

**TOWN OF NORTH HEMPSTEAD
BOARD MEETING
AGENDA**



April 29, 2020

7:00 PM

RESOLUTIONS:

1. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING LOCAL LAW NO. 1 OF 2020, ADOPTED MARCH 30, 2020, TO EXTEND THE 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 September 14, 2020.
Tentative hearing date is May 19, 2020.
2. A RESOLUTION AUTHORIZING A SUPPLEMENTAL BUDGET APPROPRIATION PURSUANT TO TOWN LAW SECTION 112.
3. A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE REMOVAL AND SCRAPPING OF VEHICLES (TNH233-2020).
4. A RESOLUTION AMENDING THE AWARD OF A BID FOR PAVING, RESURFACING AND PAINTING OF BASKETBALL COURTS (TNH199-2019).
5. A RESOLUTION AUTHORIZING AN AWARD IN CONNECTION WITH A REQUEST FOR PROPOSALS FOR GIS SUPPORT SERVICES (TNH234-2020).
6. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH P.W. GROSSER CONSULTING, INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO DRAINAGE IMPROVEMENTS AT CLAPHAM AVENUE AT THE GREENTREE FOUNDATION PROPERTY, MANHASSET, NY. DPW PROJECT NO. 20-01.
7. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH de BRUIN ENGINEERING P.C. FOR PROFESSIONAL ENGINEERING SERVICES

RELATED TO A TRAFFIC STUDY OF PARK AVENUE BETWEEN NASSAU AVENUE AND MUNSEY PLACE, MANHASSET, NY. DPW PROJECT NO. 20-02.

8. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HIRANI ENGINEERING AND LAND SURVEYING, P.C. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO DRAINAGE IMPROVEMENTS AT BELMONT PLACE, WESTBURY, NY. DPW PROJECT NO. 19-12.
9. A RESOLUTION RATIFYING AND AUTHORIZING AGREEMENTS WITH NATIONAL GRID FOR ROAD RESTORATION REIMBURSEMENTS.
10. A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH D & B ENGINEERS AND ARCHITECTS, P.C. TO PROVIDE COMPLIANCE CONSULTING SERVICES RELATED TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION STORM WATER MANAGEMENT PROGRAM.
11. A RESOLUTION RATIFYING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH RENU CONTRACTING AND RESTORATION, INC. FOR CLEANING AND SANITIZING SERVICES AT TOWN HALL 2 AND TOWN HALL 3 IN MANHASSET.
12. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH A & A INDUSTRIAL LLC FOR THE REPAIR OF A FLAGPOLE AT HARBOR LINKS GOLF COURSE.
13. A RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH RUDCO PLUMBING & HEATING FOR WATER MAIN WORK AT DONALD STREET PARK, ROSLYN.
14. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH U.S. TECH INCORPORATED FOR ANNUAL POWER SUPPLY MAINTENANCE SERVICES FOR THE TOWN'S DATA CENTER.
15. A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENTS WITH VARIOUS VOLUNTEERS AND VENDORS TO PROVIDE VIRTUAL AND DIGITAL PROGRAMING TO THE RESIDENTS OF THE TOWN OF NORTH HEMPSTEAD.
16. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH H2M ARCHITECTS AND ENGINEERS FOR ENGINEERING SERVICES RELATED TO THE CONSTRUCTION OF TOWN HALL-II ROOF AND HVAC. DPW PROJECT NO. 17-12.
17. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH WALDEN ENVIRONMENTAL ENGINEERING FOR CONSULTING SERVICES RELATED TO COMPLIANCE WITH FUEL STORAGE TANK REQUIREMENTS.

18. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH PORT WASHINGTON WATER TAXI, INC. AND MEYRAN MARINE SERVICES, INC. FOR WATER TAXI SERVICES AND THE INSTALLATION AND MAINTENANCE OF TRANSIENT AND DEEP DRAFT MOORINGS IN MANHASSET BAY.
19. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH CAPITAL MARKETS ADVISORS, LLC FOR FINANCIAL ADVISORY SERVICES (TNH145R-2016).
20. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH SIMAREN CORP. D/B/A WISDOM PROTECTIVE SERVICES FOR SECURITY SERVICES (TNH006-2018).
21. A RESOLUTION AUTHORIZING THE RATIFICATION AND EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH RED VISION SYSTEMS, LLC DOING BUSINESS AS "MUNITRAX" FOR ONLINE CREDIT CARD SERVICES.
22. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH DEJANA INDUSTRIES, INC. FOR THE COLLECTION AND DISPOSAL OF ACCEPTABLE WASTE AND RECYCLABLES IN THE ALBERTSON-SEARINGTOWN-HERRICKS GARBAGE DISTRICT.
23. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH DEJANA INDUSTRIES, INC. FOR THE COLLECTION AND DISPOSAL OF ACCEPTABLE WASTE AND RECYCLABLES IN THE MANHASSET GARBAGE DISTRICT.
24. A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENTS TO AGREEMENTS WITH VARIOUS INCORPORATED VILLAGES IMPLEMENTING THE PROVISIONS OF CHAPTER 46 OF THE TOWN CODE ENTITLED "SANITATION."
25. A RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE MAINTENANCE AND TECHNICAL SUPPORT SERVICES FOR VARIOUS INFORMATION TECHNOLOGY APPLICATIONS.
26. A RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE MAINTENANCE AND TECHNICAL SUPPORT SERVICES FOR THE OFFICE OF THE TOWN CLERK.
27. A RESOLUTION AUTHORIZING PAYMENT TO MILCON CONSTRUCTION CORP. FOR EMERGENCY ROOF REPAIRS AT MANORHAVEN BEACH PARK, PORT WASHINGTON.
28. A RESOLUTION AUTHORIZING PAYMENT TO ANKERS ELECTRIC SERVICE, INC. FOR THE EMERGENCY REPAIR OF A LIGHT POLE AT CLINTON G. MARTIN PARK, NEW HYDE PARK.
29. A RESOLUTION AUTHORIZING A CHANGE OF ADDRESS FOR THE PREMISES IDENTIFIED AS SECTION 7, BLOCK 76, LOT 38 ON THE NASSAU COUNTY

LAND AND TAX MAP FROM 46 ARLEIGH DRIVE, ALBERTSON, NEW YORK TO 122 DEEPDALE PARKWAY, ALBERTSON, NEW YORK.

30. A RESOLUTION ADOPTING AND AMENDING THE TOWN OF NORTH HEMPSTEAD'S PROCUREMENT AND PAYMENT POLICY.
31. A RESOLUTION AMENDING RESOLUTION NO. 443-2017, ADOPTED JULY 18, 2017, AUTHORIZING THE EXECUTION OF AGREEMENTS AND AMENDMENTS TO AGREEMENTS BETWEEN THE TOWN AND VARIOUS INCORPORATED VILLAGES, SCHOOL DISTRICTS AND SPECIAL DISTRICTS WITHIN THE TOWN FOR COOPERATIVE PURCHASING AND SERVICES.
32. A RESOLUTION AMENDING RESOLUTION 94-2020, ADOPTED FEBRUARY 27, 2020, AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH TROY & BANKS, INC. FOR FRANCHISE FEE AUDITING SERVICES.
33. RESOLUTION AMENDING RESOLUTION NO. 582-2019, ADOPTED NOVEMBER 19, 2019, WHICH AUTHORIZED THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH SAMANTHA WILDER ON BEHALF OF THE MANHASSET BAY PROTECTION COMMITTEE.
34. A RESOLUTION AUTHORIZING THE APPOINTMENT OF PROFESSIONALS FOR THE GREAT NECK PARK DISTRICT.
35. A RESOLUTION RATIFYING THE PLACEMENT OF A POLICY OF PROPERTY INSURANCE FOR THE TOWN OF NORTH HEMPSTEAD.
36. A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE TOWN'S EMPLOYEE BENEFIT RESERVE FUND.
37. A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS TO AND FROM THE TOWN'S CAPITAL RESERVE FUND.
38. A RESOLUTION EXTENDING THE DEADLINE FOR FILING THE ANNUAL STATEMENT OF FINANCIAL DISCLOSURE.
39. A RESOLUTION AUTHORIZING THE PAYMENT OF A CLAIM AGAINST THE TOWN OF NORTH HEMPSTEAD AND AUTHORIZING THE COMPTROLLER OR DEPUTY COMPTROLLER TO PAY THE COSTS THEREOF.
40. 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.
41. A RESOLUTION APPROVING THE ACTION OF THE ATLANTIC, HOOK AND LADDER CO. NO. 1, PORT WASHINGTON, NEW YORK, IN REMOVING FROM MEMBERSHIP JOSEPH FICO, JR.

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

RESOLUTION NO. 129 - 2020

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING LOCAL LAW NO. 1 OF 2020, ADOPTED MARCH 30, 2020, TO EXTEND THE 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 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, following a public hearing conducted on March 30, 2020, adopted Local Law No. 1 of 2020, which extended a building moratorium in the Waterfront Business (B-W) District (the “Moratorium”) until June 1, 2020; and

WHEREAS, this Board now wishes to set a date for a public hearing to consider the adoption of a Local Law amending Local Law No. 1 of 2020, in order to extend the moratorium in the Waterfront Business (B-W) District through September 14, 2020.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 19th day of May, 2020, at 7:00 P.M. in the Town Hall Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, for the purpose of considering the adoption of a Local Law amending Local Law No. 1 of 2020, adopted March 30, 2020, extending the building moratorium in the Waterfront Business (B-W) District, in order to extend the Moratorium through September 14, 2020; 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 19th day of May, 2020, 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 Local Law No. 1 of 2020, adopted March 30, 2020, extending a building

moratorium in the Waterfront Business (B-W) District, in order to extend the moratorium through September 14, 2020.

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

April 29, 2020

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

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Town Clerk Planning Buildings

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. 130 - 2020

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

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

WHEREAS, the Office of the Comptroller has requested that the Town Board authorize a supplemental appropriation in year 2020 (the “Supplemental Appropriation”), as follows: \$5,173.00 to be recorded to revenue line A.2770 with the corresponding increase to be recorded to expense code A.05.7111.4210, for the reimbursement of water bills at Martin Reid Park; and

WHEREAS, the Board wishes to authorize the Supplemental Appropriation.

NOW, THEREFORE, BE IT

RESOLVED that this Board hereby authorizes the Supplemental Appropriation in year 2020 as requested by Comptroller; and be it further

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

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller Town Clerk

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

RESOLUTION NO. 131 - 2020

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE REMOVAL AND SCRAPPING OF VEHICLES (TNH233-2020).

WHEREAS, the Director of Purchasing (the “Director”) has solicited bids for the removal and scrapping of vehicles; 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 duly executed and certified claims therefor.

Dated: Manhasset, New York

April 29, 2020

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

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

Nays: None

cc: Town Attorney Comptroller Purchasing

TNH233-2020 Removal and Scrapping of Vehicles			Gershow Recycling Corp. 71 Peconic Ave. Medford, NY 11763 631-774-1867 David Seiler daves@gershow.com		NJC Scrap Metal Recycling Inc. 63 Sewell St. Hempstead, NY 11550 516-486-6600 Nicholas Cohen ncohen@njcrecycling.com	
<i>Class #</i>	<i>Description</i>	<i># to be scrapped annually (Approx.)</i>	<i>Price Paid per Vehicle</i>	<i>Total Cost per Class (# to be Scrapped x Price Paid per Vehicle)</i>	<i>Price Paid per Vehicle</i>	<i>Total Cost per Class (# to be Scrapped x Price Paid per Vehicle)</i>
1	Motorcycles	5	\$5.00	\$25.00	\$10.00	\$50.00
2	Passenger Cars	30	\$247.55	\$7,426.50	\$300.00	\$9,000.00
3	Other Two-Axle, Four-Tire Single Unit Vehicles	20	\$281.60	\$5,632.00	\$350.00	\$7,000.00
4	Buses	2	\$300.65	\$601.30	\$500.00	\$1,000.00
5	Two-Axle, Six-Tire Single Unit Trucks	10	\$400.25	\$4,002.50	\$400.00	\$4,000.00
6	Three-Axle Single Unit Trucks	10	\$400.25	\$4,002.50	\$500.00	\$5,000.00
7	Four or More Axle Single Unit Trucks	5	\$400.25	\$2,001.25	\$500.00	\$2,500.00
8	Four or Fewer Axle Single Trailer Trucks	2	\$400.25	\$800.50	\$500.00	\$1,000.00
9	Five Axle Single Trailer Trucks	2	\$400.25	\$800.50	\$500.00	\$1,000.00
10	Six or More Axle Single Trailer Trucks	1	\$400.25	\$400.25	\$500.00	\$500.00
11	Five or Fewer Axle Multi-Trailer Trucks	1	\$400.25	\$400.25	\$500.00	\$500.00
12	Six Axle Multi-Trailer Trucks	1	\$400.25	\$400.25	\$500.00	\$500.00
13	Seven or More Axle Multi-Trailer Trucks	1	\$400.25	\$400.25	\$500.00	\$500.00
	TOTAL		\$4,437.05	\$26,893.05		\$32,550.00

TNH233-2020-Removal and Scrapping of Vehicles	
Winning Vendor	Items Won
NJC Scrap Metal Recycling Inc. 63 Sewell St. Hempstead, NY 11550 516-486-6600 Nicholas Cohen ncohen@njcrecycling.com	All Items

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. 132 - 2020

A RESOLUTION AMENDING THE AWARD OF A BID FOR PAVING, RESURFACING AND PAINTING OF BASKETBALL COURTS (TNH199-2019).

