13-2006; 10-3-2006 by L.L. No. 14-2006; 12-12-2006 by L.L. No. 16-2006; 5-29-2007 by L.L. No. 4-2007; 5-29-2007 by L.L. No. 5-2007; 12-11-2007 by L.L. No. 12-2007; 7-29-2008 by L.L. No. 7-2008; 9-22-2008 by L.L. No. 9-2008; 10-2-2008 by L.L. No. 10-2008; 5-19-2009 by L.L. No. 9-2009; 6-23-2009 by L.L. No. 11-2009]

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

#### **ABATTOIR**

A slaughterhouse for the slaughtering of livestock other than poultry.

#### **ACCESSORY APARTMENT**

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

### **ACCESSORY BUILDING OR USE**

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

### **AFFORDABLE SENIOR CITIZEN FACILITY**

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

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

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

### **AGRICULTURE**

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

### **ALL-SUITE HOTEL**

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

### **ALTERATION**

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

### **AMUSEMENT ARCADE**

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

### **AMUSEMENT DEVICE**

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

### **ATTIC**

The space between the ceiling joists of the top story and the roof rafters. An attic shall not be used or occupied as living or sleeping quarters. There shall be no fixed stair to any new attic space nor operable windows. Attics shall not have finished floors or heating systems. Attics over one-story extensions shall count as additional gross floor area if the height from the joist to the underside of the ridge is greater than five feet. Horizontal access to attics shall be limited to nine square feet.



**BAR AND GRILL**

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

**BASEMENT**

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

**BELOW-GRADE PARKING STRUCTURE**

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

**BILLBOARD or POSTER PANEL**

A sign erected and maintained by an outdoor advertiser.

**BLOCKFRONT**

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

**BOATEL**

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

**BUILDING**

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

**BUILDING DEPARTMENT**

The Building Department of the Town of North Hempstead.

**BUILDING HEIGHT**

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

**BUILDING OFFICIAL**

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

**CARETAKER UNIT**

An accessory living space within a historic building, structure or dwelling intended as a primary residence for the person or family responsible for the maintenance, upkeep and/or security of the building or site. Caretaker units may comprise up to 50% of the gross floor area of the building, and may have a separate entrance. [Added 9-10-2013 by L.L. No. 4-2013]

**CELLAR**

That portion of a building with half or more of its floor-to-ceiling height below the average level of the adjoining ground. A "cellar" shall not be used or occupied as living or sleeping quarters.

### **CHILD-CARE FACILITY**

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

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

### **CODE ENFORCEMENT OFFICER**

The officer or other person specifically charged by the Town Board with the administration and enforcement of this chapter, or his duly authorized representative. [Added 11-16-2010 by L.L. No. 15-2010]

### **COMMERCIAL PARKING LOT**

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

### **CONCRETE RECYCLING OPERATION**

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

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

### **CONVENIENCE STORE**

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

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

### **CORNER LOT**

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

### **CORRAL**

An outdoor accessory structure for the storage of shopping baskets, carts and wagons that is made available for use by the shopping public and for the secure storage of carts during hours when the business is closed. [Added 3-8-2011 by L.L. No. 4-2011]

**COURT**

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

**[DELICATESSEN]**

~~[A retail establishment which cooks, prepares and sells ready-to-serve food and may offer for sale prepackaged food or beverages primarily for off-premises consumption.]~~

**DEPARTMENT OF HEALTH**

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

**DEPTH OF A LOT**

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

**DISPLAY SURFACE**

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

**DRIVE-THROUGH FACILITY**

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

**DWELLING**

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

**DWELLING UNIT**

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

**EAVE HEIGHT**

The top of the uppermost wall plate, as measured from the average level of the preexisting grade at the perimeter of the building.

**ELEEMOSYNARY**

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

**ELECTRONIC CIGARETTE**

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

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

**ELECTRIC VEHICLE CHARGING STATION**

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

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

**ERECTED**

Includes constructed, reconstructed, altered, placed or moved.

**EXISTING BUILDING**

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

**FAMILY**

One individual or a collective group of individuals either:

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

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

**FOOD SERVICE**

See definition of "restaurant" contained in this section.

**FRONT OF BUILDING**

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

**FRONT YARD**

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

**FRONT YARD, PRIMARY**

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

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

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

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

**GASOLINE SERVICE STATION/CONVENIENCE STORE**

The co-location of a gasoline service station and a convenience store, only as approved by the Town Board. No use other than a convenience store may coexist or co-locate with a gasoline service station. A gasoline service station/convenience store contains a convenience store that offers for sale food or beverages, in conjunction with the sale of automotive fuel. Other prepackaged goods, household items, automotive fluids and wiper blades, automotive cleaning supplies, oils, waxes and windshield fluids, newspapers and magazines may also be sold at a gasoline service station/convenience store.

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

**GROSS FLOOR AREA (NONRESIDENTIAL)**

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

**GROSS FLOOR AREA (RESIDENTIAL)**

The sum of the gross horizontal area of all floors or stories of a dwelling as measured to the outside surfaces of structural walls as well as attached garages, enclosed porches and roofed porches having more than 50% of the perimeter enclosed or screened and basement areas with ceiling heights in excess of seven feet or greater. Basement areas with a maximum ceiling height of eight feet shall not be included in the gross floor area in all residential building permit applications or amendments submitted prior to December 21, 2007. Attics and cellars shall be excluded from the gross floor area. The gross floor area of detached garages greater than 300 square feet shall be included in their entirety. Gross floor area in dwellings for areas exceeding 10 feet in height shall be counted at 1.5 times the actual floor area except in garages.

**GROUND OR FIRST STORY**

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

**GROUND SIGN and POLE SIGN**

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

**GROUP GARAGE**

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

**HABITABLE FLOOR AREA IN A DWELLING**

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

**HALF STORY**

A half story is that part of any building above a story and having at least two opposite exterior walls meeting a sloping roof at a level no higher above the floor than 1/2 the floor-to-ceiling height of the story below.

**HOTEL**

A commercial building primarily for transient guests, consisting of three or more stories and having only one dining room and one kitchen for the serving of food to be consumed primarily in said dining room.

## **INDOOR SMOKING ESTABLISHMENT**

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

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

## **INDUSTRIAL PARK**

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

## **INDUSTRY**

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

## **INTERIOR LOT**

A lot other than a corner lot.

## **JUNKYARD**

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

## **LANDBANKED PARKING AREA**

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

## **LODGE**

A building used by fraternal organizations.

## **LOT**

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

## **LOT AREA**

The area of a lot measured within the boundaries thereof.

## **LOT COVERAGE**

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

## **MAIN BUILDING**

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

#### **MAINTAIN EXISTING**

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

#### **MARIJUANA**

**The term “Marijuana” shall have the same definition ascribed to “Marihuana” in § 3302 of the New York Public Health Law.**

#### **MARIJUANA RETAIL STORE**

**A building, structure or premises engaged in the sale, use or distribution of Marijuana and/or Marijuana Products for non-medical use. A building, structure or premises shall be considered a Marijuana Retail Store regardless of whether products in addition to Marijuana Products are offered for sale, use or distribution at the building, structure or premises and regardless of the amount of Marijuana or Marijuana Products available for sale, use or distribution at the building, structure or premises in comparison to other products offered for sale, use or distribution at the building, structure or premises.**

#### **MARIJUANA PRODUCT**

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

#### **MARINA**

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

#### **MARINE**

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

#### **MATERIAL CRUSHING**

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

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

#### **MEDICAL MARIJUANA**

**The term “Medical Marijuana” shall have the same definition ascribed to Medical Marihuana in § 3360 of the New York Public Health Law.**

#### **MEDICAL MARIJUANA DISPENSARY**

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

#### **MIXED USE**

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

#### **MOTHER-DAUGHTER RESIDENCE**

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

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

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

#### **MOTOR VEHICLE REPAIR SHOP**

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

#### **MULTIPLE-FAMILY DWELLING**

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

#### **NEW CASSEL URBAN RENEWAL AREA**

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

#### **NEW CASSEL URBAN RENEWAL OVERLAY DISTRICT or OVERLAY DISTRICT**

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

#### **NEW CASSEL URBAN RENEWAL PLAN**

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

#### **NEW CASSEL VISION PLAN**

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



### **NONCONFORMING BUILDING**

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

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

### **NONCONFORMING USE**

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

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

### **NONPERMITTED SUBSTANTIAL AMENDMENT**

As used in the Building Department fee schedule established pursuant to § 2-28C, where substantive changes, modifications, alterations or improvements were made to the work contemplated in the approved building permit and/or plans and specifications which accompanied same, and for which substantive changes, modifications, alterations or improvements were performed without the filing of a new building permit application.

### **NURSERY SCHOOL**

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

### **NURSING HOME**

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

### **OPEN PORCH**

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

### **OPEN SPACE**

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

### **PARKING SPACE**

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

**PERSON**

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

**PORTABLE SHED**

A structure of no more than 100 square feet, with a maximum height of 10 feet, not having a firm attachment to the ground, for the storage of garden and recreational equipment.

**PREEXISTING GRADE**

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

**PREMISES**

Includes the land and all buildings or structures thereon.

**PRIMARY BUILDING**

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

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

**PRIVATE GARAGE**

A detached accessory building or part of the main building used for the storage of not more than two noncommercial automobiles or one commercial vehicle and one noncommercial automobile, owned and used by the occupant of the plot on which the main building is erected and in which no business or service is conducted. Any such commercial vehicle must be kept within the garage at all times and shall not contain any flammable, combustible, explosive, toxic or offensive-smelling material. Such accessory structure shall not exceed 26 feet in width and 24 feet in depth, with garage doors not to exceed eight feet in height.

**PROFESSIONAL OFFICE**

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

**PUBLIC GARAGE**

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

**PUBLIC HOUSING**

A building, portion of a building or group of buildings that provides dwellings in a residential environment, subject to the regulations set forth in Article IX of this chapter, and which is owned or operated by one of the following: [Added 6-29-2010 by L.L. No. 7-2010]

- A. The North Hempstead Housing Authority; or

B. An entity that is working under contract with the North Hempstead Housing Authority; or

C. A limited partnership whose general partner is the North Hempstead Housing Authority or an entity owned, operated and controlled by the North Hempstead Housing Authority.

**REAR YARD**

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

**RESIDENCE UNIT**

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

**RESTAURANT**

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

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

**RETAIL FOOD USE**

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

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

**RETAINING WALLS**

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

**ROW DWELLING**

A building consisting of noncommunicating one-family dwelling units, each having its own front and rear entrance. Where a row dwelling contains more than two dwelling units, the walls separating dwelling units shall be constructed and have fire-resistant ratings as follows: The wall separating the second and third dwelling units shall be constructed of wire lath and cement plaster having a fire-resistant rating of not less than one hour. The wall separating the fourth and fifth dwelling units shall be of eight-inch masonry construction with a fire-resistance rating of not less than four hours. Similar construction of separating walls shall continue throughout the building, so that for a row dwelling containing the maximum of 16 families, there shall be four separating walls of wire lath and cement plaster and three separating walls of eight-inch masonry. The determination of the location of separating walls as required herein may be made from either the left or right exterior sidewalls of the building.

