

**TOWN OF NORTH HEMPSTEAD
BOARD MEETING**

AGENDA



February 7, 2023

7:00 PM

CONTINUATIONS:

1. A PUBLIC HEARING TO CONSIDER THE APPLICATION OF 848 WILLIS REALTY, LLC FOR A SPECIAL USE PERMIT FOR THE PREMISES LOCATED AT 848 WILLIS AVENUE, ALBERTSON AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 111, LOTS 35 AND 36.

Synopsis: The proposed action is the alteration of a gasoline service station to operate self-service pump islands and to construct a 1,250 s.f. convenience store on 0.26-acre site. Continued from January 24, 2023.

2. A PUBLIC HEARING PURSUANT TO §29A OF THE TOWN CODE TO CONSIDER THE APPLICATION OF 848 WILLIS REALTY, LLC FOR THE INSTALLATION OF UNDERGROUND STORAGE TANKS AND A WAIVER PURSUANT TO §29A-5 A (1) OF THE TOWN CODE FOR THE PREMISES LOCATED AT 848 WILLIS AVENUE, ALBERTSON, NEW YORK AND IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 111, LOTS 35 AND 36.

Synopsis: The proposed action is the installation of underground storage tanks in connection with the renovation of a gasoline service station. Continued from January 24, 2023.

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

Synopsis: The proposed local law would revise certain code enforcement provisions in the Town Code to comply with recent amendments to State regulations regarding the New York State Uniform Building Code and Energy Code. **Will be continued to March 14, 2023.**

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

Synopsis: The purpose of the public hearing is to consider amendments to the Town's Tree Policy, which governs the planting and removal of trees and saplings in a public right-of-way and Town-owned public places. **Will be continued to March 14, 2023.**

5. A PUBLIC HEARING TO CONSIDER THE RESCISSION OF AN ORDINANCE AFFECTING LINDBERG BOULEVARD IN CARLE PLACE, NEW YORK.

Synopsis: The rescission of this ordinance will remove the presently posted 1 Hour time limited parking restriction on the west side of Lindberg Boulevard, north of Wright Avenue in Carle Place. Continued from January 24, 2023.

PUBLIC HEARINGS:

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

Synopsis: The purpose of the local law is to extend the suspension of section 2-9 N (7) of the Town Code with respect to tent permits through December 31, 2023.

7. 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 authorize expedited review for solar installations and electric vehicle charging stations.

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

Synopsis: The purpose of the proposed local law is to add a new article, Article XIV, to require a report from the Supervisor pursuant to Town Law regarding the Supervisor's "complete and thorough review" of the Building Department's operations, as referenced in the Supervisor's July 11, 2022 media advisory.

9. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 48 OF THE TOWN CODE ENTITLED "SIDEWALKS."

Synopsis: The purpose of the local law is to extend the suspension of the Town Code provisions limiting the number of sidewalk sale permits that may be issued for any given location during a 12-month period and temporarily waive the fees for a sidewalk sale permit through December 31, 2023.

10. 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 affected by the COVID-19 pandemic by extending the timeframe to continue allowing temporary outdoor seating and other temporary outdoor uses.

11. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF ORDINANCES AFFECTING 3RD AVENUE IN WESTBURY, NEW YORK.

Synopsis: The adoption of this ordinance will establish a Reserved Parking space on the east side of 3rd Avenue, north of 6th Street, in Westbury.

12. A PUBLIC HEARING TO CONSIDER THE RECISSION AND ADOPTION OF ORDINANCES AFFECTING NEULIST AVENUE, PORT WASHINGTON, NEW YORK.

Synopsis: The rescission and adoption of these ordinances will add a 15 Minute timed parking location on the north side of Neulist Avenue, west of Port Washington Boulevard, in Port Washington.

RESOLUTIONS:

13. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 7 OF THE TOWN CODE ENTITLED "BUILDING CODE".

Synopsis: The purpose of this local law is to correct the Part of the New York Code, Rules and Regulations containing the Uniform Code: Minimum Standards for Administration and Enforcement. Tentative hearing date is March 14, 2023.

14. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW ESTABLISHING CHAPTER 9A OF THE TOWN CODE ENTITLED "BUILDING AND SAFETY: OPERATING PERMITS".

Synopsis: The purpose of the local law is to establish minimum standards for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and the New York State Energy Conservation Construction Code by requiring that operating permits be obtained for the conduct of certain activities or the operation of certain facilities within the Town. Tentative hearing date is March 14, 2023.

15. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE EXECUTION OF CONTRACTS WITH VARIOUS FIRE COMPANIES FOR FIRE PROTECTION SERVICES TO BE FURNISHED IN FIRE PROTECTION DISTRICTS.

Synopsis: The proposed action is the execution of contracts with Albertson Hook & Ladder, Engine & Hose Co. No. 1; Carle Place Hook, Ladder & Hose Co. No. 1; Floral Park Centre Fire Company No. 1, Inc.; Glenwood Hook & Ladder, Engine & Hose Co. No. 1, Inc.; Alert Engine, Hook, Ladder & Hose Co. No. 1, Inc.; Vigilant Engine & Hook & Ladder Co., Inc.; Rescue Hook & Ladder Co. No. 1 of Roslyn and Roslyn Highlands Hook & Ladder, Engine & Hose Co., Inc. for fire protection services to various Town-operated fire protection districts and contributions to length of service award programs. Tentative hearing date is March 14, 2023.

16. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPROVAL OF A CONTRACT WITH PORT WASHINGTON FIRE

DEPARTMENT FOR FIRE PROTECTION SERVICES TO BE FURNISHED WITHIN THE PORT WASHINGTON FIRE PROTECTION DISTRICT.

Synopsis: To consider the approval of a contract with Port Washington Fire Department, Inc. to provide fire protection services within the Port Washington Fire Protection District (including the provision of Length of Service Award Program payments), and further to permit the Department to engage in cost recovery through charging fees for emergency medical services and to establish such fees for emergency medical services within the District. Tentative hearing date is March 14, 2023.

17. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE RESCISSION OF ORDINANCES AFFECTING DAYTON STREET IN NEW CASSEL, NEW YORK.

Synopsis: The rescission of these ordinances will remove the presently posted time limit parking restrictions on the east and west sides of Dayton Street in New Cassel. Tentative hearing date is March 14, 2023.

18. A RESOLUTION AUTHORIZING THE TOWN BOARD TO ACCEPT GIFTS TO THE TOWN PURSUANT TO TOWN LAW SECTION 64.
19. A RESOLUTION AUTHORIZING SUPPLEMENTAL BUDGET APPROPRIATIONS PURSUANT TO TOWN LAW SECTION 112.
20. A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE'S DEPARTMENT OF ENVIRONMENTAL CONSERVATION'S HOUSEHOLD HAZARDOUS WASTE GRANT PROGRAM AND THE TAKING OF RELATED ACTION.
21. A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE REHABILITATION OF PORT WASHINGTON PARKING DISTRICT PARKING LOT 2, DPW PROJECT NO. 21-01.
22. A RESOLUTION AUTHORIZING AN AWARD OF A BID FOR ELECTRICAL SERVICES (TNH297-2023).
23. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH LIRO ARCHITECTS AND PLANNERS, P.C. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO RENOVATIONS OF THE FIRST FLOOR RESTROOMS LOCATED AT TOWN HALL II, DPW PROJECT NO. 23-04.
24. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH OASIS CHILDREN'S SERVICES, LLC FOR THE USE OF THE PARKING FIELDS AT MANORHAVEN BEACH PARK, PORT WASHINGTON AND MICHAEL J. TULLY PARK, NEW HYDE PARK.

25.

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH SOLAR GLASS, INC. FOR GLASS REPAIR AT MICHAEL J. TULLY PARK, NEW HYDE PARK.

26. A RESOLUTION AUTHORIZING A PERMIT AGREEMENT WITH THE COUNTY OF NASSAU TO USE AND OCCUPY COUNTY OWNED PROPERTY.
27. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH GRIFFIN GREENHOUSE SUPPLIES INC. FOR REPAIR OF THE GREENHOUSE CONTROL SYSTEMS AT CLARK GARDENS.
28. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH UNITEMP INC. FOR HVAC SYSTEM MAINTENANCE AT MANORHAVEN BEACH PARK, PORT WASHINGTON.
29. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH SUNBELT RENTALS FOR THE RENTAL OF A SCISSOR LIFT FOR THE PARKS DEPARTMENT.
30. A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENTS WITH VARIOUS FIRMS FOR LEGAL SERVICES RELATED TO LABOR AND EMPLOYMENT MATTERS.
31. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH NELSON, POPE & VOORHIS, LLC FOR RAIN GARDEN AND NATIVE GARDEN EDUCATIONAL WORKSHOPS.
32. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PENFLEX, INC. FOR ACTUARIAL AND ADMINISTRATIVE SERVICES FOR THE ALBERTSON HOOK & LADDER, ENGINE & HOSE COMPANY #1 AND FLORAL PARK CENTRE FIRE CO. LENGTH OF SERVICE AWARD PROGRAMS.
33. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PAUMANOK-PORT WASHINGTON LODGE #855 F. & A. M. FOR THE USE OF A PORT WASHINGTON PUBLIC PARKING DISTRICT PARKING LOT FOR A CAR SHOW.
34. A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE TOWN OF HUNTINGTON AND VARIOUS VENDORS FOR THE PURCHASE OF UNIFORMS.
35. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH WESTBURY UNION FREE SCHOOL DISTRICT TO HOST A 2023 BLACK HISTORY MONTH EVENT AT WESTBURY MIDDLE SCHOOL.
36. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH CASHIN ASSOCIATES, P.C. FOR ENGINEERING SERVICES FOR THE REPLACEMENT OF THE ROOF AT THE BUILDING OF THE

DEPARTMENT OF PUBLIC WORKS, NEW HYDE PARK, DPW PROJECT NO. 18-09.

37. A RESOLUTION AUTHORIZING THE ASSIGNMENT OF AN AGREEMENT FOR ENGINEERING SERVICES IN CONNECTION WITH THE STEPPING STONES LIGHTHOUSE TO GEI CONSULTANTS, INC. PC AND FURTHER AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE AGREEMENT.
38. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH CASHIN ASSOCIATES, P.C. FOR ENGINEERING SERVICES RELATED TO MICHAEL J. TULLY PARKING LOT REHABILITATION, NEW HYDE PARK, NEW YORK. DPW PROJECT NO. 15-02 (ENGINEERING).
39. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH NELSON & POPE ENGINEERING, ARCHITECTURE, AND LAND SURVEYING, PLLC FOR ENGINEERING SERVICES RELATED TO IN KIND REPLACEMENT OF TOWN DOCK, PORT WASHINGTON, NY. DPW PROJECT NO. 19-03.
40. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH P.W. GROSSER CONSULTING, INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO DREDGING OF LEEDS POND AND MILL POND, DPW PROJECT NO. 22-10.
41. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH GEESE CHASERS LONG ISLAND NY LLC FOR GEESE CONTROL SERVICES ON TOWN PROPERTIES (TNH255-2021).
42. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT WITH THE METRO GROUP, INC. FOR COOLING TOWER SERVICING, MAINTENANCE AND REPAIR (TNH231-2020).
43. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH JAMAICA ASH AND RUBBISH REMOVAL CO., INC. FOR THE COLLECTION AND DELIVERY OF WASTE AND RECYCLABLES FROM HARBOR LINKS GOLF COURSE (TNH079-2020).
44. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH BRAND DISTRIBUTERS, INC. D/B/A BRANDS CYCLE & FITNESS FOR FITNESS EQUIPMENT MAINTENANCE AND REPAIR (TNH254-2020).
45. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH THE VISCARDI CENTER, INC. FOR PROGRAMMING FOR PERSONS WITH DEVELOPMENTAL DISABILITIES (TNH174-2017).
46. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT BETWEEN THE TOWN OF NORTH HEMPSTEAD AND THE TOWN OF BROOKHAVEN FOR THE DISPOSAL OF STREET SWEEPINGS.

47. A RESOLUTION AUTHORIZING THE PURCHASE OF RECORD STORAGE SERVICES FOR THE OFFICE OF THE TOWN CLERK FROM IRON MOUNTAIN.
48. A RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE MAINTENANCE AND TECHNICAL SUPPORT SERVICES FOR VARIOUS INFORMATION TECHNOLOGY APPLICATIONS FOR THE OFFICE OF THE TOWN CLERK.
49. A RESOLUTION AUTHORIZING THE APPOINTMENT OF PROFESSIONALS FOR VARIOUS COMMISSIONER OPERATED SPECIAL DISTRICTS.
50. A RESOLUTION AUTHORIZING AN AMENDMENT TO THE TOWN BOARD RULES OF PROCEDURE.
51. A resolution authorizing that Noticia Long Island be added as additional newspaper to the list of designated newspapers for publication.
52. A RESOLUTION AMENDING RESOLUTION NO. 529-2022, ADOPTED OCTOBER 13, 2022 AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE LONG ISLAND NETS BY AND THROUGH THE BROOKLYN NETS, LLC TO USE THE NORTH HEMPSTEAD "YES WE CAN" COMMUNITY CENTER AS THE OFFICIAL PRACTICE FACILITY OF THE LONG ISLAND NETS.
53. A RESOLUTION AMENDING RESOLUTION NO. 645-2022, ADOPTED DECEMBER 15, 2022, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH RISING TIDE WATERFRONT SOLUTIONS - AN ENGINEERING COMPANY, PLLC FOR ENGINEERING SERVICES RELATED TO NHBP CREW DOCK IMPROVEMENTS, DPW PROJECT NO. 23-03.
54. A RESOLUTION DECLARING ARBOR DAY IN THE TOWN OF NORTH HEMPSTEAD FOR 2023.
55. A RESOLUTION TERMINATING AN AGREEMENT WITH STALCO CONSTRUCTION INC. IN CONNECTION WITH CONSTRUCTION OF THE NORTH SIDE YARD VEHICLE AND EQUIPMENT WASH BAY DPW PROJECT NO. 15-09.
56. A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO A CAPITAL FUND.
57. A RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD AUTHORIZING THE EXPENDITURE OF AN AMOUNT NOT IN EXCESS OF \$23,286.68 CURRENTLY AVAILABLE IN THE TOWN'S CAPITAL RESERVE FUND ENTITLED "CAPITAL RESERVE FUND - GENERAL IMPROVEMENTS" TO PROVIDE FUNDING FOR THE REPLACEMENT OF SEWAGE PUMPS AND ELECTRICAL COMPONENTS AT PUMP S STATION IN PORT WASHINGTON.
58. A RESOLUTION CALLING FOR THE RESIGNATION OF GEORGE SANTOS.

59. A RESOLUTION URGING THE UNITED STATES HOUSE OF REPRESENTATIVES TO EXPEL CONGRESSMAN GEORGE ANTHONY DEVOLDER SANTOS.
60. A RESOLUTION AUTHORIZING THE SETTLEMENT OF A CLAIM MADE BY THE TOWN OF NORTH HEMPSTEAD AND AUTHORIZING THE COMPTROLLER OR DEPUTY COMPTROLLER TO ACCEPT PAYMENT THEREOF.
61. 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.
62. A RESOLUTION APPROVING THE ACTION OF THE ATLANTIC HOOK & LADDER CO. NO. 1, PORT WASHINGTON, NEW YORK, IN REMOVING STEPHEN WHITTAKER FROM MEMBERSHIP.
63. A RESOLUTION APPROVING THE ACTION OF THE PROTECTION ENGINE COMPANY 1, PORT WASHINGTON, NEW YORK IN ADDING ROBERT C. ATKINS AND JONATHAN E. GARCIA ORTEGA TO MEMBERSHIP.

TABLED ITEMS:

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

RESOLUTION NO. 63 - 2023

A PUBLIC HEARING TO CONSIDER THE APPLICATION OF 848 WILLIS REALTY, LLC FOR A SPECIAL USE PERMIT FOR THE PREMISES LOCATED AT 848 WILLIS AVENUE, ALBERTSON AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 111, LOTS 35 AND 36.

WHEREAS, 848 Willis Avenue, LLC (the “Applicant”) is seeking to alter a gasoline service station to operate self-service pump islands and to construct a 1,250 s.f. convenience store on a 0.26-acre site at the property located at 848 Willis Avenue, Albertson, New York, and identified on the Nassau County Land and Tax Map as Section 9, Block 111, Lots 35 and 36 (the "Application"); and

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

WHEREAS, the Town Clerk, pursuant to and in accordance with Town Code, has published notice of a public hearing scheduled for January 24, 2023, which was continued to February 7, 2023 (the “Public Hearing”), as authorized and directed by the Town Board pursuant to Resolution No. 629-2022, adopted on December 15, 2022, to consider the Application; and

WHEREAS, the Applicant, in the manner required by Town Code § 70-240(C), has furnished proof of service of notice of the Public Hearing to the affected property owners within a 200-foot radius of the Premises, and filed an affidavit as to the mailing of such notices as required thereunder; and

WHEREAS, pursuant to Resolution No. 10503-22, adopted October 27, 2022, the Nassau County Planning Commission recommended local determination; and

WHEREAS, the Town’s Department of Building Safety, Inspection and Enforcement (the “Building Department”) issued a notice of disapproval on October 25, 2019 citing the following items: (1) a dumpster enclosure located 10 feet from the rear property line where at least 20 feet is required pursuant to § 70-134; (2) a landscaped area of 10 feet in depth adjoining a residential district where 15 feet in depth is required § 70-203(G); (3) an air compressor which is located in the loading zone and not accessible to motorists in contravention of § 70-203(P)(1)(a); (4) no perimeter landscaping is being provided in contravention of § 70-203(P)(2)(f); (5) a proposed sign which is 50 square feet in area where only 24 square feet is permitted pursuant to § 70-196(K)(4); (6) a proposed canopy sign on the west side and one canopy sign on the north side where no canopy sign is permitted in any use district pursuant to § 70-197(M); (7) Town Board approvals pursuant to § 70-203(P); § 70-203(P)(1); and § 70-203(P)(2); and

WHEREAS, On February 5, 2020, pursuant to Appeal 20887, the Town of North Hempstead Board of Zoning Appeals (“BZA”) granted variances to the above-referenced code sections; and

WHEREAS, the Department of Planning and Environmental Protection (the “Planning Department”) has reviewed the Application and recommends its approval with the following conditions: (1) the permittee shall provide an air compressor capable of inflating automobile tires for the use of motorists and shall do so at no charge to the user thereof; (2) the permittee shall provide at least one full-service pumping station between the hours of 7:00 a.m. and 7:00 p.m., prevailing time; (3) the service island shall be covered by a canopy or similar structure to protect the patrons of the service station from the elements; (4) all fire-suppression and fire-prevention devices shall be installed in accordance with the requirements of, and subject to the approval of, the Nassau County Fire Marshal and such systems shall, to the extent most practicable and functional, be enclosed within the canopy or similar aesthetically acceptable structure; (5) there shall be no overnight storage of motor vehicles or trailers on the premises; (6) all outdoor lighting shall be directed so as to illuminate only the site and shall not cause any annoyance or interference by substantial transgression of illumination on adjoining properties; (7) the operator of the station shall provide appropriate automobile window cleaning devices for use by patrons at no charge; (8) the operator of the station shall have available for sale to customers motor oil, transmission fluids and windshield cleaning solvents; (9) the operator of the station shall provide full service, and gasoline at self-service price, to all automobiles with handicapped license plates, between the hours of 7:00 a.m. and 7:00 p.m.; (10) the facility shall conform to all zoning requirements except as the Board of Zoning Appeals may, in its discretion, vary or modify (the “Department Conditions”); 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 Section 617.6 of Title 6, Part 617 of the Official Compilation of Codes, Rules, and Regulations of the State of New York (“SEQRA Regulations”); and

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

WHEREAS, the BZA has further determined that the Action will not result in any significant adverse impacts on the environment based upon the analysis set forth in the Full Environmental Assessment Form (the “FEAF”) for the reasons that the proposed Action will not: (1) result in change to the existing air quality; (2) impair a Critical Environmental Area or historic, architectural or aesthetic resource; (3) not include the removal or destruction of large quantities of flora or fauna nor impact a habitat area; (4) generate a significant amount of traffic; or (5) represent a hazard to human health; and

WHEREAS, this Board has carefully considered the Application, testimony and other relevant evidence at the Public Hearing held on January 24, 2023, which was continued to February 7, 2023, and afforded all interested persons the opportunity to be heard; and

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

NOW, THEREFORE, BE IT

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

RESOLVED that, pursuant to Town Code §§ 70-225.B(1) and 70-203(P), the Application is hereby granted and the Permit is hereby approved subject to the conditions herein stated including the Department Conditions; and be it further

RESOLVED that a copy of this resolution shall be filed with the Town Clerk, and, pursuant to Town Code §§ 70-203(T) and 70-225, the Building Commissioner is hereby authorized and directed to issue a building permit: (1) upon compliance with the application requirements as set forth in the Town Code; and (2) upon any other conditions or requirements imposed by any other governmental entity having jurisdiction over the Premises, except as herein above set forth, and to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

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

RESOLUTION NO. 64 - 2023

A PUBLIC HEARING PURSUANT TO §29A OF THE TOWN CODE TO CONSIDER THE APPLICATION OF 848 WILLIS REALTY, LLC FOR THE INSTALLATION OF UNDERGROUND STORAGE TANKS AND A WAIVER PURSUANT TO §29A-5 A(1) OF THE TOWN CODE FOR THE PREMISES LOCATED AT 848 WILLIS AVENUE, ALBERTSON, NEW YORK AND IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 111, LOTS 35 AND 36.