WHEREAS, the Director of Purchasing (the “Director”) has solicited bids for the Paving, Resurfacing and Painting of Basketball Courts, (TNH199-2019); and

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

WHEREAS, on January 22, 2020, upon the recommendation of the Director, the Board awarded the bid to TDI Construction, Inc. (the “Contractor”) as the lowest bidder as set forth in Exhibit A; and

WHEREAS, following the award of the bid to the Contractor, the Contractor determined an error in its bid and requested to withdraw its bid; and

WHEREAS, the Director has determined that it is the best interests of the Town to allow the Contractor to withdraw its bid and that the bid of the second-lowest bidder as set forth on Exhibit A is reasonable and in the best interest of the Town; and

WHEREAS, the Director has recommended that the award to the Contractor be amended to award the bid 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

April 29, 2020

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

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

Nays: None

cc: Town Attorney Comptroller Purchasing

<p style="text-align: center;">TNH199-2019 Resurfacing and Painting of Basketball Courts</p>	<p style="text-align: center;">The LandTek Group Inc. 235 County Line Road Amityville, NY 11701 Michael Ryan 1(631)-691-2381 Estimatinggroup@landtekgroup.com</p>	<p style="text-align: center;">Laurel Tennis & Sports D.B.A Gold Coast Tennis 31 Prospect St. Huntington, NY 11743 Justin Kwasnick 1(516)-582-9797 JKwasnik@Goldcoasttennis.org</p>	<p style="text-align: center;">TDI Construction, Inc. Two B Graywood Road Port Washington, NY 11050 Thomas DeMartino/Laura Alloto 1(516)-732-7307 TDIConstructioninc5@gmail.com</p>
<p>I. Manorhaven Beach Park</p>	<p style="text-align: center;">\$280,000.00</p>	<p style="text-align: center;">\$244,945.00</p>	<p style="text-align: center;">\$110,000.00</p>
<p>II. Donald Street Park</p>	<p style="text-align: center;">\$280,000.00</p>	<p style="text-align: center;">\$245,975.00</p>	<p style="text-align: center;">\$110,000.00</p>
<p>III. Optional Subbase x 5 courts</p>	<p style="text-align: center;">\$7,000.00</p>	<p style="text-align: center;">\$12,512.50</p>	<p style="text-align: center;">\$10,000.00</p>
<p>IV. Unforeseen Conditions</p>	<p style="text-align: center;">\$15,000</p>	<p style="text-align: center;">\$15,000</p>	<p style="text-align: center;">\$15,000</p>
<p>Total for All Courts</p>	<p style="text-align: center;">\$582,000.00</p>	<p style="text-align: center;">\$518,432.50</p>	<p style="text-align: center;">\$245,000.00</p>

TNH199-2019-Paving and Painting of Basketball Courts

Winning Vendor	Items Won
Laurel Tennis & Sports 31 Prospect St. Huntington, NY 11743 Justin Kwasnick 1(516)-582-9797 JKwasnik@Goldcoasttennis.org	All Items

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. 133 - 2020

A RESOLUTION AUTHORIZING AN AWARD IN CONNECTION WITH A REQUEST FOR PROPOSALS FOR GIS SUPPORT SERVICES (TNH234-2020).

WHEREAS, the Town of North Hempstead (the “Town”) requires GIS support services on an “as needed” basis (the “Services”); and

WHEREAS, the Director of Purchasing (the “Director”) 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 service agreement with H2M Architects & Engineers, 538 Broad Hollow Road, 4th Floor East, Melville, New York 11747, to provide the Services on an “as needed” basis in consideration of the rates applicable to the project requested by the Town (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 the 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

April 29, 2020

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

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

Nays: None

cc: Town Attorney Comptroller Purchasing

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

RESOLUTION NO. 134 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH P.W. GROSSER CONSULTING, INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO DRAINAGE IMPROVEMENTS AT CLAPHAM AVENUE AT THE GREENTREE FOUNDATION PROPERTY, MANHASSET, NY. DPW PROJECT NO. 20-01.

WHEREAS, the Acting Commissioner of Public Works (the “Acting Commissioner”) for the Town of North Hempstead (the “Town”) has recommended that this Board authorize the retention of an engineering consulting firm to provide professional engineering services for Drainage Improvements at Clapham Avenue at the Greentree Foundation Property, Manhasset, NY, DPW Project No. 20-01 (the “Services”); and

WHEREAS, following the review and analysis of proposals submitted for the Services, the Acting 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 an amount not to exceed Eighteen Thousand Two Hundred and 00/100 Dollars (18,200.00) (the “Agreement”); and

WHEREAS, the Acting 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

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

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

RESOLUTION NO. 135 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH de BRUIN ENGINEERING P.C. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO A TRAFFIC STUDY OF PARK AVENUE BETWEEN NASSAU AVENUE AND MUNSEY PLACE, MANHASSET, NY. DPW PROJECT NO. 20-02.

WHEREAS, the Acting Commissioner of Public Works (the “Acting Commissioner”) for the Town of North Hempstead (the “Town”) has recommended that this Board authorize the retention of an engineering consulting firm to provide professional engineering services associated with a traffic study of Park Avenue between Nassau Avenue and Munsey Place, Manhasset, NY, DPW Project No. 20-02 (the “Services”); and

WHEREAS, following the review and analysis of proposals submitted for the Services, the Acting Commissioner has recommended the retention of de Bruin Engineering P.C., 1400 Old Country Road, Suite 106, Westbury, New York 11590 to provide the Services in consideration of an amount not to exceed Sixteen Thousand Five Hundred and 00/100 Dollars (16,500.00) (the “Agreement”); and

WHEREAS, the Acting 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 a duly executed Agreement and certified claims therefor.

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

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. 136 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HIRANI ENGINEERING AND LAND SURVEYING, P.C. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO DRAINAGE IMPROVEMENTS AT BELMONT PLACE, WESTBURY, NY. DPW PROJECT NO. 19-12.

WHEREAS, the Acting Commissioner of Public Works (the “Acting Commissioner”) for the Town of North Hempstead (the “Town”) has recommended that this Board authorize the retention of an engineering consulting firm to provide professional engineering services for Drainage Improvements at Belmont Place, Westbury, NY, DPW Project No. 19-12 (the “Services”); and

WHEREAS, following the review and analysis of proposals submitted for the Services, the Acting Commissioner has recommended the retention of Hirani Engineering and Land Surveying, P.C., 120 West John Street, Hicksville, New York 11801 to provide the Services in consideration of an amount not to exceed Eleven Thousand Eight Hundred Eight and 00/100 Dollars (\$11,808.00) (the “Agreement”); and

WHEREAS, the Acting 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

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

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. 137 - 2020

A RESOLUTION RATIFYING AND AUTHORIZING AGREEMENTS WITH NATIONAL GRID FOR ROAD RESTORATION REIMBURSEMENTS.

WHEREAS, from time to time, Keyspan Gas East Corporation d/b/a National Grid (“National Grid”) undertakes projects within the Town of North Hempstead (the “Town”), including gas main replacement projects, that disturb road surfaces; and

WHEREAS, in order to ensure that the disturbed roadways are properly restored to the satisfaction of the Town, National Grid has agreed to perform temporary restoration (Binder to Grade) work at each disturbed location and then reimburse the Town for the cost of the final restoration of the roadways which will be undertaken by the Town (the “Roadway Restoration Agreements”); and

WHEREAS, the Town and National Grid will utilize the Town’s existing road resurfacing contract to determine the appropriate reimbursement amount for each Roadway Restoration Agreement; and

WHEREAS, after the reimbursement of funds occurs, the Town Board will be presented with a supplemental appropriation resolution indicating the amounts received by National Grid; and

WHEREAS, it is requested that this Board ratify any Roadway Restoration Agreement previously entered into with National Grid since 2018 (the “Prior Roadway Restoration Agreements”) and authorize future Roadway Restoration Agreements with National Grid (the “Future Restoration Agreements”); and

WHEREAS, this Board desires to ratify the Prior Roadway Restoration Agreements and authorize the Future Roadway Restoration Agreements.

NOW, THEREFORE, BE IT

RESOLVED that the Prior Roadway Restoration Agreements are ratified and the Future Roadway Restoration Agreements are authorized; and be it further

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute Future Roadway Restoration Agreements, and to take such further action as may be necessary to effectuate the foregoing; and be it further

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

RESOLVED that the Comptroller be and hereby is authorized and directed to deposit any reimbursement received by the Town pursuant to an executed Roadway Restoration Agreement into the appropriate Town account.

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller Highway

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. 138 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH D & B ENGINEERS AND ARCHITECTS, P.C. TO PROVIDE COMPLIANCE CONSULTING SERVICES RELATED TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION STORM WATER MANAGEMENT PROGRAM.

WHEREAS, the Acting Commissioner of Public Works (the “Acting Commissioner”) for the Town of North Hempstead (the “Town”) has recommended that this Board authorize the retention of an engineering firm to provide compliance consulting services related to the New York State Department of Environmental Conservation (“NYSDEC”) Storm Water Management Program; and

WHEREAS, such services include the preparation of the 2020 Annual Report, including a review of the Town's Storm Water Management Plan (“SWMP”) activities between March 2019 and March 2020, preparation of draft 2019-2020 SWMP report, assistance with the public review period and completion of the final annual report, and provide other related services associated with the overall management and monitoring of the storm water management program such as staff training and site assessments at up to three (3) Town facilities (the “Services”); and

WHEREAS, the Acting Commissioner has recommended the retention of D & B Engineers and Architects, P.C., 330 Crossways Park Drive, Woodbury, New York 11797 to provide the Services in consideration of an amount not to exceed Thirteen Thousand Three Hundred and 00/100 Dollars (\$13,300.00) (the “Agreement”); and

WHEREAS, the Acting 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

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney DPW Comptroller

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

RESOLUTION NO. 139 - 2020

A RESOLUTION RATIFYING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH RENU CONTRACTING AND RESTORATION, INC. FOR CLEANING AND SANITIZING SERVICES AT TOWN HALL 2 AND TOWN HALL 3 IN MANHASSET.

WHEREAS, due to the presence of the coronavirus in our community all Town facilities have been closed to the public with only essential services continuing to operate with a limited number of Town employees; and

WHEREAS, in order to maintain the highest level of health and safety in the workplace for its employees at all times the Town required cleaning and sanitizing services at Town Hall 2 and Town Hall 3 in Manhasset (the “Services”); and

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

WHEREAS, Renu Contracting & Restoration, Inc., 1215 Sunrise Highway, Copiague, New York 11726 (the “Contractor”) submitted the lowest quote, proposing to perform the Services for a sum not to exceed Twelve Thousand Seven Hundred Ninety-Three and 55/100 Dollars (\$12,793.55) (the “Contract Amount”); and

WHEREAS, it has been recommended that this Board ratify the Town’s actions in using the Contractor to provide the Services and to further authorize the execution of an agreement with the Contractor for the Services for the Contract amount (the “Agreement”); and

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

NOW, THEREFORE, BE IT

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

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

RESOLVED that the Supervisor 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

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller Parks

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

RESOLUTION NO. 140 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH A & A INDUSTRIAL LLC FOR THE REPAIR OF A FLAGPOLE AT HARBOR LINKS GOLF COURSE.

WHEREAS, the Town of North Hempstead Department of Parks and Recreation (the “Department”) requires the repair of a flagpole at Harbor Links Golf Course (the “Services”); and

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

WHEREAS, the Director, on behalf of the Department, has recommended that A & A Industrial LLC, 89-47 215th Place, Queens Village, NY 11427 (“the Contractor”) be retained to perform the Services in consideration of an amount not to exceed One Thousand Two Hundred Twenty-Two and 00/100 Dollars (\$1,222.00) (the “Agreement”); and

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

NOW, THEREFORE, BE IT

RESOLVED that the Agreement be and 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 a duly executed Agreement and certified claims therefor.

