

**TOWN OF NORTH HEMPSTEAD
BOARD MEETING
AGENDA**



October 22, 2020

7:00 PM

PUBLIC HEARINGS:

1. A PUBLIC HEARING TO CONSIDER THE PRELIMINARY BUDGET OF THE TOWN OF NORTH HEMPSTEAD TOGETHER WITH THE BUDGETS FOR ALL SPECIAL IMPROVEMENT DISTRICTS AND THE ASSESSMENT ROLLS OF THE BELGRAVE WATER POLLUTION CONTROL DISTRICT, GREAT NECK WATER POLLUTION CONTROL DISTRICT AND THE PORT WASHINGTON WATER POLLUTION CONTROL DISTRICT FOR THE YEAR 2021.

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

Synopsis: The purpose of the local law is to make certain changes to Section 70-196 (J) of the Town Code to include hanging signs and blade signs in business or industrial districts.

3. A PUBLIC HEARING TO CONSIDER AMENDING RESOLUTION NO. 64-2020, ADOPTED FEBRUARY 27, 2020, AUTHORIZING THE EXECUTION OF CONTRACTS WITH VARIOUS FIRE PROTECTION COMPANIES TO PROVIDE FIRE PROTECTION SERVICES IN TOWN-OPERATED FIRE PROTECTION DISTRICTS AND TO PROVIDE CERTAIN CONTRIBUTIONS TO LENGTH OF SERVICE AWARD PROGRAMS.

Synopsis: The proposed action is the amendment of the Town's agreement with the Vigilant Engine, Hook & Ladder & Hose Company, Inc. in order to align with the company's adopted budget.

4. A PUBLIC HEARING TO CONSIDER THE APPLICATION OF 55 HARBOR PARK DRIVE LLC FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 55 HARBOR PARK DRIVE, PORT WASHINGTON AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 6, BLOCK 89, LOT 2.

Synopsis: The proposed action is the legalization of an 11,083 s.f. interior addition to the second floor of a 53,407 s.f. building on a 3.26-acre site.

5. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING 4TH AVENUE IN WESTBURY, NEW YORK.

Synopsis: The adoption of this ordinance will establish Reserved Parking spaces on the northwest side of 4th Avenue, in Westbury.

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

Synopsis: The proposed local law will revise the standards of the "Waterfront Business" zoning district regarding permitted uses, building height, allowable density, setbacks and parking regulations.

RESOLUTIONS:

7. A RESOLUTION SETTING A DATE FOR A SPECIAL MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD FOR DECEMBER 3, 2020 AT 10:00 A.M.

Synopsis: The purpose of the meeting is to conduct a work session on the Town of North Hempstead's 2021-2025 Capital Plan.

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

Synopsis: The purpose of the proposed local law is to make amendments to the tree removal permit requirements in Town Code Section 2-9(T) relative to the preservation of trees on private property. Tentative hearing date is December 17, 2020.

9. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 20A OF THE TOWN CODE ENTITLED "ENVIRONMENTAL PLANNING AND CONTROL OF TREES."

Synopsis: The purpose of the proposed local law is to make amendments to the Town's tree code relative to the preservation of trees on public and private property. Tentative hearing date is December 17, 2020.

10. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 70 OF THE TOWN CODE ENTITLED "ZONING."

Synopsis: The purpose of the local law is to require compliance with certain performance standards for properties and uses within the Industrial B zoning district. Tentative hearing date is November 19, 2020.

11. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 70 OF THE TOWN CODE ENTITLED "ZONING."

Synopsis: The purpose of the local law is to further assist those establishments required to operate at a reduced interior capacity due to the anticipated continuation of a COVID-19 related executive order from the Governor by extending the timeframe to continue allowing temporary outdoor seating and other temporary outdoor uses; and to confirm the requirements for use of outdoor heaters and temporary tents in accordance with the New York State Fire Code and the Nassau County Fire Ordinance. Tentative hearing date is November 19, 2020.

12. A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF A GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AUTHORITY'S BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES GRANT PROGRAM AND THE TAKING OF RELATED ACTION.
13. A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF A GRANT NOMINATION THROUGH THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK AND THE TAKING OF RELATED ACTION.
14. A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF MULTIPLE GRANT APPLICATIONS TO THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION'S CLEAN VESSEL ASSISTANCE PROGRAM AND THE TAKING OF RELATED ACTION.
15. A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR PORT WASHINGTON SAFE ROUTES TO SCHOOL, PORT WASHINGTON, NEW YORK. DPW PROJECT NO. 12-18R2.
16. A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH NV5 NEW YORK - ENGINEERS, ARCHITECTS, LANDSCAPE ARCHITECTS AND SURVEYORS TO PROVIDE CONSTRUCTION ADMINISTRATION SERVICES FOR DPW PROJECT NO. 12-18R2, SAFE ROUTES TO SCHOOL, PORT WASHINGTON.
17. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH D&B ENGINEERS & ARCHITECTS, P.C. FOR ON-CALL PETROLEUM BULK STORAGE FACILITY CONSULTING SERVICES.
18. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE MTA/LIRR FOR THE REPAIR AND REPLACEMENT OF A SIDEWALK ON PLANDOME ROAD, MANHASSET.
19. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH N2 DESIGN + ARCHITECTURE FOR PROFESSIONAL SERVICES RELATED TO THE CONSTRUCTION OF THE 9/11 MEMORIAL AT MANHASSET VALLEY PARK, MANHASSET.
20. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BREAKWATER MARINE CONSTRUCTION, INC. FOR THE INSTALLATION OF PILINGS AT THE NORTH HEMPSTEAD TOWN DOCK.
21. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CHAMINADE HIGH SCHOOL FOR THE CONSTRUCTION OF A CREW TEAM STORAGE FACILITY AT NORTH HEMPSTEAD BEACH PARK, PORT WASHINGTON.

22. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH HARDER SERVICES, INC. FOR ARBORISTS SERVICES (TNH034-2017).
23. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH DATATRACE D/B/A "MUNITRAX" FOR ONLINE E-CHECK TRANSACTIONS.
24. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH FORTE PAYMENT SYSTEMS TO TEMPORARILY REDUCE ECHECK TRANSACTION FEES.
25. A RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE MAINTENANCE AND TECHNICAL SUPPORT SERVICES FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS.
26. A RESOLUTION AUTHORIZING THE RENTAL OF EQUIPMENT FROM SUNBELT RENTALS FOR HARBOR LINKS GOLF COURSE.
27. A RESOLUTION AMENDING THE TOWN OF NORTH HEMPSTEAD 2020 CAPITAL PLAN.
28. A RESOLUTION AMENDING RESOLUTION NO. 431-2020, ADOPTED OCTOBER 8, 2020, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH K&G ELECTRIC MOTOR & PUMP CORP. D/B/A KG POWER SYSTEMS FOR THE REPLACEMENT OF A COMPRESSOR AT THE DENTON AVENUE HIGHWAY YARD.
29. A RESOLUTION DESIGNATING THE ACTING COMMISSIONER OF THE DEPARTMENT OF PUBLIC WORKS AS THE RESPONSIBLE LOCAL OFFICIAL FOR THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION EBO MANAGEMENT SYSTEM.
30. A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE HIGHWAY FUND'S RESERVE FUND.
31. A RESOLUTION AUTHORIZING AND APPROVING A SETTLEMENT AND THE TAKING OF SUCH ACTIONS AS NECESSARY TO EFFECTUATE THE TERMS OF THE SETTLEMENT.
32. A RESOLUTION AUTHORIZING AND APPROVING A STIPULATION OF SETTLEMENT.
33. A RESOLUTION AUTHORIZING THE TOWN CLERK TO TRANSMIT TO THE NASSAU COUNTY LEGISLATURE AND THE BOARD OF ASSESSMENT OF THE COUNTY OF NASSAU THE LISTS OF UNPAID WATER RENTS FILED BY SPECIAL DISTRICTS IN THE TOWN OF NORTH HEMPSTEAD FOR THE PURPOSE OF HAVING SAME LEVIED AGAINST THE PROPERTY LIABLE.
34. 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.

35. A RESOLUTION APPROVING THE ACTION OF THE ALERT ENGINE, HOOK, LADDER AND HOSE CO. NO. 1 INC., GREAT NECK, NEW YORK, IN ADDING TO MEMBERSHIP RYAN PLAKSTIS.
36. A RESOLUTION APPROVING THE ACTION OF THE ATLANTIC, HOOK AND LADDER CO. NO. 1, PORT WASHINGTON, NEW YORK, IN ADDING LUIS DeLAO AND CHANGING THE STATUS OF GLEN WILLERT FROM ACTIVE TO ASSOCIATE MEMBER.
37. A RESOLUTION APPROVING THE ACTION OF THE PROTECTION ENGINE COMPANY 1, PORT WASHINGTON, NEW YORK IN ADDING TO MEMBERSHIP WILMAN LOPEZ.

ADDED STARTERS:

38. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH FIREFLY DRONE SHOWS, LLC FOR A HALLOWEEN DRONE LIGHT SHOW AT NORTH HEMPSTEAD BEACH PARK, PORT WASHINGTON.

PROPOSED RESOLUTION

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

RESOLUTION NO. -2020

A PUBLIC HEARING TO CONSIDER THE PRELIMINARY BUDGET OF THE TOWN OF NORTH HEMPSTEAD TOGETHER WITH THE BUDGETS FOR ALL SPECIAL IMPROVEMENT DISTRICTS AND THE ASSESSMENT ROLLS OF THE BELGRAVE WATER POLLUTION CONTROL DISTRICT, GREAT NECK WATER POLLUTION CONTROL DISTRICT AND THE PORT WASHINGTON WATER POLLUTION CONTROL DISTRICT FOR THE YEAR 2021.

NO RESOLUTION.

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. 451 - 2020

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

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend Chapter 70 of the Town Code entitled "Zoning" in order to include hanging signs and blade signs in business or industrial districts; and

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

WHEREAS, due notice was heretofore given of a public hearing to be held on October 22, 2020 via Zoom, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board has carefully considered the proposed Local Law during the seven-day period, conducted a public hearing on October 22, 2020 via Zoom, with respect to the Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

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

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

NOW, THEREFORE, BE IT

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

RESOLVED that Local Law No. 14 of 2020 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 14 OF 2020**

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

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

Section 1. Legislative Intent.

The Board finds that it is in the best interest of the Town of North Hempstead to amend Chapter 70 of the Town Code entitled “Zoning” in order to include hanging signs and blade signs in business or industrial districts.

Section 2.

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

§ 70-196 (J) Signs in business or industrial districts. The following signs shall be permitted only in business or industrial districts in accordance with the requirements of this article:

(1) Wall sign, attached to and parallel to a building wall on a public street or parking area and advertising only the business conducted in such building; provided that:

(a) There be only one such sign for each wall on any wall where such sign is permitted.

(b) The sign on the building wall facing upon a public street shall not exceed 4 1/2 feet in vertical measurement or two square feet per linear foot of wall width. The sign on the building wall facing upon a parking area shall not exceed two feet in vertical measurement or one square foot per linear foot of wall width, but in no case shall exceed 24 square feet in area.

(c) The sign is not wider than the building upon which it is placed.

(d) The sign or any part thereof, including lighting devices and reflectors, does not project more than one foot from such wall, but in no case shall extend into any right-of-way.

(e) The sign does not extend higher than the roof of any building.

(f) The sign is not higher than the distance between the head of the windows of one story and the lower sill course of the windows of the next higher story, or the top of the parapet wall if a one-story building, and in no event shall the top of the sign be higher than 18 feet above the mean level of the ground.

(g) Any such sign shall be maintained in a good state of repair, in working order and neatly painted; all projecting lighting devices, including reflectors and all parts thereof, shall be painted aluminum on the outside.

(h) The provisions of Subsections **J(1)(a)** through **J(1)(g)** above shall not prohibit a sign projecting not more than one foot from the wall of any building and not more than one foot by one foot in area used to indicate the location on the premises of a public telephone or other public utility facility for the use of the general public.

(i) All signs in shopping centers shall be uniform in appearance, construction and dimensions.
[Added 8-26-1980 by L.L. No. 13-1980]

(2) Detached or ground sign, advertising only the business conducted on the premises upon which the sign is located, provided that:

(a) There be only one such sign detached from a building.