**SANATORIUM**

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

**SENIOR ASSISTED-LIVING FACILITY**

A building, portion of a building or group of buildings that provide dwellings in a residential environment where individual cooking facilities are limited to microwave ovens and/or cooktops, with assistance available by way of common meals, housekeeping and personal services. Occupancy

is restricted to persons 62 years of age or older or couples, one of whose member is 62 years of age or older who may have difficulties with one or more essential activities of daily living, such as feeding, bathing, dressing or mobility.

#### **SENIOR CITIZEN FACILITY**

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

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

#### **SENIOR CONGREGATE-LIVING FACILITY**

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

#### **SENIOR DAY-CARE FACILITY**

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

#### **SENIOR INDEPENDENT-LIVING FACILITY**

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

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

#### **SENIOR RESIDENCE DISTRICT (R-S)**

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

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

#### **SHOPPING CENTER**

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

#### **SIDE YARD**

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

#### **SIGN**

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

### **SINGLE-FAMILY DWELLING**

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

### **SKY EXPOSURE PLANE**

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

### **STORY**

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

### **STREET**

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

### **STREET FRONT**

Any property line which abuts a street.  
[Added 7-10-2012 by L.L. No. 11-2012]

### **STREET FRONTAGE**

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

### **STREET LINE**

The line dividing a lot from a street.

### **STRUCTURE**

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

### **TELEPHONE EXCHANGE**

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

### **TEMPORARY CARE FACILITY**

A facility providing housing on a temporary basis to a limited population upon individual referral by a state or federal agency. Such facilities are staffed full time and may have full- or part-time medical staff on premises and often provide on-site counseling services. Such facilities are not acute care or nursing facilities. [Added 1-24-2012 by L.L. No. 2-2012]

**TERRACE**

An open porch without a permanent roof.

**TOWN OF NORTH HEMPSTEAD**

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

**TRAFFIC SEPARATOR**

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

**TRAILER or CAMP CAR**

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

**TRANSFER STATION**

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

**TWO-AND-ONE-HALF-STORY BUILDING**

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

**TWO-FAMILY ATTACHED RESIDENCE BUILDING**

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

**TWO-FAMILY DETACHED DWELLING**

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

**TWO-STORY BUILDING**

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

**USED**

Includes designed, intended or arranged to be used.

**USES**

The listed uses permitted in various districts. The listing of any uses as being permitted uses in any district shall be deemed to mean that such uses and no other shall be permitted in such district unless specifically permitted in this chapter. The listing of any use as being permitted in or as being excluded from a particular district shall be deemed to be an exclusion of such use from any more restricted district unless specifically permitted by this chapter. Each of the hereinafter-named districts shall be deemed to be more restricted than the districts which succeed it and less restricted than the districts which precede it: Residence AAA, Residence AA, Residence A, Residence B,

Residence C, Residence D, Multiple Residence, Public Housing Residence, Golden Age Residence, Parking, Transportation, Business AA, Business A, Business B, Planned Industrial Park, Industrial A, Modified Planned Industrial Park, Service Commercial and Industrial B Districts.

**VALET PARKING**

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

**VEHICULAR STANDING SPACE**

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

**WATER-DEPENDENT USE**

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

**WIDTH OF A LOT**

The mean width measured at right angles to its depth.

**YARD**

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

**Section 4.**

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

**Section 5.**

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

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

**NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on November 20, 2018 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. of 2018 was adopted. The local law amends Chapter 70 of the Town Code entitled “Zoning” to prohibit medical marijuana dispensaries from being used as marijuana retail stores.

Dated: Manhasset, New York

November 20, 2018

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

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney



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**PROPOSED RESOLUTION**

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

**RESOLUTION NO. -2018**

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

NO RESOLUTION.

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

**RESOLUTION NO. 525 - 2018**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING LOCAL LAW NO. 11 OF 2017, ADOPTED DECEMBER 19, 2017, AS AMENDED BY LOCAL LAW NO. 6 OF 2018, ADOPTED JUNE 5, 2018 AND AS FURTHER AMENDED BY LOCAL LAW NO. 9 OF 2018, ADOPTED SEPTEMBER 27, 2018, ESTABLISHING A BUILDING MORATORIUM IN THE WATERFRONT BUSINESS (B-W) DISTRICT.**

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

**WHEREAS**, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend Local Law No. 11 of 2017, adopted December 19, 2017, as amended by Local Law No. 6 of 2018, adopted June 5, 2018 and as further amended by Local Law No. 9 of 2018, adopted September 27, 2018, establishing a building moratorium in the Waterfront Business (B-W) District, in order to extend the moratorium through July 1, 2019; and

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

**WHEREAS**, due notice has been heretofore given of a public hearing to be held on the 20th day of November, 2018, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

**WHEREAS**, the Town Board has carefully considered the proposed Local Law during the seven-day period, conducted a public hearing on November 20, 2018, with respect to the Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that Local Law No. 11 of 2018 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD  
LOCAL LAW NO. 11 OF 2018**

**A LOCAL LAW AMENDING LOCAL LAW NO. 11 OF 2017, ADOPTED DECEMBER 19, 2017, AS AMENDED BY LOCAL LAW NO. 6 OF 2018, ADOPTED JUNE 5, 2018 AND AS FURTHER AMENDED BY LOCAL LAW NO. 9 OF 2018, ADOPTED SEPTEMBER 27, 2018, ESTABLISHING A BUILDING MORATORIUM IN THE WATERFONT BUSINESS (B-W) DISTRICT.**

**Section 1. Legislative Intent.**

Since the adoption of Local Law No. 11 of 2017, establishing a building moratorium in the Waterfront Business (B-W) District, the Town has received invaluable comment from interested residents, businesses, community groups and public officials as to zoning code changes affecting the District. On June 5, 2018 the Town Board passed Local Law No. 6 of 2018 to extend the moratorium through November 1, 2018. On September 27, 2018 the Town Board passed Local Law No. 9 of 2018 to further extend the moratorium through January 1, 2019. However, in consideration of the approaching end of the moratorium, the Town requires more time to continue to analyze the comments it has received and formulate proposed zoning code changes. As such, the Town Board of the Town of North Hempstead finds that it is in the best interest of the Town to amend Local Law No. 11 of 2017, adopted December 19, 2017, as amended by Local Law No. 6 of 2018, adopted June 5, 2018 and as further amended by Local Law No. 9 of 2018, adopted September 27, 2018, in order to extend the moratorium through July 1, 2019.

**Section 2.**

Section 2 of Local Law No. 11 of 2017 is hereby amended as follows:

During the period commencing December 28, 2017 and terminating on [~~January~~] **July** 1, 2019, the Town's Department of Building Safety, Inspection and Enforcement shall not issue any building permits, demolition permits, special permits or any other discretionary approval for any property within the Waterfront Business District (B-W), including the following properties, which are identified by reference to the Land and Tax Map of Nassau County:

Section 5, Block B, Lots 171, 46, 500

Section 5, Block C, Lots 9, 431, 2, 428, 427, 462, 463, 16, 429, 430

Section 5, Block H, Lot 2 and 43

**Section 3.**

Section 8 of Local Law No. 11 of 2017 is hereby amended as followed:

This local law shall take effect upon filing with the Secretary of State and shall remain in full force and effect through [~~January~~] **July** 1, 2019.

**Section 4. Effective Date.**

This local law shall take effect immediately upon filing with the Secretary of State.

## NOTICE OF ADOPTION

**PLEASE TAKE NOTICE** that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on November 20, 2018 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. of 2018 was adopted. The local law amends Local Law No. 11 of 2017, adopted December 19, 2017, as amended by Local Law No. 6 of 2018, adopted June 5, 2018 and as further amended by Local Law No. 9 of 2018, adopted September 27, 2018, establishing a building moratorium in the Waterfront (B-W) District in order to extend the moratorium through July 1, 2019.

Dated: Manhasset, New York

November 20, 2018

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

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney

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

**RESOLUTION NO. 526 - 2018**

**A RESOLUTION ADOPTING THE ANNUAL BUDGET OF THE ROSLYN GARBAGE DISTRICT FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2019.**

**WHEREAS**, the Town Board of the Town of North Hempstead has met on the 25th day of October, 2018, the time and place specified in the Notice of Public Hearing on the Preliminary Budgets of the Special Districts of the Town of North Hempstead for the fiscal year beginning January 1, 2019, including the budget of the Roslyn Garbage District, heretofore filed pursuant to law in the Office of the Town Clerk of the Town of North Hempstead at the Town Hall, Manhasset, New York, conducted said hearing on such date, which hearing was continued to November 1, 2018, and has heard all persons desiring to be heard thereon; and

**WHEREAS**, the Preliminary Budgets of the Special Districts of the Town of North Hempstead for the fiscal year beginning January 1, 2019, except for the budget of the Roslyn Garbage District, were adopted by this Board on November 1, 2018; and

**WHEREAS**, following its revision, the Town Board now desires to adopt the Preliminary Budget of the Roslyn Garbage District, as amended, as the Annual Budget of the Roslyn Garbage District for the fiscal year beginning on the 1<sup>st</sup> day of January, 2019.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board does hereby adopt the Preliminary Budget of the Roslyn Garbage District, as amended, a copy of which is annexed hereto, as the Annual Budget of the Roslyn Garbage District for the fiscal year beginning on the 1<sup>st</sup> day of January, 2019, and that such budget as so adopted be entered in detail in the minutes of the proceedings of the Town Board; and be it further

**RESOLVED** that the Town Clerk of this Town prepare and certify copies of the Annual Budget of the Roslyn Garbage District, as adopted by the Town Board pursuant to this Resolution and the Town Law, and deliver one copy to the Supervisor, two copies thereof to the Nassau County Legislature and two copies to the Department of Assessment, Nassau County; and be it further

**RESOLVED** that the Town Clerk shall publish a notice of adoption in the following form:

**NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that on November 20, 2018, the Town Board of the Town of North Hempstead duly adopted the Annual Budget for the Roslyn Garbage District for the 2019 Fiscal Year.

**PLEASE TAKE FURTHER NOTICE** that the Budget, as adopted, is available for public inspection in the Office of the Town Clerk, 200 Plandome Road, Manhasset, New York from 9:00 A.M. until 4:45 P.M. - Monday through Friday.