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Admin Services Comptroller Purchasing

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. 141 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH RUDCO PLUMBING & HEATING FOR WATER MAIN WORK AT DONALD STREET PARK, ROSLYN.

WHEREAS, the Town owns certain real property known as Donald Street Park, designated as Section 7, Block 60, Lot 320, on the Land and Tax Map of the County of Nassau (the "Map") located on Donald Street and Laurel Street in Roslyn Heights, New York (the "Park"); and

WHEREAS, Rudco Plumbing & Heating, 417 Railroad Avenue, Westbury, NY 11590 (the "Contractor"), is a firm involved in the demolition of a building at 71 Jane Street in Roslyn Heights (the "Project"); and

WHEREAS, the Contractor has requested to access a portion of the Park in order to expose the existing 12" water main, remove sewer piping and shut down the water supply to the building currently at 71 Jane Street prior to its demolition (the "Use") (the "License") in consideration of which the Contractor will return the Park to the conditions substantially similar to those existing prior to the Use; and

WHEREAS, the Commissioner of the Town's Department of Parks and Recreation has recommended granting the License; and

WHEREAS, the Board wishes to grant the License and to authorize the Town to execute an agreement with the Contractor for the Use (the "Agreement").

NOW, THEREFORE, BE IT

RESOLVED that the License is hereby granted; and be it further

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the Agreement, and to take such further action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller Parks

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

RESOLUTION NO. 142 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH U.S. TECH INCORPORATED FOR ANNUAL POWER SUPPLY MAINTENANCE SERVICES FOR THE TOWN'S DATA CENTER.

WHEREAS, the Department of Information Technology and Telecommunications (the "Department") requires the services of a firm to perform annual power supply maintenance services for the Town's data center (the "Services"); and

WHEREAS, the Commissioner of the Department (the "Commissioner") has recommended that the Town enter into an agreement with U.S. Tech Incorporated, P.O. Box 152, Franklin Lakes, New Jersey 07417, to provide the Services through Eaton Corporation PLC for a term of one (1) year in consideration of an amount not to exceed Three Thousand Two Hundred Eighty-Seven and 00/100 Dollars (\$3,287.00) for the maintenance and an amount not to exceed One Thousand Four Hundred Eighty-One and 00/100 Dollars (\$1,481.00) for the warranty (the "Agreement"); and

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

NOW, THEREFORE, BE IT

RESOLVED that the Agreement be and hereby is authorized; 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

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Admin Services Comptroller

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

RESOLUTION NO. 143 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENTS WITH VARIOUS VOLUNTEERS AND VENDORS TO PROVIDE VIRTUAL AND DIGITAL PROGRAMING TO THE RESIDENTS OF THE TOWN OF NORTH HEMPSTEAD.

WHEREAS, the Town of North Hempstead (the “Town”) wishes to provide virtual and digital programing to residents of the Town including performances, concerts, special events, movies, and other forms of entertainment (the “Services”); and

WHEREAS, the Services will require agreements or purchase orders, depending on the nature of the Services; and

WHEREAS, this Board finds it in the best interests of the Town to authorize entering into agreements with or issuing purchase orders to certain rental companies, performers, instructors or groups for these Services.

NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is hereby authorized to enter into the agreements, in a form acceptable to the Office of the Town Attorney, or issue the purchase orders, as more specifically set forth in the agreements or purchase orders; and be it further

RESOLVED that the Office of the Town Attorney is authorized and directed to review the agreements and negotiate the terms, if any, and 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 upon receipt of fully executed agreements or purchase orders, as the case may be, and duly executed and certified claims therefor.

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller Parks

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

RESOLUTION NO. 144 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH H2M ARCHITECTS AND ENGINEERS FOR ENGINEERING SERVICES RELATED TO THE CONSTRUCTION OF TOWN HALL-II ROOF AND HVAC. DPW PROJECT NO. 17-12.

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with H2M Architects and Engineers, 538 Broad Hollow Road, 4th Floor East, Melville, NY 11747 (the “Consultant”), to provide engineering services related to the replacement of the Town Hall II roof and HVAC systems in Manhasset, New York (the “Original Agreement”); and

WHEREAS, the Acting Commissioner of the Department of Public Works has recommended that the Town amend the Original Agreement to incorporate additional engineering services required for the completion of the project, thereby increasing the contract amount under the Original Agreement by an amount not to exceed Thirty Nine Thousand Four Hundred Twenty-Eight and 00/100 dollars (\$39,428.00) (the “Amendment”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney DPW Comptroller

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

RESOLUTION NO. 145 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH WALDEN ENVIRONMENTAL ENGINEERING FOR CONSULTING SERVICES RELATED TO COMPLIANCE WITH FUEL STORAGE TANK REQUIREMENTS.

WHEREAS, the Town has previously entered into an Agreement (the “Agreement”) with Walden Environmental Engineering, PLLC 16 Spring Street, Oyster Bay, New York 11771 (“Walden”) to provide professional services related to the Town underground storage tanks and compliance activities; to operate as the Town’s Class A/B Operator and to provide assistance with other miscellaneous tank compliance issues including additional training, coordination with the County of Nassau Department of Health and UST/AST system inspections and repairs; and

WHEREAS, the Acting Commissioner of the Department of Public Works (the “Commissioner”) has requested that the term of the Agreement be extended for an additional six (6) month period in consideration of payment for an amount not to exceed Ten Thousand One Hundred Fifteen and 00/100 Dollars (\$10,115.00), (the “Amendment”); and

WHEREAS, this Board finds it in the best interests of the Town to authorize the execution of the Amendment; and

NOW, THEREFORE, BE IT

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

RESOLVED that 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 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

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller Public Works

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

RESOLUTION NO. 146 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH PORT WASHINGTON WATER TAXI, INC. AND MEYRAN MARINE SERVICES, INC. FOR WATER TAXI SERVICES AND THE INSTALLATION AND MAINTENANCE OF TRANSIENT AND DEEP DRAFT MOORINGS IN MANHASSET BAY.

WHEREAS, the Town requires water taxi services from the Town Dock in Port Washington to the moorings located at the Town Dock, along with management and maintenance services for the Town's deep draft and transient moorings in Manhasset Bay (the "Services"); and

WHEREAS, the Town previously entered into an agreement, as amended (the "Agreement") with Port Washington Water Taxi, Inc. and Meyran Marine Services Inc. (the "Contractors") to provide the Services; and

WHEREAS, the Commissioner of the Department of Parks and Recreation has requested that the Town retroactively extend the term of the Agreement for one (1) year to terminate on December 31, 2020, subject to certain amendments which have been detailed to the Town Board, to allow the Department of Purchasing the time necessary to issue a Request for Proposals for the Services (the "Amendment"); and

WHEREAS, services under the Amendment shall only commence upon the reopening of the Town Dock for public use by the Supervisor and the Commissioner of the Department of Parks and Recreation; and

WHEREAS, this Board finds it to be 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

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller

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

RESOLUTION NO. 147 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH CAPITAL MARKETS ADVISORS, LLC FOR FINANCIAL ADVISORY SERVICES (TNH145R-2016).

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town entered into an agreement with Capital Market Advisors, Inc., One Great Neck Road, Suite 1, Great Neck, New York 11021 (the “Contractor”) to provide the Town with financial advisory services related to the Town’s debt financing and other financial matters (the “Original Agreement”); and

WHEREAS, the Original Agreement provided for two (2) one (1) year extensions of the term of the Original Agreement (the “Options”); and

WHEREAS, the Town Comptroller (the “Comptroller”) has recommended that the Town exercise the first Option to extend the term of the Original Agreement for a period of one (1) year such that the Agreement shall terminate on December 31, 2020 (the “Amendment”); and

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

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 copies 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

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller

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

RESOLUTION NO. 148 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH SIMAREN CORP. D/B/A WISDOM PROTECTIVE SERVICES FOR SECURITY SERVICES (TNH006-2018).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Simaren Corp. d/b/a Wisdom Protective Services, (the “Contractor”), to provide security services (the “Services”); and

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

WHEREAS, the Director of Purchasing (the “Director”), has recommended that the Town exercise the Option to extend the term of the Original Agreement for a period of one (1) year to begin on April 17, 2020 and terminate on April 16, 2021 (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

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller

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

RESOLUTION NO. 149 - 2020

A RESOLUTION AUTHORIZING THE RATIFICATION AND EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH RED VISION SYSTEMS, LLC DOING BUSINESS AS "MUNITRAX" FOR ONLINE CREDIT CARD SERVICES.

WHEREAS, pursuant to resolutions, duly adopted by this Board, the Town entered into and amended an agreement with Red Vision Systems, LLC doing business as “Munitrax” (the “Contractor”) for online tax bill/statement/payment status, presentment, and credit card/electronic check payment processing system (the “Original Agreement”); and

WHEREAS, pursuant to Resolution No. 349-2016, duly adopted by this Board on May 10, 2016, the Town ratified the extension of the term of the Original Agreement to December 31, 2016 with an option to extend for two (2) additional years; and

WHEREAS, the Office of the Receiver of Taxes for the Town (the “Receiver”) has requested that the Board retroactively authorize the extension of the term of the Agreement from January 1, 2018 to December 31, 2020 with an option to extend for two additional years (the “Extension”); and

WHEREAS, the Receiver has further recommended the Town amend the Original Agreement to reduce the fee to \$0.01 to the taxpayer for check transactions during the period April 1, 2020 through June 1, 2020 with the Town to be billed \$0.99 per school tax transaction during that period (the “Fee Reduction”); and

WHEREAS, the fee will return to \$2.00 per check transaction beginning June 2, 2020 for the remainder of the term of the Extension; and

WHEREAS, the Fee Reduction will cover both general and school tax payments during the reduction period; and

WHEREAS, the Town Board finds it in the best interests of the Town to authorize the execution of an amendment to the Original Agreement to reflect the Extension and the Fee Reduction (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

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Purchasing

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. 150 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH DEJANA INDUSTRIES, INC. FOR THE COLLECTION AND DISPOSAL OF ACCEPTABLE WASTE AND RECYCLABLES IN THE ALBERTSON-SEARINGTOWN-HERRICKS GARBAGE DISTRICT.

WHEREAS, the Town, on behalf of the Albertson-Searingtown-Herricks Garbage District (the “District”) has previously entered into an agreement (the “Agreement”) with Dejana Industries, Inc., 30 Sagamore Hill Drive, Port Washington, NY 11050 (“Dejana”) to collect acceptable waste and recyclables in the District, which Agreement expires on June 30, 2020; and

WHEREAS, the Agreement permits the Town to extend the term of the Agreement for two (2) additional one (1) year periods; and

WHEREAS, the Commissioner of the Town’s Department of Solid Waste Management has requested that this Board authorize exercising the first of the extensions, extending the term of the Agreement for a one (1) year period commencing July 1, 2020 and ending June 30, 2021 (the “Amendment”); and

WHEREAS, this Board finds it in the best interests of the District to authorize the execution of the Amendment.

NOW, THEREFORE, BE IT

RESOLVED that this Board, on behalf of the District, hereby authorizes the Amendment; and be it further

RESOLVED that the Supervisor and Councilpersons, as members of the Board of the District, are hereby authorized and directed to execute the Amendment on behalf of said 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 Amendment; 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 Amendment and certified claims therefor.

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller SWMA

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

RESOLUTION NO. 151 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH DEJANA INDUSTRIES, INC. FOR THE COLLECTION AND DISPOSAL OF ACCEPTABLE WASTE AND RECYCLABLES IN THE MANHASSET GARBAGE DISTRICT.

WHEREAS, the Town, on behalf of the Manhasset Garbage District (the “District”) has previously entered into and amended an agreement (the “Agreement”) with Dejana Industries, Inc., 30 Sagamore Hill Drive, Port Washington, NY 11050 (“Dejana”) to collect acceptable waste and recyclables from the District, which Agreement expires on June 30, 2020; and

WHEREAS, the Agreement permits the Town to extend the term of the Agreement for two (2) additional one (1) year periods; and

WHEREAS, the Commissioner of the Town’s Department of Solid Waste Management has requested that this Board authorize exercising the second of the extensions, extending the term of the Agreement for a one (1) year period commencing July 1, 2020 and ending June 30, 2021 (the “Amendment”); and

WHEREAS, this Board finds it in the best interests of the District to authorize the execution of the Amendment.

NOW, THEREFORE, BE IT

RESOLVED that this Board, on behalf of the District, hereby authorizes the Amendment; and be it further

RESOLVED that the Supervisor and Councilpersons, as members of the Board of the District, are hereby authorized and directed to execute the Amendment on behalf of said 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 Amendment; 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 Amendment and certified claims therefor.