WHEREAS, 848 Willis Avenue, LLC, 462 Sagamore Avenue, East Williston, New York 11596 (the “Applicant”) has applied (the “Application” or “Action”) for a permit (the “Underground Storage Permit”) pursuant to Section 29A-4 of the Code of the Town of North Hempstead (the “Town Code”) to install two 12,000 gallon underground split diesel and gasoline storage tanks (the “Tanks”), at an existing service station on real property located at 848 Willis Avenue in Albertson, New York, identified on the Nassau County Land and Tax Map as Section 9, Block 111, Lots 35 and 36 (the “Premises”); and

WHEREAS, the Tanks each exceed the 10,000 gallon threshold set forth under Town Code §29A-5 A; and

WHEREAS, Town Code §29A-5 B permits the Town Board (the “Board”) of the Town of North Hempstead (the “Town”) to waive the provisions of Town Code §29A-5 A in a specific case for good and valid reasons upon the recommendation of the Town Department of Building Safety, Inspection and Enforcement (the “Waiver”); and

WHEREAS, pursuant to Town Code §29A-6 the Applicant has requested that the Town Board grant the Waiver so that the Tanks may be installed underground at the Premises; and

WHEREAS, it has been determined that the Application is subject to consideration by the Board at a public hearing under Town Code §29A-8 for the issuance of the Underground Storage Permit; and

WHEREAS, all necessary reports, recommendations, and comments on the Project have been filed with this Board by the Commissioner of Building, Safety, Inspection and Enforcement (the “Building Commissioner”) and the Commissioner of Planning and Environmental Protection (the “Planning Commissioner”) of the Town pursuant to Town Code §29A-5 B; and

WHEREAS, the Town Clerk, pursuant to and in accordance with Town Code §29A-8 A, has published notice of a public hearing scheduled for January 24, 2023, which was continued to February 7, 2023 (the “Public Hearing”), as authorized and directed by the Town Board pursuant to Resolution No. 630-2022, adopted on December 15, 2022; and

WHEREAS, the Applicant, in the manner required by Town Code §29A-8 A, has furnished proof of service of notice of the Public Hearing to the affected property owners within a 200-foot radius of the Premises, and filed an affidavit as to the mailing of such notices as required thereunder; and

WHEREAS, the Building Commissioner has reviewed the Application and recommends the Waiver as it relates to the installation of the Tanks at the Premises for the following good and valid reason:

(i) the new Tanks will meet all current environmental safety regulations which will safeguard the environment and help protect ground water; 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 Town of North Hempstead Board of Zoning Appeals (“BZA”) has established itself as “lead agency” for this Application and issued a 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 FEAF; and

WHEREAS, the Board wishes to conclude that the Action constitutes an “unlisted action” and not an excluded or exempt action as defined in Section 617.2 (p) or (q) of the SEQRA regulations and not included in statewide or individual agency lists of Type I or Type II actions, 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 January 24, 2023, which was continued to February 7, 2023, at Town Hall, 220 Plandome Road, Manhasset, New York, and afforded all interested persons the opportunity to be heard; and

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Board recognizes that the BZA as the “lead agency” has rendered determinations pursuant to SEQRA with regard to the Action; and be it further

RESOLVED that this Board finds that the installation of the new tanks is consistent with the spirit and intent of Town Code §29A-5 B; and be it further

RESOLVED that, pursuant to Town Code §29A-5 A, the Application is hereby granted and the Underground Storage Permit is hereby approved; and be it further

RESOLVED that a copy of this resolution shall be filed with the Town Clerk and the Building Commissioner, pursuant to Town Code §29A-4 B, is hereby authorized and directed to issue a building permit: (1) upon compliance with the application requirements as set forth in the Town Code; (2) upon the condition that the permit, as it relates to the installation of the Tanks, shall expire on January 24, 2024; and (3) upon any other conditions or requirements imposed by any other governmental entity having jurisdiction over the Premises, except as herein above set forth, and to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

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. - 2023

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

NO RESOLUTION.

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. - 2023

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

NO RESOLUTION.

PROPOSED ORDINANCE

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

ORDINANCE NO. - 2023

A PUBLIC HEARING TO CONSIDER THE RESCISSION OF AN ORDINANCE AFFECTING LINDBERG BOULEVARD IN CARLE PLACE, NEW YORK.

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

**ORDINANCE NO. T.O. - 2023
CARLE PLACE, NEW YORK**

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

PROPOSAL:

RESCIND:

1. T.O. #9-1977

Adopted April 19, 1977

LINDBERG BOULEVARD – WEST SIDE – ONE HOUR NO PARKING 7 A.M. TO 7 P.M. – EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS

Starting from the north curblineline of Wright Avenue, north to the dead end.

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

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

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

RESOLUTION NO. 65 - 2023

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

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend the Town Code by the adoption of a Local Law amending Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to extend the suspension of Section 2-9 N (7) of the Town Code with respect to tent permits through December 31, 2023; and

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

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 7th day of February, 2023, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board carefully considered the proposed Local Law during the aforesaid seven-day period, conducted said hearing on February 7, 2023, with respect to said Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, in accordance with the State Environmental Quality Review Act and the Act's implementing regulations (the "SEQRA Regulations") the Department of Planning and Environmental Protection has recommended that the adoption of the Local Law be determined to be a Type II Action pursuant to Section 617.5(c)(21) and 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 said proposed Local Law, to be effective immediately upon filing with the Secretary of State of the State of New York (the "Secretary of State").

NOW, THEREFORE, BE IT

RESOLVED that the Town Board determines that the adoption of the Local Law is a Type II Action pursuant to Section 617.5(c)(21) and 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. 1 of 2023 be and it hereby is adopted, which Local Law reads as follows:

TOWN OF NORTH HEMPSTEAD

LOCAL LAW NO. 1 OF 2023

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

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

Section 1. Legislative Intent

The Board finds that it is in the best interest of the Town of North Hempstead to amend Chapter 2 of the Town Code entitled “Administration and Enforcement” in order to extend the suspension of section 2-9 N (7) of the Town Code with respect to tent permits through December 31, 2023.

Section 2.

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

§ 2-9 Permit required; application.

N. Minor structures; temporary buildings; tents. Temporary one-story frame buildings on lots whereon buildings are in the course of erection or on adjoining vacant lots, or sales or operating offices in connection with the development of subdivision of property, or platforms, stands, election booths and circus or exhibition tents, intended for temporary use only, may be erected upon permit issued by the Commissioner of Buildings, but not otherwise; but no such permit shall authorize the maintenance of such temporary building or other structure for a period exceeding six months from the date of said permit, unless said permit be renewed by the Commissioner of Buildings from time to time for consecutive periods not exceeding six months. Tents are permitted on a temporary basis under the following conditions.

- (1) The purpose for such tent is a permitted use in the zoning district.
- (2) The permit applicant submits plans describing the tent, its location on the property and provisions for vehicular parking.
- (3) The tent has such provisions for public health and safety as may be required by the circumstances.
- (4) The Nassau County Fire Marshal has approved the tent.

- (5) The permit applicant submits an insurance certificate in the minimum amount of \$250,000 for bodily injury, naming the Town of North Hempstead as an additional insured for the duration of the tent.
- (6) The permit applicant submits a consent to removal by the Town and a bond or cash deposit in an amount determined by the Commissioner of Buildings to cover the cost of removal of the tent, if the applicant fails to remove it upon expiration of the permit.
- (7) A permit may be approved for a maximum of 15 days with an extension, subject to approval of the Commissioner of Buildings, for an additional 15 days.

(a) This subsection shall be and is suspended, upon the effective date hereof and continuing through December 31, 2023~~[2]~~, at which time this subsection shall revert to full force and effect. [Added 8-13-2020 by L.L. No. 6-2020; amended 4-22-2021 by L.L. No. 7-2021; 11-18-2021 by L.L. No. 23-2021; 3-31-2022 by L.L. No. 4-2022]

Section 3.

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

and; be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on February 7, 2023, Local Law No. 1 of 2023 was adopted. The local law amends Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to extend the suspension of section 2-9 N (7) of the Town Code with respect to tent permits through December 31, 2023.

Dated: Manhasset, New York

February 7, 2023

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

TOWN CLERK

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney

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. 66 - 2023

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

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend the Town Code by the adoption of a Local Law amending Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to promote and encourage the use of solar panels and electric vehicles by creating an expedited permitting process for solar panel installation and electric vehicle charging stations; and

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

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 7th day of February, 2023, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board carefully considered the proposed Local Law during the aforesaid seven-day period, conducted said hearing on February 7, 2023, with respect to said Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, in accordance with the State Environmental Quality Review Act and the Act's implementing regulations (the "SEQRA Regulations") the Department of Planning and Environmental Protection has recommended that the adoption of the Local Law be determined to be a Type II Action pursuant to Section 617.5(c)(21) and 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 said proposed Local Law, to be effective immediately upon filing with the Secretary of State of the State of New York (the "Secretary of State").

NOW, THEREFORE, BE IT

RESOLVED that the Town Board determines that the adoption of the Local Law is a Type II Action pursuant to Section 617.5(c)(21) and 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. 2 of 2023 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 2 OF 2023**

A LOCAL LAW AMENDING CHAPTER 2 OF THE TOWN CODE

ENTITLED “ADMINISTRATION AND ENFORCEMENT”

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

Section 1. Legislative Intent

The Board finds that it is in the best interest of the Town of North Hempstead to amend Chapter 2 of the Town Code entitled “Administration and Enforcement” in order to promote and encourage the use of solar panels and electric vehicles by creating an expedited permitting process for solar panel installation and electric vehicle charging stations.

Section 2.

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

§ 2-10.2 Expedited permit application review for solar panels and electric vehicle charging stations.

- A. All building permit applications for the installation of solar energy panels and related equipment, including battery backups, shall be expedited by the Building Department.**
- B. All building permit applications for the installation of electric vehicle charging stations shall be expedited by the Building Department.**
- C. Expedited permit application under this section shall be reviewed by the Building Department within 14 business days of the filing of a completed application.**

Section 3.

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

and; be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on February 7, 2023, Local Law No. 2 of 2023 was adopted. The local law amends Chapter 2 of the Town Code entitled “Administration and Enforcement” in order to promote and encourage the use of solar panels and electric vehicles by creating an expedited permitting process for solar panel installation and electric vehicle charging stations.

Dated: Manhasset, New York

February 7, 2023

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

TOWN CLERK

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney

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. 67 - 2023

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

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend the Town Code by the adoption of a Local Law amending Chapter 24 of the Town Code entitled "Governmental Operations" in order to add a new article, Article XIV, to require a report from the Supervisor pursuant to Town Law regarding the Supervisor's "complete and thorough review" of the Building Department's operations, as referenced in the Supervisor's July 11, 2022 media advisory; and

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

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 7th day of February, 2023, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board carefully considered the proposed Local Law during the aforesaid seven-day period, conducted said hearing on February 7, 2023, with respect to said Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, in accordance with the State Environmental Quality Review Act and the Act's implementing regulations (the "SEQRA Regulations") the Department of Planning and Environmental Protection has recommended that the adoption of the Local Law be determined to be a Type II Action pursuant to Section 617.5(c)(25) and 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 said proposed Local Law, to be effective immediately upon filing with the Secretary of State of the State of New York (the "Secretary of State").

NOW, THEREFORE, BE IT

RESOLVED that the Town Board determines that the adoption of the Local Law is a Type II Action pursuant to Section 617.5(c)(25) and 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. 3 of 2023 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 3 OF 2023**

A LOCAL LAW AMENDING CHAPTER 24 OF THE TOWN CODE

ENTITLED “GOVERNMENTAL OPERATIONS”

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

Section 1. Legislative Intent.

The Board finds that it is in the best interest of the Town of North Hempstead to amend Chapter 24 of the Town Code entitled “Governmental Operations” in order to require a report from the Supervisor pursuant to Town Law regarding the Supervisor’s “complete and thorough review” of the Building Department’s operations, as referenced in the Supervisor’s July 11, 2022 media advisory.

Section 2.

Chapter 24 of the Code of the Town of North Hempstead is amended as follows:

ARTICLE XIV Reports from the Supervisor

§ 24-103 through § 24-109. (Reserved)

§ 24-110 Legislative intent.

It is the intent of this local law to maintain a well-informed Town Board to assist them in their legislative, appropriating, governing and policy determining functions, by requiring the Supervisor to provide the Town Board with reports concerning the conduct of the official business of the town and the performance by town officers and employees of their functions, powers and duties.

§ 24-111 Authority.

This local law is adopted pursuant to New York State Town Law Section 51(3), which authorizes the Town Board to require “reports from the supervisor concerning the conduct of

the official business of the town and the performance by town officers and employees of their functions, powers and duties”.

§ 24-112 Report for 6-month Review of the Building Department.

- A. On July 11, 2022, in reference to the Town’s Building Department, the Supervisor’s office issued a media advisory stating that “a complete and thorough review of operations” had been undertaken during the past 6 months.
- B. Pursuant to this local law, the Supervisor shall provide the Town Board with a report detailing the Supervisor’s “complete and thorough review” of the Building Department’s operations, as referenced in the July 11, 2022 media advisory;
- C. The Supervisor’s report shall include the following information:
 - 1) A statement detailing the scope and extent of the “complete and thorough review” of Building Department operations performed by the Supervisor for the 6-month time period prior to July 11, 2022.
 - 2) An Executive Summary providing an overview of the “complete and thorough review”.
 - 3) Summaries and documents concerning interviews with staff, including names of interviewees, interviewer and observers in attendance, dates of interviews, and discussion points from each interview.
 - 4) All departmental processes and systems reviewed.
 - 5) All documents exchanged between the Supervisor and/or her office and any other Town department or governmental entity related to the “complete and thorough review” of the Building Department operations. If any document is not provided, the report shall identify the document and specify the basis for not providing it.
 - 6) A detailed accounting of observations, analysis, findings, conclusions, recommendations or identified concerns regarding the following:
 - (a) Permit review times;
 - (b) Delays in permit issuance associated with omissions of design professionals;
 - (c) Allocation of resources;
 - (d) Communication between departments;
 - (e) Customer relations;
 - (f) Operating procedures;
 - (g) Payment of fees; and
 - (h) Other issues affecting the operations of the department.
- D. The Supervisor shall provide the report to the Town Board not later than 10 business days following the effective date of this local law.

Section 3.

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

and; be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on February 7, 2023, Local Law No. 3 of 2023 was adopted. The local law amends Chapter 24 of the Town Code entitled “Governmental Operations” in order to add a new article, Article XIV, to require a report from the Supervisor pursuant to Town Law regarding the Supervisor’s “complete and thorough review” of the Building Department’s operations, as referenced in the Supervisor’s July 11, 2022 media advisory.

Dated: Manhasset, New York

February 7, 2023

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

TOWN CLERK

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: Councilperson Adhami, Councilperson Walsh, Supervisor DeSena.

cc: Town Attorney

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. 68 - 2023

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 48 OF THE TOWN CODE ENTITLED "SIDEWALKS."

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend the Town Code by the adoption of a Local Law amending Chapter 48 of the Town Code entitled "Sidewalks" in order to extend the suspension of the Town Code provisions limiting the number of sidewalk sale permits that may be issued for any given location during a 12 month period and temporarily waive the fees for a sidewalk sale permit through December 31, 2023; and

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

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 7th day of February, 2023, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board carefully considered the proposed Local Law during the aforesaid seven-day period, conducted said hearing on February 7, 2023, with respect to said Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, in accordance with the State Environmental Quality Review Act and the Act's implementing regulations (the "SEQRA Regulations") the Department of Planning and Environmental Protection has recommended that the adoption of the Local Law be determined to be a Type II Action pursuant to Section 617.5(c)(21) and 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 said proposed Local Law, to be effective immediately upon filing with the Secretary of State of the State of New York (the "Secretary of State").

NOW, THEREFORE, BE IT

RESOLVED that the Town Board determines that the adoption of the Local Law is a Type II Action pursuant to Section 617.5(c)(21) and 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. 4 of 2023 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 4 OF 2023**

A LOCAL LAW AMENDING CHAPTER 48 OF THE TOWN CODE

ENTITLED “SIDEWALKS”

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 48 of the Town Code entitled “Sidewalks” in order to extend the suspension of the Town Code provisions limiting the number of sidewalk sale permits that may be issued for any given location during a 12 month period and temporarily waive the fees for a sidewalk sale permit through December 31, 2023.

Section 2.

Chapter 48 of the Town Code is hereby amended as follows:

§48-11 Obstructing walks; sidewalk sales.

A. No person, firm, association or corporation who is owner, occupant or lessee of any premises abutting on any street, road, highway or parkway in the unincorporated area of the Town of North Hempstead, Nassau County, New York, shall place, keep, permit or suffer to be kept on any sidewalk in front of, adjoining or adjacent to such premises any goods, wares, merchandise, boxes, barrels, display signs or material things of any kind or description or in any manner obstruct any such sidewalk or in any manner obstruct or interfere with the use of any such sidewalk without first obtaining a permit from the Town Clerk under this section; provided, however, that nothing contained in this section shall prevent persons from placing goods, wares, merchandise or household furniture on the sidewalk temporarily while loading or unloading the same, provided that it be done without unnecessary delay and provided that such goods, wares or merchandise are not allowed or permitted to remain on such sidewalk within the prohibited area for a period longer than one hour.

B. Applications for a permit to conduct a sidewalk sale shall be submitted to the Town Clerk, and no person shall conduct a sidewalk sale without having first obtained such permit from the Town Clerk. The Town Clerk shall issue a permit for a sidewalk sale only to a chamber of commerce, Business Improvement District or to the majority of the merchants on a street wishing to participate in a sidewalk sale. A sidewalk sale permit shall not be issued to an individual merchant. Such application shall be submitted to the Town Clerk not less than 30 days nor more than 180 days prior to the first day of such sale.

C. The sidewalk sale permit shall be issued in the name of the sponsoring organization or in the name of all of the merchants who applied therefor and shall contain the date(s) and times of the sale. No permit shall be

valid for more than three consecutive days. No more than five sidewalk sale permits may be issued for any location within any twelve-month period.

(1) The limitations on duration and number of permits in this subsection shall be and are suspended, upon the effective date hereof and continuing through December 31, 202~~3~~², at which time this subsection shall revert in its entirety to full force and effect.

[Added 9-3-2020 by L.L. No. 8-2020; amended 4-22-2021 by L.L. No. 9-2021; 11-18-2021 by L.L. No. 25-2021; 3-31-2022 by L.L. No. 5-2022]

D. A sidewalk sale permit shall be subject to the following provisions:

(1) No sale shall be conducted between the hours of 7:00 p.m. and 8:00 a.m. the following day, and no merchandise, booths, tables or display cases shall be left on the site of the sale between such hours, even if the sale may continue the following day;

(2) No person shall erect booths, tables or display merchandise in such a manner so as to block pedestrian or vehicular traffic;

(3) There must be a minimum of two feet of clear sidewalk space between any merchandise, booth, table or display case and the street at all times;

(4) The applicant shall be responsible to ensure that any litter generated as a result of the sidewalk sale is properly removed;

(5) The applicant shall comply with such other conditions as the Town Clerk may require as necessary for public safety or to protect public improvements, including but not limited to the posting of no-parking signs, traffic cones or barricades; and

(6) No participant in a sidewalk sale shall cause or permit any loud or offensive noise from his person or from any device, instruments or equipment for the purpose of attracting attention to any goods or services for sale or distribution.