Dated:     Manhasset, New York

November 20, 2018

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

Dated:     Manhasset, New York

November 20, 2018

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc:     Town Attorney     Comptroller

Town of North Hempstead				
Commissioner Operated Special Districts	ADOPTED BUDGET 2019	ADOPTED BUDGET 2018	ACTUAL 2017	ACTUAL 2016
<b>SR344 ROSLYN GARBAGE DISTRICT</b>				
100 PERSONAL SERVICES				
Clerk	3,360	3,500	3,060	3,180
Commissioners Fees	12,560	12,560	12,400	13,040
Subtotal	15,920	16,060	15,460	16,220
<b>EXPENSES</b>				
404 Office Supplies & Expenses	2,100	2,100	5,356	4,077
425 Bonds-Commissioners & Treasurers	700	700	-	-
426 Insurance	2,800	2,800	2,767	2,617
428 Rent	7,200	7,200	7,400	7,200
441 Legal Notices	2,000	2,000	503	2,429
446 Public Information & Education	2,000	2,000	-	-
447 Election Expenses	650	650	603	776
452 Auditing	6,500	6,500	7,000	3,000
454 Legal	5,000	5,000	5,000	5,000
493 CONTACTUAL SERVICES				
Removal of Garbage	563,400	459,200	467,112	483,097
499 Miscellaneous	13	-	-	749
Subtotal	592,363	488,150	495,741	508,945
800 9010 - State Retirement	2,200	2,200	1,820	2,291
800 9030 - Social Security	2,000	2,000	1,183	1,241
Subtotal	4,200	4,200	3,003	3,532
9730 - BOND ANTICIPATION NOTES				
600 Principal	50,760	48,300	46,022	42,558
700 Interest	2,669	3,049	4,318	3,169
Subtotal	53,429	51,349	50,340	45,727
TOTAL BUDGETED/ACTUAL EXPENDITURES	665,912	559,759	564,544	574,424
<b>REVENUE</b>				
2401 Interest Earnings	-	-	412	276
2770 Unclassified	-	70,178	117,551	54,406
TOTAL ESTIMATED/ACTUAL REVENUE	-	70,178	117,963	54,682
<b>SUMMARY</b>				
TOTAL BUDGETED/ACTUAL EXPENDITURES	665,912	559,759	564,544	574,424
ACTUAL FUND BALANCE AT END OF PERIOD				
AT END OF PERIOD			445,177	410,311
	665,912	559,759	1,009,721	984,735
TOTAL ESTIMATED/ACTUAL REVENUE	-	70,178	117,963	54,682
APPROPRIATED FUND BALANCES	50,000			
ACTUAL FUND BALANCES				
AT BEGINNING OF PERIOD			410,311	431,868
RAISED BY TAXATION			481,447	498,185
AMOUNT TO BE RAISED BY TAXATION	615,912	489,581		
	665,912	559,759	1,009,721	984,735

Town of North Hempstead				
Commissioner Operated Special Districts	ADOPTED BUDGET 2019	ADOPTED BUDGET 2018	ACTUAL 2017	ACTUAL 2016

**SR344 ROSLYN GARBAGE DISTRICT (cont.)**

**TAX LEVY**

**TAXABLE VALUATION**

CLASS I - RESIDENTIAL PROPERTIES	1,191,905	1,224,481	1,246,590	1,275,186
Tax rate Per 100	18.613	13.628	13	13.300
Tax Levy	221,849	166,872	166,694	169,600
CLASS II - RESIDENTIAL PROPERTIES	19,231	23,693	25,343	28,352
Tax rate Per 100	121.709	92.330	87	88.835
Tax Levy	23,406	21,876	22,069	25,186
CLASS IV - ALL OTHER PROPERTIES	1,767,560	1,920,170	1,714,309	2,000,520
Tax rate Per 100	20.970	15.667	17	15.166
Tax Levy	370,657	300,833	292,684	303,399
<b>TOTAL TAXABLE VALUATION</b>	<b>2,978,696</b>	<b>3,168,344</b>	<b>2,986,242</b>	<b>3,304,058</b>
<b>TAX LEVY</b>	<b>615,912</b>	<b>489,581</b>	<b>481,447</b>	<b>498,185</b>



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

**RESOLUTION NO. 523 - 2018**

**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 ban the retail sale of recreational marijuana in the Town of North Hempstead.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing be held by this Board on the 8<sup>th</sup> day of January, 2019, 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 Local Law amending Chapter 70 of the Town Code entitled "Zoning" in order to ban the retail sale of recreational marijuana in the Town of North Hempstead; 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 at Town Hall, 220 Plandome Road, Manhasset, New York, on the 8<sup>th</sup> day of January, 2019, at 7:00 P.M., to consider the adoption of a Local Law amending Chapter 70 of the Town Code entitled "Zoning" in order to ban the retail sale of recreational marijuana in the Town of North Hempstead.

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

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

Dated: Manhasset, New York

November 20, 2018

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

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney    Town Clerk    Planning    Buildings

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**PROPOSED RESOLUTION**

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

**RESOLUTION NO. -2018**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 23 OF THE TOWN CODE ENTITLED "GOVERNMENTAL DEPARTMENTS."**

**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 23 of the Town Code entitled "Governmental Departments" in order to model the Town's sexual harassment policy to the policy created by New York State.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing be held by this Board on the 18<sup>th</sup> day of December, 2018, at 7:00 P.M. in the Town Board Meeting Room at Town Hall, 220 Plandome Road, Manhasset, New York, for the purpose of considering the adoption of a Local Law amending Chapter 23 of the Town Code entitled "Governmental Departments" in order to model the Town's sexual harassment policy to the policy created by New York State; 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 the 18<sup>th</sup> day of December, 2018, at 7:00 P.M. in the Town Board Meeting Room at Town Hall, 220 Plandome Road, Manhasset, New York, for the purpose of considering the adoption of a Local Law amending Chapter 23 of the Town Code entitled "Governmental Departments" in order to model the Town's sexual harassment policy to the policy created by New York State.

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

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

Dated: Manhasset, New York

November 20, 2018

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

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes:

Nays:

cc: Town Attorney      Town Clerk      Planning      Buildings

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**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. 528 - 2018**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING OLD COURTHOUSE ROAD IN MANHASSET HILLS, NEW YORK.**

**WHEREAS**, a recommendation has been made for the adoption of an ordinance affecting Old Courthouse Rd., Manhasset Hills, 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 18th day of December, 2018, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

PROPOSAL:

ADOPT:

1. OLD COURTHOUSE ROAD – EAST SIDE – NO PARKING 2AM – 6AM -  
From a point 18 feet north of the north curb line of Knolls Drive North, north, for a distance of 112 feet.

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

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

Dated: November 20, 2018

Manhasset, New York

The vote on the foregoing resolution was recorded as follows:

**Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor  
Bosworth**

**Nays: None**

cc: Town Attorney      Public Safety      Comptroller      Traffic Safety

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

**RESOLUTION NO. 529 - 2018**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING RIDGE DRIVE IN PORT WASHINGTON, NEW YORK.**

**WHEREAS**, a recommendation has been made for the adoption of an ordinance affecting Ridge Drive, Port Washington, 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 18th day of December, 2018, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**PROPOSAL:**

**ADOPT:**

**1. RIDGE DRIVE – BOGART AVENUE – FULL STOP**

All traffic southbound on Ridge Drive shall come to a Full Stop at its intersection with Bogart Avenue.

**2. RIDGE DRIVE – BOGART AVENUE – FULL STOP**

All traffic northbound on Ridge Drive shall come to a Full Stop at its intersection with Bogart Avenue.

**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: November 20, 2018  
Manhasset, New York

The vote on the foregoing resolution was recorded as follows:

**Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth**

**Nays: None**

cc: Town Attorney      Public Safety      Comptroller      Traffic Safety



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

**RESOLUTION NO. 530 - 2018**

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

**WHEREAS**, it has been requested that the Town Board of the Town of North Hempstead (the “Town”) enact an ordinance, pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space on the east side of Fourth Avenue, Westbury, New York, from a point of 225 feet northeast of a point opposite of the east curb line of Sixth Avenue, northeast, for a distance of 20 feet; and

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing be held by this Board on December 18, 2018 at 7:00 p.m., to consider an ordinance establishing a reserved parking space as described in the notice of hearing set forth below; and be it further

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

**NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead at a regularly scheduled meeting of the Board on December 18, 2018, at 7:00 p.m. at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the enactment of an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

**PLEASE TAKE FURTHER NOTICE** that the proposed ordinance would establish a reserved parking space on the east side of Fourth Avenue, Westbury, New York, from a point 225 feet northeast of a point opposite of the east curb line of Sixth Avenue, northeast, for a distance of 20 feet.

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

Dated: Manhasset, New York

November 20, 2018

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

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Highways Traffic Safety Public Safety

**PROPOSED ORDINANCE**

1. Section 5 of the ordinance establishing handicapped spaces adopted July 21, 1987 and amended September 15, 1987, February 7, 1989, April 3, 1990, July 17, 1990, November 20, 1990, December 4, 1990, February 19, 1991, October 8, 1991, April 29, 1992, August 11, 1992, April 13, 1993, May 3, 1994, November 22, 1994, April 25, 1995, August 29, 1995, August 27, 1996, November 12, 1996, December 17, 1996, March 4, 1997, May 6, 1997, June 10, 1997, July 15, 1997, March 24, 1998, November 17, 1998, March 2, 1999, June 8, 1999, October 20, 1999, June 27, 2000, August 29, 2000, September 19, 2000, November 14, 2000, February 13, 2001, March 6, 2001, March 27, 2001, May 15, 2001, August 21, 2001, October 16, 2001, November 13, 2001, January 29, 2002, March 12, 2002, April 2, 2002, June 4, 2002, October 1, 2002, November 19, 2002, December 10, 2002, February 11, 2003, April 22, 2003, October 21, 2003, January 6, 2004, March 9, 2004, May 11, 2004, June 29, 2004, August 31, 2004, January 25, 2005, June 14, 2005, July 19, 2005, October 18, 2005, November 15, 2005, January 3, 2006, January 24, 2006, March 21, 2006, May 2, 2006, January 2, 2007, March 6, 2007, April 17, 2007, June 19, 2007, August 14, 2007, September 25, 2007, December 11, 2007, January 29, 2008, May 6, 2008, June 17, 2008, July 29, 2008, August 19, 2008, September 9, 2008, January 6, 2009, May 19, 2009, July 14, 2009, August 4, 2009, August 25, 2009, October 20, 2009, December 8, 2009, January 26, 2010, October 5, 2010, December 14, 2010, January 25, 2011, March 8, 2011, June 14, 2011, July 12, 2011, May 8, 2012, June 19, 2012, July 10, 2012, August 21, 2012, September 12, 2012, November 20, 2012, December 11, 2012, January 8, 2013, February 19, 2013, April 02, 2013, May 14, 2013, June 4,

2013, September 10, 2013, October 7, 2013, December 10, 2013, February 25, 2014, April 1, 2014, June 10, 2014, December 9, 2014, March 31, 2015, May 12, 2015, July 14, 2015, August 25, 2015, October 20, 2015, November 17, 2015, December 15, 2015 and January 26, 2016, February 23, 2016, April 19, 2016, May 10, 2016 June 7, 2016, July 12, 2016, August 9, 2016, September 13, 2016, September 27, 2016, October 25, 2016, December 13, 2016, January 31, 2017, February 28, 2017, April 4, 2017, April 25, 2017, July 18, 2017, September 7, 2017, September 26, 2017; November 14, 2017, January 30, 2018; February 27, 2018, September 6, 2018, September 27, 2018, October 25, 2018 and November 20, 2018 is further amended by adding thereto a new subdivision as follows:

"102" A reserved parking space is established on the east side of Fourth Avenue, Westbury, New York, from a point 225 feet northeast of a point opposite of the east curb line of Sixth Avenue, northeast, for a distance of 20 feet

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

Dated: Manhasset, New York

November 20, 2018

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

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**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. 531 - 2018**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING GORDON DRIVE IN HERRICKS, NEW YORK.**

**WHEREAS**, a recommendation has been made for the adoption of an ordinance affecting Gordon Drive, Herricks, 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 18th day of December, 2018, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**PROPOSAL:**

**ADOPT:**

1. **GORDON DRIVE – LAFAYETTE STREET – FULL STOP –**  
All traffic southbound on Gordon Drive shall come to a Full Stop at its intersection with Lafayette Street.