(b) Such sign shall not exceed 24 square feet in area or 15 feet in height from the mean level of the ground.

(c) Such sign shall be located not less than 10 feet from any property line.

(d) An open space of at least three feet in height shall be maintained between the bottom of the sign and the ground.

(e) The area between the sign and front property line shall be maintained free of weeds and debris.

(3) A tower sign, advertising only the business conducted in such building, provided that:

(a) Said sign is an integral part and made of the same material as the front of the building.

(b) There be only one such sign.

(c) The sign shall not exceed 100 square feet in area nor 10 feet in any dimension.

(d) The top of the sign shall not exceed 35 feet in height from the mean level of the ground.

(e) There shall be no moving parts or any flashing, changing, intermittent or varying illumination in connection therewith.

(4) Window signs, provided that the total area of all such window signs located in a window does not exceed one-third (1/3) of the total area of such window. For purposes of this subsection, a "window sign" shall mean a sign of any material which is either temporarily or permanently attached or affixed to the interior or exterior surface of a display window and is used for advertisements, announcements or notices, directional matters, company names or trade names and which is related to the business, products or services provided. Window signs shall not require permits as otherwise provided herein.

[Added 8-26-1980 by L.L. No. 13-1980]

(5) Hanging sign or blade sign, attached to and perpendicular to a building wall on a public street or parking area and advertising only the business conducted in such building; provided that:

(a) **There be only one such sign per business in addition to any other permitted signage.**

(b) **The signs shall not exceed 6 square feet of surface area per side.**

(c) **The sign is 6 or less inches thick.**

(d) **The sign is attached to the building wall no more than 15 feet from the entrance of the business it advertises.**

(e) **There are no other blade or hanging signs within 15 feet.**

(f) **The blade or hanging sign extends no further than the lesser of 42 inches from the building, or a distance equivalent to one half the width of the sidewalk.**

(g) **No portion of the blade or hanging sign is more than 15 feet above grade or the roof of the building.**

(h) **No portion of the blade or hanging sign is less than 8 feet above grade.**

(i) **There shall be no means of internal illumination.**

(j) **Exterior lighting shall be from above or the side of the sign attached to the building wall, facade, or soffit face; lamps shall not project more than one and 1/2 feet from the building wall, facade, or soffit face; such illumination shall not result in confusion with traffic signals, either because of color or proximity.**

(k) Signs must be durable, sturdy, and stable and must be designed, constructed and installed to withstand one-hundred-ten-mile-per-hour gusts of wind and rain.

(l) The bracket holding the hanging sign shall be mounted above the sign only; brackets shall be attached to the building wall, facade, or soffit face only; brackets attached to the top of the soffit or roof shall be prohibited.

Section 3.

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

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on October 22, 2020 via Zoom, Local Law No. 14 of 2020 was adopted. The Local Law amends Chapter 70 of the Town Code entitled “Zoning” in order to include hanging signs and blade signs in business or industrial districts.

Dated: Manhasset, New York

October 22, 2020

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

Dated: Manhasset, New York

October 22, 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 Building

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

RESOLUTION NO. 452 - 2020

A PUBLIC HEARING TO CONSIDER AMENDING RESOLUTION NO. 64-2020, ADOPTED FEBRUARY 27, 2020, AUTHORIZING THE EXECUTION OF CONTRACTS WITH VARIOUS FIRE PROTECTION COMPANIES TO PROVIDE FIRE PROTECTION SERVICES IN TOWN-OPERATED FIRE PROTECTION DISTRICTS AND TO PROVIDE CERTAIN CONTRIBUTIONS TO LENGTH OF SERVICE AWARD PROGRAMS.

WHEREAS, pursuant to Resolution No. 64-2020, duly adopted on February 27, 2020 (the “Original Resolution”), the Town Board authorized the execution of agreements with various fire protection companies to provide fire protection services within Town-operated fire protection districts and to make certain contributions to length of service award programs; and

WHEREAS, the Original Resolution authorized the execution of an agreement with the Vigilant Engine, Hook & Ladder & Hose Company, Inc. (the “Company”) for the above-described purposes, in consideration of an amount not to exceed Three Hundred Ninety-Four Thousand Nine Hundred Seventy-Seven and 00/100 Dollars (\$394,977.00) for the year 2020; and

WHEREAS, pursuant to Resolution No. 397-2020, duly adopted by the Town Board on September 24, 2020, the Town Board set October 22, 2020 as the date for a public hearing to amend the Original Resolution to increase the amount to be paid to the Company for fire protection services in an amount not to exceed Twelve Thousand One Hundred Thirty-One and 00/100 Dollars (\$12,131.00) in order to accurately reflect the final adopted budget of the Company (the “Amendment”); and

WHEREAS, on October 22, 2020, the Town Board held a public hearing to consider the Amendment, during which the public had the opportunity to speak to the Town Board regarding the Amendment; and

WHEREAS, having completed the public hearing and after considering the Amendment, 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

October 22, 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 Dalimonte offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 453 - 2020

A PUBLIC HEARING TO CONSIDER THE APPLICATION OF 55 HARBOR PARK DRIVE LLC FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 55 HARBOR PARK DRIVE, PORT WASHINGTON AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 6, BLOCK 89, LOT 2.

WHEREAS, 55 Harbor Park Drive LLC (the “Applicant”) has applied (the “Application”) to the Town to legalize an 11,083 s.f. interior addition to the second floor of a 53,407 s.f. building on a 3.26-acre site on property located at 55 Harbor Park Drive, Port Washington and identified on the Nassau County Land and Tax Map as Section 6, Block 89, Lot 2 (the “Premises”); and

WHEREAS, it has been determined that the Application is subject to site plan review pursuant to § 70-219 of the Code of the Town of North Hempstead (the “Town Code”); and

WHEREAS, all necessary reports, recommendations, and comments on the Project have been filed with this Board by the Commissioner of Planning and Environmental Protection (the “Planning Commissioner”) pursuant to Town Code § 70-219(A)(4); and

WHEREAS, the Town Clerk, pursuant to and in accordance with Town Code §§ 70-219(F)(1) and 70-240(A), has published notice of a public hearing scheduled for October 22, 2020 for the site plan review (the “Public Hearing”), as authorized and directed by the Town Board pursuant to Resolution No. 396-2020, adopted on September 24, 2020; and

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

WHEREAS, the Town’s Department of Building Safety, Inspection and Enforcement (the “Building Department”) issued a Notice of Disapproval on February 22, 2020 citing the following items: (1) the plans submitted provide for one hundred and three (103) parking spaces instead of the one hundred and forty four (144) parking spaces required pursuant to §70-103(A)(1); (2) the proposed parking space sizes are 9’-0” x 18’-0” which is more than the 20% permitted in an Industrial Zone pursuant to §70-103(B); and (3) the application requires site plan review pursuant to Town Code § 70-219 as the plans submitted propose to maintain an 11,083 square foot area used for storage; and

WHEREAS, on August 12, 2020, pursuant to Appeal #20919, the Town of North Hempstead Board of Zoning Appeals (“BZA”) granted variances to Town Code §§ 70-103(A)(1) and 70-103(B); and

WHEREAS, pursuant to General Municipal Law § 239-m, the Nassau County Planning Commission (the “Commission”) was furnished with copies of the site plan and the Full Environmental Assessment Form Part 1, (the “FEAF”); and

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

WHEREAS, the Planning Department has reviewed the Application and tentatively recommends approval of same; and

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

WHEREAS, the BZA has established itself as “lead agency,” and has issued a Negative Declaration dated July 8, 2020 determining that the Action constitutes an “unlisted” action pursuant to Section 617.2 (a1) of the SEQRA Regulations and has further determined that the Action will not result in any significant adverse impacts on the environment based upon the analysis set forth in the Full Environmental Assessment Form Parts 1, 2 and 3 (the “FEAF”) for the reasons that: (1) the legalization of prior construction of interior alterations to an existing warehouse is not anticipated to cause a substantial adverse change in ground or surface water quality or quantity; air quality; a substantial increase in solid waste production; a substantial increase in the potential for erosion, flooding, leaching or drainage problems; (2) will not cause significant impacts to vegetation or wildlife; (3) will not adversely affect aesthetic resources; (4) will not adversely impact the character of the community or neighborhood; (5) will not cause a major change in the use of either the quantity or type of energy; (6) will not create a hazard to human health; and

WHEREAS, the Board wishes to concur in the BZA’s determination that the Action constitutes an “unlisted action” pursuant to Section 617.2 (a1) of the SEQRA Regulations and which will not result in any significant adverse impacts on the environment; and

WHEREAS, this Board has carefully considered the Application, testimony and other relevant evidence at the Public Hearing held on October 22, 2020 via Zoom, and afforded all interested persons the opportunity to be heard; and

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

NOW, THEREFORE, BE IT

RESOLVED that the Board recognizes that the BZA has designated itself “lead agency” under the SEQRA Regulations for the Action; and be it further

RESOLVED that the Board hereby accepts the BZA’s determination that the Action is an “unlisted action” which will not result in any significant adverse impact on the environment, based upon the analysis set forth in the FEAF, and upon the testimony and reports adduced at the Public Hearing; and be it further

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

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

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

Dated: Manhasset, New York

October 22, 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. 454 - 2020

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING 4TH AVENUE IN WESTBURY, NEW YORK.

WHEREAS, the Town Board (the “Board”) of the Town of North Hempstead has held a public hearing to consider enacting an ordinance (the “Ordinance”), pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space at the northwest side of 4th Avenue, Westbury, New York, from a point 500 feet northeast of the northeast curb line of 6th Street, northeast, for a distance of 40 feet; and

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

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

NOW, THEREFORE, BE IT

RESOLVED that the ordinance establishing a reserved parking space at the northwest side of 4th Avenue, Westbury, New York, from a point 500 feet northeast of the northeast curb line of 6th Street, northeast, for a distance of 40 feet, pursuant to section 1660 of the Vehicle and Traffic Law of the State of New York is adopted by this Board, the Ordinance being more particularly described in the Notice of Adoption (the “Notice”); and be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that the Town Board of the Town of North Hempstead at a regular public meeting of the Board held on the 22nd day of October, 2020 at 7:00 P.M. via Zoom, duly adopted an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

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

AN ORDINANCE ESTABLISHING A RESERVED PARKING SPACE AT THE NORTHWEST SIDE OF 4TH AVENUE, WESTBURY, NEW YORK.

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

“117” A reserved parking space is established on the northwest side of 4th Avenue, Westbury, New York from a point 500 feet northeast of the northeast curb line of 6th Street, northeast, for a distance of 40 feet.

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

Dated: Manhasset, New York

October 22, 2020

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

Dated: Manhasset, New York

October 22, 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 Traffic Safety Public Safety

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

RESOLUTION NO. 455 - 2020

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

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend Chapter 70 of the Town Code entitled "Zoning" in order to revise the standards of the "Waterfront Business" zoning district regarding permitted uses, building height, allowable density, setbacks and parking regulations; and

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

WHEREAS, due notice was heretofore given of a public hearing to be held on the 3rd day of September, 2020 via Zoom, which hearing was continued to October 22, 2020, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

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

WHEREAS, pursuant to Resolution No. 10391-20 adopted October 1, 2020, the Nassau County Planning Commission recommended local determination; and

WHEREAS, the Town Board has carefully considered the proposed Local Law during the seven-day period, conducted a public hearing on October 22, 2020 via Zoom, with respect to the Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

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

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

WHEREAS, the Board has reviewed the determination of the Planning Department, dated October 22, 2020, and the Negative Declaration indicating that the Action constitutes an “unlisted action” pursuant to Section 617.2(al) of the SEQRA Regulations which will not result in any significant adverse impacts on the environment based upon the analysis set forth in the Short Form Environmental Assessment Form (the “SEAF”) Parts 1 and 2 (the “Determinations and Negative Declaration”) for the reasons stated in the SEAF; and

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

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

NOW, THEREFORE, BE IT

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

RESOLVED that this Board hereby adopts the Planning Department’s Determinations and Negative Declaration, finding that the Action is an “unlisted action” which will not result in any significant adverse impact on the environment, based upon the analysis set forth in the SEAF; and be it further

RESOLVED that this Board hereby authorizes the Planning Department to prepare, file and distribute such documents as may be required pursuant to Section 617.12 of the SEQRA Regulations to effectuate the foregoing determinations and findings made pursuant to the SEQRA Regulation; and be it further

RESOLVED that Local Law No. 15 of 2020 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 15 OF 2020**

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

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

Section 1. Legislative Intent.