E. The fee for a sidewalk sale permit shall be \$100, plus \$25 for each additional day after the first day allowed by the permit.

(1) The fees set forth in this subsection shall be and are suspended, upon the effective date hereof and continuing through December 31, 202~~3~~², at which time this subsection shall revert in its entirety to full force and effect.

[Added 9-3-2020 by L.L. No. 8-2020; amended 4-22-2021 by L.L. No. 9-2021; 11-18-2021 by L.L. No. 25-2021; 3-31-2022 by L.L. No. 5-2022]

F. No motor vehicle shall park, stop or stand upon or otherwise obstruct any sidewalk, driveway apron or handicapped access ramp within the unincorporated area of the Town of North Hempstead.

Section 3.

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

and; be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on February 7, 2023, Local Law No. 4 of 2023 was adopted. The local law amends Chapter 48 of the Town Code entitled “Sidewalks” in order to extend the suspension of the Town Code provisions limiting the number of sidewalk sale permits that may be issued for any given location during a 12 month period and temporarily waive the fees for a sidewalk sale permit through December 31, 2023.

Dated: Manhasset, New York

February 7, 2023

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

TOWN CLERK

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney

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. 69 - 2023

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 further assist those establishments affected by the COVID-19 pandemic by extending the timeframe to continue allowing temporary outdoor seating and other temporary outdoor uses until December 31, 2023; 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 February 7, 2023, 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 February 7, 2023, 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)(21) and 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)(21) and 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. 5 of 2023 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 5 OF 2023**

**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 further assist those establishments affected by the COVID-19 pandemic by extending the timeframe to continue allowing temporary outdoor seating and other temporary outdoor uses until December 31, 3023.

Section 2.

Section 70-103.1 of the Town Code of the Town of North Hempstead is hereby amended to read as follows:

§ 70-103.1 COVID-19 outdoor accommodations; temporary suspension of off-street parking requirements for certain restaurants and food service establishments.
[Added 6-18-2020 by L.L. No. 5-2020]

A. Purpose. The provisions of this section are designed to temporarily allow restaurants and food service establishments an additional way to expand their operations outdoors during, and as a result of, the COVID-19 pandemic; and to protect the public health, safety, and general welfare of the community. [Amended 11-18-2021 by L.L. No. 26-2021]

B. Notwithstanding any provision in Chapter 70 of the Town Code to the contrary, restaurants and food service establishments may expand their seating areas by up to 50% of the previously approved floor area devoted to seating without providing additional parking spaces, subject to compliance with the provisions of this section.

C. No restaurant or food service establishment shall temporarily expand seating capacity under § 70-103.1 of the Town Code without first filing with the Building Commissioner an application for such temporary expanded seating capacity and obtaining a permit. To obtain a permit under this section, an applicant shall not be required to seek an amended site plan approval from the Town Board or an amended conditional use permit from the Zoning Board of Appeals.

D. Temporary expanded seating capacity areas are not required to be located within the original confines of the establishment, but must comply with applicable public assembly, accessibility and fire safety regulations.

E. Subject to the provisions of this section, temporary expanded seating capacity areas may be established entirely within the property boundaries, upon a sidewalk, within a parking lane, within a parking lot, or in a courtyard. An eligible restaurant or food service establishment may utilize one or more of the aforementioned locations as a temporary expanded seating area. This section of the Town Code only permits temporary expanded seating capacity areas in the locations referenced herein. Nothing in this section shall be construed to permit outdoor dining and service of beverages, including alcohol, in any other area, including rooftops and roofs. [Amended 8-13-2020 by L.L. No. 7-2020]

F. A permit for a temporary expanded seating capacity area shall only be authorized where it is determined that the use will not create a hazard, a sight distance obstruction for motor vehicle operators, nor unduly impede pedestrian traffic. The Building Commissioner shall determine when a hazardous condition exists.

G. Application for permit.

(1) Such application shall be made to the Building Commissioner on a form provided by him and shall contain a sworn statement that provides the following information:

(a) A site plan showing the location of service and arrangement of tables and chairs:

(b) The required certificate of insurance, if applicable;

(c) Where applicable, a permit from the New York State Liquor Authority;

(d) A statement affirming that the applicant shall comply with all requirements set forth in this section; and

(e) A copy of this section signed by the applicant as recognition and acceptance of all of its terms.

(2) The Building Commissioner may require an applicant to provide such other information as may reasonably be required to establish compliance with the provisions of this section and other applicable building codes, ordinances and regulations.

H. Upon submission of a completed application, and a determination of compliance by the Building Department following a review of the application, the Building Commissioner shall issue a permit for a temporary expanded seating capacity area in one or more of the locations authorized in this section.

I. The following regulations are applicable to all temporary expanded seating capacity areas:

(1) Where necessary, wind screens shall be provided to contain any loose objects that may otherwise be carried off site by the wind.

(2) All food and beverages shall be dispensed from the interior of the establishment. There shall be no outdoor bar or service counter.

(3) Alcohol may only be served in conjunction with food that is otherwise available for purchase without alcohol. All businesses serving alcoholic beverages must be in compliance with all

state laws and regulations, including those of the New York State Liquor Authority. Copies of permits shall be provided to the Town prior to service of alcoholic beverages.

(4) Except within a mixed-use zoning district or approved mixed-use development, no temporary expanded seating capacity area shall be established within 50 feet of a residential property.

(5) Where necessary, sun shade may be provided either by individual umbrellas or an area-wide canopy.

(6) Restaurants and food service establishments shall take all reasonable steps to control littering and shall dispose of all trash as otherwise required and shall keep the sidewalk, parking lot area, or other areas used for outdoor seating clean and free of litter, debris and putrescible waste.

(7) Putrescible waste must be contained in a refrigerated compartment within the interior of the restaurant or food service establishment for future disposal.

(8) Restaurants and food service establishments with temporary expanded seating capacity areas shall take all steps necessary to maintain safety and to immediately remedy any unsafe situation.

(9) A Town Building Inspector or Code Enforcement Officer may temporarily suspend a permit for a temporary expanded seating capacity area, at any time, due to violations of this section, threats to public safety, disorderly conduct, noise, disruption of other business operations or violations of other Town codes or other laws or regulations. The Building Inspector or Code Enforcement Officer may choose, but is not obligated, to reinstate a temporary expanded seating capacity area permit if he or she is satisfied that all violations have been remedied. An affected restaurant or food service establishment may appeal a decision to suspend a temporary expanded seating capacity area permit to the Town Board, which shall conduct an evidentiary hearing to determine whether to reinstate the permit or continue the suspension for a stated period of time.

(10) Applicants shall provide a site plan for the premises for which the permit is requested showing all structures thereon, a sketch showing the proposed number of tables and chairs and the area to be used for temporary expanded seating capacity with a proposed seating plan for same.

(11) Service at any temporary expanded seating capacity area shall be permitted no later than 10:00 p.m. on Sunday through Thursday and 11:00 p.m. on Friday and Saturday. Tables and chairs and menu signs must be removed from the sidewalk no later than 10:30 p.m. on Sunday through Thursday and 11:30 p.m. on Friday and Saturday. Tables and chairs and menu signs cannot be set up earlier than 1/2 hour before service begins.

(12) Smoking or vaping is not permitted in any outdoor dining areas.

(13) The premises on which the temporary expanded seating capacity service is to be offered must have a valid certificate of occupancy and a public assembly license or place of assembly license, as applicable.

(14) There shall be no sound amplification or public address system permitted in any temporary expanded seating capacity area. The installation, use or maintenance of radios, speakers, televisions or like apparatus and live entertainment shall be prohibited in any temporary expanded seating capacity areas.

(15) Definitions. For the purposes of this section, the following words and phrases are defined as follows: [Added 8-13-2020 by L.L. No. 7-2020]

BARRIER

An object, natural or man-made, other than a bollard, which is used to obstruct the passage of motor vehicles and separate pedestrian and vehicular traffic. Natural objects may include large trees or boulders.

BOLLARD-

A vertical post designed and used to obstruct the passage of motor vehicles and separate pedestrian and vehicular traffic.

PLATFORM

A flooring material, usually constructed of a wood or composite decking materials, which is flush mounted to the roadway surface so that tables and chairs are not placed directly onto the pavement.

VEHICLE IMPACT PROTECTION DEVICE

A device that is designed, engineered, and sited so as to effectively separate areas of pedestrian and vehicular travel and prevent automobiles from encroaching into areas which are solely intended for pedestrian use and travel; vehicle impact protection devices shall be comprised of bollards or barriers,

J. Outdoor sidewalk seating.

(1) Notwithstanding the provisions of Chapter 48 of the Town Code to the contrary, the Building Department may issue a temporary expanded seating capacity area permit for outdoor sidewalk seating in conjunction with a restaurant or food service establishment, subject to compliance with this § 70-103.1.

(2) The applicant shall provide for a pedestrian access area on the public sidewalk, measured from the inside of the curb where it meets the sidewalk, of at least 60 inches' clearance; tables and chairs and other objects, such as menu signs, shall be kept out of the pedestrian access area. Clearance for the pedestrian access area must be around obstacles such as signs, benches, garbage cans, accessibility ramps, driveway access and other impediments. Employees may temporarily be within the pedestrian access area while performing their duties, such as serving, but may not place objects, such as tray stands, in the pedestrian access area. However, employees shall at all times yield to pedestrians within the pedestrian access area.

(a) Notwithstanding the above, on a Town roadway with an existing parking lane, an applicant may utilize the parking lane as a pedestrian walkway, provided that the applicant provides a vehicle impact protection device or steel barricade on all three sides of the parking lane and provides ramp access for ADA compliance, which can be made of nonpermanent materials. [Added 8-13-2020 by L.L. No. 7-2020]

(3) The applicant shall provide a certificate of insurance with liability limits of at least \$2,000,000 per occurrence and which names the Town of North Hempstead as an additional insured who will be notified by the insurance company or agent in the event of a lapse of coverage. This insurance is required to remain in effect for the duration of the outdoor sidewalk seating activities and to cover claims arising out of said activities. The Town must be notified in the event of any threatened or actual lapse in insurance coverage. Any such lapse in coverage shall automatically

revoke the permit authorizing a temporary expanded seating area for outdoor sidewalk seating. In any event, the applicant shall be liable for all claims arising out of the operation of a temporary expanded seating area for outdoor sidewalk seating and shall defend, indemnify and hold the Town harmless from and against any such claims.

(4) Notwithstanding the provisions of § 70-197, permittees under this section may display menu signs only within the time frames set forth in § 70-103.1I(11) and only as authorized by the Building Department. The Building Department is hereby authorized and directed to establish a preapproved menu sign form, including size and display specifications, which permittees may display without obtaining a sign permit.

(5) Sidewalk service may be provided in front of up to two adjoining businesses, i.e., one on either side of the permittees' premises, with the permission of those businesses and their landlords. Permission shall be given in writing, a copy of which shall be given to the Building Department before sidewalk service in front of an adjoining premises is provided. Permission may be withdrawn by the adjoining business or landlord at any time. The business or landlord withdrawing permission shall notify the Town, in writing, within two business days of the withdrawal. Any adjoining business and landlord that gives such permission shall be covered by the permittees' insurance in the same way the Town is and at no less a coverage level. Confirmation of such coverage and notice of any lapse, etc., shall be provided to the Town in the same manner as such notice is made to the Town regarding coverage extended to the Town. Copies of all such notices shall also be given to the permitting businesses and landlords.

(6) Notwithstanding any provisions of this section, outdoor sidewalk seating shall be in all respects compliant with all applicable provisions of the Americans with Disability Act of 1990, as amended from time to time.

K. Outdoor parking lane seating. [Added 8-13-2020 by L.L. No. 7-2020]

(1) Notwithstanding any traffic ordinance or local law to the contrary, the Building Department may issue a temporary expanded seating capacity area permit for outdoor parking lane seating in conjunction with a restaurant or food service establishment, subject to compliance with this § 70-103.1.

(2) The applicant shall comply with the following:

(a) Provide a vehicle impact protection device on all three sides of the seating perimeter located in the roadway to separate seating from the travel lane. The vehicle impact protection device must be at least 18 inches in width and 30 inches to 36 inches in height (excluding plantings) on all three sides. All vehicle impact protection devices shall be engineered and determined to be in compliance with ASTM Publication F3016.

(b) Parking lane seating may not exceed the length of the business frontage, except as authorized herein.

(c) Ensure visibility of patrons and vehicle impact protection devices at night by clearly marking such devices with yellow high-intensity retro-reflective tape or reflectors.

(d) Provide ramp access for ADA compliance, which can be made of nonpermanent materials.

(e) Seating or vehicle impact protection devices shall not be located within 15 feet of a fire hydrant, or within eight feet of a crosswalk, or within a No Stopping Anytime or No Standing Anytime zone, bike lane, bus lane/stop, or taxi stand.

(f) No outdoor lighting shall be installed in a manner that will impair passing traffic.

(g) Tables and chairs must be removed or secured in place when not in operation.

(h) All applicable building and fire codes shall be complied with.

(i) Notwithstanding any provision of this code to the contrary, no liquid petroleum gas heating device shall be located within the outdoor parking lane seating area. [Added 11-19-2020 by L.L. No. 17-2020]

(3) The applicant may comply with the following:

(a) Vehicle impact protection devices may be left in place within a metered zone, alternate side parking, or No Parking Anytime zone, provided that tables and chairs are removed or secured when not in operation.

(b) Where seating is authorized along a curb, install a platform behind the required vehicle impact protection devices to flush height with curb to facilitate ADA compliance, prevent the curb from becoming a tripping hazard, and allow drainage to underpass seating. Such platforms shall not block rain water drainage getting to the curb or flowing along the curb. Such platforms shall not obstruct access to or ventilation of utility covers. Installation of any platform within a parking lane shall be in compliance with the New York State Building Code relative to structural strength, fire safety, means of egress, accessibility, light, ventilation, and sanitary requirements.

(4) The applicant shall provide a certificate of insurance with liability limits of at least \$2,000,000 per occurrence and which names the Town of North Hempstead as an additional insured who will be notified by the insurance company or agent in the event of a lapse of coverage. This insurance is required to remain in effect for the duration of the outdoor parking lane seating activities and to cover claims arising out of said activities. The Town must be notified in the event of any threatened or actual lapse in insurance coverage. Any such lapse in coverage shall automatically revoke the permit authorizing a temporary expanded seating area for outdoor parking lane seating. In any event, the applicant shall be liable for all claims arising out of the operation of a temporary expanded seating area for outdoor parking lane seating and shall defend, indemnify and hold the Town harmless from and against any such claims.

(5) Notwithstanding the provisions of § 70-197, permittees under this section may display menu signs only within the time frames set forth in § 70-103.1I(11) and only as authorized by the Building Department. The Building Department is hereby authorized and directed to establish a preapproved menu sign form, including size and display specifications, which permittees may display without obtaining a sign permit.

(6) Parking lane seating service may be provided in front of up to two adjoining businesses, i.e., one on either side of the permittees' premises, with the permission of those businesses and their landlords. Permission shall be given in writing, a copy of which shall be given to the Building Department before parking lane seating service in front of an adjoining premises is provided. Permission may be withdrawn by the adjoining business or landlord at any time. The business or landlord withdrawing permission shall notify the Town, in writing, within two business days of the

withdrawal. Any adjoining business and landlord that gives such permission shall be covered by the permittees' insurance in the same way the Town is and at no less a coverage level. Confirmation of such coverage and notice of any lapse, etc., shall be provided to the Town in the same manner as such notice is made to the Town regarding coverage extended to the Town. Copies of all such notices shall also be given to the permitting businesses and landlords.

(7) Notwithstanding any provisions of this section, outdoor parking lane seating shall be in all respects compliant with all applicable provisions of the Americans with Disability Act of 1990, as amended from time to time.

L. Outdoor seating in parking lot areas.

(1) Outdoor seating within parking lots shall conform to the following:

(a) Seating areas must be protected by a barricade, bollard or other vehicle impact protection device. A minimum distance of eight feet must be maintained between the seating area and the closest vehicular parking stall or access lane.

(b) Paved surfaces in parking lot areas must be kept in a clean and sanitary condition.

(2) (Reserved)

(3) Vehicle impact protection devices required.

(a) Vehicle impact protection devices shall be required to protect a temporary expanded seating capacity area located within a parking lot.

(b) Performance standard. All vehicle impact protection devices shall be engineered and determined to be in compliance with ASTM Publication F3016.

(c) Location.

[1] Vehicle impact protection devices shall be located:

[a] Between any area designated for parking spaces and the beginning of the adjacent, converted parking area to be used as the outdoor seating area; and

[b] To the extent practicable, between the means of egress from the restaurant or food service establishment and the designated outdoor seating area.

[2] Barriers and bollards may be offset and staggered in terms of relative distance to provide protection.

(4) No temporary expanded seating capacity area located within a parking lot shall occupy, encroach or impede into any New York State required accessible spaces or fire lanes.

(5) All platforms and ground coverings shall provide for accessibility. Notwithstanding any provisions of this section, outdoor parking lot seating shall be in all respects compliant with all applicable provisions of the Americans with Disability Act of 1990, as amended from time to time. Ramps and wheelchair edge protection shall be provided where required.

(6) Installation of any platform within a parking area shall be in compliance with the New York State Building Code relative to structural strength, fire safety, means of egress, accessibility, light, ventilation, and sanitary requirements.

(7) The Town may request a parking analysis to ensure that adequate parking for the location is provided.

M. Outdoor seating in courtyard areas or within property boundaries.

(1) Courtyard areas and locations within the boundaries of the property may be used as a temporary expanded seating capacity area, provided the written permission of the owner of the property on which tables and chairs are placed is obtained and the requirements of this section are complied with and an unobstructed pedestrian access area of at least 60 inches is maintained and there is no obstruction of ingress and egress points.

(2) All platforms and ground coverings shall provide for accessibility. Notwithstanding any provisions of this section, outdoor courtyard seating shall be in all respects compliant with all applicable provisions of the Americans with Disability Act of 1990, as amended from time to time. Ramps and wheelchair edge protection shall be provided where required.

N. Canopies and tents; table umbrellas.

(1) Installation of a canopy or tent shall be in compliance with the New York State Fire Code and the Nassau County Fire Ordinance. Proof of approval from the Nassau County Fire Marshal shall be provided to the Building Department prior to issuance of a permit under this section.

(2) Installation of individual table umbrellas shall be in compliance with the New York State Fire Code.

(3) In accordance with the New York State Fire Code, temporary tents or canopies shall not be erected for a period of more than 180 days within a twelve-month period on a single premises. [Added 11-19-2020 by L.L. No. 17-2020]

(4) A separate temporary tent permit shall be required prior to the installation or erection of a tent or canopy in accordance with § 2-9N of the Town Code. [Added 11-19-2020 by L.L. No. 17-2020]

O. Outdoor heaters. The use of liquefied petroleum gas (propane) or any other outdoor heating equipment, and the storage of liquid petroleum gas containers, shall be in compliance with the New York State Fire Code and the Nassau County Fire Ordinance. The New York State Fire Code and the Nassau County Fire Ordinance requirements related to temporary outdoor heating shall be set forth in the permit application provided by the Building Department. Proof of approval from the Nassau County Fire Marshal shall be provided to the Building Department prior to issuance of a permit under this section. [Added 11-19-2020 by L.L. No. 17-2020]

P. Permit revocation. The Building Commissioner shall have the authority to revoke any permits issued pursuant to this section in the following instances:

(1) Where he finds that there has been any false statement or misrepresentation as to a material fact in the application, plans or specifications on which the building permit was based.

(2) Where he finds that the permit was issued in error and should not have been issued in accordance with the applicable law.

(3) Where he finds that the expanded seating capacity authorized under the permit is not executed in accordance with the provisions of the application, plans or specifications.

(4) Where the person to whom a permit has been issued fails or refuses to comply with a stop order issued by the Building Commissioner.

Q. Any temporary expanded seating capacity area permit issued under this section shall terminate on December 31, 2023~~[2]~~. All items located within the temporary expanded seating capacity area shall be removed no later than 10 days from the aforementioned termination date [Amended 11-19-2020 by L.L. No. 17-2020; 4-22-2021 by L.L. No. 6-2021; 11-18-2021 by L.L. No. 26-2021; 3-31-2022 by L.L. No. 6-2022]

Section 3.

Section 70-103.2 of the Town Code of the Town of North Hempstead is hereby amended to read as follows:

§ 70-103.2 COVID-19 outdoor accommodations; temporary suspension of off-street parking requirements for certain uses.