**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: November 20, 2018  
Manhasset, New York

The vote on the foregoing resolution was recorded as follows:

**Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor  
Bosworth**

**Nays: None**

cc: Town Attorney      Public Safety      Comptroller      Traffic Safety

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

**RESOLUTION NO. 532 - 2018**

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

**WHEREAS**, the Long Island Nets has generously offered to the Town, as a gift, a tree to be planted in front of the “Yes We Can Community Center” as the Christmas Tree for the building, (the “Gift”); and

**WHEREAS**, this Board wishes to accept the Gift.

**NOW, THEREFORE, BE IT**

**RESOLVED** that this Board hereby gratefully accepts the Gift.

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney      Comptroller      Town Clerk

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

**RESOLUTION NO. 533 - 2018**

**A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS COMPANION ANIMAL CAPITAL FUND 2018-2019 AND THE TAKING OF RELATED ACTION.**

**WHEREAS**, the Town Board (the “Board”) of the Town of North Hempstead (the “Town”) is desirous of advancing the Town Animal Shelter’s capital projects (the “Project”); and,

**WHEREAS**, the Grants Coordinator has recommended that the Town submit an application (the “Application”) for a grant (the “Grant”) to the New York State Department of Agriculture and Markets Companion Animal Capital Fund 2018-2019 Grant Program (the “Program”); and

**WHEREAS**, the Grant is in the amount of Two Hundred Fifty-Five Thousand and 00/100 Dollars (\$255,000.00); and

**WHEREAS**, the Board wishes to authorize the preparation of the Application for the Grant.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Board hereby authorizes the preparation of the Application for the Grant; and be it further

**RESOLVED** that the Board hereby authorizes the Supervisor or the Deputy Supervisor to execute any and all contracts, project agreements and other instruments or documents required in connection with the awarding and receipt of the Grant (“Contract Documents”), file the Contract Documents in the Office of the Town Clerk, submit Project documentation, and take such other action as may be reasonably required to undertake and complete the Project and receive the Grant; and be it further

**RESOLVED** that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Contract Documents in connection with the Project and the Grant.

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None



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

**RESOLUTION NO. 534 - 2018**

**A RESOLUTION AUTHORIZING AN AWARD IN CONNECTION WITH A REQUEST FOR PROPOSALS FOR AN EMERGENCY SPILL CONTRACTOR (TNH205-2018).**

**WHEREAS**, the Director of Purchasing (the “Director”) for the Town of North Hempstead (the “Town”) solicited proposals for a firm to act as the Town’s emergency spill contractor (TNH205-2018); and

**WHEREAS**, after reviewing the proposal received by the Town, the Director has recommended that the Town enter into an agreement with Miller Environmental Group, Inc., 538 Edwards Avenue, Calverton, NY 11933 to perform the services described in the Town’s Request for Proposal at the prices stated in the Request for Proposals; and

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

**NOW, THEREFORE, BE IT**

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

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

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

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

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

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

**RESOLUTION NO. 535 - 2018**

**A RESOLUTION AUTHORIZING AN AWARD IN CONNECTION WITH A REQUEST FOR PROPOSALS FOR NURSING SERVICES (TNH055-2018).**

**WHEREAS**, the Town of North Hempstead (the Town”) requires nursing services in various areas of the Town; and

**WHEREAS**, the Director 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 North Shore University Hospital, 300 Community Drive, Manhasset, New York 11030 to provide the services for three (3) years with two (2) one (1) year renewals in consideration of an amount not to exceed Seventy Six and 21/100 Dollars (\$76.21) per hour for fourteen (14) hours per week in each of the New Hyde Park, Roslyn/Mineola, Westbury/Carle Place, Great Neck and Port Washington Project Independence Regions, subject to price adjustments as stated in the Request for Proposals (the “Award”); and

**WHEREAS**, this Board wishes to authorize the Award.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Award is hereby authorized; and be it further

**RESOLVED** that the Supervisor be and hereby is authorized and directed to execute an agreement reflecting the Award (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 Agreement upon receipt of a duly executed Agreement and certified claims therefor.

Dated: Manhasset, New York

November 20, 2018

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

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney    Comptroller    Purchasing

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

**RESOLUTION NO. 536 - 2018**

**A RESOLUTION AUTHORIZING AN AWARD IN CONNECTION WITH A REQUEST FOR PROPOSALS FOR ANNUAL AUDIT SERVICES FOR THE TOWN OF NORTH HEMPSTEAD AND THE TOWN OF NORTH HEMPSTEAD SOLID WASTE MANAGEMENT AUTHORITY (TNH150-2018).**

**WHEREAS**, the Town of North Hempstead (the “Town”) requires annual audit services for the Town and the Town of North Hempstead Solid Waste Management Authority (the “Services”); and

**WHEREAS**, following the review and analysis of proposals submitted for the Services, the Director of Purchasing has recommended the retention of PKF O’Connor Davies, LLP, 500 Mamaroneck Avenue, Harrison, New York 10528 to provide the Services in consideration of amounts not to exceed the following:

One Hundred Seventy-Five Thousand and 00/100 Dollars (\$175,000.00) for the year 2018,  
One Hundred Eighty Thousand and 00/100 Dollars (\$180,000.00) for the year 2019,  
One Hundred Eighty-Five Thousand and 00/100 Dollars (\$185,000.00) for the year 2020,  
One Hundred Eighty-Five Thousand and 00/100 Dollars (\$185,000.00) for the year 2021,  
One Hundred Ninety Thousand and 00/100 Dollars (\$190,000.00) for the year 2022

(collectively, the “Annual Pricing”); and

**WHEREAS**, the Annual Pricing is inclusive of a single federal and state audit; and

**WHEREAS**, for each additional federal and state single audit, the Contractor may charge Ten Thousand and 00/100 Dollars (\$10,000.00) for each federal single audit and Four Thousand and 00/100 Dollars (\$4,000.00) for each state single audit (the “Additional Fees”) (the Annual Pricing and the Additional Fees are collectively the “Contract Amount”); and

**WHEREAS**, this Board finds it to be in the best interest of the Town to authorize the execution of an agreement with the Contractor to provide the Services in consideration of the Contract Amount (the “Agreement”).

**NOW, THEREFORE, BE IT**

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

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

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

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

Dated: Manhasset, New York

November 20, 2018

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

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller Purchasing

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

**RESOLUTION NO. 537 - 2018**

**A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE COLLECTION AND DISPOSAL OF ACCEPTABLE WASTE AND RECYCLABLES IN THE NEW HYDE PARK-GARDEN CITY PARK-FLORAL PARK CENTRE GARBAGE DISTRICT.**

**WHEREAS**, the Commissioner of the Town of North Hempstead Department of Solid Waste (the “Commissioner”) received and publicly opened bids on October 16, 2018 for the collection, removal and disposal of acceptable waste and recyclables from the New Hyde Park-Garden City Park-Floral Park Centre Garbage District (the “District”), for the period from January 1, 2019 through December 31, 2021, with an option to renew for two (2) additional one (1) year periods; and

**WHEREAS**, sealed bids were received as set forth below:

<b>Bidder</b>	<b>Price</b>
DeJana Industries 165 Cantiague Road Westbury, NY 11590	<b><u>January 1, 2019 to December 31, 2019</u></b>
	Element I: \$2,594,971.00
	Element II: \$10,000
	Total Bid: \$2,604,971.00
	Adj. Per \$1 change in MSW: \$9,000.00
	Adj. Per \$1 change in Yard Waste: \$1,400.00
	Adj. Per \$0.25 change in rate: \$5,225.00
	<b><u>January 1, 2020 to December 31, 2020</u></b>
	Element I: \$2,646,871.00
	Element II: \$10,000
	Total Bid: \$2,656,871.00
	Adj. Per \$1 change in MSW: \$9,000.00
	Adj. Per \$1 change in Yard Waste: \$1,400.00
Adj. Per \$0.25 change in rate: \$5,225.00	
	<b><u>January 1, 2021 to December 31, 2021</u></b>
	Element I: \$2,673,340.00
	Element II: \$10,000
	Total Bid: \$2,683,340.00
	Adj. Per \$1 change in MSW: \$9,000.00
	Adj. Per \$1 change in Yard Waste: \$1,400.00
	Adj. Per \$0.25 change in rate: \$5,225.00

	<p><b><u>January 1, 2022 to December 31, 2022</u></b>  Element I: \$2,965,055.00  Element II: \$10,000  Total Bid: \$2,975,055.00  Adj. Per \$1 change in MSW: \$9,000.00  Adj. Per \$1 change in Yard Waste: \$1,400.00  Adj. Per \$0.25 change in rate: \$5,225.00</p> <p><b><u>January 1, 2023 to December 31, 2023</u></b>  Element I: \$2,994,705.00  Element II: \$10,000  Total Bid: \$3,004,705.00  Adj. Per \$1 change in MSW: \$9,000.00  Adj. Per \$1 change in Yard Waste: \$1,400.00  Adj. Per \$0.25 change in rate: \$5,225.00</p>
<p>Jamaica Ash &amp; Rubbish  172 School Street  Westbury, NY 11590</p> <p><i>In joint venture with:</i>  Meadow Carting Corp.  581 Dickens Street  Westbury, NY 11590</p>	<p><b><u>January 1, 2019 to December 31, 2019</u></b>  Element I: \$2,497,181.00  Element II: \$8,000.00  Total Bid: \$2,505,181.00  Adj. Per \$1 change in MSW: \$9,200.00  Adj. Per \$1 change in Yard Waste: \$2,100.00  Adj. Per \$0.25 change in Prevailing Wage Base Rate: \$6,310.72 (category added by bidder)  Adj. Per \$0.25 change in Prevailing Wage Supplemental Benefit Rate: \$4,264.00</p> <p><b><u>January 1, 2020 to December 31, 2020</u></b>  Element I: \$2,547,124.00  Element II: \$8,000.00  Total Bid: \$2,555,124.00  Adj. Per \$1 change in MSW: \$9,200.00  Adj. Per \$1 change in Yard Waste: \$2,100.00  Adj. Per \$0.25 change in Prevailing Wage Base Rate: \$6,310.72 (category added by bidder)  Adj. Per \$0.25 change in Prevailing Wage Supplemental Benefit Rate: \$4,264.00</p>
	<p><b><u>January 1, 2021 to December 31, 2021</u></b>  Element I: \$2,598,067.00  Element II: \$8,000.00  Total Bid: \$2,606,067.00  Adj. Per \$1 change in MSW: \$9,200.00  Adj. Per \$1 change in Yard Waste: \$2,100.00  Adj. Per \$0.25 change in Prevailing Wage Base Rate: \$6,310.72 (category added by bidder)  Adj. Per \$0.25 change in Prevailing Wage Supplemental Benefit Rate: \$4,264.00</p> <p><b><u>January 1, 2022 to December 31, 2022 (Renewal – If Exercised)</u></b>  Element I: \$2,650,030.00</p>