The Town of North Hempstead has unique waterfront resources. However, the Town Board has found that portions of the existing zoning ordinance controlling waterfront development is inadequate and in some cases incompatible for properly developing and redeveloping lands in the Waterfront Business District.

After establishing a moratorium on development within the Waterfront Business District to review the code, and receiving invaluable comments from interested residents, businesses, community groups and public officials, the Town Board seeks to enact code changes that will provide for compatible land uses to exist side-by-side.

The Town recognizes that the preservation, enhancement and utilization of the natural and man-made resources along the waterfront should take place in a coordinated and comprehensive manner to insure the proper balance between those natural resources and the need to accommodate population growth and economic development.

It is intended that lands within the Waterfront Business District be developed in a manner that permits the beneficial use of waterfront resources while preventing the loss of living marine resources and wildlife, diminution of open space areas or public access to the waterfront, shoreline erosion, impairment of scenic beauty, or permanent adverse changes to ecological systems. It is further intended that development within the district enhance the waterfront's recreational, historic, scenic, cultural and commercial qualities, and to preserve and enhance these qualities for the future.

Section 2.

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

§ 70- 148.1. Legislative Intent.

The Waterfront Business district is hereby established to promote, enhance and encourage water dependent uses, **promote environmental sustainability, hazard mitigation and resiliency** and increase opportunities for public access along the Town's commercial waterfront.

The Town recognizes that the preservation, enhancement and utilization of the natural and man-made resources along the waterfront should take place in a coordinated and comprehensive manner to insure the proper balance between those natural resources and the need to accommodate population growth and economic development.

§ 70-148.2. Application of provisions.

The provisions of this article shall apply to a Waterfront Business District.

§ 70-148.3. Permitted uses.

A building **or structure** may be erected, altered or used and a lot or premises may be used for any of the purposes set forth in this article and for no other:

- A. The sale and display of new or used boats and marine supplies, marine engines, parts, marine electronic equipment, fishing supplies, marine fuel and oils, and sporting equipment for use with or in conjunction with boats **or other personal watercraft.**
- B. The storage and dockage of boats both in and out of water.
- C. Public or private marinas.
- D. Assembly of marine-related equipment and incidental light manufacturing.
- E. The manufacture, construction, repair, and maintenance of boats in and out of water and assembly of marine-related equipment and repair of boat engines and their accessories, provided all such activities are conducted in enclosed buildings.
- F. The storage of equipment for boats and the fishing industry in open lots.
- G. Recreational and commercial fishing and boating facilities.
- H. Public or private yacht clubs and beach clubs, including pools, cabanas, and lockers.
- I. Restaurants [~~and/or catering facilities~~] provided that the site has direct waterfront access for boats, subject to regulations under **§ 70-148.5 and** § 70-148.7.
- J. Parks, playgrounds, and water-based recreationalal uses.
- K. Offices, financial institution.
- L. Retail store, except those listed in § 70-126B and F [~~and stores of the type known as "farmers' markets"~~] and stores of a type known as "big-box commercial use" as defined in § 70-140B.
- M. Sale or repair of jewelry, watches, clocks or optical goods, musical, professional or scientific instruments.
- N. Flower shops.

O. Public art gallery, public museum, municipal park for recreational use, government or municipal buildings.

P. Gym, health club, dance studio or other similar place of assembly or public assembly.

Q. Retail grocery, retail food use, delicatessen or other store primarily selling food items packaged in units of more than one portion for consumption off the premises having a gross floor area of less than 2000 s.f..

~~[P.]~~ **R.** Accessory uses on the same lot with and customarily incidental to any of the above permitted uses, except for accessory drive-through facilities, which shall be subject to the provisions of § 70-203T, and for below-grade parking structures, which shall be subject to the provisions of § 70-203U.

~~[\§ 70-148.4. Conditional uses]~~

~~[A building may be erected, altered or used and a lot or premises may be used for any of the purposes set forth in this article when authorized by the Board of Zoning and Appeals pursuant to the provisions of Article XXIV and for no other:-]~~

~~[A.— Restaurants and/or catering facilities other than those as described in § 70-148.3.I. and subject to the regulations prescribed under § 70-148.7.-]~~

~~[B.— Retail grocery, delicatessen or other store primarily selling food items packaged in units of more than one portion for consumption off the premises:-]~~

~~[C.— The operation of not more than two amusement devices in conjunction with a lawfully established business. No amusement device shall be operated as authorized herein except on the following conditions:-]~~

~~[(1)— No amusement device shall be located outside of a building:-]~~

~~[(2)— No amusement device shall be located in any premises within 500 feet of any public, private or parochial school. For the purposes of this section only, the term "public, private or parochial school" shall not include schools whose students are primarily over the age of 18 years or are high school graduates:-]~~

~~[(3)— An amusement device may be operated only between the hours of 9:00 a.m. and 9:00 p.m. This limitation shall not apply to amusement devices located in bars, inns, diners, taverns and bowling alleys:-]~~

§ 70-148.5. Special uses.

The following special uses may be permitted only when authorized by the Town Board after a public hearing. Prior to authorizing the issuance of a permit for any such special uses, the Town Board shall

follow the procedures and make appropriate findings, as set forth in § 70-225.B.(1) of this ordinance and the additional criteria set forth in § 70-148.6.

- A. Hotel or Boatel as defined in Article XXV of this Chapter.
- B. Mixed use building(s) consisting of retail, office, [~~hotel/boatel~~] and/or restaurant space on the lowest floor and [~~senior housing~~] **residential** units on the upper floors.
- C. [~~Senior residence, as defined in Article XXV, which provides access to the waterfront by way of a promenade, dock or boating slip and conforming to the density regulations contained in § 70-148.11.~~]

C. Restaurants not having direct waterfront access and subject to the regulations prescribed under § 70-148.7.

D. Retail grocery, retail food use, delicatessen or other store primarily selling food items packaged in units of more than one portion for consumption off the premises having a gross floor area of 2000 s.f. or greater.

§ 70-148.6. Criteria for the approval of special uses.

In addition to the criteria set forth in § 70-225.B(1) of this ordinance, applications for special uses described in § 70-148.5 shall conform to the following additional criteria as determined by the Town Board:

- A. Whether the proposed action will further the goal of establishing, **maintaining**, [~~and~~] promoting, **expanding or servicing businesses or facilities that provide or allow for the growth of** water dependent uses within the district;
- B. Whether the proposed action will create opportunities for increased public access to the waterfront;
- C. Whether the proposed action will create excessive stormwater runoff to surface waters;
- D. Whether the proposed use by reason of excess height or bulk will block water views from neighboring properties;

E. Whether the proposed design will be in harmony with the general architectural character of the surrounding neighborhood.

F. Whether the proposed design promotes sustainability through the use of elements such as permeable pavements, stormwater quality controls, photovoltaic cells and energy efficient lighting and building systems.

§ 70-148.7. Restaurants [~~and catering facilities.~~]

Any restaurant [~~and/or catering facility~~] as identified in § 70-148.3.I. or [~~§ 70-148.4.B.~~] **§ 70-148.5.C.** shall conform to the following:

- A. A refrigerated garbage locker shall be required within the building. There shall be no outdoor storage of putrescible waste generated by the [~~proposal~~] restaurant at any time. The applicant shall arrange for indoor carry-out pick-up with licensed sanitation collector and shall forward a copy of the contract in the Building Official prior to the issuance of a Certificate of Occupancy.
- B. All exterior doors shall be of solid construction, equipment with self closing hardware; and shall remain closed at all times except for ingress & egress.
- C. Grease traps shall be required on sewage disposal systems and are subject to Nassau County Department of Health standards.
- D. **There shall be no outdoor seating, bar, lounge or gathering space in association with a restaurant above the ground floor of any building.**

§ 70-148.8. Compliance with other regulations

A. Structures in waterways

Any proposed construction in or adjacent to any waterway or boat operation is subject to requirements outlined in Chapters 42 and 69 of the Town Code, as well as federal and state laws and rules and regulations of any appropriate federal and state agency having jurisdiction thereof.

B. Floodplain Management

Any construction within a federally-designated flood zone or Special Flood Hazard Area shall be subject to the requirements of Chapter 21 of the Town Code and any applicable regulations promulgated by the Federal Emergency Management Agency and the State of New York.

§ 70-148.9. Parking requirements.

Vehicular parking shall be provided in accordance with the requirements set forth in § 70-103 **except as noted herein.**

A. Parking for all categories of residential buildings or for the residential portion of a multiple-use building shall be provided at the rate of at least two spaces per dwelling unit.

B. In addition to vehicular parking spaces, racks or lockers shall be provided for the short-term parking of at least four bicycles plus one additional bicycle for every 10,000 s.f. of gross floor area or portion thereof.

§ 70-148.10. Impervious coverage

For all new construction, alterations or landscaping changes, the lot may not be covered more than [70%] **60%** by any impervious material or other type of paving.

§ 70-148.11. Plot area; frontage; density of population

A. No building or structure shall be constructed on a lot containing an area of less than 2,000 square feet.

~~[B. The maximum allowable density for a single use senior housing facility shall be 25 dwelling units per acre. In the case of fractional acreage, the density shall be prorated accordingly.]~~

B. No building or structure shall be constructed on a lot containing less than 50 feet of frontage on a public street or thoroughfare.

C. For a ~~[mixed]~~ **multiple** -use building or development, the maximum density for the residential portion shall be [20] **15** dwelling units per acre. In the case of fractional acreage, the density shall be prorated.

D. At least 40% of the dwelling units in any building or site shall be designated Senior Citizen housing as defined in Article XXV of this Chapter.

E. No more than 20% of the total number of dwelling units in a building or site may consist of two or more bedrooms.

F. The maximum allowable density for hotel or boatel rooms shall be 30 rooms per acre.

§ 70-148.12. Height

A. No building shall exceed two stories, with a maximum height of [35] **30** feet~~[-except as noted in § 70-148.12B].~~

~~B. [For all uses authorized under §70-148.5.B, no building shall exceed a total of three stories, with a maximum height of 45 feet.]~~

B. Minor structural and/or architectural elements may extend a maximum of ten feet above the allowable roof height, provided they comprise no more than 10% of the total roof area and be set back a minimum of ten feet from the front building wall and five feet from all other building walls.

§ 70-148.12.A. Lot coverage

Buildings and structures may occupy up to 60% of the lot area.

§ 70-148.13. Front yard.

A. No front yard is required [~~except where a building has vehicular entrance doors facing a street, in which case, such entrance doors shall be set back a distance of at least 18 feet from the street line, and an open, unoccupied space shall be maintained between said doors and the street line.~~] **for single-story buildings not exceeding 20 feet in height.**

B. A front yard of at least 10-feet is required for all buildings exceeding one story or 20 feet in height.

§ 70-148.14. Side yards.

[~~Other than accessory driveways no side yard shall be required for buildings used for commercial purposes except where the side line boundaries of the plot adjoin a residence district, in which event minimum side yard setbacks of 15 feet shall be maintained on each side adjoining the residence district.~~]

No building or structure shall be constructed with less than two side yards, each having a minimum width of 15 feet between the respective side of the building and the side property line of the lot. In no case shall a building wall be less than 30' from any dwelling unit on an adjoining property.

§ 70-148.15. Rear yard.

[~~No~~] **A** rear yard setback **of at least 25 feet** shall be required where the rear yard of the lot abuts a waterway. Lots with rear yards abutting a land parcel shall have a minimum setback of twenty feet.

§ 70-148.16. Fences.

Fences shall not exceed six feet in height.

§ 70-148.17. Stormwater Management.

A. Water flow from pav[~~ed~~] **ment, roofs and other impervious** areas must be controlled to alleviate excessive runoff into surface waters.

B. The onsite stormwater management system shall have sufficient capacity to store, dispose, and/or recycle a five-inch rainfall.