[Added 9-24-2020 by L.L. No. 13-2020]

A. Purpose. The provisions of this section are designed to temporarily allow certain places of public assembly or places of assembly uses (exclusive of restaurant uses), including gyms, fitness centers and religious institutions, and certain personal service uses, including barbershops, hair salons, personal care services, and similar uses, an additional way to expand their operations outdoors during, and as a result of, the COVID-19 pandemic; and to protect the public health, safety, and general welfare of the community. [Amended 11-18-2021 by L.L. No. 26-2021]

B. Notwithstanding any provision in Chapter 70 of the Town Code to the contrary, the uses described in § 70-103.2A may expand their operating areas by up to 50% of the previously approved floor area devoted to such use without providing additional parking spaces, subject to compliance with the provisions of this section.

C. No use described in § 70-103.2A shall temporarily expand its capacity outdoors under § 70-103.2 of the Town Code without first filing with the Building Commissioner an application for such temporary expanded outdoor use and obtaining a permit. To obtain a permit under this section, an applicant shall not be required to seek an amended site plan approval from the Town Board or an amended conditional use permit from the Zoning Board of Appeals.

D. Temporary expanded outdoor use areas are not required to be located within the original confines of the establishment, but must comply with applicable public assembly, accessibility and fire safety regulations.

E. Subject to the provisions of this section, temporary expanded outdoor use areas may be established entirely within the property boundaries, within a parking lot, or in a courtyard. An eligible business may utilize one or more of the aforementioned locations as a temporary expanded outdoor use area. This section of the Town Code only permits temporary expanded outdoor use areas in the locations referenced herein.

F. A permit for a temporary expanded outdoor use area shall only be authorized where it is determined that the use will not create a hazard, a sight distance obstruction for motor vehicle operators, nor unduly impede pedestrian traffic. The Building Commissioner shall determine when a hazardous condition exists.

G. Application for permit.

(1) Such application shall be made to the Building Commissioner on a form provided by him and shall contain a sworn statement that provides the following information:

(a) A site plan showing the location of the use or service area;

(b) The required certificate of insurance, if applicable;

(c) A statement affirming that the applicant shall comply with all requirements set forth in this section; and

(d) A copy of this section signed by the applicant as recognition and acceptance of all of its terms.

(2) The Building Commissioner may require an applicant to provide such other information as may reasonably be required to establish compliance with the provisions of this section and other applicable building codes, ordinances and regulations.

H. Upon submission of a completed application, and a determination of compliance by the Building Department following a review of the application, the Building Commissioner shall issue a permit for a temporary expanded outdoor use area in one or more of the locations authorized in this section.

I. The following regulations are applicable to all temporary expanded outdoor use areas:

(1) Except within a mixed-use zoning district or approved mixed-use development, no temporary expanded outdoor use area shall be established within 50 feet of a residential property.

(2) Where necessary, sun shade may be provided either by individual umbrellas or an area-wide canopy.

(3) Businesses shall take all reasonable steps to control littering and shall dispose of all trash as otherwise required and shall keep the sidewalk, parking lot area, or other areas clean and free of litter, debris and putrescible waste.

(4) Businesses with temporary expanded outdoor use areas shall take all steps necessary to maintain safety and to immediately remedy any unsafe situation. It is the permit holder's responsibility to be aware of severe weather and remove or secure any temporary objects.

(5) A Town Building Inspector or Code Enforcement Officer may temporarily suspend a permit for a temporary expanded outdoor use area, at any time, due to violations of this section, threats to public safety, disorderly conduct, noise, disruption of other business operations or violations of other Town codes or other laws or regulations. The Building Inspector or Code Enforcement Officer may choose, but is not obligated, to reinstate a temporary expanded outdoor use area permit if he or she is satisfied that all violations have been remedied. An affected business may appeal a decision to suspend a temporary expanded outdoor use area permit to the Town Board, which shall conduct an evidentiary hearing to determine whether to reinstate the permit or continue the suspension for a stated period of time.

(6) Applicants shall provide a site plan for the premises for which the permit is requested showing all structures thereon and a sketch showing the proposed area of use.

(7) Use of any temporary expanded outdoor use area shall be permitted on weekdays and Saturdays between the hours of 7:00 a.m. and 9:00 p.m., and on Sundays between the hours of 8:00 a.m. and 8:00 p.m.

(8) Outdoor lighting shall be installed in accordance with Chapter 70 of the Town Code.

(9) The premises on which the temporary expanded outdoor use area is to be offered must have a valid certificate of occupancy and a public assembly license or place of assembly license, as applicable.

(10) There shall be no sound amplification or public address system permitted in any temporary expanded outdoor use area. The installation, use or maintenance of radios, speakers, televisions or like apparatus and live entertainment shall be prohibited in any temporary expanded outdoor use area.

(11) Definitions. For the purposes of this section, the following words and phrases are defined as follows:

BARRIER

An object, natural or man-made, other than a bollard, which is used to obstruct the passage of motor vehicles and separate pedestrian and vehicular traffic. Natural objects may include large trees or boulders.

BOLLARD

A vertical post designed and used to obstruct the passage of motor vehicles and separate pedestrian and vehicular traffic.

PLATFORM

A flooring material, usually constructed of wood or composite decking materials, which is flush mounted to the roadway surface so that tables and chairs are not placed directly onto the pavement.

VEHICLE IMPACT PROTECTION DEVICE

A device that is designed, engineered, and sited so as to effectively separate areas of pedestrian and vehicular travel and prevent automobiles from encroaching into areas which are solely intended for pedestrian use and travel; vehicle impact protection devices shall be comprised of bollards or barriers.

J. Use of parking lot areas.

(1) Temporary expanded outdoor use areas within parking lots shall conform to the following:

(a) Such areas must be protected by a barricade, bollard or other vehicle impact protection device. A minimum distance of eight feet must be maintained between the area of use and the closest vehicular parking stall or access lane.

(b) Paved surfaces in parking lot areas must be kept in a clean and sanitary condition.

(2) Vehicle impact protection devices required.

(a) Vehicle impact protection devices shall be required to protect a temporary expanded outdoor use area located within a parking lot.

(b) Performance standard. All vehicle impact protection devices shall be engineered and determined to be in compliance with ASTM Publication F3016.

(c) Location. Vehicle impact protection devices shall be located between any area designated for parking spaces and the beginning of the adjacent, converted parking area to be used as the outdoor use area. Barriers and bollards may be offset and staggered in terms of relative distance to provide protection.

(d) Barricades, bollards or other vehicle impact protection devices shall be equipped with reflectorized tape or other reflector devices adequate to warn others of its presence during night hours.

(3) No temporary expanded outdoor use area located within a parking lot shall occupy, encroach or impede into any New York State required accessible spaces or fire lanes.

(4) All platforms and ground coverings shall provide for accessibility. Notwithstanding any provisions of this section, outdoor parking lot uses shall be in all respects compliant with all applicable provisions of the Americans with Disability Act of 1990, as amended from time to time. Ramps and wheelchair edge protection shall be provided where required.

(5) Installation of any platform within a parking area shall be in compliance with the New York State Building Code relative to structural strength, fire safety, means of egress, accessibility, light, ventilation, and sanitary requirements.

(6) The Town may request a parking analysis to ensure that adequate parking for the location is provided.

K. Outdoor uses in courtyard areas or within property boundaries.

(1) Courtyard areas and locations within the boundaries of the property may be used as a temporary expanded outdoor use area, provided the written permission of the owner of the property on which the use is to be conducted is obtained and the requirements of this section are complied with and an unobstructed pedestrian access area of at least 60 inches is maintained and there is no obstruction of ingress and egress points.

(2) All platforms and ground coverings shall provide for accessibility. Notwithstanding any provisions of this section, outdoor courtyard use areas shall be in all respects compliant with all applicable provisions of the Americans with Disability Act of 1990, as amended from time to time. Ramps and wheelchair edge protection shall be provided where required.

L. Canopies and tents; table umbrellas.

(1) Installation of a canopy or tent shall be in compliance with the New York State Fire Code and the Nassau County Fire Ordinance. Proof of approval from the Nassau County Fire Marshal shall be provided to the Building Department prior to issuance of a permit under this section.

(2) Installation of individual table umbrellas shall be in compliance with the New York State Fire Code.

(3) In accordance with the New York State Fire Code, temporary tents or canopies shall not be erected for a period of more than 180 days within a twelve-month period on a single premises.

[Added 11-19-2020 by L.L. No. 17-2020]

(4) A separate temporary tent permit shall be required prior to the installation or erection of a tent or canopy in accordance with § 2-9N of the Town Code. [Added 11-19-2020 by L.L. No. 17-2020]

M. Outdoor heaters. The use of liquefied petroleum gas (propane) or any other outdoor heating equipment, and the storage of liquid petroleum gas containers shall be in compliance with the New York State Fire Code and the Nassau County Fire Ordinance. The New York State Fire Code and the Nassau County Fire Ordinance requirements related to temporary outdoor heating shall be set forth in the permit application provided by the Building Department. Proof of approval from the Nassau County Fire Marshal shall be provided to the Building Department prior to issuance of a permit under this section. [Added 11-19-2020 by L.L. No. 17-2020]

N. Permit revocation. The Building Commissioner shall have the authority to revoke any permits issued pursuant to this section in the following instances:

(1) Where he finds that there has been any false statement or misrepresentation as to a material fact in the application, plans or specifications on which the building permit was based.

(2) Where he finds that the permit was issued in error and should not have been issued in accordance with the applicable law.

(3) Where he finds that the expanded outdoor use area authorized under the permit is not executed in accordance with the provisions of the application, plans or specifications.

(4) Where the person to whom a permit has been issued fails or refuses to comply with a stop order issued by the Building Commissioner.

O. Any temporary expanded outdoor use area permit issued under this section shall terminate on December 31, 2023~~[2]~~. All items located within the temporary expanded outdoor use area shall be removed no later than 10 days from the aforementioned termination date. [Amended 4-22-2021 by L.L. No. 6-2021; 11-18-2021 by L.L. No. 26-2021; 3-31-2022 by L.L. No. 6-2022]

Section 4.

This Local Law shall take effect immediately upon filing with the Secretary of State.
and; be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on February 7, 2023, Local Law No. 5 of 2023 was adopted. The Local Law amends Chapter 70 of the Town Code entitled "Zoning" in order to further assist those establishments affected by the COVID-19 pandemic by extending the timeframe to continue allowing temporary outdoor seating and other temporary outdoor uses until December 31, 2023.

Dated: Manhasset, New York

February 7, 2023

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Town Clerk Planning Building

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

ORDINANCE NO. 4 - 2023

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF ORDINANCES AFFECTING 3RD AVENUE IN WESTBURY, NEW YORK.

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

ORDINANCE NO. T.O. 4 - 2023

WESTBURY, NEW YORK

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

PROPOSAL:

ADOPT:

1. 3RD AVENUE – EAST SIDE – RESERVED PARKING – PERMIT REQUIRED
From a point 30 feet north from the north curblines of 6th street, north, for a distance of 30 feet.
2. 3RD AVENUE – EAST SIDE – NO STOPPING HERE TO CORNER
From the north curb line of 6th street, north, for a distance of 30 feet.

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

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

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

ORDINANCE NO. 5 - 2023

A PUBLIC HEARING TO CONSIDER THE RECISSION AND ADOPTION OF ORDINANCES AFFECTING NEULIST AVENUE, PORT WASHINGTON, NEW YORK.

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

ORDINANCE NO. T.O. 5 - 2023

PORT WASHINGTON, NEW YORK

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

PROPOSAL:

RESCIND:

1. T.O. #8-1994

Adopted March 01, 1994

NEULIST AVENUE – NORTH SIDE – NO STOPPING ANY TIME

From the west curblineline of Port Washington Boulevard, west for a distance of 81 feet.

ADOPT:

1. NEULIST AVENUE – NORTH SIDE – NO STOPPING HERE TO CORNER

From the west curblineline of Port Washington Boulevard, west, for a distance of 30 feet.

2. NEULIST AVENUE – NORTH SIDE – 15-MINUTE PARKING

From a point 30 feet from the west curblineline of Port Washington Boulevard, west, for a distance of 53 feet.

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA
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. 70 - 2023

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 7 OF THE TOWN CODE ENTITLED "BUILDING CODE".

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 7 of the Town Code entitled "Building Code" in order to correct the Part of the New York Code, Rules and Regulations containing the Uniform Code: Minimum Standards for Administration and Enforcement.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 14th day of March, 2023, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, for the purpose of considering the adoption of a Local Law amending Chapter 7 of the Town Code entitled "Building Code" in order to correct the Part of the New York Code, Rules and Regulations containing the Uniform Code: Minimum Standards for Administration and Enforcement; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on the 14th day of March, 2023, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, to consider the adoption of a Local Law amending Chapter 7 of the Town Code entitled "Building Code" in order to correct the Part of the New York Code, Rules and Regulations containing the Uniform Code: Minimum Standards for Administration and Enforcement.

PLEASE TAKE FURTHER NOTICE that all interested persons shall have an opportunity to be heard concerning the Local Law at the public hearing.

PLEASE TAKE FURTHER NOTICE that the full text of the proposed Local Law will be on available 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

February 7, 2023

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Town Clerk

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. 71 - 2023

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW ESTABLISHING CHAPTER 9A OF THE TOWN CODE ENTITLED "BUILDING AND SAFETY: OPERATING PERMITS".

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 establishing Chapter 9A of the Town Code entitled "Building and Safety: Operating Permits" in order to establish minimum standards for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and the New York State Energy Conservation Construction Code by requiring that operating permits be obtained for the conduct of certain activities or the operation of certain facilities within the Town.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on March 14, 2023, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, for the purpose of considering the adoption of the Local Law establishing Chapter 9A of the Town Code entitled "Building and Safety: Operating Permits" in order to establish minimum standards for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and the New York State Energy Conservation Construction Code by requiring that operating permits be obtained for the conduct of certain activities or the operation of certain facilities within the Town; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead, on March 14, 2023, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, to consider the adoption of a Local Law establishing Chapter 9A of the Town Code entitled "Building and Safety: Operating Permits" in order to establish minimum standards for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and the

New York State Energy Conservation Construction Code by requiring that operating permits be obtained for the conduct of certain activities or the operation of certain facilities within the Town.

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

February 7, 2023

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Town Clerk

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

RESOLUTION NO. 72 - 2023

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE EXECUTION OF CONTRACTS WITH VARIOUS FIRE COMPANIES FOR FIRE PROTECTION SERVICES TO BE FURNISHED IN FIRE PROTECTION DISTRICTS.

WHEREAS, it is necessary that fire protection contracts between the Town of North Hempstead (the “Town”) and various fire companies within the Town be executed in order that fire protection may be continued in the various unincorporated areas of the Town; and

WHEREAS, it is a requirement of law that a public hearing be held by this Board to consider the proposed contracts.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 14th day of March, 2023, for the purpose of considering fire protection contracts with the various fire companies furnishing such protection in the unincorporated areas of the Town; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on the 14th day of March 2023 at 7:00 P.M. at Town Hall, 220 Plandome Road, Manhasset, New York, to consider authorizing the execution of fire protection contracts for the year 2023 with the following fire companies at the cost listed in this notice, and to hear all interested persons on the proposed fire protection contracts:

Albertson H.& L., E. & H. Co. No. 1 Service Award Program	\$1,168,800.00 \$178,659.00
Carle Place H. & L. & H. Co. No. 1 Service Award Program	\$1,600,800.00 \$154,000.00
Floral Park Centre Fire Co. No. 1 Service Award Program	\$149,100.00 \$36,500.00
Glenwood H. & L., E. & H. Co., Inc.	\$365,540.00

Service Award Program	\$74,250.00
Alert E., H., L. & H. Co. No. 1, Inc. Service Award Program	\$171,360.00 \$12,000.00
Vigilant E. H. & L. Co., Inc. Service Award Program	\$432,385.00 \$0.00
Roslyn Fire Companies Roslyn Highlands H. & L., E. & H. Co., Inc. Rescue H. & L. Co. No. 1 of Roslyn, Inc. Service Award Program	\$522,399.00 \$534,390.00 \$57,000.00

The contract amount shall be the lesser of either the amounts as set forth above or the final budget as submitted by the Fire Protection Company, which amounts are to be paid by the Town. The proposed term for the contracts is one (1) year, commencing as of January 1, 2023 and expiring on December 31, 2023.

Dated: Manhasset, New York

February 7, 2023

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

Dated: Manhasset, New York

February 7, 2023

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

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

Nays: None.

cc: Town Attorney Comptroller

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. 73 - 2023

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPROVAL OF A CONTRACT WITH PORT WASHINGTON FIRE DEPARTMENT FOR FIRE PROTECTION SERVICES TO BE FURNISHED WITHIN THE PORT WASHINGTON FIRE PROTECTION DISTRICT.

WHEREAS, it is necessary that fire protection contracts between the Town of North Hempstead (the “Town”) and various fire companies within the Town be executed in order that fire protection may be continued in the various unincorporated areas of the Town; and

WHEREAS, it is a requirement of law that a public hearing be held by this Board to consider a proposed contract with the Port Washington Fire Department, Inc. to provide fire protection services within the Port Washington Fire Protection District (including the provision of Length of Service Award Program payments), and further to permit the Department to engage in cost recovery through charging fees for emergency medical services and to establish such fees for emergency medical services within the District.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 14th day of March, 2023, for the purpose of considering a fire protection contract with the Port Washington Fire Department, Inc. to provide fire protection services within the Port Washington Fire Protection District (including the provision of Length of Service Award Program payments), and further to permit the Department to engage in cost recovery through charging fees for emergency medical services and to establish such fees for emergency medical services within the District; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on the 14th day of March 2023 at 7:00 P.M. at Town Hall, 220 Plandome Road, Manhasset, New York, to consider authorizing the execution a fire protection contract with the Port Washington Fire Department, Inc. to provide fire protection services within the Port Washington Fire Protection District (including the provision of Length of Service Award Program payments), as follows:

Port Washington Fire Department, Inc.
Service Award Program

\$2,082,545.00
\$233,726.00

, and further to permit the Department to engage in cost recovery through charging fees for emergency medical services and to establish such fees for emergency medical services within the District. The contract amount shall be the lesser of either the amounts as set forth above or the final budget as submitted by the Fire Protection Company, which amounts are to be paid by the Town. The proposed term for the contracts is one (1) year, commencing as of January 1, 2023 and expiring on December 31, 2023.

Dated: Manhasset, New York

February 7, 2023

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

Dated: Manhasset, New York

February 7, 2023

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

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

Nays: None.

cc: Town Attorney Comptroller

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

RESOLUTION NO. 74 - 2023

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE RESCISSION OF ORDINANCES AFFECTING DAYTON STREET IN NEW CASSEL, NEW YORK.

WHEREAS, a recommendation has been made for the rescission of ordinances affecting Dayton Street, New Cassel, New York.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by the Town Board of the Town of North Hempstead on the 14th day of March 2023, at 7:00 o'clock in the evening for the purpose of considering the rescission of the following ordinances:

PROPOSAL:

RESCIND:

1. T.O. #40-1976

Adopted September 14, 1976

DAYTON STREET – WEST SIDE – ONE HOUR PARKING 9 A.M. TO 5 P.M. EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS

Starting at a point 196 feet north of the north curblineline of Old Country Road, north to the south curblineline of Oliver Street.

2. T.O. #17-1976

Adopted March 13, 1976

DAYTON STREET – EAST SIDE – ONE HOUR PARKING 9:00 A.M. TO 5:00 P.M. EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS

From a point 124 feet north of the north curblineline of Old Country Road, north to the south curblineline of Oliver Street.

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Public Safety Comptroller Traffic Safety

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

RESOLUTION NO. 75 - 2023

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

WHEREAS, Capital One has generously offered, as a gift, \$500 for youth programs and special events at the Yes We Can Center; and

WHEREAS, Laura Sweeney has generously offered, as a gift, \$2,500 for the purchase of a commemorative bench in memory of Henry Downing at Town Dock; and

WHEREAS, this Board wishes to accept the Gifts described in this Resolution (the “Gifts”) in accordance with Town Law Section 64.