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller SWMA

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. 152 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENTS TO AGREEMENTS WITH VARIOUS INCORPORATED VILLAGES IMPLEMENTING THE PROVISIONS OF CHAPTER 46 OF THE TOWN CODE ENTITLED "SANITATION."

WHEREAS, pursuant to Article 8, Sections 1 and 2-a of the New York State Constitution, as effectuated by General Municipal Law §§ 119-n and 119-o, the Town of North Hempstead (the "Town") is authorized to enter into cooperative service agreements with municipal corporations; and

WHEREAS, the Town has previously entered into certain solid waste disposal agreements commonly known as Flow Control Agreements (the "Agreements") with various Incorporated Villages (the "Villages") under Chapter 46 of the Town Code; and

WHEREAS, the Town wishes to extend the Agreements with the Villages for an additional period of ten (10) years such that the Agreements terminate April 30, 2030 (the "Amendments"); and

WHEREAS, the Board wishes to authorize and direct the Supervisor or the Deputy Supervisor, or their designees, as the case may be, to execute the Amendments on behalf of the Town.

NOW THEREFORE, BE IT

RESOLVED that this Board hereby authorizes the Amendments; and be it further

RESOLVED that the Supervisor is hereby authorized and directed to execute the Amendments, 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 is hereby authorized and directed to supervise the execution of the Amendments.

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller Solid Waste Management

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. 153 - 2020

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

WHEREAS, the Office of the Town Clerk requires support and maintenance for the Town's eCode 360 application (the "eCode Services") and maintenance services for its microfilm scanners (the "Precision Microproducts Services"); and

WHEREAS, the Director of Purchasing has recommended that the Town purchase the eCode360 Services from General Code, LLC, 781 Elmgrove Road, Rochester, NY 14624 for a year in consideration of an amount not to exceed One Thousand One Hundred Ninety-Five and 00/100 Dollars (\$1,195.00) (the "General Code Purchase"); and

WHEREAS, the Director of Purchasing has recommended that the Town purchase the Precision Microproducts Services from Precision Microproducts of America, Inc., 7 Old Dock Road, Suite 3, Yaphank, New York 11980 for a year in consideration of an amount not to exceed One Thousand and 00/100 Dollars (\$1,000.00) (the "Precision Microproducts Purchase"); and

WHEREAS, this Board finds it to be in the best interest of the Town to authorize the General Code Purchase and the Precision Microproducts 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

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller

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

RESOLUTION NO. 154 - 2020

A RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE MAINTENANCE AND TECHNICAL SUPPORT SERVICES FOR THE OFFICE OF THE TOWN CLERK.

WHEREAS, the Office of the Town Clerk requires annual software maintenance and support for the Town Clerk’s Licensing and Vital Statistics Application (the “Services”); and

WHEREAS, the Director of Purchasing has recommended that the Town purchase the Services from Business Automation Systems, Inc., 661 Plank Road, Clifton Park, NY 12065 (“BAS”) for a term of one (1) year in consideration of the sum of Four Thousand Four Hundred and 00/100 Dollars (\$4,400.00) (the “Purchase”); and

WHEREAS, this Board finds it 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 cost of the Purchase upon receipt of duly executed and certified claims therefor.

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller Clerk

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

RESOLUTION NO. 155 - 2020

A RESOLUTION AUTHORIZING PAYMENT TO MILCON CONSTRUCTION CORP. FOR EMERGENCY ROOF REPAIRS AT MANORHAVEN BEACH PARK, PORT WASHINGTON.

WHEREAS, the Town of North Hempstead Department of Parks and Recreation (the “Department”) required emergency roof repair services at Manorhaven Beach Park in Port Washington (the “Services”); and

WHEREAS, the Department retained Milcon Construction Corp., 142 Dale Street, West Babylon, New York 11040 (the “Contractor”) to provide the Services; and

WHEREAS, it has been recommended that the Town Board ratify the Department’s actions in using the Contractor to provide the Services and to further authorize payment for the Services for an amount not to exceed Six Thousand and 00/100 Dollars (\$6,000.00) (the “Payment”); and

WHEREAS, this Board finds it to be in the best interest of the Town to ratify the actions of the Department and authorize the Payment.

NOW, THEREFORE, BE IT

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

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

RESOLVED that the Comptroller be and hereby is authorized and directed to make the Payment upon receipt of certified claims therefore.

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller Parks

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. 156 - 2020

A RESOLUTION AUTHORIZING PAYMENT TO ANKERS ELECTRIC SERVICE, INC. FOR THE EMERGENCY REPAIR OF A LIGHT POLE AT CLINTON G. MARTIN PARK, NEW HYDE PARK.

WHEREAS, the Town of North Hempstead Department of Parks and Recreation (the “Department”) required the emergency repair of a light pole at Clinton G. Martin Park in New Hyde Park (the “Services”); and

WHEREAS, the Department retained Anker’s Electric Service, Inc., 10 South Fifth Street, P.O. Box 378, Locust Valley, New York 11560 (the “Contractor”) to provide the Services; and

WHEREAS, it has been recommended that the Town Board ratify the Department’s actions in using the Contractor to provide the Services and to further authorize payment for the Services for an amount not to exceed Three Thousand Three Hundred Seventy-Five and 00/100 Dollars (\$3,375.00) (the “Payment”); and

WHEREAS, this Board finds it to be in the best interest of the Town to ratify the actions of the Department and authorize the Payment.

NOW, THEREFORE, BE IT

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

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

RESOLVED that the Comptroller be and hereby is authorized and directed to make the Payment upon receipt of certified claims therefore.

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller Parks

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. 157 - 2020

A RESOLUTION AUTHORIZING A CHANGE OF ADDRESS FOR THE PREMISES IDENTIFIED AS SECTION 7, BLOCK 76, LOT 38 ON THE NASSAU COUNTY LAND AND TAX MAP FROM 46 ARLEIGH DRIVE, ALBERTSON, NEW YORK TO 122 DEEPDALE PARKWAY, ALBERTSON, NEW YORK.

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

WHEREAS, NJM Developers Inc., (the "Applicant") is the owner of real property located at 46 Arleigh Drive, Albertson, New York, designated on the Nassau County Land and Tax Map as Section 7, Block 76, Lot 38 (the "Original Street Address"); and

WHEREAS, the Applicant has requested that the Original Street Address for the premises be changed to 122 Deepdale Parkway, Albertson, New York ("Address Re-designation"); and

WHEREAS, the Albertson Postmaster has approved the Address Re-designation sought by the Applicant; and

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

NOW, THEREFORE, BE IT

RESOLVED that subject to the Determination of the Nassau County Fire Marshal, the Town Board hereby authorizes and directs the Address Re-designation; and be it further

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

RESOLVED that the Town Board hereby authorizes and directs the Town Clerk to notify the Nassau County Clerk, the Nassau County Engineer, the Applicant and the post-office department of the United States where the premises is located, to advise them of the Address Re-designation.

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

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

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

RESOLUTION NO. 158 - 2020

A RESOLUTION ADOPTING AND AMENDING THE TOWN OF NORTH HEMPSTEAD'S PROCUREMENT AND PAYMENT POLICY.

WHEREAS, the Town has heretofore adopted a procurement policy as required by Section 104-b of the New York State General Municipal Law (the "Procurement Policy"); and

WHEREAS, following the declaration by the World Health Organization that the coronavirus outbreak is a pandemic, the Governor of the State of New York issued orders regarding procurement requirements in the State during a state of emergency, including a waiver of the requirement for the public opening of bids: and

WHEREAS, on March 13, 2020, Supervisor Bosworth proclaimed a local state of emergency for the Town of North Hempstead (the "Emergency Declaration"); and

WHEREAS, the Director of Purchasing (the "Director") has recommended that the Town amend its Procurement Policy to include a provision governing procurements during a State of Emergency in addition to a few minor technical changes with the proposed amendments set forth in the amended Procurement Policy annexed hereto as Exhibit A (the "Amended Procurement Policy"); and; and

WHEREAS, the Board wishes to authorize the amendments and adopt the Amended Procurement Policy

NOW, THEREFORE, BE IT

RESOLVED that the Policy be and hereby is adopted; and be it further

RESOLVED that the Amended Procurement Policy be effective as of March 20, 2020.

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller

Town of North Hempstead

Procurement and Payment Policy

Revised and Effective March XXXXXXX, 2020

Section One

Introduction

Goods and services that are not required by law to be procured through competitive bidding must be procured in a manner as to assure that taxpayers are charged as little as possible; to obtain goods and services of maximum quality at the lowest possible cost under the circumstances; and to guard against favoritism, waste, extravagance, fraud, and corruption.

To further these objectives, the North Hempstead Town Board is adopting an internal policy and procedures governing all procurements of goods and services, which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law Section §103, or of any other general, special, or local law.

It is the general policy of the Town to move toward a system of centralized procurement. As of the effective date of this policy, certain procurements continue to be made by individual departments rather than the Purchasing Division. This policy shall be read to apply to all departments engaging in procurement activities, and not just the Purchasing Division.

Section Two **Definitions**

As used in this Policy, the following terms have the following meanings

- A. Comptroller – the Town Comptroller of the Town of North Hempstead.
- B. Department Head – the administrative head of each department, whether it be a Commissioner, Director or Executive Director
- C. Direct Claim – See Section Six of this Policy.
- D. Professional Service – a service rendered by an individual or firm requiring a degree of professional skill, judgment and creativity. Professional services are often rendered by those having specialized degrees or licenses to perform certain functions. Examples include, but are not limited to, attorneys, accountants, engineers, surveyors, architects, appraisers, consultants and financial advisors. Other occupations not listed here may be considered professional services. Departments must consult with the Town Attorney’s office as to whether a service is a professional service. Services involving labor are not professional services.
- E. Policy – the Town of North Hempstead Procurement and Payment Policy
- F. Purchase – the acquisition of a good or commodity for the Town. Generally, a service cannot be “purchased” by the Town, and is most likely a Public Work or Professional Service. However, sometimes, an item may be purchased with an associated service, such as purchasing software along with a maintenance plan. The general character of the purchase would need to be analyzed to determine if the procurement is chiefly a purchase or a Public Work/Professional Service. A contract for interior painting of a building involves both material (paint) and labor (painting). In most instances, the labor component of the contract clearly will be predominant, making it a contract for public work. Public works contracts in excess of \$35,000 are subject to competitive bidding under the law. In contrast, replacing a water heater, while involving both equipment (the water heater) and labor, involves primarily an equipment acquisition with incidental labor, as a general proposition, making it a purchase contract. Purchase contracts in excess of \$20,000 are subject to competitive bidding under the law.
- G. Purchase Order – See Section Six of this Policy.
- H. Procurement Officer – an employee or official in each department designated by the Department Head to perform Procurement functions for that department.
- I. Purchasing Department – the Purchasing Division of the Supervisor’s Office.
- J. Procurement Coordinator – the administrative head of the Purchasing Division of the Supervisor’s Office.

- K. Public Work – any service performed by a contractor for the Town that is not a Professional Service. Examples include, construction or maintenance of a structure, building maintenance, maintenance of equipment, janitorial services, groundskeeping, garbage removal and provision of non-specialized transportation (such as senior busing).
- L. Town Attorney – the Office of the Town Attorney of the Town of North Hempstead.
- M. True Lease – the rental of any item for a finite term at a specified rate, whereby the item must be returned to the lessor at the conclusion of the term, and whereby the Town does not have an option or obligation to purchase the item at the conclusion of the term.

Section Three **Methods of Procurement**

Procurement of goods, public works and services may only be made pursuant to one of the following methods of procurement, subject to the exceptions listed below. Successful completion of any method of procurement does not mean that the procurement is exempt from approval by the Town Board. Many procurements require Town Board approval. These procurements are listed later in this policy.

A. Quotes

Quotes may be used for Purchases and Public Works. Quotes may either be obtained verbally or in writing. The type and number of quotes depends on whether the procurement is a Purchase or a Public Work and the estimated dollar amount of the procurement. The type and number of quotes needed are shown on the table below.

B. Bids

A bid is a formal solicitation to the general public to provide price proposals to provide a good or Public Work. The only consideration in a bid is price (see “best value” exception below). A bid is required for any Purchase above \$20,000 or any Public Work over \$35,000.

C. Request for Proposals

A request for proposals, or an RFP, is a multi-faceted solicitation to the general public requesting proposals to perform a Professional Service. With an RFP, price is only one item taken into consideration in awarding a contract. Other considerations may include experience of the proposer, ability of the proposer to perform the service requested and financial condition of the proposer. An RFP is required for all procurements of Professional Services over \$20,000.00.