C. All catch basins or other catch basin structures must be fitted with sediment control inserts or equivalent technology.

D. To the greatest extent practicable, stormwater shall be controlled through the use vegetated roofs, swales, rain gardens, bio-retention cells, or with the expansion of stormwater infiltration infrastructure, upgradient from the site and within the watershed.

§ 70-148.18. Sewage disposal.

All proposed buildings must be connected to a municipal sewer system.

Section 3.

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

D. Submission requirements and standards. The applicant shall prepare and submit plans and documentation to the Building Department for review and approval at a public hearing by the Town Board. All plans and accompanying documents shall be prepared by the appropriate professional(s) licensed in the State of New York and shall be prepared at a scale sufficient to clearly present the required information for review. The application shall include two complete sets of plans and documents for initial review, and supplemental sets as requested by the Planning and/or Building Department. Upon request by the Planning Department, the applicant shall submit additional full-size and reduced-size sets of documents prior to the public hearing. Unless otherwise waived or modified by both the Commissioner of Buildings and the Commissioner of Planning and Economic Development, each submission shall include, but not be limited to, the following general considerations and format:

[Amended 11-15-2005 by L.L. No. 11-2005; 5-29-2007 by L.L. No. 5-2007]

(1) A title page which shall include the following:

(a) A key map at a minimum scale of one inch equals 1,000 feet, showing clearly and accurately the location of the property in relation to the neighboring streets and the location of the nearest bus routes and bus stops, if applicable.

(b) A zoning/site data analysis in a format acceptable to the Commissioner of Buildings. This analysis shall include zoning district information; permitted and proposed data for all zoning criteria, including, but not limited to, floor areas by use, lot coverage, building height, parking; and the quantities of pervious and impervious surfaces. All zoning calculations shall be based on gross floor area as required in this chapter.

(c) Names of the appropriate water and sewer districts.

(d) The name and address of the applicant, and the name and address of the owner of the site, if different from the applicant. If the applicant or owner is a corporation or partnership, the names of all principals shall be included.

(e) The name(s) and contact information of the professional engineer, land surveyor, architect, landscape architect and/or land planner involved in preparing the plans.

(f) An area map of the subject site and all properties within a radius of 300 feet of any contiguous property owned by the applicant. The area map shall include all proposed principal and accessory buildings, the names of abutting property owners, as well as section, block, and lot information for all properties within the three-hundred-foot radius.

(g) The name of all abutting streets and whether said streets are Town, county or state highways.

(h) A list of drawings included in the submission set, with the original drawing dates and all revision numbers and dates indicated.

(2) A site plan, fully dimensioned, which shall include the following:

(a) Location, arrangement, design and general site compatibility of all buildings, structures, equipment, landscaping, signs, and lighting.

(b) All proposed parking and loading facilities, circulation aisles servicing those facilities, and all pavement markings.

(c) If the site has or is proposed to have vehicular access to or from an adjoining property, plans of such adjoining property, including, but not limited to, uses, building footprints, parking, site circulation, and pavement markings.

(d) Adjacent roadways indicating traffic flow directions and showing vehicular access and circulation to and from the site, including intersections, road widths, pavement surfaces, dividers, traffic controls, and street lighting.

(e) Right-of-way improvements or road widening in conformance with the requirements of the Superintendent of Highways, and to provide a minimum of 60 feet of right-of-way in industrial areas. Any road surfacing required by the widening of existing pavement shall be equal to or better

than the existing pavement and shall meet all specifications of the Highway Department which pertain to the area.

(f) Arrangement of pedestrian traffic access and circulation, including, but not limited to, walkway structures, control of intersections with vehicular traffic, handicapped accessibility, and overall pedestrian convenience and safety.

(g) Location of, and type of equipment provided for adequate storage and disposal of garbage and refuse.

(3) Floor plans, which shall include the following: floor plans of each level, including, but not limited to, basements, cellars, mezzanines and attics, and labeling of all interior spaces with their uses.

(4) Building elevations and section, which shall include the following:

(a) Existing and proposed grades in Nassau County Vertical Datum.

(b) Finished floor elevations for each level.

(c) Building height elevation(s).

(d) Building/site section(s) as required by the Commissioner of Buildings or Commissioner of Planning and Economic Development to adequately analyze the site development.

(e) Proposed finish materials for all exterior surfaces.

(f) Sketches to scale, indicating the design, color and material of signs, accompanied by a brief narrative explaining the lighting mechanism.

(5) Building perspectives ~~and~~, **and/or photo simulations** which shall include the following:

(a) The main building as viewed from all public rights-of-way.

(b) The main building as viewed on approach from within the site if substantially different from the above view(s).

(c) Any other proposed structures as required by the Commissioner of Buildings or Commissioner of Planning [~~and Economic Development~~] to adequately analyze the site development.

(d) all perspective drawings and photo simulations must be drawn to scale and must accurately depict adjoining properties, buildings and the contextual relationship to the surrounding neighborhood.

(6) Landscape plan, which shall include the following:

(a) All existing and proposed landscaping, specifying the type, size and location of trees, shrubs, and other landscaping materials. Tree size shall include diameter at four feet six inches above grade as well as height of the tree.

(b) All fencing, specifying style, material, and height.

(c) All lawn irrigation, specifying the water utilization in gallons per minute. Sprinkler heads or plumbing systems shall not be installed, maintained or allowed to encroach upon any public rights-of-way.

(d) All retaining walls, which shall require a building permit, and must be designed by a qualified professional licensed to practice in the State of New York. Retaining walls shall conform to the requirements of § 70-202.1.

(e) When a planted buffer is required as a screen for adjacent properties, it shall consist of a ten-foot-wide strip planted with coniferous material six feet tall on seven-foot centers in the case of a single row. When a double row is required, the planting strip shall be 20 feet wide planted with staggered rows of coniferous material six feet tall. Plantings shall be of sufficient quality and quantity to provide a pleasing appearance and shall include the maximum retention of existing vegetation. All required buffers shall be maintained, and replacement vegetation shall be planted as required to maintain the required screening in perpetuity.

(f) Curbs, sidewalks and street trees in accordance with the specifications of the Highway Department of the Town of North Hempstead, and subject to the approval of the Superintendent of Highways. Curbs, sidewalks or trees may be deleted if, in the opinion of the Town Board, they would be deemed unnecessary or inappropriate.

(7) Drainage and sediment/erosion control plan(s), which shall include the following:

(a) Existing/proposed grades, by contours and spot elevations (in Nassau County Vertical Datum), in sufficient numbers to adequately depict how the land will drain.

(b) Schematic drawing of the roofs of all proposed buildings and equipment, showing the drainage system and direction of water flow.

(c) Limits and runoff direction for each drainage area, in plan view.

(d) The location, size and type of drainage facilities, with top and invert elevations.

(e) Table showing that the stormwater and drainage system, as designed by a licensed professional, adequate to dispose of a minimum five-inch rainfall. The drainage system shall comply with the minimum standards of the Nassau County Department of Public Works rules and regulations governing approval for erection of buildings on county highways.

(f) Location of on-site water supply and sewage disposal facilities and their connections.

(g) The depth and limits of all cuts and fills.

(h) The footprint and first-floor elevation of all structures.

(i) Drainage on existing roads as required by the Commissioner of Public Works. Any proposed structures or improvements made upon the right-of-way must receive the approval of the Superintendent of Highways.

(j) Methods and materials to be used to address erosion and sediment and slope stabilization both during and after construction, in plan and narrative form.

(8) Lighting plan, which shall include the following:

(a) The location of all proposed lighting fixtures, height of standards and the intensity and type of fixture, located and designed so as not to have an adverse effect on surrounding property.

(b) Illumination levels for the entire site, not exceeding 0.5 footcandle at the property line, except as otherwise approved by the Town Board.

(c) Catalog cut or picture of the light fixture and the manufacturer's specification sheet.

(9) Reports and documentation, including, but not limited to, the following:

- (a) A full environmental assessment form in the format required by the State Environmental Quality Review Act.
- (b) Traffic analysis, including capacity and level-of-service for the nearest signalized intersections.
- (c) Water and sewer availability letters.
- (d) Copies of any restrictive covenants existing on any portion of the site.
- (e) Copies of all variances granted for the site.
- (f) Copies of access permit application and curb cut approvals from the appropriate jurisdiction(s).
- (g) Existing conditions survey.
- (h) Photographs of all properties abutting the parcel and across from the parcel within 300 feet.
- (10) Where applicable, a statement setting forth whether the proposed use conforms to, or deviates from, a community visioning or vision plan which has been adopted by the Town Board as a planning document for the Town. In the event that the proposed use deviates from such plan, the statement shall set forth how it deviates and the reasons why it should be approved despite this deviation.

Section 4.

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

§ 70-231 Definitions.

Hotel

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

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

rooms is made through an inside lobby. Accommodations are offered to the general public on a daily rate and may include additional services, such as restaurants, meeting rooms and recreational facilities as an accessory use within a principal structure.

Section 5.

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

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on October 22, 2020 via Zoom, Local Law No. 15 of 2020 was adopted. The Local Law amends Chapter 70 of the Town Code entitled "Zoning" in order to revise the standards of the "Waterfront Business" zoning district regarding permitted uses, building height, allowable density, setbacks and parking regulations.

Dated: Manhasset, New York

October 22, 2020

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

Dated: Manhasset, New York

October 22, 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 Building

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. 456 - 2020

A RESOLUTION SETTING A DATE FOR A SPECIAL MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD FOR DECEMBER 3, 2020 AT 10:00 A.M.

WHEREAS, the Town Board desires to set a Special Meeting of the Town Board (the “Board”) to conduct a work session relating to the Town’s 2021 Capital Plan, known as the 2021-2025 Multi-Year Capital Plan, and to further consider any other matters that may come before the Board.

NOW, THEREFORE, BE IT

RESOLVED that a Special Meeting of the Town Board shall be held via Zoom on December 3, 2020 at 10:00 a.m. to conduct a work session relating to the Town’s 2021 Capital Plan, known as the 2021-2025 Multi-Year Capital Plan, and to further consider any other matters that may come before the Board; and be it further

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

NOTICE OF SPECIAL MEETING

PLEASE TAKE NOTICE, that effective immediately and based upon notices and health advisories issued by Federal, State and Local officials related to the COVID-19 virus, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, all future Town Board hearings and meetings will be held via videoconferencing, as permitted by the NYS Open Meetings Law. Due to public health and safety concerns, Town Board room will not be open to the public and there will be no in-person access to the hearing. The meeting will be broadcast live on the Town's website beginning at 10 A.M. Residents who are interested in viewing the meetings can visit: northhempsteadny.gov/townboardlive. If a resident has a comment related to an item on the agenda, they can email: comments@northhempsteadny.gov. Written comments must be received 60 minutes prior to the meeting. Those wishing to comment via Zoom regarding an item on the agenda, should visit northhempsteadny.gov/townboardlive on the day of the meeting. There will be a Zoom link available for this 30 minutes prior to the start of the meeting.

PLEASE TAKE NOTICE that a Special Meeting of the Town Board of the Town of North Hempstead will be held on December 3, 2020 at 10:00 a.m. via Zoom, to conduct a work session relating to

the Town's 2021 Capital Plan, known as the 2021-2025 Multi-Year Capital Plan, and to further consider any other matters that may come before the Board.

Dated: Manhasset, New York

October 22, 2020

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

Dated: Manhasset, New York

October 22, 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

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. 457 - 2020

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

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

WHEREAS, this Board wishes to set a date for a public hearing to consider the adoption of a Local Law amending Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to make amendments to the tree removal permit requirements in Town Code Section 2-9(T) relative to the preservation of trees on private property.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 17th day of December, 2020, at 7:00 P.M. via Zoom, for the purpose of considering the adoption of a Local Law amending Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to make amendments to the tree removal permit requirements in Town Code Section 2-9(T) relative to the preservation of trees on private property; 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 effective immediately and based upon notices and health advisories issued by Federal, State and Local officials related to the COVID-19 virus, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, all future Town Board hearings and meetings will be held via videoconferencing, as permitted by the NYS Open Meetings Law. Due to public health and safety concerns, Town Board room will not be open to the public and there will be no in-person access to the hearing. The meeting will be broadcast live on the Town's website beginning at its regularly scheduled time at 7 P.M. Residents who are interested in viewing the meetings can visit: northhempsteadny.gov/townboardlive. If a resident has a comment related to an item on the agenda, they can email: comments@northhempsteadny.gov. Written comments must be received 60 minutes prior to the meeting. Those wishing to comment via Zoom regarding an item on the agenda, should visit

northhempsteadny.gov/townboardlive on the day of the meeting. There will be a Zoom link available for this 30 minutes prior to the start of the meeting.