NOW, THEREFORE, BE IT

RESOLVED that this Board hereby gratefully accepts the Gifts.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Parks and Recreation

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

RESOLUTION NO. 76 - 2023

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

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

WHEREAS, the Office of the Comptroller has requested that the Board authorize supplemental appropriations in year 2023 (the “Supplemental Appropriations”) as follows:

1. \$500 to be recorded to revenue line A.3820 with the offsetting expense to be recorded to expense code A.05.7141.4890 for youth programs and special events at the “Yes We Can” Community Center; and

2. \$2,500 to be recorded to revenue line A.2705 with the offsetting expense to be recorded to expense code A.05.7020.4930, for the purpose of procuring a commemorative bench at Town Dock, with the remainder, if any, to be used to support the Department of Parks and Recreation; and

WHEREAS, the Board wishes to authorize the Supplemental Appropriations.

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby authorizes the Supplemental Appropriations in year 2023 as requested by the Comptroller; and be it further

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Clerk

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

RESOLUTION NO. 77 - 2023

A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE'S DEPARTMENT OF ENVIRONMENTAL CONSERVATION'S HOUSEHOLD HAZARDOUS WASTE GRANT PROGRAM AND THE TAKING OF RELATED ACTION.

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the Commissioner (the "Commissioner") of the Town of North Hempstead Department of Solid Waste Management (the "Department") is desirous of continuing the Town's initiative of helping Town residents to dispose of household hazardous waste in an environmentally friendly manner (the "STOP Project"); and

WHEREAS, the Grants Coordinator has recommended that the Town submit a grant application to the New York State Department of Environmental Conservation (the "Grant") to advance the STOP Project; and

WHEREAS, the Grant, in the amount of \$83,999.98, subject to an equal match, for the STOP Project will cover the costs incurred by the Town for STOP events held in 2022; and

WHEREAS, the Grants Coordinator has requested that this Board authorize the preparation and submission of the application for the Grant to assist the Town with the STOP 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 STOP Project; and be it further

RESOLVED that the Supervisor or her designee be and hereby is authorized 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

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

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. 78 - 2023

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE REHABILITATION OF PORT WASHINGTON PARKING DISTRICT PARKING LOT 2, DPW PROJECT NO. 21-01.

WHEREAS, the Town Clerk solicited bids for Rehabilitation of Parking Lot 2, Port Washington Parking District, DPW Project No. 21-01 (the “Project”); and

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

Bidder	Price
Aventura Construction Corp. 1101 Waverly Avenue Holtsville, NY 11742	\$1,155,170.00
Galvin Bros. Inc. 149 Steamboat Road Great Neck, NY 11024	\$1,385,850.00
G&M Earth Moving, Inc. 345 Ellsworth Street Holbrook, NY 11741	\$931,000.00
Graci Paving Associates, Inc. 4250 Sunrise Highway, Suite 201 Massapequa, NY 11758	\$983,315.00
J. Anthony Enterprises 175 Engineers Road Hauppauge, NY 11788	\$992,210.00

John McGowan & Sons 323 Glen Cove Avenue Sea Cliff, NY 11579	\$883,210.00
Posillico Civil, Inc. 1750 New Highway Farmingdale, NY 11735	\$1,216,860.00
Pratt Brothers 333 Marcus Blvd. Hauppauge, NY 11788	\$988,411.00
Roadwork Ahead 2186 Kirby Lane Syosset, NY 11791	\$839,132.50
United Paving Corp. 6316 Northern Blvd. East Norwich, NY 11732	\$767,590.00

WHEREAS, after a review of the bids, the Acting Commissioner of the Town’s Department of Public Works (the “Acting Commissioner”) has recommended that the contract for the Project be awarded to United Paving Corp., 6316 Northern Blvd, East Norwich, NY 11732 (the “Contractor”) as the lowest responsible bidder at its bid price of Seven Hundred Sixty-Seven Thousand Five Hundred Ninety and 00/100 Dollars (\$767,590.00); 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 bid price of Seven Hundred Sixty-Seven Thousand Five Hundred Ninety and 00/100 Dollars (\$767,590.00), as more particularly set forth in an agreement which will be filed in the Office of the Town Clerk (the “Award”); and be it further

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller DPW

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

RESOLUTION NO. 79 - 2023

A RESOLUTION AUTHORIZING AN AWARD OF A BID FOR ELECTRICAL SERVICES (TNH297-2023).

WHEREAS, the Director of Purchasing (the “Director”) has solicited bids for electrical services; and

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

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

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

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York

February 7, 2023

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

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

Nays: None.

cc: Town Attorney Comptroller Purchasing

TNH297-2023 Electrical Services				Denis O'Regan Electric, Inc. 5 Helen Place Glen Cove, NY 11542 516-671-2465 Denis Oregan DenisOreganElectric@outlook.com	
No.	DESCRIPTION	UNIT	ESTIMATED NUMBER PER YEAR*	UNIT PRICE	TOTAL PRICE
A.	Project Fee				
1	FLAT FEE FOR PROJECT ESTIMATE (if applicable)^	EACH	10	\$175.00	\$1,750.00
B.	LABOR RATES				
2	ELECTRICIAN	HOURLY	100	\$105.00	\$10,500.00
3	LABORER	HOURLY	40	\$100.00	\$4,000.00
4	ELECTRICIAN APPRENTICE	HOURLY	100	\$65.00	\$6,500.00
5	LABORER APPRENTICE	HOURLY	40	\$65.00	\$2,600.00
6	ELECTRICIAN – Overtime rate	HOURLY	15	\$155.00	\$2,325.00
7	LABORER – Overtime rate	HOURLY	10	\$125.00	\$1,250.00
8	ELECTRICIAN APPRENTICE – Overtime rate	HOURLY	15	\$90.00	\$1,350.00
9	LABORER APPRENTICE – Overtime rate	HOURLY	10	\$90.00	\$900.00
	TOTAL SECTION A				\$31,175.00
C.	EQUIPMENT RENTALS				
10	EQUIPMENT RENTAL - BUCKET TRUCK	HOURLY	8	\$140.00	\$1,120.00
11	EQUIPMENT RENTAL - BUCKET TRUCK - WITH OPERATOR	HOURLY	24	\$260.00	\$6,240.00
12	EQUIPMENT RENTAL - DUMP TRUCK	HOURLY	8	\$140.00	\$1,120.00
13	EQUIPMENT RENTAL - DUMP TRUCK - WITH OPERATOR	HOURLY	24	\$260.00	\$6,240.00
14	EQUIPMENT RENTAL - 12-20 HP TRENCHING MACHINE	HOURLY	8	\$125.00	\$1,000.00
15	EQUIPMENT RENTAL - 12-20 HP TRENCHING MACHINE - WITH OPERATOR	HOURLY	24	\$250.00	\$6,000.00
15	EQUIPMENT RENTAL - 40 HP TRENCHING MACHINE	HOURLY	8	\$125.00	\$1,000.00
16	EQUIPMENT RENTAL - 40 HP TRENCHING MACHINE - WITH OPERATOR	HOURLY	24	\$300.00	\$7,200.00
17	EQUIPMENT RENTAL - 70 HP TRENCHING MACHINE	HOURLY	8	\$400.00	\$3,200.00
18	EQUIPMENT RENTAL - 70 HP TRENCHING MACHINE - WITH OPERATOR	HOURLY	24	\$540.00	\$12,960.00
19	EQUIPMENT RENTAL - BACKHOE WITH 18" BUCKET	HOURLY	8	\$180.00	\$1,440.00
20	EQUIPMENT RENTAL - BACKHOE WITH 18" BUCKET - WITH OPERATOR	HOURLY	24	\$315.00	\$7,560.00
21	EQUIPMENT RENTAL - BACKHOE WITH 30" BUCKET	HOURLY	8	\$180.00	\$1,440.00

TNH297-2023 Electrical Services				Denis O'Regan Electric, Inc.	
				5 Helen Place	
				Glen Cove, NY 11542	
				516-671-2465	
				Denis Oregon	
				DenisOregonElectric@outlook.com	
No.	DESCRIPTION	UNIT	ESTIMATED NUMBER PER YEAR*	UNIT PRICE	TOTAL PRICE
22	EQUIPMENT RENTAL - BACKHOE WITH 30" BUCKET - WITH OPERATOR	HOURLY	24	\$345.00	\$8,280.00
23	EQUIPMENT RENTAL - AIR COMPRESSOR (250 CFM)	HOURLY	8	\$125.00	\$1,000.00
24	EQUIPMENT RENTAL - AIR COMPRESSOR (250 CFM) - WITH OPERATOR	HOURLY	24	\$300.00	\$7,200.00
25	EQUIPMENT RENTAL - MUD PUMP 8" PORT SIZE	HOURLY	8	\$350.00	\$2,800.00
26	EQUIPMENT RENTAL - MUD PUMP 8" PORT SIZE - WITH OPERATOR	HOURLY	24	\$500.00	\$12,000.00
27	EQUIPMENT RENTAL - CENTRIFUGAL PUMP 4" PORT SIZE	HOURLY	8	\$125.00	\$1,000.00
28	EQUIPMENT RENTAL - CENTRIFUGAL PUMP 4" PORT SIZE - WITH OPERATOR	HOURLY	24	\$300.00	\$7,200.00
29	EQUIPMENT RENTAL - DEWATERING PUMP 8" PORT SIZE	HOURLY	8	\$200.00	\$1,600.00
30	EQUIPMENT RENTAL - DEWATERING PUMP 8" PORT SIZE WITH OPERATOR	HOURLY	24	\$340.00	\$8,160.00
31	EQUIPMENT RENTAL - DEWATERING PUMP 10" PORT SIZE	HOURLY	8	\$200.00	\$1,600.00
31	EQUIPMENT RENTAL - DEWATERING PUMP 10" PORT SIZE- WITH OPERATOR	HOURLY	24	\$340.00	\$8,160.00
	TOTAL SECTION B				\$115,520.00
D.	MISCELLANEOUS				
32	FLAT FEE FOR PROJECT ESTIMATE (if applicable)^	EACH	10	\$175.00	\$1,750.00
33	PARTS AND EQUIPMENT	EACH		15% above Certified cost	
34	SUBCONTRACTOR**	EACH		10% above certified invoice	
33	UNLISTED EQUIPMENT RENTALS (with or without operator)^	EACH		10% above certified invoice	
	TOTAL BID PRICE – SECTION A PLUS SECTION B PLUS SECTION C			\$146,695.00	

*Lines 1-A and 32D are duplicate and included once in the total.

<p style="text-align: center;">TNH0297-2023-Electrical Services</p>	
<p style="text-align: center;">Winning Vendor</p>	<p style="text-align: center;">Items Won</p>
<p>Denis O'Regan Electric, Inc.</p>	<p style="text-align: center;">All Items</p>
<p>5 Helen Place</p>	
<p>Glen Cove, NY 11542</p>	
<p>516-671-2465</p>	
<p>Denis Oregan</p>	
<p>DenisOregonElectric@outlook.com</p>	

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

RESOLUTION NO. 80 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH LIRO ARCHITECTS AND PLANNERS, P.C. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO RENOVATIONS OF THE FIRST FLOOR RESTROOMS LOCATED AT TOWN HALL II, DPW PROJECT NO. 23-04.

WHEREAS, the Town of North Hempstead (the “Town”) Department of Public Works (the “Department”) requires the services of an engineering consulting firm to provide professional services including design and construction, permitting and construction assistance related to the renovations of the first floor restrooms located at Town Hall II, 210 Plandome Road, Manhasset, New York, DPW Project No. 23-04 (the “Services”); and

WHEREAS, the Acting Commissioner of the Department (the “Acting Commissioner”) has recommended that the Town enter into an agreement with LiRo Architects and Planners, P.C., a LiRo Group Company, 235 E. Jericho Turnpike, Mineola, New York 11501 to provide the Services in consideration of an amount not to exceed Nineteen Thousand Eight Hundred Fifty and 00/100 Dollars (\$19,850.00) (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 or her designee be and hereby is authorized and directed to execute, on behalf of the Town, the Agreement, a copy of which Agreement which shall be on file in the Office of the Town Clerk; and be it further

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

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

RESOLUTION NO. 81 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH OASIS CHILDREN'S SERVICES, LLC FOR THE USE OF THE PARKING FIELDS AT MANORHAVEN BEACH PARK, PORT WASHINGTON AND MICHAEL J. TULLY PARK, NEW HYDE PARK.

WHEREAS, Oasis Children's Services, LLC, 20 Jay Street, Suite 802, Brooklyn, New York 11201 ("Oasis") has requested that the Town allow it to use approximately twenty (20) parking spaces per day at Manorhaven Beach Park and Michael J. Tully Park from June 26, 2023 through August 18, 2023 for parking for staff of Oasis and allowing buses to pick up and drop off campers (the "License") in consideration of payment to the Town of Two Hundred Fifty and 00/100 Dollars (\$250.00) per bus for the term of the License (the "Fee"); and

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

WHEREAS, the Board wishes to grant the License and to authorize the Town to execute an agreement with Oasis granting the License in exchange for the Fee (the "Agreement").

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Parks

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

RESOLUTION NO. 82 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH SOLAR GLASS, INC. FOR GLASS REPAIR AT MICHAEL J. TULLY PARK, NEW HYDE PARK.

WHEREAS, the Town of North Hempstead (the “Town”) requires the services of a contractor to repair a window at Michael J. Tully Park in New Hyde Park (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, Solar Glass, Inc., 4030 Austin Boulevard, Island Park, New York 11558 (“the Contractor”) submitted the lowest quote, proposing to perform the Services in consideration of an amount not to exceed Six Thousand Eighty-Eight and 60/100 Dollars (\$6,088.60) (the “Contract Amount”); and

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

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Admin Services Comptroller Purchasing

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

RESOLUTION NO. 83 - 2023

A RESOLUTION AUTHORIZING A PERMIT AGREEMENT WITH THE COUNTY OF NASSAU TO USE AND OCCUPY COUNTY OWNED PROPERTY.

WHEREAS, the Town of North Hempstead (the “Town”) is currently pursuing a project to manage the Canada Geese population throughout the Town (the “Project”); and

WHEREAS, in order to complete the Project the Town requires access to certain premises owned by the County of Nassau (the “County”) located in the Town and adjacent to Town parks, all as shown on the attached exhibit (together, the “Premises”); and

WHEREAS, the County has requested that the Town execute a permit agreement with the County to allow the Town to use and occupy the Premises, at no charge to the Town, in order to complete the Project (the “Agreement”); and

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

NOW, THEREFORE, BE IT

RESOLVED that the execution of the Agreement be and hereby is authorized;

and be it further

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Parks Department

9	348	974A	ROSLYN ROAD	CHARLES STREET
8	266	6	OLD COURT HOUSE	MONTEREY DRIVE
8	286	5	MARCUS AVE.	MEADOW FARM ROAD
8	21114	7H&681&684B	DENTON AVE.	HILLSIDE AVE.
3	F01	31	WEBSTER AVENUE	BROOKWOLD DRIVE
9	522	39	HERRICKS ROAD	WILSON BOULEVARD
7	157	13	DOGWOOD ROAD	PARKVIEW DRIVE
7	318	25	WILLIS AVE.	YALE ST.
11	504	7	UNION AVE	WANTAGH ST. PKWY
9	550	35	DENTON AVE.	JERICO TPKE.
7	209	6&34	ALBERTSON AVE.	I.U. WILLETS RD.
9	120	20	ROSLYN RD	HILLDALE RD
7	311	21	YALE ST	WILLIS AVE
9	657	63	WILLIS AVENUE	OLD MOTOR PKWY.
8	G	952	MARCUS AVE	NEW HYDE PARK RD
7	221	22	SHEPHERD LANE	SNAPDRAGON LANE

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

RESOLUTION NO. 84 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH GRIFFIN GREENHOUSE SUPPLIES INC. FOR REPAIR OF THE GREENHOUSE CONTROL SYSTEMS AT CLARK GARDENS.

WHEREAS, the Department of Parks and Recreation (the “Department”) requires the repair of the climate control system at Clark Gardens (the “Services”); and

WHEREAS, the Director of Purchasing (the “Director”) has recommended that the Town enter into an agreement with Griffin Greenhouse Supplies, Inc., 2165 Montauk Highway Brookhaven, New York 11719 (the “Contractor”) to perform the Services in consideration of an amount not to exceed Six Thousand Seven Hundred Thirty-Six and 00/100 Dollars (\$6,736.00) (the “Agreement”); and

WHEREAS, it has been determined that the Contractor is the sole source available to the Town for the Services, in accordance with the Town’s Procurement Policy; and

WHEREAS, the Director has requested that this Board authorize the Agreement.

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Purchasing Parks and Recreation

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. 85 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH UNITEMP INC. FOR HVAC SYSTEM MAINTENANCE AT MANORHAVEN BEACH PARK, PORT WASHINGTON.

WHEREAS, the Department of Parks and Recreation (the “Department”) requires HVAC system maintenance at Manorhaven Beach Park (the “Services”); and

WHEREAS, the Director of Purchasing (the “Director”) has recommended that the Town enter into an agreement with Unitemp Inc. (the “Contractor”) to provide the Services in consideration of the following amounts:

<u>Year</u>	<u>Amount</u>
1	\$4,908.00 per visit
2	\$5,030.00 per visit
3	\$5,155.00 per visit
4	\$5,283.00 per visit
5	\$5,415.00 per visit

(the “Agreement”); and

WHEREAS, staff of the Town have determined that the Contractor is a sole source for the Services in accordance with the Town’s Procurement Policy; and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

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

RESOLUTION NO. 86 -2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH SUNBELT RENTALS FOR THE RENTAL OF A SCISSOR LIFT FOR THE PARKS DEPARTMENT.

WHEREAS, the Town of North Hempstead (the “Town”) requires the rental of a scissor lift for the replacement of lights at the “Yes We Can” Community Center, New Cassel, New York (the “Rental”); and

WHEREAS, the Director of Purchasing (the “Director”) solicited two (2) quotes for the Rental, in accordance with the Town’s Procurement Policy; and

WHEREAS, Sunbelt Rentals, Inc., 150 Nassau Avenue, Islip, New York 11751 (“the Contractor”) submitted the lowest quote, proposing to provide the Rental in consideration of an amount not to exceed One Thousand Two Hundred Seventy-Four and 30/100 Dollars (\$1,274.30) (the “Contract Amount”); and

WHEREAS, the Director has requested that the Board authorize the Town to enter into an agreement with the Contractor to provide the Rental for the Contract Amount (the “Agreement”); and

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

NOW, THEREFORE, BE IT

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

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

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Admin Services Comptroller Purchasing

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

RESOLUTION NO. 87 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENTS WITH VARIOUS FIRMS FOR LEGAL SERVICES RELATED TO LABOR AND EMPLOYMENT MATTERS.

WHEREAS, the Town of North Hempstead requires the services of legal counsel in labor and employment matters (the “Services”); and

WHEREAS, the Director of Purchasing (the “Director”) issued a Request for Proposals (the “RFP”) for the Services, in accordance with the Town’s Procurement Policy; and

WHEREAS, following the review, analysis and scoring of the proposals submitted in response to the RFP, the Office of the Town Attorney has recommended the Bond, Schoeneck & King PLLC, Ingerman Smith LLP, Lamb & Barnosky LLP and Harris Beach PLLC provide the Services, at the direction of the Town Attorney, for a term of five (5) years with the option to renew for two (2) additional two (2) year terms at the rates shown in the proposals submitted by the aforementioned firms (the “Agreements”); and

WHEREAS, the Director has requested that this Board authorize the Agreements.

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee, be and hereby is authorized and directed to execute, on behalf of the Town, the Agreements, copies of which Agreements 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 Agreements 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 Agreements and certified claims therefor.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Parks

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

RESOLUTION NO. 88 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH NELSON, POPE & VOORHIS, LLC FOR RAIN GARDEN AND NATIVE GARDEN EDUCATIONAL WORKSHOPS.

WHEREAS, the Commissioner of the Department of Planning and Environmental Protection (the “Commissioner”) for the Town of North Hempstead (the “Town”) has recommended that this Board authorize the retention of a firm to prepare and present educational workshops on rain and native gardens and provide training for municipal employees on sustainable landscaping practices (the “Services”); and

WHEREAS, the Commissioner has recommended the retention of Nelson, Pope & Voorhis, LLC, 572 Walt Whitman Road, Melville, New York 11747 to provide the Services in consideration of an amount not to exceed One Thousand Five Hundred and 00/100 Dollars (\$1,500.00) for the rain and native garden workshops and an amount not to exceed Three Thousand Three Hundred and 00/100 Dollars (\$3,300.00) for the sustainable landscaping training (the “Agreement”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

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

RESOLUTION NO. 89 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PENFLEX, INC. FOR ACTUARIAL AND ADMINISTRATIVE SERVICES FOR THE ALBERTSON HOOK & LADDER, ENGINE & HOSE COMPANY #1 AND FLORAL PARK CENTRE FIRE CO. LENGTH OF SERVICE AWARD PROGRAMS.