D. Exceptions to Procurement Rules

i. Sole Source

Sole source procurements do not require a department to initiate any method of procurement. To qualify as a sole source, the ordering department shall show at a minimum:

- The benefits the product has to the Town compared to others available in the marketplace;
- That no other product provides equivalent or similar benefits;
- Considering benefits received, the cost of the item is reasonable compared to others;
- There is no possibility of competition from other dealers or distributors.

For example, a sole source procurement could be used for a product that is only manufactured by one vendor and has specific utility to the Town. Also, a sole source procurement may be used for computer software maintenance provided by the company that produced the software. Finally, a sole source

procurement could be used to purchase goods and services from a distributor/wholesaler/retailer that has a contractual agreement for a specific territory to the exclusion of others.

A sole source determination must be approved by the Purchasing Division. If the Purchasing Division questions a sole source determination, the determination must be confirmed by the Town Attorney's Office.

ii. Emergency

Under Section §103(4) of the General Municipal Law, a procurement may be completed without using any method of procurement to address an emergency, which is defined as an event or condition "arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property, life, health, safety, or property of the inhabitants of a political subdivision or district therein, requires immediate action." This policy expands this definition even to procurements under the bidding thresholds established by the General Municipal Law. The so-called "emergency justification" may only be used in the very limited circumstances described above. Note that delaying until there is no time remaining to conduct a proper procurement does not constitute an emergency.

iii. Preferred Source

New York State law requires municipalities to use a "preferred source" to purchase certain commodities and services. These sources include the New York State Department of Correctional Services, the New York State Industries for the Disabled, the New York State Industries for the Blind and the New York State Office of Mental Health. This is a state law requirement, and must be adhered to before a department engages in any other method of procurement. The list of commodities and services that are affected by this regulation is maintained at this web address:
<http://intranet/Depts/Purchasing/home.asp>.

iv. Procurement Through NYS Office of General Services

As an alternative to soliciting bids, the Town may procure needed items or services off of a contract that is maintained by the State of New York. The Town Board must approve any procurement off of a state contract.

If a department uses a state contract, bear in mind that the prices listed in a state contract are ceilings, not floors. Departments should negotiate prices with vendors on state contracts to achieve terms more beneficial to the Town.

If a department wishes to initiate a bid process for items that are listed under a state contract, the Commissioner of the department must justify to the Purchasing Division why a separate Town bid is necessary.

v. Procurement Through Other Municipalities, Districts or Cooperatives

The Town may utilize most contracts maintained by any state or municipality in the nation, so long as the Town has not previously solicited bids or proposals for the specific Procurement and the state or municipality maintaining the contract utilized procurement methods substantially the same as those required by New York State Law. The contract must also state that the contract may be utilized by other governmental agencies.

In addition, the Town may utilize contracts entered into by Sourcewell, a Minnesota purchasing cooperative.

- E. Note, however, that ordering off of other state and municipal contracts does not eliminate the need for approval by the Town Board. **Aggregation of Purchases; Artificial Separation of Procurements**

State law mandates that procurements may not be artificially separated to avoid competitive bidding thresholds. As such, each department must aggregate similar purchases to determine if the procurement of such goods or services, together, exceed the competitive bidding thresholds established in State law and this Policy. The Purchasing Division will make the final determination as to whether specific purchases must be aggregated.

For instance, purchases of goods valued at over \$20,000 must be competitively bid. Copy paper is purchased throughout the fiscal year and purchased from more than one vendor. Vendor A is projected to supply \$13,500.00 in copy paper and Vendor B is projected to supply \$7,500.00 in copy paper. Both vendors have very similar pricing structures. The total amount expected to be expended for the year on copy paper throughout the Town determines whether the competitive bidding threshold is exceeded. Because the aggregate purchase of the copy paper for the fiscal year was estimated to be excess of \$20,000, competitive bidding is required for these purchases.

Note, however, that departments are not required to aggregate purchases to determine whether the total amount of such products would exceed thresholds other than those stated in subsection B above.

F. Harbor Links Resale Items

Items purchased by the Harbor Links Golf Course for resale purpose (such as golf supplies for the Pro Shop and food items being resold) are not subject to bidding requirements.

G. Procurement Chart

Below is a chart showing the types of procurements to be used for Purchases, Public Works and Professional Services, unless an exception applies. This chart may be used as a guide by each department to quickly determine what type of procurement is necessary for a specific purchase. How to implement each type of procurement is discussed in Section 4 of this Policy.

Procurements	Verbal Quotes			Written Quotes		Bid	RFP	No Method Necessary
	1	2	3	2	3			
Purchases								
Purchases up to \$999.99	X							
Purchases from \$1,000.00 to \$3,999.99				X				
Purchases from \$4,000.00 to \$19,999.00					X			
Purchases \$20,000 and above						X		
Public Works								
Contracts for Public Works up to \$1,999.00	X							
Contracts for Public Works from \$2,000.00 to \$3,999.00		X						
Contracts for Public Works from \$4,000.00 to \$34,999.00					X			
Contracts for Public Works \$35,000.00 and above						X		
Other								
Professional Services \$20,000.00 and above							X	
True Leases \$20,000 and above							X	
Second Hand Equipment from other Governments								X
Second Hand Equipment from Private Source if above \$20,000						X		

Section Four **Procurement Procedures**

A. Quotations

The procuring department is responsible for getting quotes for Purchases and Public Work (except Public Work to be completed by the Department of Public Works). For all quotes required by this policy, a “no quote” (ie. where a vendor declines to provide a quote when requested) does not suffice as a quote. However, on a case by case basis, for procurements not subject to the competitive bidding requirements of the General Municipal Law, the Town Attorney may make the determination that it is unreasonable and cost-ineffective for the Purchasing Division to continue attempting to receive quotes for a certain item once a large number of “no quotes” has been received. This exception shall only apply to procurements that require a minimum of three (3) quotes.

i. Purchases

The procuring department shall contact the appropriate number of vendors required by the chart above and have them submit a written or verbal quote (depending on the dollar amount of the purchase) for the purchase to be made. Verbal quotes must be documented by the Purchasing Division by an email or memorandum once the quote has been received. After receipt of the appropriate number of quotes, the Purchasing Division, if it decides to move forward with the purchase, shall purchase the item from the vendor providing the lowest quote. All purchase order and approval requirements contained in this policy shall also be complied with. Town Board approval is not necessary for purchases under \$20,000.00.

ii. Public Work

If the Public Work to be procured is covered by the prevailing wage requirements contained in Articles 8 and 9 of the New York Labor Law, the Purchasing Division shall contact the Department of Labor to register the job and receive the appropriate prevailing wage schedule for the work. After receipt of the schedule, the Purchasing Division or procuring department shall contact the appropriate number of vendors required by the chart above and have them submit a written or verbal quote (as the case may be) for the purchase to be made. The prevailing wage schedule must be sent to each vendor providing a quote before the quote is provided. After receipt of the appropriate number of quotes, the Purchasing Division, if it decides to move forward with the work, shall procure the work from the vendor providing the lowest quote. All purchase order, contracting and approval requirements contained in this policy shall also be complied with. If an award is to be made, the procuring department shall secure the approval of the Town Board and enter into a contract, after consultation with the Office of the Town Attorney.

In addition, if the work involves an expenditure of \$20,000 or over, the lowest proposer must submit documentation proving that the vendor participates in an apprenticeship training program approved by the Department of Labor appropriate for the work being performed.

B. Request for Bids

i. Department of Public Works Bids

The Department of Public Works shall administer the bid process for its department. All specifications shall be developed by the Department of Public Works, and the release of bids shall be in accordance with the requirements contained in General Municipal Law Sec. 103. In addition, all bids must be advertised on the Town’s website and be published in New York State’s procurement opportunities newsletter. All bids shall be opened by the Office of the Town Clerk in public. All bids received shall be reviewed by the Department of Public Works and the Town Attorney. Efforts should be made to negotiate with the lowest bidder to secure better price terms than those offered by the lowest bidder in its bid, if possible. The Department of Public Works, after review and if an award is to be made, shall secure the approval of the Town Board to enter into a contract.

ii. Bids for Other Departments

If a department determines that competitive bidding is required, the department shall contact the Purchasing Department to initiate the bidding process. The Purchasing Division and the department together will determine the specifications to be used in the bid. All bid solicitations shall be assigned a control number by the Purchasing Division.

Prior to issuance, notice of the bid solicitation shall be published in Newsday and the New York State Contract Reporter in a form developed by the Purchasing Division. A minimum of five (5) days must elapse between the first day that notice is published in Newsday and the date specified for opening bids. In addition, all bids must be advertised on the Town website and be published in the New York State Contract Reporter.

Bids shall be opened at the time established in the bid solicitation by the Purchasing Division in the presence of the Purchasing Coordinator (or delegate) and another witness. All bid openings shall be open to the public.

The Purchasing Division shall be responsible for reviewing opened bids and conferring with the department to determine whether the submitted bids are acceptable. If the Purchasing Division and the department find the bids to be acceptable, the Purchasing Division shall recommend to the Town Board that a contract be awarded to the lowest responsible bidder. No bid contract may be entered into unless approved by the Office of the Town Attorney and the Town Board.

iii. “Best Value”

“Best value” is a basis for awarding contracts for products to the vendor that optimizes quality, cost and efficiency, among responsive and responsible vendors. For evaluation of all bids for purchases (not public work) required by General Municipal Law Section 103, “Best value” may be utilized. When evaluating a bid based on “best value,” the procuring department, wherever possible, must use objective and quantifiable evaluation methods. Note that the use of “best value” in evaluating bids is

optional. The procuring department may choose to evaluate bids using “best value” either before or after bids are received and opened.

C. Request for Proposals

Requests for Proposals (RFPs) are used to procure Professional Services. The RFP provides prospective vendors with information about the Town and promotes competition among vendors to provide the Town with realistic proposals tailored to its needs. An RFP provides the Town with competitive pricing and proposers’ qualifications and experience for purposes of evaluation.

The Office of the Town Attorney has established forms of RFPs to be used, one for the Department of Public Works and one by all other departments. These forms are posted on the Town’s Intranet site, and are subject to change by the Office of the Town Attorney.

i. RFPs for the Department of Public Works

The Department of Public Works shall administer the RFP process for its department. All specifications shall be developed by the Department of Public Works, and the release of RFPs shall be in accordance with the requirements contained below for RFPs for all other departments. All proposals received shall be reviewed by the Department of Public Works. The Department, after review and if an award is to be made, shall secure the approval of the Office of the Town Attorney and the Town Board to enter into a contract.

Special Rules for DPW on-call contracts: A DPW on-call contract is a professional services contract where vendors make themselves available to perform services such as engineering, surveying and environmental testing on an as-needed basis. DPW on-call contracts are specifically authorized and encouraged by this Policy. In releasing an RFP for these type of services, DPW shall state that multiple vendors may be chosen pursuant to the RFP, but that no vendor is guaranteed any work pursuant to an on-call contract. After selecting vendors to receive on-call contracts, and when a specific service is needed by DPW, DPW shall contact at least three (3) of the contractors with a proposed scope of work and request quotes from each vendor. DPW shall select the lowest cost proposal received. The vendor will then perform the work pursuant to the terms and conditions of the original on-call contract at the price quoted. No additional contract will need to be entered into or approved by the Town Board.

ii. RFPs of Other Departments

When issuing an RFP, the Purchasing Division and the user department together will determine the specifications to be used in the bid proposal. The RFP shall state the importance of price and other evaluation factors. While the RFP should contain evaluation criteria and methods of scoring, the Purchasing Division and departments are urged to negotiate with proposers after proposals are submitted to ensure that the Town receives the best services at the best price. This can be accomplished through interviews, best and final offer requests and negotiating sessions. However, these methods

should only be used once proposers have been deemed qualified by the Purchasing Division and the user departments.

All bid solicitation shall be assigned a control number by the Purchasing Division. Prior to issuance, notice of the bid solicitation shall be published in Newsday and the New York State Contract Reporter in a form developed by the Purchasing Division and posted on the Town's website. A minimum of five (5) days must elapse between the first day that notice is published in Newsday and the date specified for opening proposals. The Town is not required to secure the authorization of the Town Board prior to issuance of an RFP, unless determined otherwise by the Supervisor.

Proposals shall be opened at the time established in the bid solicitation by the Purchasing Division in the presence of the Purchasing Coordinator (or delegate) and another witness.

The Purchasing Division shall be responsible for reviewing opened proposals and conferring with the department to determine whether the submitted proposals are acceptable. If the Purchasing Division and the department find the proposals to be acceptable, the Purchasing Division and the department shall form a committee to review the proposals in accordance with the criteria established in the RFP.

Upon recommendation by the Purchasing Division, or the Department of Public Works, and the User Department, an award will be made by Town Board Resolution to the vendor whose proposal is determined to be in the best interest of the Town. The choice must be fully documented.