Element II: \$8,000.00  
Total Bid: \$2,658,030.00  
Adj. Per \$1 change in MSW: \$9,200.00  
Adj. Per \$1 change in Yard Waste: \$2,100.00  
Adj. Per \$0.25 change in Prevailing Wage Base Rate: \$6,310.72 (category added by bidder)  
Adj. Per \$0.25 change in Prevailing Wage Supplemental Benefit Rate: \$4,264.00

**January 1, 2023 to December 31, 2023  
(Renewal – If Exercised)**

Element I: \$2,703,030.00  
Element II: \$8,000.00  
Total Bid: \$2,711,030.00  
Adj. Per \$1 change in MSW: \$9,200.00  
Adj. Per \$1 change in Yard Waste: \$2,100.00  
Adj. Per \$0.25 change in Prevailing Wage Base Rate: \$6,310.72 (category added by bidder)  
Adj. Per \$0.25 change in Prevailing Wage Supplemental Benefit Rate: \$4,264.00

; and

**WHEREAS**, Jamaica Ash & Rubbish, 172 School Street, Westbury, NY 11590 (“Jamaica”) placed in its bid a price adjustment for every \$0.25 increase or decrease in the Prevailing Wage Base Rate (the “Additional Adjustment”), which Additional Adjustment was in addition to those requested in the Bid; and

**WHEREAS**, though not included in the Bid, the Director of Purchasing determined that the Additional Adjustment was a part of Jamaica’s bid proposal to the Town; and

**WHEREAS**, in comparing Jamaica’s bid to the bid submitted by Dejana Industries, Inc. (“Dejana”), and assuming robust increases in the Prevailing Wage Base Rate over the term of the Bid, the Director of Purchasing determined that the amounts bid by Jamaica, even including the Additional Adjustment, remain lower than the amounts bid by Dejana; and

**WHEREAS**, Jamaica’s bid remains the lowest bid received for the services; and

**WHEREAS**, following careful review of the information presented to it and the bid documents received, this Board wishes to authorize the award of the contract for the collection, removal and disposal of acceptable waste and recyclables from the District to Jamaica for the period from January 1, 2019, through December 31, 2021, with an option to renew for two (2) additional one (1) year periods at the following prices:

**January 1, 2019 to December 31, 2019**

Element I: \$2,497,181.00  
Element II: \$8,000.00  
Total Bid: \$2,505,181.00  
Adj. Per \$1 change in MSW: \$9,200.00  
Adj. Per \$1 change in Yard Waste: \$2,100.00  
Adj. Per \$0.25 change in Prevailing Wage Base Rate: \$6,310.72

Adj. Per \$0.25 change in Prevailing Wage Supplemental Benefit Rate: \$4,264.00

**January 1, 2020 to December 31, 2020**

Element I: \$2,547,124.00

Element II: \$8,000.00

Total Bid: \$2,555,124.00

Adj. Per \$1 change in MSW: \$9,200.00

Adj. Per \$1 change in Yard Waste: \$2,100.00

Adj. Per \$0.25 change in Prevailing Wage Base Rate: \$6,310.72

Adj. Per \$0.25 change in Prevailing Wage Supplemental Benefit Rate: \$4,264.00

**January 1, 2021 to December 31, 2021**

Element I: \$2,598,067.00

Element II: \$8,000.00

Total Bid: \$2,606,067.00

Adj. Per \$1 change in MSW: \$9,200.00

Adj. Per \$1 change in Yard Waste: \$2,100.00

Adj. Per \$0.25 change in Prevailing Wage Base Rate: \$6,310.72

Adj. Per \$0.25 change in Prevailing Wage Supplemental Benefit Rate: \$4,264.00

**January 1, 2022 to December 31, 2022 (Renewal – If Exercised)**

Element I: \$2,650,030.00

Element II: \$8,000.00

Total Bid: \$2,658,030.00

Adj. Per \$1 change in MSW: \$9,200.00

Adj. Per \$1 change in Yard Waste: \$2,100.00

Adj. Per \$0.25 change in Prevailing Wage Base Rate: \$6,310.72

Adj. Per \$0.25 change in Prevailing Wage Supplemental Benefit Rate: \$4,264.00

**January 1, 2023 to December 31, 2023 (Renewal – If Exercised)**

Element I: \$2,703,030.00

Element II: \$8,000.00

Total Bid: \$2,711,030.00

Adj. Per \$1 change in MSW: \$9,200.00

Adj. Per \$1 change in Yard Waste: \$2,100.00

Adj. Per \$0.25 change in Prevailing Wage Base Rate: \$6,310.72

Adj. Per \$0.25 change in Prevailing Wage Supplemental Benefit Rate: \$4,264.00  
(the “Agreement”).

**NOW THEREFORE, BE IT**

**RESOLVED** that the Agreement be and hereby is awarded; and be it further

**RESOLVED** that the contract amounts are determined on the basis of the disposal rates set forth in the bid documents and any incremental increases or decreases thereto established by the Board of the Town of North Hempstead Solid Waste Management Authority; and be it further

**RESOLVED** that the Supervisor and Councilpersons as members of the Town Board be and they hereby are authorized and directed to execute the Agreement on behalf of the District, and to take such other action as may be necessary to effectuate the foregoing, copies 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 hereby is authorized and directed to supervise the execution of the Agreement; and be it further

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

Dated: Manhasset, New York

November 20, 2018

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller SWMA

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

**RESOLUTION NO. 538 - 2018**

**A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE COLLECTION AND DISPOSAL OF ACCEPTABLE WASTE AND RECYCLABLES IN THE NEW CASSEL GARBAGE DISTRICT.**

**WHEREAS**, the Commissioner of the Town of North Hempstead Department of Solid Waste (the “Commissioner”) received and publicly opened bids for the collection, removal and disposal of acceptable waste and recyclables from the New Cassel Garbage District (the “District”), for the period from January 1, 2019 through December 31, 2021, with an option to renew for two (2) additional one (1) year periods; and

**WHEREAS**, sealed bids were received as set forth below:

<b>Bidder</b>	<b>Price</b>
Meadow Carting Corp. 581 Dickens Street Westbury, NY 11590	<u><b>January 1, 2019 to December 31, 2019</b></u>
	Total Bid curbside p/u: \$1,598,100.00
	Adj. Per \$1 change MSW: \$8,900.00
	Adj. Per \$1 change in yard waste: \$600.00
	Adj. \$0.25 change in Prevailing Wage Base
	Rate (+/-): \$4,192.24
	Adj. \$0.25 change in Prevailing Wage
	Supplemental Benefit Rate (+/-): \$3,016.00
	<u><b>January 1, 2020 to December 31, 2020</b></u>
Total Bid curbside p/u: \$1,638,052.00	
Adj. Per \$1 change MSW: \$8,900.00	
Adj. Per \$1 change in yard waste: \$600.00	
Adj. \$0.25 change in Prevailing Wage Base	
Rate (+/-): \$4,192.24	
Adj. \$0.25 change in Prevailing Wage	
Supplemental Benefit Rate (+/-): \$3,016.00	
<u><b>January 1, 2021 to December 31, 2021</b></u>	
Total Bid curbside p/u: \$1,680,000.00	
Adj. Per \$1 change MSW: \$8,900.00	
Adj. Per \$1 change in yard waste: \$600.00	

	Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$4,192.24 Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$3,016.00
	<b><u>January 1, 2022 to December 31, 2022</u></b> <b><u>(Renewal - If Exercised)</u></b> Total Bid curbside p/u: \$1,730,100.00 Adj. Per \$1 change MSW: \$8,900.00 Adj. Per \$1 change in yard waste: \$600.00 Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$4,192.24 Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$3,016.00 <b><u>January 1, 2023 to December 31, 2023</u></b> <b><u>(Renewal - If Exercised)</u></b> Total Bid curbside p/u: \$1,773,250.00 Adj. Per \$1 change MSW: \$8,900.00 Adj. Per \$1 change in yard waste: \$600.00 Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$4,192.24 Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$3,016.00

; and

**WHEREAS**, following careful review of the information presented to it and the bid documents received, this Board wishes to authorize the award of the contract for the collection, removal and disposal of acceptable waste and recyclables from the District to Meadow Carting Corp., 581 Dickens Street, Westbury, NY 11590 for the period from January 1, 2019, through December 31, 2021, with an option to renew for two (2) additional one (1) year periods at the following prices:

**January 1, 2019 to December 31, 2019**

Total Bid curbside p/u: \$1,598,100.00  
Adj. Per \$1 change MSW: \$8,900.00  
Adj. Per \$1 change in yard waste: \$600.00  
Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$4,192.24  
Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$3,016.00

**January 1, 2020 to December 31, 2020**

Total Bid curbside p/u: \$1,638,052.00  
Adj. Per \$1 change MSW: \$8,900.00  
Adj. Per \$1 change in yard waste: \$600.00  
Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$4,192.24  
Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$3,016.00

**January 1, 2021 to December 31, 2021**

Total Bid curbside p/u: \$1,680,000.00  
Adj. Per \$1 change MSW: \$8,900.00  
Adj. Per \$1 change in yard waste: \$600.00  
Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$4,192.24  
Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$3,016.00

**January 1, 2022 to December 31, 2022 (Renewal - If Exercised)**

Total Bid curbside p/u: \$1,730,100.00

Adj. Per \$1 change MSW: \$8,900.00

Adj. Per \$1 change in yard waste: \$600.00

Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$4,192.24

Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$3,016.00

**January 1, 2023 to December 31, 2023 (Renewal - If Exercised)**

Total Bid curbside p/u: \$1,773,250.00

Adj. Per \$1 change MSW: \$8,900.00

Adj. Per \$1 change in yard waste: \$600.00

Adj. \$0.25 change in Prevailing Wage Base Rate (+/-): \$4,192.24

Adj. \$0.25 change in Prevailing Wage Supplemental Benefit Rate (+/-): \$3,016.00

(the "Agreement").