WHEREAS, the Town of North Hempstead (the “Town”) is the sole sponsor of the Albertson Hook & Ladder, Engine & Hose Company #1 (“Albertson”) and the Floral Park Centre Fire Co. (“Floral Park”) Length of Service Award Programs (the “LOSAP Programs”); and

WHEREAS, the LOSAP Programs were established pursuant to Article 11-A of the General Municipal Law; and

WHEREAS, Penflex Actuarial Services, LLC. (“Penflex”), 50 Century Hill Dr., Suite 3, Latham, NY 12110 provides actuarial and administrative services (the “Services”) for various fire departments’ Length of Service Award Programs including the LOSAP Programs for Albertson and Floral Park; and

WHEREAS, the Comptroller’s Office has recommended that the Town enter into an agreement with Penflex to perform the Services for the LOSAP Programs for a term retroactively commencing on November 1, 2022 and terminating on October 31, 2023 in consideration of a total annual cost of Six Thousand and 00/100 Dollars (\$6,000.00) for the Albertson LOSAP Program and a total annual cost of Six Thousand and 00/100 Dollars (\$6,000.00) for the Floral Park LOSAP Program (collectively the “Agreements”); and

WHEREAS, the Town Board wishes to authorize the execution of the Agreements.

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

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. 90 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PAUMANOK-PORT WASHINGTON LODGE #855 F. & A. M. FOR THE USE OF A PORT WASHINGTON PUBLIC PARKING DISTRICT PARKING LOT FOR A CAR SHOW.

WHEREAS, the Port Washington Public Parking District (the “District”) owns certain real property known as Lot 1 located adjacent to Main Street and South Bayles Avenue in Port Washington, New York (the “Premises”); and

WHEREAS, Paumanok-Port Washington Lodge #855 F. & A.M., P.O. Box 867, Port Washington, New York 11050 (the “Licensee”) has requested that the Town, on behalf of the District, allow it to use a portion of the Premises consisting of the first two (2) rows of parking spaces to hold a car show on June 17, 2023 between 8:30 am and 3:30 pm, with a rain date of June 18, 2023, in consideration of payment to the Town in an amount not to exceed Four Hundred and 00/100 Dollars (\$400.00) and the Licensee being responsible for placing litter receptacles and collecting garbage at the Premises (the “Use”); and

WHEREAS, the Commissioner of the Town of North Hempstead’s Department of Public Safety has recommended that the Town grant the Licensee a license for the Use (the “License”) and authorize the execution of an agreement with the Licensee for the License (the “License Agreement”); and

WHEREAS, this Board wishes to grant the License and to authorize the Town to execute the License Agreement for the License.

NOW, THEREFORE, BE IT

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

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

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

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

RESOLVED that the Supervisor is authorized take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Public Safety

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

RESOLUTION NO. 91 - 2023

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE TOWN OF HUNTINGTON AND VARIOUS VENDORS FOR THE PURCHASE OF UNIFORMS.

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

WHEREAS, the Town of Huntington awarded bid #TOH 22-12R-063 entitled “Uniforms” to various vendors (the “Contractors”); and

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

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Admin Services Comptroller

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

RESOLUTION NO. 92 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH WESTBURY UNION FREE SCHOOL DISTRICT TO HOST A 2023 BLACK HISTORY MONTH EVENT AT WESTBURY MIDDLE SCHOOL.

WHEREAS, the Town of North Hempstead (the “Town”) requires the use of the auditorium at Westbury Middle School, 455 Rockland Street, Westbury, New York (the “Premises”) for a Black History Month celebration on February 15, 2023 (the “Event”); and

WHEREAS, the Westbury Union Free School District has required that the Town execute an indemnification agreement (the “Agreement”) in favor of the District for the use of the Premises for the Event; and

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

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Parks Department

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

RESOLUTION NO. 93 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH CASHIN ASSOCIATES, P.C. FOR ENGINEERING SERVICES FOR THE REPLACEMENT OF THE ROOF AT THE BUILDING OF THE DEPARTMENT OF PUBLIC WORKS, NEW HYDE PARK, DPW PROJECT NO. 18-09.

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town entered into an agreement with Cashin Associates, P.C. 1200 Veterans Memorial Highway, Hauppauge, New York 11788 for professional engineering services related to Replacement of Roof at the Building of The Department of Public Works, New Hyde Park, DPW Project No. 18-09 (the “Original Agreement”); and

WHEREAS, the Acting Commissioner of the Department of Public Works has recommended that the Town amend the Original Agreement in include a wage rate increase for construction administration/inspection fees and additional engineering services in connection with the redesigning of the project as a result of supply chain issues and the issuance of updated project bid documents, thereby increasing the contract amount under the Original Agreement by an amount not to exceed Thirteen Thousand Two Hundred Fifty and 00/100 Dollars (\$13,250.00) (the “Amendment”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

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. - 2023

A RESOLUTION AUTHORIZING THE ASSIGNMENT OF AN AGREEMENT FOR ENGINEERING SERVICES IN CONNECTION WITH THE STEPPING STONES LIGHTHOUSE TO GEI CONSULTANTS, INC. PC AND FURTHER AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE AGREEMENT.

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town entered into an agreement, as amended, with Rising Tide Waterfront Solutions – An Engineering Company, PLLC, 80 Killians Road, Suite 280, Massapequa, NY 11758 (“Rising Tide”) for professional engineering services related to Construction of Fixed Pier and Floating Dock at Stepping Stones Lighthouse, DPW Project No. 17-02 (the “Original Agreement”); and

WHEREAS, Rising Tide was acquired by GEI Consultants, Inc., P.C., 1000 New York Avenue, Suite B, Huntington Station, NY 11746 (“GEI”); and

WHEREAS, the Acting Commissioner of the Department of Public Works has recommended that the Original Agreement be assigned to GEI (“the Assignment”); and

WHEREAS, the Acting Commissioner of the Department of Public Works has further recommended that the Town amend the Original Agreement to include additional engineering services to update the project plans for conformance with current standards, file necessary permits with regulatory agencies, and prepare updated bid documents, thereby increasing the contract amount under the Original Agreement by an amount not to exceed Six Thousand Eight Hundred and 00/100 Dollars (\$6,800.00) (the “Amendment”); and

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

NOW, THEREFORE, BE IT

RESOLVED that the Assignment and Amendment be and hereby are authorized; and be it further

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

Ayes:

Nays:

cc: Town Attorney Comptroller

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

RESOLUTION NO. 94 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH CASHIN ASSOCIATES, P.C. FOR ENGINEERING SERVICES RELATED TO MICHAEL J. TULLY PARKING LOT REHABILITATION, NEW HYDE PARK, NEW YORK. DPW PROJECT NO. 15-02 (ENGINEERING).

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town entered into an agreement with Cashin Associates, P.C. 1200 Veterans Memorial Highway, Hauppauge, New York 11788 for professional engineering services related to Michael J. Tully Park Parking Lot Rehabilitation, New Hyde Park, New York, DPW Project No. 15-02 (the “Original Agreement”); and

WHEREAS, the Acting Commissioner of the Department of Public Works has recommended that the Town amend the Original Agreement in include a wage rate increase for construction administration/inspection fees and additional engineering services in connection with a firefighter training area and new parking lot lighting plan, including but not limited to, the preparation of survey and grading plan, review of site drainage, evaluation of electrical of new aboveground service, a geotechnical evaluation for new piles and caps to support new lighting plan and preparation of additional drawing and specifications to convey proposed work, thereby increasing the contract amount under the Original Agreement by an amount not to exceed Sixty Three Thousand Ninety-Three and 84/100 Dollars (\$63,093.84) (the “Amendment”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

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. 95 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH NELSON & POPE ENGINEERING, ARCHITECTURE, AND LAND SURVEYING, PLLC FOR ENGINEERING SERVICES RELATED TO IN KIND REPLACEMENT OF TOWN DOCK, PORT WASHINGTON, NY. DPW PROJECT NO. 19-03.

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement, as amended, with Nelson & Pope Engineering, Architecture and Land Surveying, PLLC, 70 Maxess Road, Melville, NY 11747 (the “Consultant”), to provide professional engineering services for the In-Kind Replacement of the Town Dock in Port Washington, NY, DPW Project No. 19-03 (the “Original Agreement”); and

WHEREAS, the Acting Commissioner of the Department of Public Works has recommended that the Town amend the Original Agreement to incorporate cost saving modifications to the bulkhead design and associated plan, finalization of the floating docks design, and re-permitting, due to the new NYSDEC General Permit for Bulkhead Replacement, effective October 25, 2022, which permits an existing bulkhead to remain in place and be re-sheathed rather than being removed and replaced in-kind, thereby increasing the contract amount under the Original Agreement by an amount not to exceed Twenty Eight Thousand Eight Hundred and 00/100 dollars (\$28,800.00) (the “Amendment”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney DPW 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. 96 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH P.W. GROSSER CONSULTING, INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO DREDGING OF LEEDS POND AND MILL POND, DPW PROJECT NO. 22-10.

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town entered into an agreement with P.W. Grosser Consulting Inc., 630 Johnson Avenue, Suite 7, Bohemia, New York 11716 for professional engineering services for Dredging of Leeds Pond and Mill Pond, DPW Project No. 22-10 (the “Original Agreement”); and

WHEREAS, the Acting Commissioner of the Department of Public Works has recommended that the Town amend the Original Agreement to enter into an agreement with P.W. Grosser Consulting Engineer & Hydrogeologist, P.C., 630 Johnson Avenue, Suite 7, Bohemia, New York 11716, a related entity (the “Amendment”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

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

RESOLUTION NO. 97 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH GEESE CHASERS LONG ISLAND NY LLC FOR GEESE CONTROL SERVICES ON TOWN PROPERTIES (TNH255-2021).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Geese Chasers, Long Island NY, LLC, 25 Oak Meadow Road, Commack, New York 11725 (the “Contractor”), for geese control at various Town parks (the “Original Agreement”); 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, including price (the “Options”); and

WHEREAS, the Director of Purchasing (the “Director”) has recommended that the Town amend the Original Agreement to exercise the second option to extend the term of the Agreement for an additional one (1) year period, commencing on February 25, 2023 and terminating on February 24, 2024 (the “Amendment”); and

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

NOW, THEREFORE, BE IT

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

RESOLVED the Supervisor 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

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

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

RESOLUTION NO. 98 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT WITH THE METRO GROUP, INC. FOR COOLING TOWER SERVICING, MAINTENANCE AND REPAIR (TNH231-2020).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with The Metro Group, Inc., 50-23 23rd Street, Long Island City, NY 11101 (the “Contractor”) for cooling tower servicing, maintenance, and repair (the “Original Agreement”); and

WHEREAS, the Original Agreement contained the option to renew the Original Agreement for a two (2) additional one (1) year periods (the “Options”), and

WHEREAS, the Director of Purchasing (the “Director”) has recommended that the Town exercise the first Option to amend the Original Agreement to extend the term of the Original Agreement for an additional one (1) year period commencing on March 31, 2023 and ending March 30, 2024 (the “Amendment”); and

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee is authorized 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

February 7, 2023

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

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

Nays: None.

cc: Town Attorney Purchasing Administrative Services

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

RESOLUTION NO. 99 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH JAMAICA ASH AND RUBBISH REMOVAL CO., INC. FOR THE COLLECTION AND DELIVERY OF WASTE AND RECYCLABLES FROM HARBOR LINKS GOLF COURSE (TNH079-2020).

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town of North Hempstead (the “Town”) entered into an agreement with Jamaica Ash and Rubbish Removal Co., Inc., 172 School Street, Westbury, NY 11590 (“Jamaica Ash”) for the collection and disposal of waste and paper recyclables from Harbor Links Golf Course, which Agreement expires on February 24, 2023 (the “Agreement”); and

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

WHEREAS, the Director of Purchasing (the “Director”) has recommended that the Town amend the Agreement to exercise the option to extend the term of the Agreement for an additional one (1) year period, commencing on February 25, 2023 and terminating on February 24, 2024 (the “Amendment”); and

WHEREAS, this 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 that the Supervisor is hereby authorized and directed to execute the Amendment on behalf of the Town, and to take such other action as may be necessary to effectuate the foregoing, copies of which will be on file in the Office of the Town Clerk; and be it further

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Parks

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

RESOLUTION NO. 100 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH BRAND DISTRIBUTERS, INC. D/B/A BRANDS CYCLE & FITNESS FOR FITNESS EQUIPMENT MAINTENANCE AND REPAIR (TNH254-2020).

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Brand Distributors Inc. DBA Brands Cycle & Fitness at 1966 Wantagh Avenue, Wantagh, NY 11793 (the “Contractor”) for fitness equipment maintenance, and repair (the “Original Agreement”); 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, including price (the “Options”); and

WHEREAS, the Director of Purchasing (the “Director”) has recommended that the Town exercise the second Option to amend the Original Agreement to extend the term of the Original Agreement for an additional one (1) year period commencing retroactively on January 22, 2023 and ending January 21, 2024 (the “Amendment”)

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor or her designee is authorized 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

February 7, 2023

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

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

Nays: None.

cc: Town Attorney Purchasing Parks and Recreation

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

RESOLUTION NO. 101 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH THE VISCARDI CENTER, INC. FOR PROGRAMMING FOR PERSONS WITH DEVELOPMENTAL DISABILITIES (TNH174-2017).

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town entered into an agreement with The Viscardi Center, Inc., 201 I.U. Willets Road, Albertson, New York 11507 (the “Contractor”) for management of a program for individuals with developmental disabilities, known as the CARE Program (the “Agreement”); and

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

WHEREAS, the Director of Purchasing (the “Director”) has recommended that the Town exercise the first Option to amend the Agreement to extend the term of the Agreement for an additional one (1) year period commencing retroactively on January 1, 2023 and ending December 31, 2023 (the “Amendment”); and

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

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

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

RESOLUTION NO. 102 - 2023

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT BETWEEN THE TOWN OF NORTH HEMPSTEAD AND THE TOWN OF BROOKHAVEN FOR THE DISPOSAL OF STREET SWEEPINGS.

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an intermunicipal agreement (the “Original Agreement”) with Town of Brookhaven, 1 Independence Hill, Farmingdale, New York 11738 (the “Brookhaven”), for the Town to transport and dispose of street sweepings deposited at the Town's transfer station at Brookhaven’s landfill in consideration of payment by the Town of Twenty-One and 50/100 Dollars (\$21.50) per ton of street sweepings deposited (the “Services”); and

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

WHEREAS, the Commissioner of Solid Waste Management (the “Commissioner”) has recommended that the Town amend the Original Agreement to exercise the first Option to extend the term of the Original Agreement for an additional one (1) year period commencing on January 1, 2023 and terminating on December 31, 2023 (the “Amendment”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

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

RESOLUTION NO. 103 - 2023

A RESOLUTION AUTHORIZING THE PURCHASE OF RECORD STORAGE SERVICES FOR THE OFFICE OF THE TOWN CLERK FROM IRON MOUNTAIN.

WHEREAS, the Town of North Hempstead Office of the Town Clerk (the “Office”) requires record storage services for inactive Town records for a term beginning January 1, 2023 and ending December 31, 2023 (the “Services”); and

WHEREAS, the Office has retained Iron Mountain, 2 Sun Court, Norcross, Georgia 30092 (the “Contractor”) to provide the Services; and

WHEREAS, it has been determined that the Contractor is the sole source available to the Town for the Services, in accordance with the Town’s Procurement Policy; and

WHEREAS, it has been recommended that the Town Board ratify the Office’s actions in using the Contractor to provide the Services and to authorize payment of all invoices for the Services in an amount not to exceed Five Thousand Five Hundred and 00/100 Dollars (\$5,500.00) (the “Purchase”); and

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

NOW, THEREFORE, BE IT

RESOLVED that the action of the Office in using the Contractor to provide the Services be and hereby is ratified; and be it further

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller Clerk

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

RESOLUTION NO. 104 -2023

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

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

WHEREAS, the Director of Purchasing has recommended that the Town purchase the eCode Services from General Code, LLC, PO Box 772512, Detroit, Michigan 48277 for a term of one (1) year in consideration of an amount not to exceed One Thousand One Hundred Ninety-Five and 00/100 Dollars (\$1,195.00) (the "General Code Purchase"); and

WHEREAS, the Director of Purchasing has recommended that the Town purchase the BAS Services from Edmunds GovTech, 301 Tilton Road, Northfield, New Jersey 08225 for a term of one (1) year in consideration of an amount not to exceed Four Thousand Seven Hundred Fifty-Eight and 60/100 Dollars (\$4,758.60) (the "BAS Purchase"); and

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

WHEREAS, this Board finds it to be in the best interest of the Town to authorize the General Code Purchase, the BAS Purchase and the Precision Microproducts Purchase (collectively the "Purchases").

NOW, THEREFORE, BE IT

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

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

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

RESOLUTION NO. 105 - 2023

A RESOLUTION AUTHORIZING THE APPOINTMENT OF PROFESSIONALS FOR VARIOUS COMMISSIONER OPERATED SPECIAL DISTRICTS.

WHEREAS, the Board of Commissioners of the Great Neck Park District (the “District”) has advised the Town Board of its desire to appoint McLaughlin & Stern, LLP, 1122 Franklin Avenue, Suite 300, Garden City, NY 11530 to provide the District with legal counsel for the year 2023; and

WHEREAS, the Board of Commissioners of the Manhasset Park District (the “District”) has advised the Town Board of its desire to appoint Morici and Morici LLP, 1399 Franklin Avenue #202, Garden City, NY 11530 to provide the District with legal counsel for the year 2023; and

WHEREAS, the Board of Commissioners of the Garden City Park Water and Fire District (the “District”) has advised the Town Board of its desire to appoint Rivkin Radler, LLP, 926 RXR Plaza, West Tower, Uniondale, NY 11556; Sapienza & Frank, 5550 Merrick Road, Suite 301, Massapequa, New York 11758; and Christopher Devane, ESQ, 114 Old Country Road, Suite 345, Mineola, New York 11501 to provide the District with legal counsel services and H2M Architects & Engineers, 538 Broadhollow Road, Melville, NY 11747 to provide the District with engineering services for the year 2023; and

WHEREAS, the Board of Commissioners of the Roslyn Garbage District (the “District”) has advised the Town Board of its desire to appoint Librett Friedland, LLP, 1225 Franklin Avenue, Suite 450, Garden City, NY 11530 to provide the District with legal counsel services for the year 2023; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Board hereby approves these appointments of Professionals to provide the Districts with services for the year 2023.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

PROPOSED RESOLUTION

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

RESOLUTION NO. - 2023

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE TOWN BOARD RULES OF PROCEDURE.

WHEREAS, Town Law '63 allows the Town Board to adopt Rules of Procedure (the "Rules"); and

WHEREAS, the Town Board has heretofore adopted such rules and subsequently amended same; and

WHEREAS, the Town Board wishes to further amend the Rules as shown in Exhibit A attached hereto and made a part hereof (the "Amendments").

NOW, THEREFORE, BE IT

RESOLVED that the Amendments to the Rules are hereby approved.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

Ayes:

Nays:

TOWN BOARD RULES OF PROCEDURE

Article 1: Declaration of Intent

It is the intent of this Town Board that its meetings and public hearings be conducted in as efficient a manner as practicable. It is also this Town Board's intention that participants recognize the importance of the business being conducted, and the importance of basic courtesy, respect and decorum in the Board's proceedings. These Rules of Procedure are intended to encourage efficiency and courtesy in the conduct of the business of the people of this Town.

Article 2: Definitions

For the purposes of this resolution,

- A. "Calendar" means a list or schedule of resolutions or other legislative items for consideration or disposition, or an agenda.
- B. "Members" means members of the Town Board, comprising the Town Supervisor and the Council members.
- C. "Reserve decision" means to refrain from taking a final vote or other disposition on a proposal until a future date.
- D. "Town Board" means the Town Supervisor and the Council members.
- E. "Town Law" means the New York State Town Law.
- F. "Urgent or of an emergency nature" means a pressing or critical situation that poses or may pose an immediate risk to, or have an immediate negative impact upon, health, life, safety, property, economy, environment or Town governance requiring prompt action or attention. For purposes of this definition, a resolution approving the action of a fire company to add to, or remove from, membership shall be deemed urgent.

Article 3: Scope

These Rules of Procedure shall apply to all meetings and public hearings of the Town Board and of all special districts or other bodies for which the Town Board serves as Commissioners, Directors or Trustees.