D. Sole Source

To complete a sole source procurement, the Purchaser shall negotiate price, delivery and terms with vendor. A record of the sole source procurement shall be maintained as a matter of public record and shall list each supplier's name and the item(s) provided. A vendor classified as a "sole source" will be required to provide the Town with written documentation if required by the Purchasing Division. The Purchaser shall complete the sole source procurement form posted to the Town's intranet site, enter the form into New World and provide the form to the Comptroller when requesting that payment be made.

E. Emergency

If a Department is experiencing an emergency as described in Section Three of this Policy, the Department must contact the Town Attorney to confirm that the situation is, in fact, an emergency. If the situation is an emergency, the Department may then procure whatever goods and services are necessary to alleviate the emergency. The Department shall prepare and sign an Emergency Justification Form (posted on the Town's intranet site) and submit the form to the Purchasing Department. **All purchases of goods and services made pursuant to an emergency must be subsequently ratified by the Town Board. Please also note that if a service or public work is procured by emergency, the Town Attorney must also be contacted to have a contract prepared and executed.**

F. Preferred Source

If a commodity or service is listed as a preferred source by the State of New York, the Purchasing Division shall determine which industry group is to be contacted regarding such service or commodity. The Purchasing Division shall inform such industry group of the Town's need for the commodity or service, and shall afford such industry group ten (10) days to submit a proposal for the provision of the commodity or service. If a proposal is not submitted within ten (10) days of the Town's request, the Purchasing Division shall be free to procure such commodity or service pursuant to whatever method is applicable under this Policy. If a proposal is submitted, and the Purchasing Division determines that the proposed commodity or service is in the form, function and utility needed by the Town, the Purchasing Division shall procure the commodity or service from the proposing preferred vendor, even if the commodity or service can be procured from another source at a lower price. Contracts for public work procured by preferred source must be authorized by the Town Board.

G. True Leases

1. Generally. All True Leases \$20,000.00 and under do not require any specific procurement method under this Policy. All True Leases over \$20,000.00 shall utilize either the bid or RFP procedures specified above. Contracts for rentals must be approved by the Town Attorney and the Town Board.

2. Rental of Highway Equipment. All rentals of highway equipment, regardless of price, must be procured by either bid or RFP pursuant to the New York State Highway Law. All contracts for highway rentals must be approved by the Town Attorney and the Town Board.

H. Adequate Documentation

All purchases should be adequately documented. "Adequately documented" means that a person unfamiliar with the transaction would understand the transaction, including the nature and purpose of the transaction, parties involved, goods or services ordered and delivered, itemized and total costs, accounts charged, person(s) who authorized the purchase, person(s) who confirmed receipt of the goods or services, and the date of each material event in the purchasing process.

When possible, verbal price quotes should be entered into New World Logos. If a verbal price quote cannot be entered into New World Logos, a written record of the quote must be retained in another form. Written price quotes, copy of an existing contract (NY State, County or Town), copy of the Town Board resolution, Emergency or Sole Source procurement form, must be attached as a document to the Purchase Order in New World Logos.

If an electronic copy of a document is not available, it should be scanned and attached as a PDF file.

When supplies are delivered or picked up, delivery slips or other documents transmitted by the vendor will be signed (with name written in) and dated by the individual receiving the supplies, and attached to the original Purchase Order, as a PDF file.

Vendors must submit the original invoices to the Department originating the Purchase Orders or to the Comptroller's Office. A copy of the signed Purchase Order and the original, dated and signed packing

slip must be submitted to the Comptroller's Office with the original invoice for payment. In the absence of an original invoice, a department may send a copy of the invoice with a statement that the original has been lost.

In the absence of an original packing slip or service ticket to confirm receipt/delivery of commodities or services, an authorized individual must fill the **Receipt of Goods/ Services Form** (posted on the Town's intranet site)

I. State of Emergency

During such time that a State of Emergency has been declared by the State, the County or the Town, and an Executive Order signed by the Governor, waives, suspends or amends the Laws of the state as they apply to procurement requirements or procedures found in sections 103 or 104 of the General Municipal Law, or any other applicable Law, the Town shall be deemed to have amended this Policy in a manner consistent with the Executive Order for the duration of the Executive Order.

J. **General Rules**

Procurements that are not performed by the Purchasing Division must be originated by the department requiring the procurement. If a procurement is performed by one department on behalf of another, the prior written approval (paper or email) of the department needing the procurement must be obtained before initiating the procurement.

On the Town's intranet site is a listing of those Town personnel who are responsible for procurements. Procurements may only be performed by the persons listed the Town's intranet site, unless otherwise authorized by an individual on the list.

Section Five Contracting Procedures

A. Contracts

The following activities covered under this Policy require the execution of a contract by both the Town and the vendor:

- All Public Work, regardless of the value of the contract.
- All Professional Services, except software maintenance associated with the purchase of the software, including renewals.
- All True Leases.
- Purchase of a product where a service is also involved, such as installation of the product.
- All services that are subject to prevailing wage requirements.

Exception – one-time repair work less than \$1,000.00 does not require the execution of a contract.

All contracts will be prepared and reviewed by the Office of the Town Attorney. **No activities may be performed unless a contract is executed by the vendor.** In most cases, the terms and conditions of a contract are contained in the procurement solicitation issued by the Town. In the case of emergency procurements, a contract must be signed as soon as possible after the emergency.

A Town Board resolution does not eliminate the need for a contract.

B. Town Board Approval Requirements

Town Board approval is required for all procurements of the following nature:

- Services that require contracts, regardless of the cost of the service
- All professional services
- All True Leases
- All bid awards
- All RFP awards

The Purchasing Division and the user department shall be equally responsible for securing Town Board approval prior to the award of a contract, the start of work under a bid or rentals under a true lease. All requests for Town Board approval shall be submitted into Novus Agenda.

Note that compliance with the methods of procurement and the procurement procedures in this policy does not eliminate the need for Town Board approval. Even if the procurement is of an emergency nature, approval of the Town Board must be secured prior to the commencement of work, unless the Supervisor's Office has authorized the commencement of work prior to Town Board

approval. If the Supervisor's office has authorized the start of the work, the work/contract must be ratified at the next Town Board meeting before payment can be made.

C. Prevailing Wage Requirements

Some services performed by Town contractors are subject to Articles 8 or 9 of the Labor Law, which require the payment of Prevailing Wages to workers on the project. There are two categories of prevailing wage contracts:

- Contracts for Public Work (Article 8) – all public work projects involving labor on a Town construction or maintenance project. Prevailing wages must be paid regardless of the value of the contract.
- Contracts for building maintenance services (Article 9) – all services needed to maintain a building, such as janitors, elevator operators, garbage removal and security. Prevailing wages must be paid for all contracts \$1,500.00 or over.

All prevailing wage projects must be registered with the New York State Department of Labor for monitoring and enforcement purposes. When bid documents are released by the Town, or when quotes are solicited by the Town, the bids or solicitations must be accompanied by the prevailing wage schedule appropriate for the categories of work that will be performed.

When contracts are issued, the then-current wage schedule must be attached to the contract, and appropriate prevailing wage requirements must be contained in the agreement. Vendors who are performing prevailing wage jobs must submit certified payroll reports to the departments periodically.

Section Six

Purchase Order/Direct Claims, Contracts and Payment Procedures

A. Methods of Contracting

i. **Purchase Orders**

Purchase Orders are used for the purchases of goods and certain services. The Town uses the accounting/budgeting software system, New World Logos to process Purchase Orders. However, all Purchase Orders must be reviewed by the Commissioner from the user Department and then submitted to the Purchasing Division for approval.

There are two **main** types of Purchase Orders: Standard Purchase Orders and Blanket Purchase Orders.

Standard Purchase Orders are for items and/or services known at the time of order. Therefore, standard Purchase Orders will not be approved without itemized detail of the products or services being ordered. When a Purchase Order is approved, New World Logos assigns it a unique number, and the funds are immediately encumbered.

Blanket Purchase Orders, or open-ended accounts, are normally prepared for a 12 month period. The reasons for the use of Blanket Purchase Orders are twofold:

- To eliminate the necessity for the issuance of separate orders for groups of items which are purchased frequently from the same vendor. An example is office supplies (paper, pencils, binders, etc.)
- To permit purchasing items of this nature on an “as needed” basis.

Blanket Purchase Orders are acceptable for the following:

- Items/Services covered by State or County Contracts
- Items covered by a Bid or RFP
- Any other Town contracts approved by the Town Board on a resolution
- True Lease Payments
- Heating/Vehicle Fuel
- Postage Meter Costs
- Legal Notices (Anton and Newsday)
- ADP Payroll Services
- Off- Site Document Storage Fees
- Golf Course Management Fees
- Transportation Charges (DOSAs, Community Services and Parks)
- Publications (such as legal books)
- Online legal databases (such as Westlaw and LexisNexis)

The Purchasing Division will review the Blanket Purchase Orders to ensure compliance with the Town’s Procurement Policy. Increases to Blanket Purchase Orders are to follow the same guidelines as Purchase

Orders. All Purchase Orders must be approved by the Purchasing Department PRIOR to making a purchase.

In the event that the balance of the General Ledger account is insufficient to cover a purchase, no Purchase Order will be approved. The requisitioning Department must take the necessary steps for a budget transfer before a Purchase Order is generated by New World Logos.

A Department wishing to cancel a Purchase Order will submit the cancellation (called close in New World Logos) to the Purchasing Division, who will in turn approve it and post the transaction to the General Ledger at which time the funds are “unencumbered.”

Invoices that are not accompanied by a Purchase Order, unless a Confirming Purchase Order or Direct Claim are appropriate, will not be paid.

ii. Confirming Purchase Orders

A confirming Purchase Order may be generated for the purchase of items or services in case of **an emergency only that has been approved by the Town Attorney’s Office**. Confirming purchase orders may not be used to correct errors in the procurement of a good or service. The Purchasing Division will **not** approve a Confirming Purchase Order for any reason other than an emergency. This will be enforced by the Town Attorney’s Office. A confirming purchase order must be submitted for approval within 48 hours of the emergency requiring the use of a confirming purchase order.

The Emergency Justification Form must be completed and approved prior to any procurement; scanned and attached to the Confirming Purchase Order as a “document”.

The Town will not be responsible for orders placed without prior approval of the emergency by the Town Attorney’s Office.

If an emergency occurs when the Purchasing Division is closed, the Department must notify the Purchasing Division in writing the next business day the Purchasing Division is open.

iii. Direct Claims

Direct claims are for purchases made without a Purchase Order, and most of the time deal with commodities and services that are not subject to the provisions of this policy. Departments prepare claim forms with supporting documentation and submit them directly to the Comptrollers’ Office. Direct Claims are acceptable *only* for the following:

- Advertising (Town and Harbor Links)
- Capital Construction Projects
- Debt Service
- Employee Travel/Training Conferences/Reimbursement (Mileage, Parking, etc.)
- Fiscal Agent Fees
- Health, Dental and Vision Insurance Payments
- Interdepartmental Fees

- Legal Expenses (such as expert witness fees and transcription fees when not covered by a contract.
- Permits
- Petty Cash Items
- PILOT (Payment in Lieu of Taxes) Payments
- Refunds
- Unemployment Insurance Payments
- Utility Bills (LIPA, National Grid, Water Districts, Telephone, Direct TV, Cable)

Other items may be paid on Direct Claims if approved by resolution of the Town Board. Direct Claims must be signed by the vendor, unless otherwise authorized by the Town Comptroller.

B. **Payment Requirements**

All claims are subject to audit by the Comptroller's office prior to payment. Audit by the Comptroller prior to payment does not foreclose the possibility of additional audit once payments have been made.

i. **Invoices under \$200.00**

Invoices for payments under \$200.00 require only an original invoice, an acknowledgement by the department that the products and services have been received and a signed claim form. If a contract is required pursuant to Section 6(A)(iv) above, a copy of the contract must be entered into New World or otherwise provided to the Comptroller.

ii. **Invoices for Public Work (except DPW capital claims)**

Payment for public work will be made only upon receipt of the following:

- Documentation showing hours worked (prevailing wage certified payrolls may suffice)
- Certified Payrolls showing name, address, last four digits of social security number, work classification, rate of pay and vendor signature (note that these are Department of Labor requirements and cannot be waived by the Town).
- Town Board Resolution
- Signed contract
- Original invoice
- Signed claim form
- Signed statement from the Department that work has been completed (signed work order will suffice)

iii. **Invoices for Purchases**

Payment for a purchase will be made only upon receipt of the following:

- Original invoice
- Signed claim form

- Verification that the products have been received
- Purchase Order
- Town Board Resolution (if the purchase is based on a bid)
- If list prices are involved:
 - If the invoice is under \$2,000, a statement from the department that the list prices have been verified
 - If the invoice is over \$2,000, documentation showing the correct list price

iv. Invoices for Professional Services

Payment for Professional Services will be made only upon receipt of the following:

- Original invoice
- Signed claim form
- Verification that the services have been performed
- Purchase Order or Direct Claim as provided in this Policy or by resolution of the Town Board.
- Town Board Resolution
- If contract is paid on an hourly basis, timesheets showing the hours worked and the applicable rate contained in the agreement.

v. Invoices for DPW On-Call Contracts

Payment for DPW on-call professional services will be made only upon receipt of the following:

- Original invoice
- Signed claim form
- Verification that the services have been performed
- Town Board Resolution for underlying contract
- Copies of quotes received from on-call vendors for the service.
- If work is paid on an hourly basis, timesheets showing the hours worked and the applicable rate contained in the proposal acceptable to the Comptroller.