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead via Zoom, on the 17th day of December, 2020, at 7:00 P.M., to consider the adoption of a Local Law amending Chapter 2 of the Town Code entitled “Administration and Enforcement” in order to make amendments to the tree removal permit requirements in Town Code Section 2-9(T) relative to the preservation of trees on private property.

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

October 22, 2020

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

Dated: Manhasset, New York

October 22, 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 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. 458 - 2020

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 20A OF THE TOWN CODE ENTITLED "ENVIRONMENTAL PLANNING AND CONTROL OF TREES."

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

WHEREAS, this Board wishes to set a date for a public hearing to consider the adoption of a Local Law amending Chapter 20A of the Town Code entitled "Environmental Planning And Control of Trees" in order to make amendments to the Town's tree code relative to the preservation of trees on public and private property.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 17th day of December, 2020, at 7:00 P.M. via Zoom, for the purpose of considering the adoption of a Local Law amending Chapter 20A of the Town Code entitled "Environmental Planning And Control of Trees" in order to make amendments to the Town's tree code relative to the preservation of trees on public and private property; 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 effective immediately and based upon notices and health advisories issued by Federal, State and Local officials related to the COVID-19 virus, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, all future Town Board hearings and meetings will be held via videoconferencing, as permitted by the NYS Open Meetings Law. Due to public health and safety concerns, Town Board room will not be open to the public and there will be no in-person access to the hearing. The meeting will be broadcast live on the Town's website beginning at its regularly scheduled time at 7 P.M. Residents who are interested in viewing the meetings can visit: northhempsteadny.gov/townboardlive. If a resident has a comment related to an item on the agenda, they can email: comments@northhempsteadny.gov. Written comments must be received 60 minutes prior to the meeting. Those wishing to comment via Zoom regarding an item on the agenda, should visit northhempsteadny.gov/townboardlive on the day of the meeting. There will be a Zoom link available for this 30 minutes prior to the start of the meeting.

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead via Zoom, on the 17th day of December, 2020, at 7:00 P.M., to consider the adoption of a Local Law amending Chapter 20A of the Town Code entitled “Environmental Planning And Control of Trees” in order to make amendments to the Town’s tree code relative to the preservation of trees on public and private property.

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

October 22, 2020

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

Dated: Manhasset, New York

October 22, 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. 459 - 2020

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

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

WHEREAS, this Board wishes to set a date for a public hearing to consider the adoption of a Local Law amending Chapter 70 of the Town Code entitled "Zoning" in order to require compliance with certain performance standards for properties and uses within the Industrial B zoning district.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on November 19, 2020, at 7:00 P.M. via Zoom, for the purpose of considering the adoption of a Local Law amending Chapter 70 of the Town Code entitled, "Zoning" in order to require compliance with certain performance standards for properties and uses within the Industrial B zoning district; 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 effective immediately and based upon notices and health advisories issued by Federal, State and Local officials related to the COVID-19 virus, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, all future Town Board hearings and meetings will be held via videoconferencing, as permitted by the NYS Open Meetings Law. Due to public health and safety concerns, Town Board room will not be open to the public and there will be no in-person access to the hearing. The meeting will be broadcast live on the Town's website beginning at its regularly scheduled time at 7 P.M. Residents who are interested in viewing the meetings can visit: northhempsteadny.gov/townboardlive. If a resident has a comment related to an item on the agenda, they can email: comments@northhempsteadny.gov. Written comments must be received 60 minutes prior to the meeting. Those wishing to comment via Zoom regarding an item on the agenda, should visit northhempsteadny.gov/townboardlive on the day of the meeting. There will be a Zoom link available for this 30 minutes prior to the start of the meeting.

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 November, 2020, at 7:00 P.M. via Zoom, to consider the adoption of a Local Law amending Chapter 70 of the Town Code entitled “Zoning” in order to require compliance with certain performance standards for properties and uses within the Industrial B zoning district.

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

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

Dated: Manhasset, New York

October 22, 2020

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

Dated: Manhasset, New York

October 22, 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

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. 460 - 2020

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

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

WHEREAS, this Board wishes to set a date for a public hearing to consider the adoption of a Local Law amending Chapter 70 of the Town Code entitled "Zoning" in order to further assist those establishments required to operate at a reduced interior capacity due to the anticipated continuation of a COVID-19 related executive order from the Governor by extending the timeframe to continue allowing temporary outdoor seating and other temporary outdoor uses; and to confirm the requirements for use of outdoor heaters and temporary tents in accordance with the New York State Fire Code and the Nassau County Fire Ordinance.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on November 19, 2020, at 7:00 P.M. via Zoom, for the purpose of considering the adoption of the Local Law amending Chapter 70 of the Town Code entitled, "Zoning" in order to further assist those establishments required to operate at a reduced interior capacity due to the anticipated continuation of a COVID-19 related executive order from the Governor by extending the timeframe to continue allowing temporary outdoor seating and other temporary outdoor uses; and to confirm the requirements for use of outdoor heaters and temporary tents in accordance with the New York State Fire Code and the Nassau County Fire Ordinance; 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 effective immediately and based upon notices and health advisories issued by Federal, State and Local officials related to the COVID-19 virus, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, all future Town Board hearings and meetings will be held via videoconferencing, as permitted by the NYS Open Meetings Law. Due to public health and safety concerns, Town Board room will not be open to the public and there will be no in-person access to the hearing. The meeting will be broadcast live on the Town's website beginning at its

regularly scheduled time at 7 P.M. Residents who are interested in viewing the meetings can visit: northhempsteadny.gov/townboardlive. If a resident has a comment related to an item on the agenda, they can email: comments@northhempsteadny.gov. Written comments must be received 60 minutes prior to the meeting. Those wishing to comment via Zoom regarding an item on the agenda, should visit northhempsteadny.gov/townboardlive on the day of the meeting. There will be a Zoom link available for this 30 minutes prior to the start of the meeting.

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 November, 2020, at 7:00 P.M. via Zoom, to consider the adoption of a Local Law amending Chapter 70 of the Town Code entitled “Zoning” in order to further assist those establishments required to operate at a reduced interior capacity due to the anticipated continuation of a COVID-19 related executive order from the Governor by extending the timeframe to continue allowing temporary outdoor seating and other temporary outdoor uses; and to confirm the requirements for use of outdoor heaters and temporary tents in accordance with the New York State Fire Code and the Nassau County Fire Ordinance.

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

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

Dated: Manhasset, New York

October 22, 2020

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

Dated: Manhasset, New York

October 22, 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

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. 461 - 2020

A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF A GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AUTHORITY'S BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES GRANT PROGRAM AND THE TAKING OF RELATED ACTION.

WHEREAS, the Town Board (the "Board") of the Town of North Hempstead (the "Town") is desirous of improving its shoreline along North Hempstead Beach Park in Port Washington; and,

WHEREAS, the Grants Coordinator has recommended that the Town submit a grant application for the Federal Emergency Management Authority's Building Resilient Infrastructure and Communities Grant Program (the "Grant") in the amount of Four Million and 00/100 Dollars (\$4,000,000.00); and

WHEREAS, the Grant requires a 25% local match; and

WHEREAS, the Board wishes to authorize the preparation of the application for the Grant to assist the Town with the construction of protections and the undertaking of vegetation management activities to reduce the hazards associated with shoreline erosion, wave action and flooding (the "Project").

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby authorizes the preparation of the Application for the Grant for the undertaking and completing of the Project; and, be it further;

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

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

Dated: Manhasset, New York

October 22, 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. 462 - 2020

A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF A GRANT NOMINATION THROUGH THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK AND THE TAKING OF RELATED ACTION.

WHEREAS, the Town Board (the “Board”) of the Town of North Hempstead (the “Town”) is desirous of rehabilitating North Hempstead Beach Park in Port Washington (the “Project”); and,

WHEREAS, the Grants Coordinator has recommended that the Town accept a grant nomination from Senator Anna Kaplan for a grant from the Dormitory Authority of the State of New York (the “Grant”); and

WHEREAS, the Grant is in the amount of One Million Fifty Thousand and 00/100 Dollars (\$1,050,000.00), with no local match requirement; and

WHEREAS, the Board wishes to accept the grant nomination from Senator Anna Kaplan for a grant from the Dormitory Authority of the State of New York.

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby accepts the grant nomination from Senator Anna Kaplan for a grant from the Dormitory Authority of the State of New York for the rehabilitation of North Hempstead Beach Park in Port Washington; and, be it further;

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

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

Dated: Manhasset, New York

October 22, 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. 463 - 2020

A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF MULTIPLE GRANT APPLICATIONS TO THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION'S CLEAN VESSEL ASSISTANCE PROGRAM AND THE TAKING OF RELATED ACTION.

WHEREAS, the Town Board (the "Board") of the Town of North Hempstead (the "Town") is desirous of advancing its commitment to environmental issues; and,

WHEREAS, the Grants Coordinator has recommended that the Town submit grant applications to the New York State Environmental Facilities Corporation's Clean Vessel Assistance Program ("CVAP") for Operations and Maintenance (the "O&M Grant") and for Construction and Upgrades (the "C&U Grants") (collectively "the Grants"); and

WHEREAS, the O&M Grant is in the amount of Twelve Thousand and 00/100 Dollars (\$12,000.00), and the C&U Grants are in the amounts of Sixty Thousand and 00/100 Dollars (\$60,000.00) and Seventeen Thousand Six Hundred Seventy and 00/100 Dollars (\$17,670.00) respectively; and

WHEREAS, the Grants require a 25% match in local contributions; and

WHEREAS, the Board wishes to authorize the preparation of the application for the O&M Grant to assist with the Town's operation and maintenance of 2 pumpout boats and the operations and maintenance of a stationary dock unit; and

WHEREAS, the Board further wishes to authorize the preparation of the application for the C&U Grants for the replacement of a marine vessel and to replace the motor on another vessel (collectively the "Projects").

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby authorizes the preparation of the Applications for the Grants for the undertaking and completing of the Projects; and, be it further;

RESOLVED that the Board hereby authorizes the Supervisor or the Deputy Supervisor to execute any and all contracts, project agreements and other instruments or documents required in connection with the awarding and receipt of the Grants ("Contract Documents"), file the Contract Documents in the Office of the

Town Clerk, submit Project documentation, and take such other action as may be reasonably required to undertake and complete the Project and receive the Grants; and be it further

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

Dated: Manhasset, New York

October 22, 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 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. 464 - 2020

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR PORT WASHINGTON SAFE ROUTES TO SCHOOL, PORT WASHINGTON, NEW YORK. DPW PROJECT NO. 12-18R2.

WHEREAS, the Town Clerk solicited bids for Port Washington Safe Routes to School, Port Washington, NY, DPW Project No. 12-18R2 (the “Project”); and

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

Bidder	Bid Deposit	Price
Coastal Contracting Corp. 152 Railroad Street Huntington Station, NY 11746	5%	\$1,037,406.00
J. Anthony Enterprises, Inc. 175 Engineers Road Hauppauge, NY 11788	5%	\$736,109.70
Laser Industries, Inc. 1775 Route 25 Ridge, NY 11961	5%	\$615,438.70
Macedo Contracting Services 685 Station Road Bellport, NY 11713	5%	\$680,595.15
Pioneer Landscaping & Asphalt Paving, Inc. 168 Townline Road Kings Park, NY 11754	5%	\$627,652.00
Roadwork Ahead, Inc. 2186 Kirby Lane Syosset, NY 11791	5%	\$531,457.26
S & S Kings Corp. 98-12 66 th Avenue, Suite 1 Rego Park, NY 11374	5%	\$1,134,816.00
TDI Construction, Inc. 60-70 74 th Street	5%	\$460,351.00 <i>Corrected:</i> \$465,352.18

Middle Village, NY 11379

WHEREAS, after a review of the Bids, a calculation error was apparent on the face of TDI Construction, Inc.'s bid and the corrected bid price is Four Hundred Sixty Five Thousand Three Hundred Fifty-Two and 18/100 Dollars (\$465,352.18); and

WHEREAS, having examined the Bids, the Acting Commissioner of the Town's Department of Public Works (the "Acting Commissioner") determined that TDI Construction Inc. remains the lowest responsible bidder; and

WHEREAS, the Acting Commissioner has recommended that the contract for the Project be awarded to TDI Construction, Inc., 60-70 74th Street, Middle Village, NY 11379 (the "Contractor"), as the lowest responsible bidder at its corrected bid price of Four Hundred Sixty Five Thousand Three Hundred Fifty-Two and 18/100 Dollars (\$465,352.18); and

WHEREAS, the Town Board desires to authorize the award of a contract to the Contractor as recommended by this Acting Commissioner.