**NOW THEREFORE, BE IT**

**RESOLVED** that the Agreement be and hereby is awarded; and be it further

**RESOLVED** that the contract amounts are determined on the basis of the disposal rates set forth in the bid documents and any incremental increases or decreases thereto established by the Board of the Town of North Hempstead Solid Waste Management Authority; and be it further

**RESOLVED** that the Supervisor and Councilpersons as members of the Town Board be and they hereby are authorized and directed to execute the Agreement on behalf of the District, and to take such other action as may be necessary to effectuate the foregoing, copies 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 hereby is authorized and directed to supervise the execution of the Agreement; and be it further

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

Dated: Manhasset, New York

November 20, 2018

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller SWMA

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

**RESOLUTION NO. 539 - 2018**

**A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE COLLECTION AND DISPOSAL OF WASTE AND PAPER RECYCLABLES FROM HARBOR LINKS GOLF COURSE (TNH079-2018).**

**WHEREAS**, the Director of Purchasing (the “Director”) solicited bids for the collection and disposal of waste and paper recyclables from the Harbor Links Golf Course; and

**WHEREAS**, bids were received as set forth in Exhibit A attached hereto (the “Bids”); and

**WHEREAS**, following a review of the Bids, the Director has recommended an award as set forth in Exhibit B attached hereto (the “Award”); and

**WHEREAS**, this Board wishes to authorize the Award as recommended by the Director.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Award as recommended by the Director is hereby authorized; and be it further

**RESOLVED** that the Supervisor be and hereby is authorized and directed to execute, on behalf of the Town, any purchase agreements and related documents, a copy of which shall be on file in the Division of Purchasing and to take such other related action as may be necessary to effectuate the foregoing; and be it further

**RESOLVED** that the Comptroller be, and hereby is, authorized and directed to pay the costs of said awards upon receipt of a duly executed and certified claims therefor.

Dated: Manhasset, New York

November 20, 2018

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

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney    Comptroller    Purchasing



TNH079-2018 Collection and Delivery of Waste and Paper Recyclables from Harbor Links				<b>Jamaica Ash &amp; Rubbish Removal Co., Inc.</b> 172 School Street Westbury, NY 11590 516-333-2211 <a href="mailto:acore@jamaicaash.com">acore@jamaicaash.com</a>		Winter Bros. Hauling of Long Island LLC. 120 Nancy Street West Babylon, NY 11704 631-491-4923 <a href="mailto:knolan@winterbros.com">knolan@winterbros.com</a>	
	Item/Service Description	Quantity	Unit rental/month Charge per service	Total price/per month		Unit rental/month Charge per service	Total price/per month
	<b>1. Containers, 8 yards</b>						
1A.	Price to rent 8 yard containers	3	\$ 15.00	\$	45.00	\$ 0.00	\$ 0.00
1B.	Cost to empty container (1) time per week when and bring its contents to the Town of North Hempstead Transfer Station	3	\$ 120.00	\$	360.00	\$ 176.40	\$ 763.81
1C.	Cost to empty container (2) times per week and bring its contents to the Town of North Hempstead Transfer Station.	3	\$ 190.00	\$	570.00	\$ 352.80	\$ 1,527.61
1D.	Cost to empty container (3) times per week and bring its contents to the Town of North Hempstead Transfer Station.	3	\$ 250.00	\$	750.00	\$ 529.20	\$ 2,291.44
1E.	Cost to empty container (4) times per week and bring its contents to the Town of North Hempstead Transfer Station.	3	\$ 300.00	\$	900.00	\$ 705.60	\$ 3,055.25
	<b>2. Paper/Cardboard Products (recyclable)</b>						
2A.	Price to rent 6 yd. container	1	\$ 15.00	\$	15.00	\$ 0.00	\$ 0.00
2B.	Cost to Empty container (1) time per week and transfer its contents to the Town of North Hempstead Transfer Station	1	\$ 120.00	\$	120.00	\$ 18.00	\$ 77.94
2C.	Cost to empty container (2) times per week and bring its contents to the Town of North Hempstead Transfer Station.	1	\$ 190.00	\$	190.00	\$ 36.00	\$ 155.88
2D.	Cost to empty container (3) times per week and bring its contents to the Town of North Hempstead Transfer Station.	1	\$ 250.00	\$	250.00	\$ 54.00	\$ 233.82
2E.	Cost to empty container (4) times per week and bring its contents to the Town of North Hempstead Transfer Station.	1	\$ 300.00	\$	300.00	\$ 72.00	\$ 311.76

TNH079-2018 Collection and Delivery of	
Waste and Paper Recyclables from	
Harbor Links	
Winning Vendor	Items Won
Jamaica Ash & Rubbish	
Removal Co., Inc.	
172 School Street	
Westbury, NY 11590	All Items
516-333-2211	
<a href="mailto:acore@jamaicaash.com">acore@jamaicaash.com</a>	

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

**RESOLUTION NO. 540 - 2018**

**A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR SECURITY SERVICES FOR THE OFFICE OF THE RECEIVER OF TAXES (TNH062-2018).**

**WHEREAS**, the Director of Purchasing (the “Director”) has solicited bids for security services for the Office of the Receiver of Taxes; and

**WHEREAS**, bids were received as forth in Exhibit A attached hereto (the “Bids”); and

**WHEREAS**, following a review of the Bids, the Director has recommended an award as set forth in Exhibit B attached hereto (the “Award”); and

**WHEREAS**, this Board wishes to authorize the Award as recommended by the Director.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Award as recommended by the Director is hereby authorized; and be it further

**RESOLVED** that the Supervisor be and hereby is authorized and directed to execute, on behalf of the Town, any purchase agreements and related documents, a copy of which shall be on file in the Division of Purchasing, and to take such other related action as may be necessary to effectuate the foregoing; and be it further

**RESOLVED** that the Comptroller be, and hereby is, authorized and directed to pay the costs of said awards upon receipt of a duly executed and certified claims therefor.

Dated: Manhasset, New York

November 20, 2018

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

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney    Comptroller    Purchasing

**TNH062-2018**

Security Services for the Office of the Receiver  
of Taxes

	<b>Pro Protection Security Inc.</b> 150 Motor Pakway Suite 401 Hauppauge, NY 11788 (631)439-6842 <a href="mailto:Cinnace@Protectionsecurity.com">Cinnace@Protectionsecurity.com</a>	<b>Corporate Loss Prevention Associates</b> 2635 Pettit Avenue Bellmore, NY 11710 (516) 409-0003 <a href="mailto:Cantonucci@clpa.com">Cantonucci@clpa.com</a>
<b>Contract Year</b>	<b>Hourly Rate*</b>	<b>Hourly Rate*</b>
2019	\$29.86	\$12.90
2020	\$30.81	\$12.90
2021	\$31.85	\$12.90
2022 (option)	—	\$13.90
2023 (option)	—	\$13.90

\* Hourly Rate pricing should be submitted before adding prevailing wage. The rate submitted will be added to the applicable prevailing wage rate to establish the total hourly rate

The work under this bid is subject to prevailing wage (as per NY State labor law, article 9) and therefore the winning vendor will be required to submit certified payrolls with the monthly invoices. Questions concerning prevailing wage should be directed to:

<http://wpp.labor.state.ny.us/wpp/viewOriginalWageSchedule.do?projectId=1147023>  
(PRC)#2018901225

<b>TNH062-2018</b>	
Security Services for the Office of the Receiver of Taxes	
Winning Vendor	Items Won
<b>Corporate Loss Prevention Associates</b>	
2635 Pettit Avenue	
Bellmore, NY 11710	
(516) 409-0003	All Items
<a href="mailto:Cantonucci@clpa.com">Cantonucci@clpa.com</a>	

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

**RESOLUTION NO. 541 - 2018**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH P.W. GROSSER CONSULTING ASSOCIATED WITH DRAINAGE IMPROVEMENTS AT HUTCHINSON COURT, GREAT NECK, NY (ENGINEERING).**

**WHEREAS**, the Commissioner of Public Works (the “Commissioner”) for the Town of North Hempstead (the “Town”) has recommended that this Board authorize the retention of professional engineering services for drainage improvements at Hutchinson Court, Great Neck, New York, DPW Project No. 18-13 (the “Services”); and

**WHEREAS**, following the review and analysis of proposals submitted for the Services, the Commissioner has recommended the retention of P.W. Grosser Consulting, Inc., 630 Johnson Avenue, Suite 7, Bohemia NY 11716 to provide the Services in consideration of a lump sum payment not to exceed Three Thousand and 00/100 Dollars (\$3,000.00) (the “Agreement”); and

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

**NOW, THEREFORE, BE IT**

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

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

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

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

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney DPW Comptroller



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

**RESOLUTION NO. 542 - 2018**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HENRICH EQUIPMENT CO. INC. FOR A SITE AUDIT OF TOWN FUELING FACILITIES.**

**WHEREAS**, the Department of Highways (the “Department”) requires the services of a company to perform a site audit of the Town’s fueling facilities (the “Services”); and

**WHEREAS**, the Commissioner of the Department (the “Commissioner”) has recommended that the Town enter into a professional services agreement with Henrich Equipment Co. Inc., 42 Field Street, West Babylon, New York 11704 to provide the Services in consideration of an amount not to exceed Three Thousand Two Hundred Forty and 00/100 Dollars (\$3,240.00) (the “Agreement”); and

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

**NOW, THEREFORE, BE IT**

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

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

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

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

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller

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

**RESOLUTION NO. 543 - 2018**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH AFFORDABLE CESSPOOL SEWER AND DRAIN INC. FOR CATCH BASIN AND SINK HOLE REPAIRS AT GERRY POND PARK, ROSLYN.**

**WHEREAS**, the Town requires catch basin and sink hole repairs at Gerry Pond Park in Roslyn (the “Services”); and

**WHEREAS**, the Director of Purchasing solicited three (3) quotes for the Services, in accordance with the Town’s Procurement Policy; and

**WHEREAS**, Affordable Cesspool Sewer & Drain, P.O. Box 800, Nesconset, New York 11767 (the “Contractor”) submitted the lowest quote, proposing to perform the Services for a sum not to exceed Seven Thousand Four Hundred and 00/100 Dollars (\$7,400.00) (the “Contract Amount”); and

**WHEREAS**, the Director has recommended that the Town enter into an agreement with the Contractor to perform the Services for the Contract Amount (the “Agreement”); and

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

**NOW, THEREFORE, BE IT**

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

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

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

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

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

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

**RESOLUTION NO. 544 - 2018**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE COMMUNITY CHEST OF PORT WASHINGTON, NY, INC. TO CO-SPONSOR A THANKSGIVING DAY RUN.**

**WHEREAS**, the Community Chest of Port Washington, N.Y., Inc., 382 Main Street, P.O. Box 648, Port Washington, New York 11050 (the “CCPW”) provides activities and services to residents of the Town of North Hempstead (the “Town”); and

**WHEREAS**, the CCPW has asked the Town to co-sponsor its Thanksgiving Day Run (the “Event”), through the provision of funds not to exceed Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00) and Town equipment (the “Town Sponsorship”); and

**WHEREAS**, this Board wishes to authorize the Town to enter into an agreement with CCPW to provide the Town Sponsorship in exchange for recognition as a co-sponsor of the Event (the “Agreement”); and

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town shall co-sponsor the Event and provide the Town Sponsorship; and be it further

**RESOLVED** that the Supervisor 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.

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller

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

**RESOLUTION NO. 545 - 2018**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH GENERAL CODE FOR UPGRADES TO THE TOWN'S DOCUMENT MANAGEMENT SYSTEM.**

**WHEREAS**, the Office of the Town Clerk requires upgrades to the Town's document management system, Laserfiche (the "Services"); and

**WHEREAS**, the Town Clerk and the Commissioner of the Department of Information Technology and Telecommunications have recommended that the Town enter into an agreement with General Code, 781 Elmgrove Road, Rochester, New York 14624, to provide the Services in consideration of an amount not to exceed Fifty-Six Thousand Three Hundred Eleven and 00/100 Dollars (\$56,311.00) (the "Agreement").