Section Seven
Procedures Related to Procurements Utilizing Federal Funding
(For all Federally-Funded Projects Except for Projects Funded by the Federal
Transit Administration)

A. **General Procedures**

In procuring goods and services using funds received from grant awards from the federal government, the procuring department must follow the standards stated in Section 200.318 through 200.326 of Title 2 of the Code of Federal Regulations. In general, the regulations state:

1. The procuring department must follow the Town's Procurement Policy.
2. The procuring department must maintain oversight to ensure that contractors perform in accordance with the terms and conditions of the contracts or purchase orders issued by the procuring department.
3. The procuring department must ensure that its personnel engaging in any procurement involving federal awards complies to the Town's Code of Ethics with regard to conflicts of interest and gifts, provided, however that the procuring department's personnel may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.
4. Consideration must be given to consolidating or breaking out procurements to obtain more economical purchases.
5. Contracts may only be awarded to responsible contractors possessing the ability to perform successfully under the terms and conditions of the contract. In evaluating contractors, consideration must be given to contractor integrity, compliance with public policies, past records of performance and financial and technical resources. The Town may not contract with a contractor that has been suspended or debarred by a federal agency. The procuring department must verify that each contractor has not been suspended or debarred.
6. The procuring department must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.
7. The Town alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims.

Procuring departments are encouraged to do the following:

1. Use intergovernmental agreements wherever possible to promote cost effective use of shared services.
2. Use excess and surplus federal property in lieu of purchasing new equipment and property wherever feasible.
3. Use systematic and creative analyses of each contract item or task to ensure that its essential function is provided at the overall lowest cost.
4. Use intergovernmental agreements.

For purposes of this Section, the term “federal award” shall mean any funding received from the federal government, including, but not limited to, grants and subsidies, except funding received from the Federal Transit Administration.

B. Full and Open Competition

All procurements that will be funded by a federal award must be open and competitive. The Town’s Procurement Policy satisfies this requirement, and should be applied to all procurements involving federal awards, except as otherwise stated in this Section. In applying the Town’s policy, the procuring department must adhere to the following:

1. Procurements must contain a clear and accurate description of the material, product or services to be procured, and contain minimum essential characteristics and standards to which the response must conform.
2. Descriptions of materials, products or services to be procured must not contain features that unduly restrict competition.
3. “Brand name or equivalent” may be used as a means to define a material, product or service only when it is impractical or uneconomical to create a clear and accurate description of the material, product or service.
4. The department must identify all requirements which offerors must fulfill and all factors that will be used in evaluating bids and proposals.
5. Prequalified lists of vendors may be utilized, but must be updated regularly. The Town is prohibited from precluding potential bidders from qualifying during a solicitation period.

Time and materials contracts may only be used after a determination by the Town Attorney’s Office that no other contract type is suitable and if the contract contains a ceiling price that the Contractor may exceed only at its own risk. If this type of contract is used, the procuring department is responsible for overseeing the contractor to assure that the contractor is using efficient methods and effective cost controls.

C. Procurement Methods

1. Generally. The procurement methods stated in Section Three of the Town's Procurement Policy shall be utilized for procurements involving federal awards, in compliance with 2 CFR 200.320.
2. Sealed Bidding. If a sealed bid procedure is used by the procuring department, the following requirements apply:
 - a. Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for state, local, and tribal governments, the invitation for bids must be publically advertised;
 - b. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
 - c. All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;
 - d. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
 - e. Any or all bids may be rejected if there is a sound documented reason.
3. Competitive Proposals. If a competitive proposal (ie. RFP) method is used, the following requirements apply:
 - a. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
 - b. Proposals must be solicited from an adequate number of qualified sources;
 - c. The procuring department must have a written method for conducting technical evaluations of the proposals received and for selecting recipients (ie. a score sheet must be developed and completed by each evaluator);
 - d. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the Town, with price and other factors considered; and
 - e. The procuring department may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services.

4. Non-Competitive Proposals. A procuring department may procure a good or service without competition only under the following circumstances:
 - a. The item is available only from a single source;
 - b. There exists a public exigency or emergency that will not permit a delay resulting from competitive solicitation;
 - c. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the Town; or
 - d. After solicitation of a number of sources, competition is determined inadequate.

The determination of whether a non-competitive solicitation may be used shall be made by the Office of the Town Attorney in conjunction with the procuring department. The procuring department may not procure a good or service by non-competitive methods without the approval of the Office of the Town Attorney.

D. Procurement of Recovered Materials

To the extent practicable while also ensuring full and open competition, the Town shall comply with Section 6002 of the Solid Waste Disposal Act. This law requires that:

1. For all purchases of products over \$10,000.00 (or for purchase of a product of any dollar value if more than \$10,000.00 worth of the product was purchased over the preceding year), the Town must procure the product having the highest percentage of recovered (ie. recycled) materials possible.
2. The procuring department must procure solid waste management services in a manner that maximizes energy and resource recovery (ie. recycling).

E. Contract Cost and Price

For every procurement over \$150,000.00, including contract modifications, the procuring department must perform a cost or price analysis. The method of conducting the analysis are at the discretion of the procuring department. However, in all cases, the procuring department must make independent estimates of the cost of the procurement prior to bids or proposals being solicited.

For all procurements over \$150,000.00 and for all non-competitive solicitations, profit must be negotiated separately from all other price aspects of the procurement. In negotiating profit, the procuring department must take into account:

1. The complexity of the work to be performed
2. The risk borne by the contractor

3. The contractor's investment
4. The amount of subcontracting
5. The quality of its record of past performance
6. Industry profit rates in the surrounding geographical area for similar work.

Cost plus percentage of cost method and the percentage of construction cost methods of contracting are never permissible.

F. Bonding Requirements

For all contracts for goods and services in excess of \$35,000.00, each bidder must supply a bid bond equal to at least five percent (5%) of the amount of the bidder's bid. Upon award of a contract, the contractor must provide a performance bond and a payment bond, each in the amount of one hundred percent (100%) of the contract price.

G. Contract Provisions

All contracts funded by a federal award must contain the contract provisions stated in Appendix II to Part 200 of Title 2 of the Code of Federal Regulations. The Office of the Town Attorney will be responsible for placing the provisions listed in the Appendix into contracts.

H. Minority- and Women-Owned Business Enterprise (M/WBE) Policy

For purposes of this section, the following terms shall have the meanings ascribed to them below:

1. Labor Surplus Area – a civil jurisdiction that has a civilian average annual unemployment rate during the previous two calendar years of 20 percent or more above the average annual civilian unemployment rate for all states (including Puerto Rico) during the same 24-month reference period.
2. Women's Business Enterprise – a business concern that is at least 51 percent directly and unconditionally owned and controlled by one or more women
3. Minority Business – a business which is at least 51% owned, operated and controlled on a daily basis by one or more (in combination) American citizens of the following ethnic minority classifications: African American, Asian American, East Asian Americans, Hispanic American and Native American.

In procuring materials, supplies and services, the procuring department must take all necessary affirmative steps to assure that minority businesses, women's business enterprises and labor surplus area firms are used whenever possible. "Affirmative Steps" includes:

1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists. The procuring department shall, prior to the issuance of a bid or other solicitation, conduct research to locate minority businesses, women's business enterprises

and businesses with labor surplus areas that have the potential to provide the materials, supplies or services that are the subject of the solicitation and research labor surplus areas in which the materials, supplies or services may be provided. List of such firms are maintained by the State of New York and the United States Department of Labor.

2. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources. The businesses found by the procuring department shall be contacted and provided copies of the bid or other solicitation released by the procuring department.
3. Dividing total requirements, when economically and technically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises. An example of this would be dividing a total construction contract into electrical, HVAC, plumbing and general construction work.
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises. The procuring department could accomplish this by taking into account the distance of particular businesses from the Town and the business' resources.
5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
6. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) above. All contracts entered into between the Town and its contractors using federal awards shall contain the following provision:

“In accordance with Section 7(H) of the Town’s Procurement Policy, the Contractor shall take all necessary affirmative steps to assure that minority businesses, women’s business enterprises and labor surplus area firms are used whenever possible in subcontracting the services described in this Agreement. The term “Affirmative Steps” includes:

1. “Placing qualified small and minority businesses and women's business enterprises on solicitation lists. Contractor shall, prior to soliciting subcontractors, conduct research to locate minority businesses, women’s business enterprises and businesses with labor surplus areas that have the potential to provide the materials, supplies or services that are the subject of the solicitation and research labor surplus areas in which the materials, supplies or services may be provided.
2. “Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources. The businesses found by the procuring department shall be contacted and

provided copies of the bid or other solicitation released by the procuring department.

3. "Dividing total requirements, when economically and technically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises. An example of this would be dividing a total construction contract into electrical, HVAC, plumbing and general construction work.
4. "Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises. The procuring department could accomplish this by taking into account the distance of particular businesses from the Contractor and the business' resources.
5. "Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce

"The Contractor, prior to entering into an agreement with a subcontractor, shall obtain the approval of the Town. The Contractor's request for approval shall contain documentation adequate to demonstrate the Contractor's compliance with the terms of this Section."

Prior to entering into a contract for services or issuing a purchase order for materials or supplies, the procuring department shall obtain the approval of the Town Attorney's Office as to its compliance with this Program.

Section Eight **Miscellaneous Provisions**

A. Retention of Procurement Records

All procurement records shall be retained and disposed of by the Town of North Hempstead in accordance with record retention guidelines and schedules approved by the State of New York. Retention schedules can be obtained from the Office of the Town Clerk or the Office of the Town Attorney.

B. Delegation of Authority

Department Heads may delegate authority to approve and sign Purchase Orders and Town Claim forms. Each Department Head should complete the Delegation of Authority Form (posted on the Town's intranet site) and forward a copy to the Comptroller's Office. The Delegation of Authority Form should be reviewed as needed, at least annually, and forwarded to the Comptroller's Office.

Purchase Orders and Town Claim forms will not be processed if the proper Delegation of Authority form is not on file in the Comptroller's Office. Employees with delegated authority are accountable for the documents they approve and sign.

Notwithstanding the above, if an individual is listed on the List of Individuals Responsible for Purchasing posted on the Town's intranet site, such person does not require a Delegation of Authority Form.

C. Interpretation of this Policy

All inquiries regarding this Policy shall be directed to the Office of the Town Attorney. The Town Attorney's interpretations of this Policy shall be final.

D. Freedom of Information Law Requests

FOIL Requests for procurement are to be submitted to and answered by the Office of the Town Attorney.

E. Environmental Initiatives

The Town continues its commitment in making every effort to minimize potential negative impacts on health and environment, and to promote the use of environmentally preferable products when acquiring goods and services. Through bid specifications the Town will continue to address minimizing exposure to toxic chemicals, waste prevention, reducing consumption of fuel, electricity and paper, as well as continuing to expand our fleet of hybrid and fuel alternative vehicles.

F. Annual Review of Policy

The Town Board shall annually review and, when needed, update this policy. The Purchasing Division and the Department of Public Works shall be responsible for conducting an annual evaluation of the effectiveness of the Procurement Policy and Procedures and an evaluation of the control procedures established to ensure compliance with the Procurement Policy and Procedures, and shall be responsible for reporting to the Town Board.

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. 159 - 2020

A RESOLUTION AMENDING RESOLUTION NO. 443-2017, ADOPTED JULY 18, 2017, AUTHORIZING THE EXECUTION OF AGREEMENTS AND AMENDMENTS TO AGREEMENTS BETWEEN THE TOWN AND VARIOUS INCORPORATED VILLAGES, SCHOOL DISTRICTS AND SPECIAL DISTRICTS WITHIN THE TOWN FOR COOPERATIVE PURCHASING AND SERVICES.