NOW, THEREFORE, BE IT

RESOLVED that a Contract for the Project is hereby awarded to the Contractor, as the lowest responsible bidder, at its corrected bid price of Four Hundred Sixty Five Thousand Three Hundred Fifty-Two and 18/100 Dollars (\$465,352.18), as more particularly set forth in an agreement which will be filed in the Office of the Town Clerk (the "Award"); and be it further

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

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

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

Dated: Manhasset, New York

October 22, 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 DPW

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. 465 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH NV5 NEW YORK - ENGINEERS, ARCHITECTS, LANDSCAPE ARCHITECTS AND SURVEYORS TO PROVIDE CONSTRUCTION ADMINISTRATION SERVICES FOR DPW PROJECT NO. 12-18R2, SAFE ROUTES TO SCHOOL, PORT WASHINGTON.

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 related to the Safe Routes to School project in Port Washington, DPW Project No. 12-18R2 (the “Services”); and

WHEREAS, following the review and analysis of proposals submitted for the Services, the Acting Commissioner has recommended the retention of NV5 New York - Engineers, Architects, Landscape Architects and Surveyors f/k/a the RBA Group, 40 Marcus Drive, Suite 201, Melville, New York 11747 to provide the Services in consideration of an amount not to exceed Seventy-Two Thousand Five Hundred Thirty-Six and 00/100 Dollars (\$72,536.00) (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

October 22, 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 DPW

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

RESOLUTION NO. 466 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH D&B ENGINEERS & ARCHITECTS, P.C. FOR ON-CALL PETROLEUM BULK STORAGE FACILITY CONSULTING SERVICES.

WHEREAS, the Town of North Hempstead (the Town”) requires on-call petroleum bulk storage facility consulting services (the “Services”); and

WHEREAS, the Director of Purchasing has recommended that the Town enter into an agreement with D&B Engineers and Architects, P.C., 330 Crossways Park Drive, Woodbury, New York 11797 to provide the Services for one (1) year on a task order basis in consideration of an amount not to exceed Nineteen Thousand Five Hundred and 00/100 Dollars (\$19,500.00) payable in accordance with an agreed upon rate schedule (the “Agreement”); and

WHEREAS, this Board wishes to authorize the Agreement.

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

October 22, 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

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. 467 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE MTA/LIRR FOR THE REPAIR AND REPLACEMENT OF A SIDEWALK ON PLANDOME ROAD, MANHASSET.

WHEREAS, the Town of North Hempstead (the “Town”) wishes to repair/replace the sidewalk over the Plandome Road bridge in Manhasset, New York; and

WHEREAS, the Long Island Rail Road (the “LIRR”) has offered to enter in to a cost-sharing agreement with the Town to effectuate the repair/replacement of the sidewalk; and

WHEREAS, the Town will pay for a portion of the work to be done by the LIRR for an amount not to exceed Seventy Seven Thousand Five Hundred and 00/100 Dollars (\$77,500.00); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

October 22, 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. 468 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH N2 DESIGN + ARCHITECTURE FOR PROFESSIONAL SERVICES RELATED TO THE CONSTRUCTION OF THE 9/11 MEMORIAL AT MANHASSET VALLEY PARK, MANHASSET.

WHEREAS, the Town of North Hempstead (the “Town”) desires to construct a 9/11 Memorial at Manhasset Valley Park in Manhasset as a memorial to the victims and families of the Town of North Hempstead residents lost on September 11, 2001 (the “Project”); and

WHEREAS, it has been recommended that the Town enter into an agreement with N2 Design +Architecture PC, 315 Main Street, Port Washington, New York 11050 (the “Contractor”) to provide professional architectural services and construction administration for the Project in an amount not to exceed Nineteen Thousand Five Hundred and 00/100 Dollars (\$19,500.00) (the “Agreement”); and

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor is authorized and directed to execute the Agreement on behalf of the Town, which Agreement shall be on file with 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 of the Project upon receipt of the duly executed Agreement and certified claims therefor.

Dated: Manhasset, New York

October 22, 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

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. 469 - 2020

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH
BREAKWATER MARINE CONSTRUCTION, INC. FOR THE INSTALLATION OF
PILINGS AT THE NORTH HEMPSTEAD TOWN DOCK.**

WHEREAS, the Town of North Hempstead Department of Parks and Recreation (the “Department”) requires the installation of pilings at the Town Dock in Port Washington, New York (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, Breakwater Marine Construction, Inc., 92 A Lexington Avenue, Oyster Bay, NY 11771 (the “Contractor”) submitted the lowest quote, proposing to perform the Services for a sum not to exceed Ten Thousand One Hundred and 00/100 Dollars (\$10,100.00) Dollars (the “Contract Amount”); and

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

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

October 22, 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

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

RESOLUTION NO. 470 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CHAMINADE HIGH SCHOOL FOR THE CONSTRUCTION OF A CREW TEAM STORAGE FACILITY AT NORTH HEMPSTEAD BEACH PARK, PORT WASHINGTON.

WHEREAS, the Town of North Hempstead owns and operates certain real property known as North Hempstead Beach Park located on West Shore Road in Port Washington (the “Park”); and

WHEREAS, Chaminade High School (“Chaminade”), currently utilizes a portion of the Park for its rowing activities; and

WHEREAS, Chaminade has requested to use a portion of the southern area of the Park adjacent to the Department of Parks and Recreation’s storage facility to construct a Crew Team Storage Facility for boat and equipment storage for its rowing activities, including obtaining necessary soil samples prior to the start of construction (the “License”); and

WHEREAS, the License would be on terms satisfactory to the Supervisor, and shall include a payment by Chaminade for the use of the Park; and

WHEREAS, the Board wishes to grant the License and to authorize the Town to execute an agreement with Chaminade for the License (the “Agreement”).

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York

October 22, 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. 471 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH HARDER SERVICES, INC. FOR ARBORISTS SERVICES (TNH034-2017).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Harder Services, Inc., 63 Jerusalem Avenue, Hempstead, New York 11550 (the “Contractor”), for arborists services (the “Services”); and

WHEREAS, the Original Agreement contained the option to renew the Original Agreement for two (2) additional one (1) year periods with the same terms and conditions (the “Options”); and

WHEREAS, the Director of Purchasing (the “Director”) has recommended that the Town exercise the first of the Options, amending the Original Agreement to allow for a one (1) year extension of the term of the Original Agreement commencing October 25, 2020 and ending October 24, 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

October 22, 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. 472 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH DATATRACE D/B/A "MUNITRAX" FOR ONLINE E-CHECK TRANSACTIONS.

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

WHEREAS, the Receiver of Taxes (the "Receiver") has recommended that the Town further amend the Original Agreement to reduce the fee to \$0.01 to the taxpayer for online echeck transactions during the period November 1, 2020 through December 31, 2020 with the Town to be billed \$0.99 per school tax transaction during that period (the "Amendment"); and

WHEREAS, the fee will return to \$2.00 per online echeck transaction beginning January 1, 2021 for the remainder of the term of the Agreement; and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

October 22, 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

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. 473 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH FORTE PAYMENT SYSTEMS TO TEMPORARILY REDUCE ECHECK TRANSACTION FEES.

WHEREAS, pursuant to Resolution No. 16-2020, adopted January 2, 2020, the Town entered into an agreement with Forte Payment Systems, 500 W. Bethany Drive, Suite 200, Allen, Texas 75013 (the “Contractor”) for credit card processing services, to be integrated with the Town’s licensing software, chiefly for the Office of the Town Clerk, the Town Animal Shelter and the Department of Building Safety, Inspection and Enforcement (the “Agreement”); and

WHEREAS, due to the coronavirus pandemic, the Contractor offered to temporarily reduce the eCheck service fees charged to the Town's customers from \$1.75 to \$0.75 per transaction retroactive from June 11, 2020 for sixty days; and

WHEREAS, the Town and the Contractor executed an amendment to reduce the eCheck service fees charged to the Town's customers from \$1.75 to \$0.75 per transaction retroactive from June 11, 2020 until August 11, 2020; and

WHEREAS, the Contractor then offered to extend the service fee reduction for an additional sixty days from August 12, 2020 through October 11, 2020 and the Town and the Contractor executed a second amendment to reduce the eCheck service fees charged to the Town's customers from \$1.75 to \$0.75 per transaction for that period; and

WHEREAS, the Contractor has now offered to extend the service fee reduction to reduce the eCheck service fees charged to the Town's customers from \$1.75 to \$0.75 per transaction through December 31, 2020 (the “Amendment”); and

WHEREAS, the eCheck service fee will return to \$1.75 per transaction from January 1, 2021 for the remainder of the term of the Agreement; 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.

Dated: Manhasset, New York

October 22, 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

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. 474 - 2020

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

WHEREAS, the Department of Information Technology and Telecommunications (the “Department”) requires technical support for the Town’s fuel management software program (the “Fuel Management Support”); and

WHEREAS, the Director of Purchasing has recommended that the Town purchase the Fuel Management Support from E.J. Ward, Inc., 8801 Tradeway, San Antonio, Texas, 78217 for a term of one (1) year in consideration of an amount not to exceed Eleven Thousand Nine Hundred Sixty Nine and 00/100 Dollars (\$11,969.00) (the “Fuel Management Support Purchase”); and

WHEREAS, this Board finds it to be in the best interest of the Town to authorize the Fuel Management Support Purchase (the “Purchase”).

NOW, THEREFORE, BE IT

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

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

Dated: Manhasset, New York

October 22, 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. 475 - 2020

A RESOLUTION AUTHORIZING THE RENTAL OF EQUIPMENT FROM SUNBELT RENTALS FOR HARBOR LINKS GOLF COURSE.

WHEREAS, the Town of North Hempstead Department of Parks and Recreation (the “Department”) requires the rental of a diesel air compressor for use at the Harbor Links Golf Course (the “Equipment”); and

WHEREAS, the Department has recommended that the Town rent the Equipment from Sunbelt Rentals, Inc., 40 Charlotte Avenue, Hicksville, New York 11802 (the “Rental”) in an amount not to exceed Three Thousand and 00/100 Dollars (\$3,000.00) (the “Payment”); and

WHEREAS, it has been recommended that the Town Board authorize the Rental and the Payment; and

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

NOW, THEREFORE, BE IT

RESOLVED that the Rental and the Payment are 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

October 22, 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. 476 - 2020

A RESOLUTION AMENDING THE TOWN OF NORTH HEMPSTEAD 2020 CAPITAL PLAN.

WHEREAS, pursuant to Resolution No. 600-2019, duly adopted by this Board on December 17, 2019, the Town Board adopted the 2020 Capital Plan and the 2020-2024 Multi-Year Capital Plan for the General Fund, the Town Outside Village Fund and the Town-Operated Special Districts; and

WHEREAS, the Town desires to allow the Solid Waste Management Authority to repurpose the sum of \$300,000 in outstanding capital funds previously allocated for design plans and specifications for the installation of a baler system to be re-designated for design plans and specifications for roadway, drainage and structural improvements to the North Hempstead Transfer Station, Port Washington (the “SWMA Improvements”); and

WHEREAS, in addition, the Town desires to repurpose the sum of \$101,000 previously allocated for the purchase of an F-550 Truck to be re-designated for the purchase of a tractor and beach rake for the Department of Parks and Recreation (the “Parks Improvements”).