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

**NOW, THEREFORE, BE IT**

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

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

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

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

Dated: Manhasset, New York

November 20, 2018

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

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney      Comptroller      Town Clerk



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

**RESOLUTION NO. 546 - 2018**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CUSTOM MARINE FOR THE REMOVAL OF A DERELICT VESSEL.**

**WHEREAS**, the Town requires the removal of a derelict vessel from Hempstead Harbor, New York (the “Project”); and

**WHEREAS**, the Director of Purchasing (the “Director”) solicited three (3) quotes for the Project, in accordance with the Town’s Procurement Policy; and

**WHEREAS**, Custom Marine, 23 Hickory Hill Drive, Dobbs Ferry, New York 10522 (the “Contractor”) submitted the lowest quote, proposing to perform the Project for a sum not to exceed Thirteen Thousand Eight Hundred Ninety-Five and 00/100 Dollars (\$13,895.00) (the “Contract Amount”); and

**WHEREAS**, the Director has recommended that the Town enter into an agreement with the Contractor to perform the Project for the Contract Amount (the “Agreement”); and

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

**NOW, THEREFORE, BE IT**

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

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

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

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

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

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

**RESOLUTION NO. 547 - 2018**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH AN EXCELSIOR ELEVATOR CORP. FOR ELEVATOR MAINTENANCE.**

**WHEREAS**, pursuant to a resolution duly adopted by this Board, the Town entered into an agreement with An Excelsior Elevator Corporation, 640 Main Street, Westbury, New York 11590 (the “Contractor”), to provide elevator maintenance services (the “Original Agreement”); and

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

**WHEREAS**, the Director of Purchasing (the “Director”) has recommended that the Town exercise the Option to extend the term of the Original Agreement for a period of one (1) year such that the Agreement shall terminate on November 13, 2019 (the “Amendment”); and

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

**NOW, THEREFORE, BE IT**

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

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

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

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

Dated:     Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller

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

**RESOLUTION NO. 548 - 2018**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH GENUINE PARTS COMPANY D/B/A NAPA AUTO PARTS.**

**WHEREAS**, pursuant to a resolution, duly adopted by this Board, the Town entered into, and amended, an agreement with Genuine Parts Company d/b/a NAPA (the “Contractor”) to provide for the administration of the Department of Public Works Division of Highways parts room (the “Original Agreement”); and

**WHEREAS**, the Director of Purchasing has recommended that the Town amend the Original Agreement to extend the term of the Agreement for a period of six (6) months such that the Agreement will terminate May 17, 2019 (the “Amendment”); and

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

**NOW, THEREFORE, BE IT**

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

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

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

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

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney    Comptroller    Purchasing

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

**RESOLUTION NO. 549 - 2018**

**A RESOLUTION AMENDING RESOLUTION 289-2018, ADOPTED JUNE 5, 2018, AUTHORIZING THE USE OF AGREEMENTS BETWEEN THE NATIONAL JOINT POWERS ALLIANCE AND NO FAULT SPORT GROUP, LLC AND PLAYPOWER LT FARMINGTON, INC. D/B/A LITTLE TIKES COMMERCIAL FOR PLAYGROUND EQUIPMENT AND SURFACING FOR MARY JANE DAVIES GREEN, MANHASSET.**

**WHEREAS**, pursuant to Resolution No. 289-2018, duly adopted on June 5, 2018 (the “Resolution”), the Town Board authorized the Town to utilize an agreement between the National Joint Powers Alliance and No Fault Sport Group, LLC, 3112 Valley Creek Drive, Suite C, Baton Rouge, LA 70808 for “Playground and Athletic Surfacing” (082114-NFS) for the placement of a playground surface at Mary Jane Davies Green (the “Park”) in consideration of an amount not to exceed Ninety-Two Thousand Six Hundred Fifty-Four and 00/100 Dollars (\$92,654.00) (the “No Fault Agreement”); and

**WHEREAS**, the Resolution also authorized the Town to utilize an agreement between the National Joint Powers Alliance and Playpower LT Farmington Inc. d/b/a Little Tikes Commercial, 878 E. US Hwy 60, Monette, MO 65708 for “Playground Equipment” (030117-LTS) for the installation of playground equipment at the Park in consideration of an amount not to exceed One Hundred Fifty-Eight Thousand Seven Hundred Seventy-Nine and 00/100 Dollars (\$158,779.00) (the “Playpower Agreement”); and

**WHEREAS**, the Town entered into the No Fault Agreement and the Playpower Agreement in consideration of the amounts referenced above; and

**WHEREAS**, the Director of Purchasing has requested that the Resolution be amended to correct the amount of consideration for each agreement to reflect additional funding made necessary by the condition of the soil under the playground; and

**WHEREAS**, these conditions necessitate an increase in the No Fault Agreement in an amount not to exceed Twenty-One Thousand Seven Hundred and 00/100 Dollars (\$21,700.00) and an increase in the Playpower Agreement in an amount not to exceed One Thousand Seven Hundred Nineteen and 63/100 Dollars (\$1,719.63) (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 Board hereby authorizes the Supervisor to execute the any and all documents necessary to effectuate the foregoing; and be it further

**RESOLVED** that the Town Attorney is hereby authorized and directed to negotiate and supervise the execution of any documentation, and to take such 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 thereof upon receipt of duly certified and executed claims thereof.

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney



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

**RESOLUTION NO. 550 - 2018**

**A RESOLUTION AUTHORIZING THE PURCHASE FROM  
TRAFFICWARE OF TRAFFIC ANALYSIS SOFTWARE FOR THE DEPARTMENT OF  
PUBLIC WORKS.**

**WHEREAS**, the Department of Public Works Division of Highways (the “Department”) requires traffic analysis software (the “Product”); and

**WHEREAS**, the Director of Purchasing has recommended that the Town purchase the Product from Trafficware, 522 Gillingham Lane, Sugar Land, TX 77478 in consideration of an amount not to exceed Three Thousand Eight Hundred Seventy-Three and 32/100 Dollars (\$3,873.32) (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

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller

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

**RESOLUTION NO. 551 - 2018**

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

**WHEREAS**, the Department of Information Technology and Telecommunications (the “Department”) requires technical support for the Town’s Fuel Management System ( the “Fuel Management Support”); maintenance for the Town’s Laserfiche software program (the “Laserfiche Support”); and support and maintenance of the Town’s system for publically reporting its financial data in a public web browser (the “Financial System Support”); and

**WHEREAS**, the Director of Purchasing has recommended that the Town purchase the Fuel Management Support from the software/hardware creator EJ Ward Inc., 8801 Tradeway, San Antonio, Texas, 78217 for a term of one (1) year in consideration of an amount not to exceed Eleven Thousand Forty and 00/100 Dollars (\$11,040.00) (the “Fuel Management System Purchase”); and

**WHEREAS**, the Director of Purchasing has recommended that the Town purchase the Laserfiche Support from General Code, 781 Elmgrove Road, Rochester, NY 14624 for a term of one (1) year in consideration of an amount not to exceed Five Thousand Two Hundred Thirty-Eight and 00/100 Dollars (\$5,238.00) (the “Laserfiche Maintenance Purchase”); and

**WHEREAS**, the Director of Purchasing has recommended that the Town purchase the Financial System Support from OpenGov Inc., 955 Charter Street, Redwood City, CA 94063 for period of three (3) years in consideration of an amount not to exceed Eight Thousand Five Hundred and 00/100 Dollars (\$8,500.00) per year (the “OpenGov Purchase”); and

**WHEREAS**, this Board finds it to be in the best interest of the Town to authorize the Fuel Management System Purchase, Laserfiche Maintenance Purchase, and the OpenGov Purchase (collectively the “Purchases”).

**NOW, THEREFORE, BE IT**

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

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

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney      Comptroller

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

**RESOLUTION NO. 552 - 2018**

**A RESOLUTION AUTHORIZING THE TOWN BOARD TO SUSPEND PARKING METER REGULATIONS ON NOVEMBER 24, 2018 AND FROM DECEMBER 2, 2018 THROUGH AND INCLUDING DECEMBER 26, 2018, ON CERTAIN ROADS IN PORT WASHINGTON.**

**WHEREAS**, the Town Board finds it in the best interests of the Town to suspend Section 88 (A) of the Town of North Hempstead Uniform Traffic Code (the "UTC") relative to metered parking such that vehicles may be parked on the streets stated in this resolution on November 24, 2018 and December 2, 2018 through and including December 26, 2018 without the necessity of a parking meter payment, but subject to the time restrictions contained in Section 88 (B) and (C) of the UTC and the enforcement provisions contained in Section 89(A) of the UTC.

**NOW, THEREFORE, BE IT**

**RESOLVED** that Section 88 (A) of the UTC relative to metered parking is hereby suspended such that vehicles may be parked on the following streets on November 24, 2018 and December 2, 2018 through and including December 26, 2018 without the necessity of a parking meter payment, but subject to the time restrictions contained in Section 88 (B) and (C) of the UTC, and the enforcement provisions contained in Section 89(A) of the UTC:

Port Washington Boulevard

Main Street

Irma Avenue

S. Maryland Avenue

Carlton Avenue

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney PWPPD

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

**RESOLUTION NO. 553 - 2018**

**A RESOLUTION AUTHORIZING AN AMENDMENT TO THE TOWN OF NORTH HEMPSTEAD'S PROPERTY INSURANCE POLICY.**

**WHEREAS**, the Town of North Hempstead (the "Town") has placed a property insurance policy for 2018 through 2019; and

**WHEREAS**, the Office of the Town Attorney has recommended that the Town's property insurance policy with Zurich American Insurance Co. be amended to increase the coverage for Clinton G. Martin Park to Seven Million Five Hundred Thousand and 00/100 Dollars (\$7,500,000.00) in consideration of an additional premium of One Thousand Five Hundred and 00/100 Dollars (\$1,500.00) (the "Amendment"); and

**WHEREAS**, the Town's insurance broker has recommended the Amendment.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Amendment be and hereby is approved; and be it further

**RESOLVED** that the Supervisor, Deputy Supervisor, Comptroller and Town Attorney are hereby authorized to take such other action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Supervisor Comptroller

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

**RESOLUTION NO. 554 - 2018**

**A RESOLUTION SETTING DATES FOR MEETINGS OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD FOR CALENDAR YEAR 2019.**

**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 2019; and

**WHEREAS**, this Board wishes to establish the dates.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board meeting dates for the calendar year 2019 are as follows:

January 8, 2019	August 13, 2019
January 29, 2019	September 5, 2019
February 28, 2019	September 25, 2019
March 19, 2019	October 10, 2019
April 9, 2019	October 24, 2019
April 30, 2019	November 19, 2019
May 21, 2019	December 4, 2019
June 18, 2019	December 17, 2019
July 9, 2019	

; and be it further

**RESOLVED** that unless otherwise stated, each meeting shall begin at 7:00 p.m.; and be it further

**RESOLVED** that the meeting to be held on December 4, 2019 shall be a Capital Plan working session and shall begin at 10:00 a.m.