Article 4: Conditions of Meetings and Hearings

- A. Location of Meetings. All meetings and public hearings of the Town Board shall, unless otherwise specified in public notices, be held in the Main Hearing Room on the second floor of Town Hall, 220 Plandome Road. By a majority vote, and with appropriate public notice, the Town Board may designate alternative meeting and public hearing locations within the Town, or use videoconferencing when authorized by local law

adopted by the Town Board and in accordance with Section 103-a of the Public Officers Law, or authorize meetings to be held remotely by conference call or similar service when authorized by New York State law.

- B. Time of Meetings. Meetings and hearings of the Town Board, unless otherwise specified in public notices, shall begin at 7:00 p.m. Special or emergency meetings may be scheduled between 8:00 a.m. and 8:00 p.m.
- C. Time limits of Meetings. In the event that a public hearing continues beyond 12:00 midnight, the Board shall reserve decision, unless by majority vote the Town Board determines that delay is not in the public interest.
- D. Quorum. Four or more members of the Town Board, present at a meeting or hearing, constitute a quorum. If no quorum is present, no official votes on any resolution or local law may be taken, and the meeting may be adjourned on the motion of one member of the Town Board.
- E. Actions. No action, resolution, local law or ordinance shall be adopted without the affirmative vote of a majority of Members then in office.

Article 5: Organization of the Town Board

- A. If present, the Supervisor shall preside at all meetings and hearings of the Town Board. If the Supervisor is absent, the Deputy Supervisor shall preside. If both the Supervisor and the Deputy Supervisor are absent, the members present shall select by majority vote a presiding officer for the meeting or hearing. The Supervisor may, in the course of a meeting or hearing, temporarily designate another Member as acting presiding officer.
- B. During meetings or hearings, the Town Attorney or his/her designee shall act as counsel to the Town Board and as Parliamentarian.
- C.
 - (1) During meetings or hearings, the Town Clerk shall act as secretary of the Town Board.
 - (2) Notwithstanding any other responsibilities pursuant to state law, the Town Clerk shall be responsible for keeping summary minutes, including a written record of all proceedings and votes, and for maintaining and publishing such records. The minutes shall be made available to the public by the Town Clerk within seven calendar days of any meeting or hearing.
 - (3) A certified stenographic reporter shall be present to record a precise transcript of all proceedings. The transcript shall be made available to the public by the Town Clerk within twenty-one calendar days of any meeting or hearing.

Article 6: Calendar of the Town Board

- A. The Town Attorney shall be responsible for preparation of the Calendar of each Town Board meeting. The Calendar shall include all items properly submitted to the Town Attorney in accordance with this Article. Each item on the Calendar shall include a “synopsis” of the item’s effect in plain English, where the caption is not otherwise clear.
- B. Members wishing to place resolutions or other legislation on a Town Board Calendar shall submit a memorandum in writing, electronically through the agenda management system utilized by the Town, to the Town Attorney or the Town Attorney’s designee with appropriate descriptions and support materials attached. The memorandum shall include a suggested “synopsis” for the calendar which explains in plain English the effect of the proposal. Such memorandum shall be submitted not later than 5 p.m. on the fourteenth calendar day prior to a scheduled Town Board meeting. Applications for approval of a site plan must demonstrate compliance with the Long Island Workforce Housing Act, where applicable.

The Town Attorney shall prepare in proper form for consideration by the Town Board any resolution or other legislation submitted in such manner.

If a proposed item is not in proper form, or if the submission is otherwise insufficient, the Town Attorney’s office shall notify the Member making the proposal in writing within three business days of its receipt by the Town Attorney as to the nature of the deficiency and, upon request, shall assist said Member in making the necessary corrections.

- C. No resolution or other legislation shall be placed on the Calendar of any meeting without the written request of a Member, **except that a Department Head may submit a resolution request on behalf of a Member. Any resolution request submitted by a Department Head shall identify the Member on whose behalf the item is submitted. For all purposes herein, an item submitted by a Department Head shall be deemed to have been submitted by the Member.**
- D. Members, and their designees, shall be notified contemporaneously upon the submission of each and every item submitted through the electronic agenda management system. Members, and their designees, shall at all times have equal and unrestricted access to view all Calendars and all backup materials for any prior or future meeting of the Town Board, including draft Calendars. No Member or their designee shall have access to the electronic agenda management system that is not the same as any other Member. Only the Town Attorney or his/her designee shall have the authority to delete Calendar items.
- E. Not later than 5PM on the third calendar day¹ prior to a scheduled meeting, the Town Attorney shall make available to each Member and the Town Clerk, the Calendar in its final form, together with all backup materials, and a copy of each resolution or other legislation which has been placed on a Calendar, except that a proposed Local Law must

¹ For a Town Board meeting scheduled on a Thursday, the third calendar day prior to the meeting shall be the preceding Monday. If the preceding Monday is a public holiday, the Town Attorney shall make the required information available no later than the preceding Tuesday at 2:00pm.

be placed on the desk of each member not less than seven (7) calendar days, exclusive of Sunday, prior to its final passage or otherwise delivered to each of the Members in accordance with Municipal Home Rule Law Section 20(4).

F. The Member who submitted the written request that a resolution or other legislation be placed on the Calendar may withdraw the request and remove the item from consideration at any time prior to the call to order of the meeting. The Supervisor will announce the change in the Calendar at the appropriate time pursuant to Article 7.

G. Urgent or Emergency Matters.

(1) Additional resolutions or legislation considered urgent or of an emergency nature may be added to the Calendar after 5 p.m. on the fourteenth calendar day prior to a scheduled Town Board meeting, but prior to the Calendar being publicly posted, in the following manner:

(a) If the resolution is to schedule a matter for a Public Hearing at a future date or to approve the action of a fire company to add to, or remove from, membership, it may be added by any member; or

(b) All other resolutions may be added only at the request of the Supervisor or two Members of the Town Board.

The request shall be submitted in writing, electronically through the agenda management system, and shall identify the Member(s) making the request, together with an explanation identifying the urgent or emergency nature. Such resolutions or legislation will be added at the end of the Calendar.

(2) Once a regular meeting Calendar has been publicly posted, additional resolutions or legislation considered urgent or of an emergency nature (also referred to as an “added starter” resolution) may be added to the Calendar after the Calendar is publicly posted, including after commencement of any meeting, by the Town Supervisor or by a majority vote of the Town Board, only in an extraordinary circumstance, provided that no local law may be adopted by emergency by the Town Board except in accordance with Municipal Home Rule Law Section 20(4). Added resolutions or legislation will be added to the end of the Calendar. Except where impracticable, a resolution or legislation sought to be added to the Calendar under this section shall be distributed to all Members, the Town Clerk and the Town Attorney, not later than three hours prior to the scheduled start of the Town Board meeting.

The request shall be submitted in writing, electronically through the agenda management system, and shall identify the Member(s) making the request, together with a statement identifying: (i) the urgent or emergency nature; and (ii) the extraordinary circumstance. As used in this section, “extraordinary circumstance” shall mean a circumstance where the sponsoring Member could not anticipate or foresee the need for the added starter resolution prior to the Calendar being publicly posted.

H. The Town Attorney is authorized to recommend specific guidelines, requirements or

formats for requests that a resolution or other legislation be placed on the Calendar. Any such guidelines, requirements or formats shall be described in writing and shall apply to all Members.

Article 7: Order of Business

Unless suspended or changed, without debate, by a majority vote of the Members, the following shall be the order of business of meetings:

- A. Call to order by the Supervisor or acting presiding officer
- B. Recital of the Pledge of Allegiance to the flag
- C. Roll Call of Members by Town Clerk to determine attendance and quorum
- D. Announcements and Special Presentations
- E. Public Comments
- F. Announcement of changes in the Calendar
- G. Disposition of the Calendar, which shall be arranged in the following order:
 - i. Site plan review business
 - ii. Public Hearings
 - iii. Resolutions
 - iv. Other hearings
- H. Adjournment
- I. Additional Public Comments, if any

Article 8: Motions and Proceedings

- A. The vote on every question shall be by “ayes” and “noes.” An abstention, silence or absence shall not be considered either an affirmative or a negative vote for the purposes of determining the final vote on a matter. A Member may pass his or her vote once per question and will be called on again after the voting order is completed. When polled by the Town Clerk, voting shall be done in council district order with the Supervisor being polled last.
- B. The names of the Members present and their votes upon every question shall be entered in the minutes and transcripts of the Town Board.
- C. The following motions shall be received by the Supervisor or acting presiding officer, and these motions shall have precedence in the order stated:

1. For an adjournment of the meeting or hearing, or to continue a hearing past midnight.
 2. For a Call of the Town Board (a roll call to determine attendance or quorum)
 3. To temporarily suspend the Rules of Procedure.
 4. To change the arrangement of the Calendar
 5. To enter an Executive Session, pursuant to the Open Meetings Law
 6. To recess the Town Board temporarily
 7. To lay on the table (to temporarily place a matter aside) or to take from the table
 8. To postpone to a certain day (to reserve decision or)
 9. Refer a resolution or other legislation to a Committee of the Board, consisting of not less than one nor more than three Members for a period not to exceed ninety (90) days. Said Committee shall report its findings to the Board in writing at least seven calendar days before a scheduled Town Board meeting within the aforementioned ninety day period and the resolution or legislation shall be placed on the calendar of the next scheduled Town Board meeting after said report is made to the Members.
The Committee shall be appointed by a majority vote of the Town Board as part of the motion to Refer
 10. For the previous question (to call for a vote on the matter under consideration)
 11. To amend
- D. A motion to reconsider a vote may be made only during the same meeting on which the vote proposed to be reconsidered was taken. A motion to reconsider may be made under any order of business. This subsection shall not be deemed to limit the authority of the Town Board, at a subsequent meeting, to pass a resolution rescinding or modifying any previous resolution.
- E. Neither debate, nor a motion to reconsider, shall be entertained for any motion to adjourn, for a Call of the Town Board, to lay on the table, to take from the table, or for the previous question.
- F. Except as otherwise required by law, any rule of the Town Board may at any time be temporarily suspended for special reasons by a majority vote of all of the Members of the Town Board. Whether “special reasons” present themselves is to be decided on a case-by-case basis and shall be stated on the record prior to voting on a motion to suspend the rules. No permanent alteration may be made except, in writing, by resolution of the Town Board, duly filed prior to the meeting in accordance with these rules.

Article 9: Conduct of Meetings

- A. The Supervisor shall maintain order at Town Board meetings.

- B. No member of the public shall be permitted to address the Town Board unless recognized by the Supervisor or acting presiding officer.
- C. Persons addressing the Town Board shall address their remarks to the Town Board only, and not to other members of the audience in the form of a debate.
- D. Persons addressing the Town Board, including during public comment, shall state their name and home community, and shall state their business or question within three minutes. The Supervisor may allow a speaker to continue if time permits.
- E. Members of the public shall be permitted to address the Town Board regarding any resolution or other legislative proposal then under consideration, after Members have had a chance to address questions or comments on the proposal. For resolutions not subject to a public hearing, the Supervisor may limit the number of such questions or comments.
- F. Speakers who wish to submit documents to the Town Board for consideration during a Public Hearing shall provide a copy of the document to the Town Clerk who shall mark each of the documents with the date of the meeting, the agenda number, the name of the speaker and if more than one document is submitted, each document shall be itemized "Name of Speaker- document 1" etc.
- G. For regularly scheduled meetings, there may be a period of public comment not exceeding 30 minutes in duration, except that the Supervisor, in his/her discretion, may extend such time limitation. This period of public comment shall occur prior to the announcement of changes in the Calendar, if any, or disposition of the Calendar. After adjournment, there shall be an additional period of public comment, the duration of which shall be determined by the Supervisor. Subject to the requirements of Article 9, Paragraph D, members of the public shall be permitted to address the Town Board on any subject not on the Calendar or under consideration at that meeting or hearing. No stenographic transcript of this public comment period is required.
- H. The Town Board may invite and permit residents of the Town or other guests to participate in a meeting.
- I. The Supervisor may designate an area or areas of the meeting room to be reserved for special guests, for witnesses, or for the news media.
- J. The use of handheld sound or video recording devices by the public is allowed, unless the recording devices or their use interrupt and interfere with the orderly conduct of the meeting or with the ability of the public to hear or see the proceedings.
- K. The Supervisor may order anyone who violates these Rules to leave the meeting room. If the person refuses to leave, the Supervisor may direct that any law enforcement officer present shall remove the offending person from the meeting room.

- L. Effective February 25, 2014, Town Board meetings shall be broadcast and accessible on the Town of North Hempstead's website. Viewing will be made available via live video streaming at the time of the meeting.

PROPOSED RESOLUTION

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

RESOLUTION NO. - 2023

A resolution authorizing that Noticia Long Island be added as additional newspaper to the list of designated newspapers for publication.

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

RESOLUTION NO. 106 - 2023

A RESOLUTION AMENDING RESOLUTION NO. 529-2022, ADOPTED OCTOBER 13, 2022 AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE LONG ISLAND NETS BY AND THROUGH THE BROOKLYN NETS, LLC TO USE THE NORTH HEMPSTEAD “YES WE CAN” COMMUNITY CENTER AS THE OFFICIAL PRACTICE FACILITY OF THE LONG ISLAND NETS.

WHEREAS, pursuant to Resolution No. 529-2022, duly adopted on October 13, 2022, the Town Board authorized the execution of a license agreement with the Long Island Nets, a National Basketball Association Development League team associated with the Brooklyn Nets (the “Licensee”) to use the North Hempstead “Yes We Can” Community Center (the “Community Center”) as its official practice facility for a term commencing retroactively on September 1, 2022 and ending August 30, 2023 in consideration of payments to the Town based on Licensee’s actual hours of use of the various areas at the Community Center at agreed upon hourly rates for each area, in addition to providing the Town tickets to Long Island Nets games at Nassau Veterans Memorial Coliseum for Town residents and holding basketball and fitness clinics for youth in the community (the “Resolution”); and

WHEREAS, the Commissioner of the Department of Parks and Recreation has requested that the Resolution be amended to provide that the monetary consideration paid by the Licensee to the Town shall be reduced by the value of up to thirty tickets for each Long Island Nets game at Nassau Veterans Memorial Coliseum, each ticket having an estimated value of Fifteen and 00/100 Dollars (\$15.00), and by Licensee’s provision of 1,000 tote bags to the Community Center valued at Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00) (the “Amendment”).

NOW, THEREFORE, BE IT

RESOLVED that the Resolution be and hereby is amended to reflect the Amendment; and be it further

RESOLVED that the Board hereby authorizes and directs the Supervisor or her designee to execute any and all documents necessary to effectuate the foregoing; and be it further

RESOLVED that the Town Attorney is hereby authorized and directed to negotiate and supervise the execution of any documentation, and to take such related action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney

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

RESOLUTION NO. 107 - 2023

A RESOLUTION AMENDING RESOLUTION NO. 645-2022, ADOPTED DECEMBER 15, 2022, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH RISING TIDE WATERFRONT SOLUTIONS - AN ENGINEERING COMPANY, PLLC FOR ENGINEERING SERVICES RELATED TO NHBP CREW DOCK IMPROVEMENTS, DPW PROJECT NO. 23-03.

WHEREAS, pursuant to Resolution No. 645-2022, duly adopted on December 15, 2022, the Town Board authorized the execution of an agreement with Rising Tide Waterfront Solutions – An Engineering Company, PLLC (“Rising Tide”) for engineering services related to NHBP Crew Dock Improvements, DPW Project No. 23-03 (the “Resolution”); and

WHEREAS, Rising Tide was acquired by GEI Consultants, Inc., PC, 1000 New York Avenue, Suite B, Huntington Station, NY 11746; and

WHEREAS, it has been requested that the Resolution be amended to reflect that the Town execute the agreement with GEI Consultants, Inc., PC, 1000 New York Avenue, Suite B, Huntington Station, NY 11746 for engineering services related to NHBP Crew Dock Improvements, DPW Project No. 23-03 (the “Amendment”).

NOW, THEREFORE, BE IT

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

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: Councilperson Walsh.

cc: Town Attorney

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

RESOLUTION NO. 108 - 2023

A RESOLUTION DECLARING ARBOR DAY IN THE TOWN OF NORTH HEMPSTEAD FOR 2023.

WHEREAS, the Town Board of the Town of North Hempstead (the “Town”) wishes to designate May 6, 2023 for the official observance of Arbor Day in the Town.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby designates the observance of Arbor Day in the Town to occur on May 6, 2023.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

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

RESOLUTION NO. 109 - 2023

A RESOLUTION TERMINATING AN AGREEMENT WITH STALCO CONSTRUCTION INC. IN CONNECTION WITH CONSTRUCTION OF THE NORTH SIDE YARD VEHICLE AND EQUIPMENT WASH BAY DPW PROJECT NO. 15-09.

WHEREAS, pursuant to Resolution No. 72-2020, adopted on February 27, 2020, the Town of North Hempstead (the “Town”) awarded a bid to, and entered into an agreement with, Stalco Construction Inc., 1316 Motor Parkway, Islandia, NY 11749 (“Stalco”) in connection with Construction of North Side Yard Vehicle and Equipment Wash Bay, DPW Project No. 15-09 (the “Contract”); and

WHEREAS, following numerous conversations with the Town Department of Public Works, the project was unable to be completed; and

WHEREAS, the Contract allows for termination of the agreement by the Acting Commissioner of the Town Department of Public Works following a vote by this Board; and

WHEREAS, the Acting Commissioner of the Town Department of Public Works has determined that this Contract shall be terminated and has requested that this Board so authorize.

NOW, THEREFORE, BE IT

RESOLVED that the Contract with Stalco in connection with Construction of North Side Yard Vehicle and Equipment Wash Bay, DPW Project No. 15-09 shall be terminated in accordance with the determination of the Acting Commissioner of the Town Department of Public Works.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney DPW

PROPOSED RESOLUTION

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

RESOLUTION NO. - 2023

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO A CAPITAL FUND.

WHEREAS, the American Rescue Plan Act (ARPA) signed into law by the President of the United States in March 2021, provides approximately \$350 billion in financial assistance to state, local and tribal governments to assist in the continued relief from the impact of the Covid-19 pandemic; and

WHEREAS, the Office of the New York State Comptroller (the “State Comptroller”) is tasked with disbursing allocated ARPA funding to eligible cities, towns and villages within the state; and

WHEREAS, the Town of North Hempstead received \$10,114,021.27 under the State and Local Fiscal Recovery Fund program approved by the ARPA (the “ARPA Funding”) to cover revenue loss in 2020, which funds were accepted by this Board pursuant to Resolution 156-2022, duly adopted on March 31, 2022, and recorded to the General Fund; and

WHEREAS, the Board desires to transfer ARPA Funding in the amount of \$1,200,000.00 from the General Fund to capital account HA1725 with an expense to be recorded to expense code HA1725.00.7997.2000 for Improvements to Fuschillo Park, DPW Project No. 19-15; and

WHEREAS, after careful consideration, the Board finds it in the best interests of the Town to transfer ARPA Funding from the General Fund to a capital fund as outlined above (the “Transfer”).

NOW, THEREFORE, BE IT

RESOLVED that the Board hereby authorizes the Transfer 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

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Walsh, Supervisor DeSena.

Nays: Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Zuckerman.

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. 110 - 2023

A RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD AUTHORIZING THE EXPENDITURE OF AN AMOUNT NOT IN EXCESS OF \$23,286.68 CURRENTLY AVAILABLE IN THE TOWN'S CAPITAL RESERVE FUND ENTITLED "CAPITAL RESERVE FUND - GENERAL IMPROVEMENTS" TO PROVIDE FUNDING FOR THE REPLACEMENT OF SEWAGE PUMPS AND ELECTRICAL COMPONENTS AT PUMP S STATION IN PORT WASHINGTON.

THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town of North Hempstead, in the County of Nassau, New York (herein called the "Town"), is hereby authorized to expend an amount not in excess of \$23,286.68 currently available in the Town's capital reserve fund entitled "Capital Reserve Fund - General Improvements," heretofore established pursuant to a resolution of the Town Board duly adopted on January 2, 2002 (Resolution No. 27-2002) pursuant to Section 6-c of the New York General Municipal Law, for the purpose of providing funding for the replacement of sewage pumps and electrical components at Pump S Station in Port Washington.