WHEREAS, the Town desires to amend the 2020 Capital Plan to repurpose the funds to allow for the SWMA Improvements and the Parks Improvements (the “Amendment”); and;

WHEREAS, the total authorized spending for the Solid Waste Management Authority and the Parks and Recreation Department in the 2020 Capital Plan remains unchanged; and;

WHEREAS, the Town Board finds it in the best interests to amend the 2020 Capital Plan to reflect the Amendment.

NOW, THEREFORE, BE IT

RESOLVED that the 2020 Capital Plan be and hereby is amended to reflect the Amendment.

Dated: Manhasset, New York

October 22, 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. 477 - 2020

A RESOLUTION AMENDING RESOLUTION NO. 431-2020, ADOPTED OCTOBER 8, 2020, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH K&G ELECTRIC MOTOR & PUMP CORP. D/B/A KG POWER SYSTEMS FOR THE REPLACEMENT OF A COMPRESSOR AT THE DENTON AVENUE HIGHWAY YARD.

WHEREAS, pursuant to Resolution No. 431-2020, duly adopted on October 8, 2020, the Town Board authorized the execution of an agreement with K & G Electric Motor & Pump Corp. d/b/a KG Power Systems, 150 Laser Court, Hauppauge, New York 11788 (the “Contractor”) for the replacement of a compressor at the Denton Avenue Highway Yard in New Hyde Park, New York for a sum not to exceed Three Thousand Eight Hundred Ninety and 00/100 Dollars (\$3,890.00) (the “Resolution”); and

WHEREAS, the compressor that requires replacement is located at the Highway Department’s Shore Road facility; and

WHEREAS, the Director of Purchasing (the “Director”) has requested that the Resolution be amended to provide for the replacement of the compressor at the Shore Road Highway Yard (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

October 22, 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 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. 478 - 2020

A RESOLUTION DESIGNATING THE ACTING COMMISSIONER OF THE DEPARTMENT OF PUBLIC WORKS AS THE RESPONSIBLE LOCAL OFFICIAL FOR THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION EBO MANAGEMENT SYSTEM.

WHEREAS, the New York State Department of Transportation (“NYSDOT”) Region 10 serves as the conduit for funding to federally funded local transportation projects; and

WHEREAS, the Town of North Hempstead (the “Town”) is the recipient of funding for capital projects through the NYSDOT Region 10 for the Safe Routes to School, Port Washington, DPW Project No 12-18R2 (the “Local Capital Project”); and

WHEREAS, the NYSDOT has regulations governing equitable business and civil rights reporting, and maintains an internet based reporting system known as the Equitable Business Opportunities (“EBO”) system, used to streamline reporting requirements associated with Federal and State funding provided through the NYSDOT; and

WHEREAS, the NYSDOT Region 10 requires a Responsible Local Official (“RLO”) to serve as the designated official who has the authority to access the online EBO system, progress a transportation project, grant project approvals and is a point of contract for the Local Capital Project; and

WHEREAS, the Board wishes to designate the Acting Commissioner of the Department of Public Works (the “Acting Commissioner”), Victor Thomas, to serve as the RLO for the Town.

NOW, THEREFORE, BE IT

RESOLVED, that the Acting Commissioner, Victor Thomas, shall hereby be designated as the Town’s RLO for the online EBO system of the NYSDOT Region 10 for the Local Capital Project.

Dated: Manhasset, New York

October 22, 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. 479 - 2020

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE HIGHWAY FUND'S RESERVE FUND.

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

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

WHEREAS, the Board desires to transfer monies from the Fund to a capital account for vehicles for the Highway Department in the amount of \$235,409.17; and

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

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby authorizes the Transfer from the Fund to the account 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

October 22, 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

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. 480 - 2020

A RESOLUTION AUTHORIZING AND APPROVING A SETTLEMENT AND THE TAKING OF SUCH ACTIONS AS NECESSARY TO EFFECTUATE THE TERMS OF THE SETTLEMENT.

WHEREAS, on January 22, 2020, ExteNet Systems, Inc. (“ExteNet”) commenced an action in United States District Court for the Eastern District of New York against the Town of North Hempstead and the Town Board of the Town of North Hempstead (collectively the “Town”) entitled *ExteNet Systems, Inc. v Town of North Hempstead et al.* (Docket No. 2:20-cv-00354) (the “Action”); and

WHEREAS, in the Action, ExteNet alleged, among other things, that the Town had violated the federal Telecommunications Act (42 U.S.C. § 332) by failing to take timely action on certain application materials submitted by ExteNet; and

WHEREAS, on July 12, 2020, the Eastern District (Hon. Edward R. Korman, presiding) granted summary judgment in favor of ExteNet and directed the Town to issue to ExteNet all necessary approvals, including a Right of Way Access Agreement and Antennae Location Permits, for the installation of 16 small wireless facilities as described in the Action (the “Judgment”); and

WHEREAS, on July 29, 2020, the Town filed a Notice of Appeal of the Judgment to the United States Court of Appeals for the Second Circuit, and the same day sought a stay of the Judgment pending appeal; and

WHEREAS, on July 30, 2020, the Eastern District (Hon. Edward R. Korman, presiding) denied the Town’s application for a stay pending appeal; and

WHEREAS, on July 31, 2020, the Town complied with the Judgment and issued to ExteNet all permits and approvals necessary for the installation of the 16 small wireless facilities described in the Action; and

WHEREAS, on September 3, 2020, ExteNet and the Town participated in a mandatory Civil Appeals Mediation Program (“CAMP”) conference to mediate the parties’ dispute with the assistance of a court-appointed mediator and discuss potential resolution of the Town’s appeal; and

WHEREAS, the Town retained Cityscape Consultants, Inc., as radio frequency engineers, to review and assist the Town with any terms of a potential settlement; and

WHEREAS, in discussions held at the CAMP conference and thereafter, ExteNet proposed to reduce the overall number of small wireless facilities installed pursuant to the Judgment from 16 to 13, by: (a) increasing the height of Node “2” (North Plandome Road; near 1 Murray Avenue; Latitude: 40.82565248; Longitude: -73.69514457) to approximately 50 feet and thereby eliminating Nodes “3” (Carlton Avenue; near 36 Murray Avenue; Latitude 40.82566598; Longitude -73.69789665) and 4 (North Court; near 4 North Court; Latitude: 40.825789; Longitude: -73.703833); and (b) moving Node “9” from its initial proposed location (Beachway; near 15 Beachway; Latitude: 40.82184405; Longitude: -73.7044538) approximately 150’ north (Beachway; near 1 Yacht Club Drive; Latitude: 40.82221; Longitude: -73.704541), increasing the height of the relocated Node “9” to approximately 50 feet, and thereby eliminating Node “58” (Capi Lane; island cul-de-sac 1 Yacht Club Drive; Latitude: 40.82363199; Longitude: -73.70384441) (the “Proposal”); and

WHEREAS, by correspondence dated October 6, 2020, CityScape confirmed that the Proposal is technically viable, would provide similar coverage to ExteNet’s initial application, and would result in the overall reduction of the numbers of Nodes installed; and

WHEREAS, by correspondence dated October 7, 2020, CityScape noted that due to the proposed height of Node 2 under the Proposal, ExteNet might be able to claim that Node 2 constituted an “Eligible Facility” under the Spectrum Act subject to as-of-right height increases in the future; and

WHEREAS, the parties engaged in further negotiations concerning the issue identified by CityScape in its October 7, 2020 correspondence, and ExteNet agreed and consented that (1) all 13 installations under the Judgment and the Proposal shall be deemed “small wireless facilities” within the meaning of 47 CFR 1.6002; and (2) it shall cap the height for all 13 installations under the Judgment and the Proposal as shown on the application material submitted by ExteNet in August and October 2019, and the technical information provided by ExteNet during the negotiations of this Proposal; and (3) it shall waive any claim and shall not allow or otherwise seek any height extension of the 13 installations as an “Eligible Facilities” or make an “Eligible Facilities Request” with respect to the height of the installations under the Spectrum Act and applicable related FCC regulations (together with the Proposal, the “Settlement”); and

WHEREAS, by correspondence dated October 14, 2020, CityScape confirmed that the terms of the Settlement were acceptable and addressed the previous concerns identified in their October 7, 2020 correspondence; and

WHEREAS, the Board finds it in the best interests of the Town to enter into the Settlement because it will reduce the overall number of Nodes being installed, reduce the impacts from ExteNet’s installations by removing installations proposed for residential areas, while increasing the height of two installations in less residential areas along North Plandome Road and near the Yacht Club, provide similar coverage to ExteNet’s initial application, and eliminate the need for further costly and time-consuming litigation.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board approves the Settlement and authorizes the Supervisor, Town Attorney, special legal counsel, and building and planning department to take such actions as may be necessary to effectuate the forgoing, including, without limitation, making appropriate judicial application to effectuate the terms of the Settlement and issuing modified Antennae Location Permits to reflect the terms of the Settlement.

Dated: Manhasset, New York

October 22, 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. 481 - 2020

A RESOLUTION AUTHORIZING AND APPROVING A STIPULATION OF SETTLEMENT.

WHEREAS, the Board of Zoning Appeals (the “BZA”) of Town of North Hempstead (the “Town”) is a respondent in a lawsuit filed in Nassau Supreme Court (the “Court”) under Index No. 614813/2018; and

WHEREAS, by decision and order dated December 18, 2019, the Court reversed the decision of the BZA and directed the issuance of requested variances; and

WHEREAS, the Town timely filed a Notice of Appeal of the decision and order to the Appellate Division, Second Department; and

WHEREAS, the Town Attorney has requested the approval of the Town Board to execute a Stipulation of Settlement between the BZA and the petitioner for the purpose of resolving issues related to the lawsuit and appeal, as more particularly described in the Stipulation of Settlement, a copy of which will be on file in the Office of the Town Attorney; and

WHEREAS, after careful consideration, the Board finds it in the best interests of the Town to authorize the execution of the Stipulation of Settlement.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the execution of the Stipulation of Settlement between the BZA and the petitioner to resolve the issues related to the lawsuit and appeal as more particularly described above and in the Stipulation of Settlement, a copy of which will be on file in the Office of the Town Attorney.

Dated: Manhasset, New York

October 22, 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. 482 - 2020

A RESOLUTION AUTHORIZING THE TOWN CLERK TO TRANSMIT TO THE NASSAU COUNTY LEGISLATURE AND THE BOARD OF ASSESSMENT OF THE COUNTY OF NASSAU THE LISTS OF UNPAID WATER RENTS FILED BY SPECIAL DISTRICTS IN THE TOWN OF NORTH HEMPSTEAD FOR THE PURPOSE OF HAVING SAME LEVIED AGAINST THE PROPERTY LIABLE.

WHEREAS, the Board of Commissioners of certain water districts of the Town of North Hempstead have, pursuant to Section 215 of the Town Law, as amended, filed with the Town Board statements showing unpaid water rents and requesting the Town Board to submit such statements to the Nassau County Legislature at their next meeting in order that the unpaid sums may be levied against the property where the water was used.

NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk is hereby authorized and directed to forward to the Nassau County Legislature and the Department of Assessment of the County of Nassau copies of the annexed statements of the following water districts filed in the Town Clerk's Office showing unpaid water rents for the purpose of having same levied against the property liable:

Albertson Water District	\$52,698.81
Carle Place Water District	\$12,891.42
Garden City Park Water District	\$129,126.04
Glenwood Water District	\$11,506.74
Manhasset-Lakeville Water District	\$223, 845.42
Port Washington Water District	\$142,287.50
Roslyn Water District	\$98,099.28
Westbury Water District	\$201,085.01

Dated: Manhasset, New York
October 22, 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, NC Legislature, NC Dept. of Assessment

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. 483 - 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

October 22, 2020

The vote of the foregoing resolution was recorded as follows:

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

Nays: Councilperson Russell

PERSONNEL RESOLUTION

Type	Department Name	Employee Name	Employee Title	Employee Rate	Grade/Step	Current Dept #	New Dept #	Current Budget Code #	New Budget Code #	Effective Date
FT Location Chg	Parks & Rec Harbor Hills to NHBP	Daniel Riordan	Laborer 2	\$23.58 hrly/ \$49,052 ann.	Grade 11, Step 2	405000	123200	SP152.1000	A.05.7183.1000	11/1/2020
FT Title and Location Chg	SWMA to Town Attorney's Office	Jennifer Quinn	Secretary to SWMA to Secretary to the Town Attorney	\$56,954 ann./ \$2,190.54 bi-weekly	N/A	104000	127600	CL.08.8161.1000	A.11.1420.1000	
FT Title and Location Chg	Town Attorney's Office to SWMA	Donelle Benjamin	Secretary to the Town Attorney to Secretary to SWMA	\$58,983 ann./ \$2,266.58 bi-weekly	N/A	127600	104000	A.11.1420.1000	CL.08.8161.1000	
FT Merit Raise	Parks & Rec/CGM	Michael O'Neill	Park Supervisor 1	\$78,764 ann./\$37.87/hr to \$81,058 ann/\$38.97/hr	Grade 21, Step 9.5 to Grade 21, Step 11	410000	N/A	SP152.1000	N/A	
FT Merit Raise	Parks & Rec/Trades	Raymond Marmorowski	Maintenance Electrician	\$67,397 ann/\$32.40 hrly to \$69,488 ann/\$33.41 hrly	Grade 19, step 6 to Grade 19, step 7.5	123600	N/A	A.05.7112.1000	N/A	
FT New Hire	Comptroller	Christopher Riviezzo	Auditing Assistant 1	\$52,340 ann/\$2,013.07 bi-weekly	Grade 14, Step 1	121800	N/A	A.03.1315.1000	N/A	
FT New Hire	Comptroller	Gaindawattie Ramoutar	Auditing Assistant 1	\$52,340 ann/\$2,013.07 bi-weekly	Grade 14, Step 1	121800	N/A	A.03.1315.1000	N/A	
FT New Hire	Highways	Myles Giannopoulos	Laborer 1	\$45,627 ann./\$21.94 hrly	Grade 9, step 1	311000	N/A	DA.07.5117.1000	N/A	
FT New Hire	Highways	Christian Sanchez	Laborer 1	\$45,627 ann./\$21.94 hrly	Grade 9, step 1	311000	N/A	DA.07.5117.1000	N/A	
FT Title Chg	Receiver of Taxes	Lynda Del Balzo	Community Liaison Aide to Sec to Rec of Taxes	\$43,175 ann./ \$1,660.60 bi-weekly to \$57,878 ann./ \$2,226.08 bi-weekly	N/A	125600	N/A	A.09.1330.1000	N/A	
FT Title, Grade, Step & Salary Chg	Parks & Rec Trades Crew	Donald Smallwood III	Labor Supervisor 1 to Maintenance Carpenter	\$58,156 ann/\$27.96 hrly to \$60,428 ann/\$29.05 hrly	Grade 17, step 2 to Grade 19, step 1	123600	N/A	A.05.7112.1000		
PT Deceased	Parks & Rec Tully	Calvin Leonard	Attendant	\$13.00 hrly	N/A	930000	N/A	A.05.7181.1200	N/A	7/22/2018
PT New Hire	Parks & Rec YWCCC	Edward Callender	Laborer 1	\$14.50 hrly	N/A	933300	N/A	A.05.7141.1200	N/A	
PT Resignation	Buildings Department	Joseph Capece	Clerk 1	\$18.00 hrly	N/A	905000	N/A	B.33.3622.1200	N/A	10/23/2020
PT Resignation	Public Safety	Eric Wooten	Laborer 1	\$15.00 hrly	N/A	9238000	N/A	A.06.3989.1200	N/A	9/27/2020
PT Termination	Parks & Rec	Daniel Karlin	Lifeguard 1	\$17.00 hrly	N/A	931000	N/A	A.05.7182.1200	N/A	8/17/2020
PT Termination	Parks & Rec Harbor Hills	Keith Morris	Rec Aide	\$18.00 hrly	N/A	981000	N/A	SP152.1000	N/A	6/19/2020
PT Termination	Parks & Rec Tully	David Murphy	Attendant	\$13.00 hrly	N/A	930000	N/A	A.05.7181.1200	N/A	6/12/2020
PT Resignation	Parks & Rec Tully	Kevin Byrne	Lifeguard 1	\$17.00 hrly	N/A	930000	N/A	A.05.7181.1200	N/A	12/12/2018
PT Termination	Parks & Rec Tully	Stephen Poarch	Lifeguard 1	\$15.00 hrly	N/A	930000	N/A	A.05.7181.1200	N/A	2/28/2020
PT Termination	Parks & Rec Tully	Victor Sluetsky	Lifeguard 1	\$15.00 hrly	N/A	930000	N/A	A.05.7181.1200	N/A	1/18/2019
PT Termination	Parks & Rec Harbor Hills	Parsa Ashrafi	Lifeguard 1	\$16.00 hrly	N/A	981000	N/A	SP152.1000	N/A	9/16/2018
PT to FT	Receiver of Taxes	Fallon Beckerman	Laborer 1 P/T to Community Liaison Aide	\$23.00 hrly to \$42,340 ann./\$1,628.46 bi-weekly	Grade 6, Step 1	943000	125600	A.09.1330.1200	A.09.1330.1000	
PT to FT	Parks & Rec/Martin Reid	Timothy Prewitt	Laborer 1	\$16.50/hour to \$45,627 ann/\$1,754.90 bi	Grade 9, step 1	935000	123500	A.05.7111.1200	A.05.7111.1000	

PERSONNEL RESOLUTION

Type	Department Name	Employee Name	Employee Title	Employee Rate	Grade/Step	Current Dept #	New Dept #	Current Budget Code #	New Budget Code #	Effective Date
PT w/Loc Chg	Parks & Rec Manorhaven to Fuschillo	Matthew Collins	Laborer 1	\$13.25 hrly	N/A	931000	935000	A.05.7182.1200	A.05.7111.1200	
PT w/Loc Chg	Parks & Rec Fuschillo to Manorhaven	Raymond Winans	Laborer 1	\$13.75 hrly	N/A	935000	931000	A.05.7111.1200	A.05.7182.1200	
Seasonal to PT	Parks & Rec Tully	Amanda Fishkin	Attendant	\$13.00 hrly	N/A	830000	930000	A.05.7181.1200	N/A	
Seasonal to PT	DoITT	Patrick Farrell	Laborer	\$13.00 hrly	N/A	947000	N/A	A.27.1680.1200	N/A	10/1/2020
Seasonal to PT w/ Title Chg	Supervisor	Ryan Motchkavitz	Clerk Typist Seasonal to Laborer 1 PT	\$13.00 hrly	N/A	846000	946000	A.10.1220.1200	N/A	10/1/2020
Seasonal to PT w/Loc Chg	Parks & Rec Manorhaven to Tully	Brian Deery	Attendant	\$13.50 hrly	N/A	831000	930000	A.05.7182.1200	A.05.7181.1200	
Seasonal to PT w/Loc Chg	Parks & Rec CGM to Tully	Maria Ferrigno	Attendant	\$13.25 hrly	N/A	882000	930000	SP154.1200	A.05.7181.1200	
Seasonal to PT w/Loc Chg	Parks & Rec CGM to Tully	Thomas Rubinic	Attendant	\$13.25 hrly	N/A	882000	930000	SP154.1200	A.05.7181.1200	
Seasonal to PT w/Loc Chg	Parks & Rec NHBP to Tully	Pia Santodonato-Schnauffer	Lifeguard IV	\$24.00 hrly	N/A	832000	930000	A.05.7183.1200	A.05.7181.1200	
Seasonal to PT w/Loc Chg	Parks & Rec CGM to Tully	Matthew Rubinic	Attendant	\$13.25 hrly	N/A	882000	930000	SP154.1200	A.05.7181.1200	10/14/2020
FT Title, Grade, Step & Sal Chg	Supervisor/Purchasing	Viviana Trabulsi	Buyer Trainee to Buyer 1	\$53,461 ann/\$2056.20 bi/wk to \$58,466 ann/\$2248.70 bi/wk	Gr 14/St 2.0 to Gr 18/St 1.0	127300	n/a	A.10.1345.1000	n/a	11/16/2020
FT Salary & Location Change	Supervisor to Parks & Recreation Yes We Can CC	Jennifer Eberhardt	Administrative Assistant to the Supervisor	\$57988.06 ann to \$65,000 ann			N/A	A.10.1220.1000	N/A	6/15/2020
Merit Raise	Parks & Recreation Yes We Can CC	Frank Fabiano	Recreation Leader/Program Administrator	\$51,164 ann/\$24.60/hr to \$52,726 ann/\$25.35/hr	Gr 13/St 1.5 to Gr 13/St 3.0	133300		A.05.7141.1000	N/A	
PT New Hire	311 Call Center	Tyra Brooks	Attendent/311 Call Rep	\$15.00/hour		903100		A.30.1480.1200		8/23/2020
PT New Hire	311 Call Center	Alexes Eden	Attendent/311 Call Rep	\$15.00/hour		903100		A.30.1480.1200		8/23/2020

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. 484 - 2020

A RESOLUTION APPROVING THE ACTION OF THE ALERT ENGINE, HOOK, LADDER AND HOSE CO. NO. 1 INC., GREAT NECK, NEW YORK, IN ADDING TO MEMBERSHIP RYAN PLAKSTIS.

WHEREAS, the Alert Engine, Hook, Ladder and Hose Co. No. 1, Inc., Great Neck, New York, has advised of adding to membership Ryan Plakstis

NOW, THEREFORE, BE IT

RESOLVED that the action of Alert Engine, Hook, Ladder and Hose Co. No. 1, Inc., 555 Middle Neck Rd., Great Neck, NY 11023 in adding to membership Ryan Plakstis, 2 Allen Lane, Great Neck, NY, 11024, 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
October 22, 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: Alert Fire Co., Town Attorney
Comptroller

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

RESOLUTION NO. 485 - 2020

A RESOLUTION APPROVING THE ACTION OF THE ATLANTIC, HOOK AND LADDER CO. NO. 1, PORT WASHINGTON, NEW YORK, IN ADDING LUIS DeLAO AND CHANGING THE STATUS OF GLEN WILLERT FROM ACTIVE TO ASSOCIATE MEMBER.

WHEREAS, the Atlantic Hook and Ladder Co. No. 1, Port Washington, New York, has advised of adding Luis DeLao to membership and changing the status of Glen Willert from active to associate member

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 adding Luis DeLao, 69 Juniper Rd., Port Washington, NY, 11050, to membership and changing the status of Glen Willert from active to associate member, 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

October 22, 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

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. 486 - 2020

A RESOLUTION APPROVING THE ACTION OF THE PROTECTION ENGINE COMPANY 1, PORT WASHINGTON, NEW YORK IN ADDING TO MEMBERSHIP WILMAN LOPEZ.

WHEREAS, the Protection Engine Company 1, 14 S. Washington Street, Port Washington, New York, 11050 has advised of adding Wilman Lopez to membership.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Protection Engine Company 1, 14 S. Washington Street, Port Washington, New York, 11050 in adding Wilman Lopez, 70 Valley Road, Port Washington, NY, 11050, to membership, be and the same hereby is approved and the Town Clerk directed to record the names in the Minutes of the Town Board.

Dated: Manhasset, New York
October 22, 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: Protection Engine Company 1 Town Attorney Comptroller

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

RESOLUTION NO. 487 - 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH FIREFLY DRONE SHOWS, LLC FOR A HALLOWEEN DRONE LIGHT SHOW AT NORTH HEMPSTEAD BEACH PARK, PORT WASHINGTON.

WHEREAS, the Town of North Hempstead (the “Town”) wishes to provide a Halloween drone light show performance at North Hempstead Beach Park, Port Washington on October 31, 2020, or alternatively on October 30, 2020 or November 1, 2020, if necessary (the “Services”); and

WHEREAS, it has been recommended that the Town enter into an agreement with Firefly Drone Shows, LLC, 5105 Williams Lake Road, Waterford, MI 48329, to provide the Services in consideration of an amount not to exceed Nineteen Thousand Five Hundred and 00/100 Dollars (\$19,500.00) (the “Agreement”); and

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

NOW, THEREFORE, BE IT

RESOLVED that the Agreement be and 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

October 22, 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