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:



Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney      Comptroller Finance      Admin Services      Dept. Heads

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

**RESOLUTION NO. 555 - 2018**

**A RESOLUTION AUTHORIZING THE EMPLOYMENT, APPOINTMENT, TRANSFER, ADJUSTMENT, CORRECTION, CHANGE IN GRADE OR SALARY AND/OR TERMINATION OF EMPLOYEES AND/OR OFFICIALS IN VARIOUS DEPARTMENTS OF THE TOWN.**

**WHEREAS**, the approval of this Board has been requested for the employment, appointment, transfer, adjustment, correction, change in grade or salary and/or termination of certain individuals, employees and/or officials in various departments of the Town of North Hempstead (the "Town") as more particularly set forth in a memorandum on file in the Office of the Commissioner of Human Resources; and

**WHEREAS**, the Board believes it is in the best interests of the Town to approve the request.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the following employments, appointments, transfers, adjustments, corrections, changes in grade or salary, and/or terminations are hereby adopted and approved:

**ALL APPOINTMENTS PENDING COMPLETION OF PAPERWORK AND CIVIL SERVICE APPROVAL**

**SEE EXHIBIT A ATTACHED**

; and be it further

**RESOLVED** that the above listed employments, appointments, transfers, adjustments, corrections, and/or changes in grade or salary are hereby appointed to the respective positions at a rate of compensation shown next to their names; and be it further

**RESOLVED** that the appointments and employments are subject to the satisfactory completion of a physical examination by a physician; and be it further

**RESOLVED** that the term of appointment and employment of any person to an exempt position shall be at the pleasure of the Town Board; and be it further

**RESOLVED** that the effective date of the foregoing employments, appointments, transfers, adjustments, corrections, and/or changes in grade or salary of said individuals, employees and/or officials in the various departments of the Town shall be that date certified by the Commissioner of Finance; and be it further

**RESOLVED** that the foregoing appointments, employments and terminations are subject to the rules and regulations of the Nassau County Civil Service Commission and New York State Civil Service Law.

Dated: Manhasset, New York

November 20, 2018

The vote of the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Please prepare a resolution effectuating the following appointments and/or changes for the 11/20/18 Town Board Meeting

From: Bob Weitzner-Commissioner of Human Resources

To: Supervisor Judi Bosworth

ALL APPOINTMENTS PENDING COMPLETION OF PAPERWORK & CIVIL SERVICE APPROVAL. ALL CHANGES WILL TAKE PLACE NO EARLIER THAN THE PAY PERIOD BEGINNING 12/01/18

UNLESS OTHERWISE NOTED. **ALL SEASONAL EMPLOYMENT COMMENCES 05/01/2018 AND ENDS 09/30/2018.**

**\*\*\*An X in the Relationship Disclosure Form ("RDF") column signifies that the prospective hire has completed and filed the RDF with the HR department.**

Type	RDF SIGNED	Fr/To	Department #	Department Name	Budget Code	Employee Name	FT / PT / Seasonal	Employee Title	Employee Rate	Grade/Step	Effective Date
Salary Change		From	122100	Supervisor	A.10.1341.1000	Steven Pollack	FT	Director of Govt Research	\$71,746 ann/\$2,759.50 bi/wk	Gr 23/St 1.0	
		To							\$74,178 ann/\$2,853.00 bi/wk	Gr 23/St 2.5	
Salary Change		From							\$15.00/hr		
		To	903100	311 Call Center	A.30.1480.1200	Monique John	PT	Attendent/311 Call Rep	\$16.00/hr	N/A	
Location Change		From	123100	Parks & Rec/Manorhaven	A.05.7182.1000	Jaquan Mingo	FT	Laborer 1	\$50,169 ann/\$24.12/hr	Gr 9/ St 7.0	
		To	123400	Parks & Rec/Whitney Park	A.05.7185.1000						
Location Change		From	405000	Parks & Rec/HarborHills	SP 152.1000	Daniel Riordan	FT	Laborer 1	\$45,739 ann/\$21.99/hr	Gr 9/St 2.0	
		To	123000	Parks & Rec/Tully	A.05.7181.1000						
PT to FT w/Location & Title Change		From	922700	Public Safety	A.05.7200.1200	Kevin Campbell	PT	Public Safety Officer 1	\$12.00/hr		
		To	415000	DPW Sidewalks	S.017.1000		FT	Laborer 1	\$44,842 ann/\$21.56/hr	Gr 9/St 1.0	
Termination		From	123200	Parks & Rec	A.05.7183.1000	Alfred Morrie	FT	Maintenance Mechanic 1	\$72,598 ann/\$34.90 bi/wk	Gr 13/St 24.0	10/26/2018
		To									
Resignation		From	930000	Parks & Rec/Tully - LG	A.05.7181.1200	Kristina Horan	PT	Lifeguard 1	\$15.25/hr		8/17/2018
		To									
Resignation		From	931000	Parks & Rec/Manhvn	A.05.7182.1200	Nolan Dunkley	PT	Rec. Aide	\$13.25/hr		8/20/2017
		To									
Resignation		From	982000	Parks & Rec/CGM	SP.154.1200	Michael Do	PT	Laborer 1	\$11.00/hr		11/9/2018
		To									
Retirement		From	300018	Highway	DA.07.5222.1000	Glenn Kearney	FT	Maintenance Plumber	\$79,514 ann/\$38.33/hr	Gr 19/St 7.0	10/25/2018
		To									
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**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. 556 - 2018**

**A RESOLUTION APPROVING THE ACTION OF THE ALBERTSON FIRE CO., ALBERTSON, NEW YORK, IN ADDING TO MEMBERSHIP ROGER ROBINSON.**

**WHEREAS**, the Albertson Fire Co., Albertson, New York, has advised of adding to membership Roger Robinson

**NOW, THEREFORE, BE IT**

**RESOLVED** that the action of Albertson Fire Co., 100 I.U. Willets Road, Albertson, NY 11507 in adding to membership Roger Robinson, 48 Lynton Rd., Albertson, NY, 11507, be and the same hereby is approved and the Town Clerk directed to record their names in the Minutes of the Town Board.

Dated: Manhasset, New York  
November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Albertson Hook & Ladder, Engine & Hose Co., No. 1, Inc.  
Comptroller

Town Attorney

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

**RESOLUTION NO. 557 - 2018**

**A RESOLUTION APPROVING THE ACTION OF THE PROTECTION ENGINE COMPANY 1, PORT WASHINGTON, NEW YORK IN REMOVING FROM MEMBERSHIP DONALD L. SMALLWOOD III.**

**WHEREAS**, the Protection Engine Company 1, 14 S. Washington Street, Port Washington, New York, 11050 has advised of removing Donald L. Smallwood III from membership

**NOW, THEREFORE, BE IT**

**RESOLVED** that the action of the Protection Engine Company 1, 14 S. Washington Street, Port Washington, New York, 11050 in removing Donald L. Smallwood III from membership, be and the same hereby is approved and the Town Clerk directed to record the names in the Minutes of the Town Board.

Dated: Manhasset, New York  
November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Protection Engine Company 1    Town Attorney    Comptroller

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

**RESOLUTION NO. 558 - 2018**

**A RESOLUTION APPROVING THE ACTION OF THE FIRE-MEDIC CO., NO. 1, PORT WASHINGTON, NEW YORK, IN ADDING ELIZABETH WEISBURD AND KRISTINA BURKE TO MEMBERSHIP AND REMOVING FROM MEMBERSHIP ANDREW WEBER, STEVEN SANDOVAL AND KEIRY CHAVEZ AND CHANGING THE STATUS OF KELLY KENNEDY FROM ACTIVE TO EXEMPT.**

**WHEREAS**, the Fire-Medic Co. No. 1, Port Washington, New York, has advised of adding to membership Elizabeth Weisburd, Kristina Burke and removing from membership Andrew Weber, Steven Sandoval and Keiry Chavez and changing the status from active to exempt of Kelly Kennedy;

**NOW, THEREFORE, BE IT**

**RESOLVED** that the action of the Fire-Medic Co. No. 1, 65 Harbor Rd, Port Washington, NY 11050 in adding to membership Elizabeth Weisburd, 55 Essex Ct., Port Washington, NY, 11050, Kristina Burke, 63 Hickory Rd., Port Washington, NY, 11050, and removing from membership Andrew Weber, Steven Sandoval and Keiry Chavez and changing the status from active to exempt of Kelly Kennedy, be, and the same hereby is approved and the Town Clerk directed to record their names in the Minutes of the Town Board.

Dated: Manhasset, New York  
November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

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

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

**RESOLUTION NO. 559 - 2018**

**A RESOLUTION APPROVING THE ACTION OF THE ATLANTIC HOOK & LADDER COMPANY, NO. 1, INC., PORT WASHINGTON, NEW YORK IN ELECTING TO MEMBERSHIP KRIS LEDINS, BRANDON LEFCOURT AND THOMAS NATOLI.**

**WHEREAS**, the Atlantic Hook & Ladder Company, No. 1, Inc., 25 Carlton Ave, Port Washington, New York, 11050 has advised of adding Kris Ledins, Brandon Lefcourt and Thomas Natoli

**NOW, THEREFORE, BE IT**

**RESOLVED** that the action of the Atlantic Hook & Ladder Company, No. 1, Inc., 25 Carlton Avenue, Port Washington, New York, 11050 in adding to membership Kris Ledins, 2 South Farm Rd., Port Washington, NY, 11050, Brandon Lefcourt, 33 Wood Valley lve, Port Washington, NY, 11050 and Thomas Latoli, 1 Thayer Lane, Port Washington, NY, 11050, be and the same hereby is approved and the Town Clerk directed to record their names in the Minutes of the Town Board.

Dated: Manhasset, New York

November 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Cc: Alert Engine, Hook, Ladder and Hose Co., No. 1, Inc.  
Town Attorney Comptroller