Section 2. This resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed to cause to be published, within ten (10) days after the adoption of this resolution, in full, in Newsday, a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication, a Notice in substantially the following form:

TOWN OF NORTH HEMPSTEAD, NEW YORK

PLEASE TAKE NOTICE that on February 7, 2023, the Town Board of the Town of North Hempstead, in the County of Nassau, New York, adopted a resolution entitled:

A RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED FEBRUARY 7, 2023, AUTHORIZING THE EXPENDITURE OF AN AMOUNT NOT IN EXCESS OF \$23,286.68 CURRENTLY AVAILABLE IN THE TOWN'S CAPITAL RESERVE FUND ENTITLED "CAPITAL RESERVE FUND - GENERAL IMPROVEMENTS" TO PROVIDE FUNDING FOR THE REPLACEMENT OF SEWAGE PUMPS AND ELECTRICAL COMPONENTS AT PUMP S STATION IN PORT WASHINGTON.

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to expend an amount not in excess of \$23,286.68 currently available in the Town’s capital reserve fund entitled “Capital Reserve Fund - General Improvements,” heretofore established pursuant to a resolution of the Town Board duly adopted on January 2, 2002 pursuant to Section 6-c of the New York General Municipal Law, for the purpose of providing funding for the replacement of sewage pumps and electrical components at Pump S Station in Port Washington; and

SECOND: DETERMINING that such resolution is subject to a permissive referendum.

DATED: February 7, 2023

Manhasset, New York

Ragini Srivastava
Town Clerk

Section 3. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

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

Nays: None.

CERTIFICATE

I, Ragini Srivastava, Town Clerk of the Town of North Hempstead, in the County of Nassau, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of the Town of North Hempstead duly called and held on February 7, 2023, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of North Hempstead this 7th day of February, 2023.

(SEAL)

Town Clerk

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

RESOLUTION NO. 111 - 2023

A RESOLUTION CALLING FOR THE RESIGNATION OF GEORGE SANTOS.

WHEREAS, George Santos has admitted that he has lied and fabricated his education and employment history to the voters of the 3rd Congressional District and the public at large; and

WHEREAS, George Santos has failed to answer additional questions about his campaign finances and has misrepresented family persecution during the Holocaust. He has misused of the term Jewish and has made false statements about the victims at the Pulse Nightclub massacre.

WHEREAS, Town residents could struggle to have their federal needs met and George Santos does not have the ability to be an effective congressman to advocate for his residents as has already had to step down from his committee assignments; and

WHEREAS, George Santos is currently under local, state, federal, and international investigation; and

WHEREAS, George Santos is a distraction and not fit for office. There is no desire for his continued representation of the residents of the 3rd Congressional District;

NOW, THEREFORE, BE IT

RESOLVED that the Town of North Hempstead hereby calls for resignation of George Santos as Congressman of the 3rd Congressional District.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

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. 62 - 2023

A RESOLUTION URGING THE UNITED STATES HOUSE OF REPRESENTATIVES TO EXPEL CONGRESSMAN GEORGE ANTHONY DEVOLDER SANTOS.

WHEREAS, Congressman George Anthony Devolder Santos (“Congressman Santos” or “George Santos”) is a member of the United States House of Representatives, serving in the 118th Congress and representing New York’s 3rd Congressional District, which encompasses the entire Town of North Hempstead; and

WHEREAS, prior to Election Day 2022, it was known that George Santos spoke at a “Stop the Steal” rally in Washington D.C. on January 5, 2021, and claimed “they did to me what they did to Donald J. Trump, they stole my election” when referencing his 2020 congressional loss to Congressman Tom Suozzi; and

WHEREAS, it was also known that George Santos attended a rally at the Ellipse on January 6, 2021 prior to the insurrection at the Capitol Building and that he later claimed to have written a “nice check” to support January 6 defendants with their legal fees; and

WHEREAS, on or about April 1, 2022, the Daily Beast reported that George Santos had been employed at Harbor City Capital, a company that the Securities and Exchange Commission accused of operating as a Ponzi scheme; and

WHEREAS, on or about September 26, 2022, Supervisor Jennifer DeSena publicly endorsed George Santos calling him “a friend and a true leader”; and

WHEREAS, in October 2022, the North Shore Leader, in its endorsement of George Santos’ opponent, called George Santos a “fabulist- a fake” and, among other things, questioned George Santos’ veracity and his campaign finances; and

WHEREAS, following his election in November 2022, on December 19, 2022, the New York Times published an article exposing unsubstantiated claims made by George Santos regarding, among other things, his education, prior employment, evictions and real estate investments, and disclosure forms; and

WHEREAS, after the New York Times article was published, Congressman Santos admitted to fabricating material details about his education, work experience and personal life; and

WHEREAS, in December 2022, North Hempstead Councilmembers Robert Troiano, Peter Zuckerman, Veronica Lurvey, and Mariann Dalimonte supported the call for George Santos to not be seated and resign from Congress; and

WHEREAS, on January 7, 2023, Hon. Kevin McCarthy was elected Speaker of the House of Representatives with a vote from George Santos; and

WHEREAS, on January 11, 2023 Town Supervisor Jennifer DeSena alongside other local Republican officials called for Congressman Santos to resign; and

WHEREAS, amid his plethora of lies, a few of Congressman Santos' falsehoods stand out as particularly egregious and hurtful to the North Hempstead community: that the September 11, 2001 terrorist attack claimed his mother's life and that his grandparents survived the Holocaust; and

WHEREAS, the Town of North Hempstead is a Long Island suburb of New York City, which was immeasurably impacted by the 9/11 terrorist attacks, including the immediate loss of 56 beloved residents, the enduring grief on their families and the protracted illnesses suffered by our heroic first responders; and

WHEREAS, the Town of North Hempstead is also a diverse community consisting of residents from many ethnicities and religious backgrounds, including a large Jewish population. Of those Jewish residents, there are many who had actual relatives survive and/or perish in the Holocaust; and

WHEREAS, inclusive in our diverse North Hempstead community is a large minority population; and

WHEREAS, for several years, the Town has been engaged in the "Not in Our Town" campaign to bring awareness to and stamp out discrimination, hatred and bullying in all their forms; and

WHEREAS, Congressman Santos' apparent flashing of a white supremacist symbol in the House Chamber is repugnant to North Hempstead residents, is exceptionally offensive to our minority community and is unbecoming of an elected representative—it is also antithetical to the Not in Our Town campaign; and

WHEREAS, a multitude of law enforcement agencies on the federal, state and local level have commenced investigations into Congressman Santos' finances and campaign disclosures—and Congressman Santos is entitled to due process with respect to those allegations; and

WHEREAS, irrespective of partisanship and criminal investigations, the residents of the Town of North Hempstead expect their Congressional representative to possess integrity, to be a decent and honest human being, and to effectively serve the public interest in our Nation's Capital; and

WHEREAS, the residents of the Town of North Hempstead are not being effectively represented in Congress following Congressman Santos' purported voluntary resignation from House committee assignments; and

WHEREAS, the Town relies on its Congressional representative to advocate for and provide federal resources to the Town, including federal funding for the Town's award-winning Project Independence program—all of which is at risk without an effective Congressional representative; and

WHEREAS, after all of his lies, and despite his pronouncement, Congressman Santos is incapable of providing "federal level representation without distraction"; and

WHEREAS, Congressman Santos has failed to live up to the standards that his constituents expect of him; and

WHEREAS, Congressman Santos has irredeemably breached the public trust, has lost the confidence of his constituency and is incapable of effectively performing his Congressional duties; and

WHEREAS, Congressman Santos should resign from Congress; and

WHEREAS, to date, Congressman Santos has refused to resign his office; and

WHEREAS, pursuant to Article I, Section 5, Clause 2 of the United States Constitution, the House of Representatives has the authority to expel a Member with the concurrence of two-thirds; and

WHEREAS, the Town Board of the Town of North Hempstead, on behalf of its residents, urges the United States House of Representatives to expel Congressman Santos from its ranks forthwith.

NOW, THEREFORE, BE IT

RESOLVED, that based on all of the lies, the breach of the public trust and the inability to effectively govern, the Town Board of the Town of North Hempstead, on behalf of its residents, urges the United States House of Representatives to expel Congressman Santos from its ranks forthwith; and be it further

RESOLVED, that the Town Board urges the other members of the Long Island Congressional Delegation (Congressman Nick LaLota of the 1st Congressional District, Congressman Andrew Garbarino of the 2nd Congressional District and Congressman Anthony D’Esposito of the 4th Congressional District) to take any such action as may be required to pursue the expulsion of Congressman Santos; and be it further

RESOLVED, that Town Clerk shall send a copy of this resolution to the Speaker of the House, the Majority Leader, the Minority Leader, party whips, the Long Island Congressional Delegation and to the Office of Congressman Santos at the addresses listed in the attached distribution list no later than February 9, 2023.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: Councilperson Adhami.

cc: Town Attorney Town Clerk

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

RESOLUTION NO. 112 - 2023

A RESOLUTION AUTHORIZING THE SETTLEMENT OF A CLAIM MADE BY THE TOWN OF NORTH HEMPSTEAD AND AUTHORIZING THE COMPTROLLER OR DEPUTY COMPTROLLER TO ACCEPT PAYMENT THEREOF.

WHEREAS, the Town Attorney has requested the approval of the Town Board to enter Settlement Agreements in order to settle certain claims made on behalf of the Town for the reasons set forth in memorandum to the Board 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 enter into the proposed Settlement Agreements.

NOW, THEREFORE, BE IT

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

<u>Claimant</u>	<u>File No.</u>	<u>Amount</u>
TONH v. Pedro Pindea Quinonez (Geico)	COL-22-0005	\$25,000.00

; and be it further

RESOLVED that the Supervisor is authorized to execute the necessary settlement documents, on behalf of the Town, the Comptroller is authorized to accept payment for same and the Town Attorney may take further action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Town Attorney Comptroller

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

RESOLUTION NO. 113 - 2023

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

WHEREAS, approval of this Board has been requested for the employment, appointment, transfer, adjustment, correction, change in grade or salary and/or termination of certain individuals, employees and/or officials in various departments of the Town of North Hempstead (the “Town”) as more particularly set forth in the below resolutions; and

WHEREAS, that employments, appointments, transfers, adjustments, corrections, changes in grade or salary, and/or terminations (the “Employment Actions”) that have been adopted are subject to completion of paperwork and civil service approval and are subject to the rules and regulations of the Nassau County Civil Service Commission and New York State Civil Service Law; and be it further

WHEREAS, that the term of appointment and employment of any person to an exempt position shall be at the pleasure of the Town Board.

WHEREAS, this Board finds it to be in the best interest of the Town to authorize the Employment Actions as follows:

RESOLVED

cc: Town Attorney Human Resources

RESOLUTION NO: -1

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of Christina Bonfiglio-Scali to the title of Buyer in the amount of \$2,418.10 bi-weekly / \$62,870 annually in the Department of Highways - Administration effective 02/18/23.

RESOLUTION NO: -2

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of Michael Faccio to the title of Laborer 1 in the amount of \$22.82 hourly / \$47,471 annually in the Department of Highways - West Shore Road Yard effective 02/18/23.

RESOLUTION NO: -3

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time title, grade, step and salary change for Elisabetta Veltri to the title of Accounting Assistant I to the amount of \$1,975.12 bi-weekly / \$51,356 annually in the Department of Parks & Recreation - Administration effective 02/18/23.

RESOLUTION NO: -4

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time grade, step and salary change for Alexandra Kapetanios in the title of Buyer to the amount of \$2,808.50 bi-weekly / \$73,022 annually in the Department of Parks & Recreation - Administration effective 02/18/23.

RESOLUTION NO: -5

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time grade, step and salary change for Vonda Henderson in the title of Buyer to the amount of \$2,529.60 bi-weekly / \$65,770 annually in the Purchasing Department effective 02/18/23.

RESOLUTION NO: -6

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time grade, step and salary change for Viviana Trabulsi in the title of Buyer to the amount of \$2,585.30 bi-weekly / \$67,219 annually in the Purchasing Department effective 02/18/23.

RESOLUTION NO: -7

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time salary change for Conner Dunleavy in the title of Executive Asst. to Supervisor to the amount of \$2,692.30 bi-weekly / \$70,000 annually in the Supervisor's Office effective 02/18/23.

RESOLUTION NO: -8

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time grade, step and salary change for Thomas Devaney in the title of Grants Technician to the amount of 3,621.50 bi-weekly / \$94,158 annually in the Supervisor's Office - Finance Department effective 02/04/23.

RESOLUTION NO: -9

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Ciara Piscioneri to the title of Lifeguard I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Michael J. Tully Park effective 02/18/23.

RESOLUTION NO: -10

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Daniel Galante to the title of Laborer I in the amount of \$17.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 02/18/23.

RESOLUTION NO: -11

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Patrick Clayton to the title of Laborer I in the amount of \$16.50 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 02/18/23.

RESOLUTION NO: -12

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Matthew Malchodi to the title of Laborer I in the amount of \$16.50 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 02/18/23.

RESOLUTION NO: -13

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Bridget Koenig in the title of Lifeguard I in the amount of \$18.00 hourly to the Department of Parks & Recreation - Michael J. Tully Park effective 02/18/23.

RESOLUTION NO: -14

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Sharde Jones in the title of Public Safety Officer I in the amount of \$18.00 hourly to the Department of Parks & Recreation - Yes We Can Community Center effective 02/18/23.

RESOLUTION NO: -15

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time title and hourly rate change for Matthew Rubinic to the title of Laborer I to the amount of \$16.50 hourly in the Department of Parks & Recreation - Michael J. Tully Park effective 02/18/23.

RESOLUTION NO: -16

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time resignation of Brittany Hagan in the title of Recreation Aide in the amount of \$19.00 hourly in the Department of Parks & Recreation - Michael J. Tully Park effective 01/31/23.

RESOLUTION NO: -17

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time resignation of Tyrik Small-Williams in the title of Recreation Aide in the amount of \$15.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 01/14/22.

RESOLUTION NO: -18

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Brian Waterson in the title of Highway Maintenance Supervisor to the amount of \$59.56 hourly / \$123,875 annually in the Department of Highways - West Shore Road Yard effective 02/18/23.

RESOLUTION NO: -19

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the grade, step and salary change for Georgina Carr in the title of Procurement Coordinator to the amount of \$3,583.70 bi-weekly / \$93,177 annually in the Purchasing Department effective 02/18/23.

RESOLUTIONNO: 61 -1

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of Christina Bonfiglio-Scali to the title of Buyer in the amount of \$2,418.10 bi-weekly / \$62,870 annually in the Department of Highways - Administration effective 02/18/23.

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

Nays: None.

RESOLUTIONNO: 61 -2

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time hire of Michael Faccio to the title of Laborer 1 in the amount of \$22.82 hourly / \$47,471 annually in the Department of Highways - West Shore Road Yard effective 02/18/23.

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

Nays: None.

RESOLUTIONNO: 61 -3

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time title, grade, step and salary change for Elisabetta Veltri to the title of Accounting Assistant I to the amount of \$1,975.12 bi-weekly / \$51,356 annually in the Department of Parks & Recreation - Administration effective 02/18/23.

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

Nays: None.

RESOLUTIONNO: 61 -4

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time grade, step and salary change for Alexandra Kapetanos in the title of Buyer to the amount of \$2,808.50 bi-weekly / \$73,022 annually in the Department of Parks & Recreation - Administration effective 02/18/23.

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

Nays: None.

RESOLUTIONNO: 61 -5

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time grade, step and salary

change for Vonda Henderson in the title of Buyer to the amount of \$2,529.60 bi-weekly / \$65,770 annually in the Purchasing Department effective 02/18/23.

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

Nays: None.

RESOLUTION NO: 61 -6

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time grade, step and salary change for Viviana Trabulsi in the title of Buyer to the amount of \$2,585.30 bi-weekly / \$67,219 annually in the Purchasing Department effective 02/18/23.

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

Nays: None.

RESOLUTION NO: 61 -7

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time salary change for Conner Dunleavy in the title of Executive Asst. to Supervisor to the amount of \$2,692.30 bi-weekly / \$70,000 annually in the Supervisor's Office effective 02/18/23.

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

Nays: None.

RESOLUTION NO: -8

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the full-time grade, step and salary change for Thomas Devaney in the title of Grants Technician to the amount of 3,621.50 bi-weekly / \$94,158 annually in the Supervisor's Office - Finance Department effective 02/04/23.

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

Nays: None.

RESOLUTION NO: 61 -9

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Ciara Piscioneri to the title of Lifeguard I in the amount of \$18.00 hourly in the Department of Parks & Recreation - Michael J. Tully Park effective 02/18/23.

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

Nays: None.

RESOLUTION NO: 61 -10

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Daniel Galante to the title of Laborer I in the amount of \$17.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 02/18/23.

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

Nays: None.

RESOLUTION NO: 61 -11

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Patrick Clayton to the title of Laborer I in the amount of \$16.50 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 02/18/23.

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

Nays: None.

RESOLUTION NO: 61 -12

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time hire of Matthew Malchodi to the title of Laborer I in the amount of \$16.50 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 02/18/23.

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

Nays: None.

RESOLUTION NO: 61 -13

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Bridget Koenig in the title of Lifeguard I in the amount of \$18.00 hourly to the Department of Parks & Recreation - Michael J. Tully Park effective 02/18/23.

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

Nays: None.

RESOLUTION NO: 61 -14

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time location change for Sharde Jones in the title of Public Safety Officer I in the amount of \$18.00 hourly to the Department of Parks & Recreation - Yes We Can Community Center effective 02/18/23.

Ayes: Councilperson Adhmi, Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Walsh, Councilperson Zuckerman, Supervisor

DeSena.

Nays: None.

RESOLUTION NO: -15

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time title and hourly rate change for Matthew Rubinic to the title of Laborer I to the amount of \$16.50 hourly in the Department of Parks & Recreation - Michael J. Tully Park effective 02/18/23.

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

Nays: None.

RESOLUTION NO: 61 -16

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time resignation of Brittany Hagan in the title of Recreation Aide in the amount of \$19.00 hourly in the Department of Parks & Recreation - Michael J. Tully Park effective 01/31/23.

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

Nays: None.

RESOLUTION NO: 61 -17

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the part-time resignation of Tyrik Small-Williams in the title of Recreation Aide in the amount of \$15.00 hourly in the Department of Parks & Recreation - Yes We Can Community Center effective 01/14/22.

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

Nays: None.

RESOLUTION NO: 61 -18

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the merit raise for Brian Waterson in the title of Highway Maintenance Supervisor to the amount of \$59.56 hourly / \$123,875 annually in the Department of Highways - West Shore Road Yard effective 02/18/23.

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

Nays: None.

RESOLUTION NO: 61 -19

The following resolution was offered by the Town Board:

BE IT RESOLVED, that the Town Board approves the grade, step and salary change for Georgina Carr in the title of Procurement Coordinator to the amount of \$3,583.70 bi-weekly / \$93,177 annually in the Purchasing Department effective 02/18/23.

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

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. 114 - 2023

A RESOLUTION APPROVING THE ACTION OF THE ATLANTIC HOOK & LADDER CO. NO. 1, PORT WASHINGTON, NEW YORK, IN REMOVING STEPHEN WHITTAKER FROM MEMBERSHIP.

WHEREAS, the Atlantic Hook & Ladder Company No. 1, Port Washington, New York, has advised of removing Stephen Whittaker from membership.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Atlantic Hook & Ladder Company No. 1, 25 Carleton Ave., Port Washington, NY 11050, in removing Stephen Whittaker from membership is hereby approved and the Town Clerk is directed to record this name in the Minutes of the Town Board.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Atlantic Hook & Ladder Co. No. 1 Town Attorney Comptroller

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

RESOLUTION NO. 115 - 2023

A RESOLUTION APPROVING THE ACTION OF THE PROTECTION ENGINE COMPANY 1, PORT WASHINGTON, NEW YORK IN ADDING ROBERT C. ATKINS AND JONATHAN E. GARCIA ORTEGA TO MEMBERSHIP.

WHEREAS, the Protection Engine Company 1, 14 S. Washington Street, Port Washington, New York, 11050 has advised of adding Robert C. Atkins and Jonathan E. Garcia Ortega 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 Robert C. Atkins of 9 Pine Street, Port Washington, NY 11050 and Jonathan E. Garcia Ortega of 275 Main Street, Port Washington, NY 11050 to membership is hereby approved and the Town Clerk directed to record the names in the Minutes of the Town Board.

Dated: Manhasset, New York

February 7, 2023

The vote on the foregoing resolution was recorded as follows:

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

Nays: None.

cc: Protection Engine Company 1 Town Attorney Comptroller