WHEREAS, pursuant to Resolution No. 443-2017, duly adopted on July 18, 2017 (the “Resolution”), the Town Board authorized the execution of agreements and amendments to agreements between the Town and various incorporated villages, school districts and special districts within the Town for cooperative purchasing and services (the “IMA’s”); and

WHEREAS, from time to time, it becomes necessary to repave certain roadways which lie within the boundaries of both the Town of North Hempstead (the “Town”) and various incorporated villages which are subject to the IMA's; and

WHEREAS, it has been requested that the Resolution be amended to clarify that the Town is authorized to execute separate agreements with the incorporated villages pursuant to the IMA’s to share the cost of necessary roadway repaving work, which may be undertaken by a Town contractor on behalf of the Town (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 any and all documents necessary to effectuate the foregoing, a copy of which documents shall be on file in the Office of the Town Clerk; 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

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney

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

RESOLUTION NO. 160 - 2020

A RESOLUTION AMENDING RESOLUTION 94-2020, ADOPTED FEBRUARY 27, 2020, AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH TROY & BANKS, INC. FOR FRANCHISE FEE AUDITING SERVICES.

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Troy & Banks, Inc., 2216 Kensington Avenue, Buffalo, NY 14226 (the “Contractor”) to provide franchise fee auditing services in consideration of a contingency fee of forty percent (40%) of underpayments identified and recovered pursuant to the audit (the “Original Agreement”); and

WHEREAS, pursuant to Resolution No. 94-2020, duly adopted on February 27, 2020, the Town Board authorized an amendment to the Original Agreement to provide for the payment of an amount not to exceed Thirty Thousand and 00/100 Dollars (\$30,000.00) for the services instead of the contingency fee consideration provided for in the Original Agreement (the “Resolution”); and

WHEREAS, the Original Agreement provided for an audit of the Town’s franchise agreements with both Cablevision and Verizon and only the Cablevision agreement prohibited a contingency audit fee arrangement; and

WHEREAS, the Comptroller’s Office has requested that the Resolution be amended to clarify that the Original Agreement was amended to provide for payment of an amount not to exceed Thirty Thousand and 00/100 Dollars (\$30,000.00) instead of the contingency fee consideration solely for the Cablevision portion of the audit services; (the “Amendment”); and

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

NOW, THEREFORE, BE IT

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

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney

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

RESOLUTION NO. 161 - 2020

RESOLUTION AMENDING RESOLUTION NO. 582-2019, ADOPTED NOVEMBER 19, 2019, WHICH AUTHORIZED THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH SAMANTHA WILDER ON BEHALF OF THE MANHASSET BAY PROTECTION COMMITTEE.

WHEREAS, pursuant to Resolution No. 582-2019, duly adopted on November 19, 2019 (the “Resolution”), the Town Board authorized the execution of an amendment extending the termination date of an agreement with Samantha Wilder (the “Contractor”) for services related to assisting the Manhasset Bay Protection Committee with a water quality monitoring program and with maintaining the Seabin floating trash receptacle project (the “Services”) to May 31, 2020 (the “Resolution”); and

WHEREAS, the Commissioner of the Department of Planning and Environmental Protection (the “Commissioner”) has requested that the Resolution be amended to provide a termination date of October 1, 2020 to allow the Contractor the additional time necessary to complete the Services (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

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney

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

RESOLUTION NO. 162 - 2020

A RESOLUTION AUTHORIZING THE APPOINTMENT OF PROFESSIONALS FOR THE GREAT NECK PARK DISTRICT.

WHEREAS, the Board of Commissioners of the Great Neck Park District (the “District”) has advised the Town Board of its desire to appoint McLaughlin & Stern, LLP, 1010 Northern Blvd., Suite 400, Great Neck, NY 11021 to provide the District with legal counsel for the year 2020; and

WHEREAS, pursuant to Town Law § 215(22) and other applicable law, the District is required to seek authorization from the Town Board to employ the professionals listed above (the “Professionals”); and

WHEREAS, this Board wishes to authorize the appointment requested by the District.

NOW, THEREFORE, BE IT

RESOLVED, that the Board hereby approves this appointment of Professionals to provide the District with services for the year 2020.

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller

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

RESOLUTION NO. 163 - 2020

A RESOLUTION RATIFYING THE PLACEMENT OF A POLICY OF PROPERTY INSURANCE FOR THE TOWN OF NORTH HEMPSTEAD.

WHEREAS, the Town of North Hempstead's property insurance policy expired as of April 1, 2020; and

WHEREAS, the Town has received favorable pricing and a coverage quotation from Zurich American Insurance Co., for the period of April 1, 2020 through April 1, 2021 (the "Policy"); and

WHEREAS, the Town's insurance broker has recommended placement of the Policy as quoted; and

WHEREAS, in order to avoid a lapse in coverage, the Town placed the Policy; and

WHEREAS, this Board desires to ratify the actions of the Town in placing the Policy.

NOW, THEREFORE, BE IT

RESOLVED that the Town's actions is placing the Policy be and hereby are ratified; 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 claims therefor.

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Supervisor Comptroller

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

RESOLUTION NO. 164 - 2020

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE TOWN'S EMPLOYEE BENEFIT RESERVE FUND.

WHEREAS, the Town Board (the "Board") of the Town of North Hempstead (the "Town") has heretofore established an Employee Benefit Reserve Fund (the "Fund"), pursuant to applicable law, for payment of unused and unpaid sick, personal, holiday and vacation time, and any other forms of payment for accrued but unliquidated time earned by and payable to Town employees upon termination of service; and

WHEREAS, the Town has available funds in the Fund; and

WHEREAS, the Board desires to transfer monies from the Fund to various personnel lines in the General and Highway Funds, in the amount of \$61,767.29, to then be utilized to cover separation pay in the first quarter of 2020; and

WHEREAS, after careful consideration, the Board finds it in the best interests of the Town to transfer monies from the Fund to the General and Highway funds as outlined above (collectively the "Transfer").

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby authorizes the Transfer from the Fund to the General and Highway funds as outlined above; and be it further

RESOLVED that the Offices of the Town Attorney and Comptroller are hereby directed to take such action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller

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

RESOLUTION NO. 165 - 2020

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS TO AND FROM THE TOWN'S CAPITAL RESERVE FUND.

WHEREAS, the Town Board (the "Board") of the Town of North Hempstead (the "Town") has heretofore established a General Fund Capital Reserve, pursuant to applicable law, for payment on various projects and related expenses; and

WHEREAS, the Town has available funds left over from the IT Voicemail Project; and

WHEREAS, the Board desires to transfer monies left over from the IT Voicemail Project back to the General Fund Capital Reserve, in the amount of \$65,000.00, to then be transferred from the General Fund Capital Reserve to a capital account for the IT Microsoft 365 project; and

WHEREAS, after careful consideration, the Board finds it in the best interests of the Town to transfer monies to and from the General Fund Capital Reserve as outlined above (collectively the "Transfers").

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby authorizes the Transfers to and from the General Fund Capital Reserve as outlined above; and be it further

RESOLVED that the Offices of the Town Attorney and Comptroller are hereby directed to take such action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller

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

RESOLUTION NO. 166 - 2020

A RESOLUTION EXTENDING THE DEADLINE FOR FILING THE ANNUAL STATEMENT OF FINANCIAL DISCLOSURE.

WHEREAS, the Town of North Hempstead (the “Town”) has previously adopted a Code of Ethics, contained in Chapter 16A of the Town Code (the “Ethics Code”); and

WHEREAS, the Ethics Code requires that annual statements of financial disclosure be filed by officers and employees of the Town by May 15th of each calendar year (the “Form”); and

WHEREAS, in response to the Covid-19 crisis the Internal Revenue Service (the “IRS”) has extended the deadline for taxpayers to file their 2019 federal income tax returns until July 15, 2020; and

WHEREAS, the Town recognizes that the information contained in filed tax returns is often used by Town employees in completing the Forms; and

WHEREAS, the Town Attorney has recommended that the deadline for filing completed Forms for reporting year 2019 be extended to July 15, 2020 consistent with the IRS extension (the “Deadline Extension”); and

WHEREAS, this Board finds it in the best interests of the Town to authorize the Deadline Extension.

NOW, THEREFORE, BE IT

RESOLVED that the Deadline Extension be and hereby is authorized.

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller

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

RESOLUTION NO. 167 - 2020

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

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

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

NOW, THEREFORE, BE IT

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

<u>Claimant</u>	<u>File No.</u>	<u>Amount</u>
David Lawrence v. ToNH	TD-18-0086	\$11,000

; and be it further

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

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller

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

RESOLUTION NO. 168 - 2020

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

April 29, 2020

The vote of the foregoing resolution was recorded as follows:

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

Nays: None



HUMAN RESOURCES DEPARTMENT

Please prepare a resolution effectuating the following appointments and/or changes for the 04/29/20 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 05/01/20

UNLESS OTHERWISE NOTED. **ALL SEASONAL EMPLOYMENT COMMENCES 05/01/2020 AND ENDS 09/30/2020.**

*****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
Title, Grade, Step & Salary Change		From						Equip Oper Trainee	\$49,052 ann/\$23.58/hr	Gr 11/St 2.0	Retro to 3/21
		To	311000	Highway	DA.07.5117.1000	Brandon Newbeck	FT	Equip Operator 1	\$50,643 ann/\$24.35/hr	Gr 13/ St 1.0	
Title, Grade, Step & Salary Change		From						Equip Oper Trainee	\$49,052 ann/\$23.58/hr	Gr 11/St 2.0	Retro to 3/21
		To	311000	Highway	DA.07.5117.1000	Brian Farrell	FT	Equip Operator 1	\$50,643 ann/\$24.35/hr	Gr 13/ St 1.0	
Title, Grade, Step & Salary Change		From						Equip Oper Trainee	\$49,052 ann/\$23.58/hr	Gr 11/St 2.0	Retro to 3/21
		To	311000	Highway	DA.07.5117.1000	Michael Campanelli	FT	Equip Operator 1	\$50,643 ann/\$24.35/hr	Gr 13/ St 1.0	
Title, Grade, Step & Salary Change		From						Equip Oper Trainee	\$51,479 ann/\$24.75/hr	Gr 11/St 4.5	Retro to 3/21
		To	123000	Parks & Rec/Tully	A.05.7181.1000	Ashish Rana	FT	Equip Operator 1	\$51,685 ann/\$24.85/hr	Gr 13/St 2.0	
Salary Correction		From							\$119,576 ann/\$57.49/hr	Gr 27/St 6.5	Retro to 3/21
		To	311000	Highway	DA.07.5117.1000	Charles Poole	FT	Highway Mtc Sup 1	\$120,083 ann/\$57.73/hr	Gr 27/St 7.0	
Retirement		From	210400	Public Safety	B.06.3625.1000	Adam Saperstein	FT	Code Enforcement Inspector	\$83,392 ann/\$3207.40 bi/wk	Gr 20/St 6.0	Retro to 3/31
		To									
Retirement		From	121000	Community Services	A.02.6310.1000	Richard Burton	FT	Sec. to Com. of Comm. Svc.	\$68,929 ann/\$2651.12 bi/wk		Retro to 3/31
		To									
Retirement		From	307000	Highway	DA.07.5146.1000	Douglas Lyons	FT	Automotive Mechanic	\$91,465 ann/\$43.97/hr	Gr 17/St 35.0	Retro to 3/31
		To									
Termination		From	308000	Highway	DA.07.5225.1000	Patrick Woods	FT	Laborer	\$45,627 ann/\$21.94/hr	Gr 9/St 1.0	4/13/2020
		To									
		From									
		To									
		From									
		To									
		From									
		To									
		From									
		To									



HUMAN RESOURCES DEPARTMENT

Type	RDF SIGNED	Fr/To	Department #	Department Name	Budget Code	Employee Name	FT / PT / Seasonal	Employee Title	Employee Rate	Grade/Step	Effective Date
		From									
		To									

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

RESOLUTION NO. 169 - 2020

A RESOLUTION APPROVING THE ACTION OF THE ATLANTIC, HOOK AND LADDER CO. NO. 1, PORT WASHINGTON, NEW YORK, IN REMOVING FROM MEMBERSHIP JOSEPH FICO, JR.

WHEREAS, the Atlantic Hook and Ladder Co. No. 1, Port Washington, New York, has advised of removing Joseph Fico, Jr.

NOW, THEREFORE, BE IT

RESOLVED that the action of Atlantic Hook and Ladder Co. No. 1, 25 Carlton Avenue, Port Washington, New York, 11050 in removing Joseph Fico, Jr., be and the same hereby are approved and the Town Clerk directed to record their names in the Minutes of the Town Board.

Dated: Manhasset, New York

April 29, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Atlantic Hook & Ladder, Engine & Hose Co., No. 1, Inc. Town Attorney
Comptroller