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TOWN OF NORTH HEMPSTEAD

TOWN BOARD MEETING

Town Hall

220 Plandome Road

Manhasset, New York 11030

Tuesday, January 29, 2019 7:00 o'clock p.m.

P R E S E N T :

JUDI BOSWORTH, Supervisor

DINA M. De GIORGIO, Councilwoman

VIVIANA L. RUSSELL, Councilwoman

LEE R. SEEMAN, Councilwoman

PETER J. ZUCKERMAN, Councilman

WAYNE H. WINK, Jr., Town Clerk

LEONARD KAPSALIS, ESQ., Town Attorney

MICHAEL KELLY, ESQ., Deputy Town Attorney

NICHOLAS GUARIGLIA, Deputy Town Clerk

SUPERVISOR BOSWORTH: Good evening, everybody. It's nice to see so many of you brave the bad weather that's been predicted. If you could all please rise for the Pledge of Allegiance.

(Pledge of Allegiance.)

SUPERVISOR BOSWORTH: Mr. Wink, if you would please call the meeting to order.

MR. WINK: Town of North Hempstead Board Meeting, Tuesday, January 29th, 2019.
Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Here.

MR. WINK: Councilman Ferrara.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Here.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Here.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Here.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Here. Now we always begin our Town Board meetings with 30 minutes of public comment on any matters that are not on the agenda. So Mr. Wink usually has some cards.

MR. WINK: We do.

SUPERVISOR BOSWORTH: Do you have some?

MR. WINK: We do.

SUPERVISOR BOSWORTH: If you could please call them now. Mr. Wink, do you have any cards?

(Whereupon, the public comment portion of the agenda was off the record.)

(Whereupon, the Town Board meeting agenda resumed.)

SUPERVISOR BOSWORTH: Mr. Wink, if you'd please strike item 30 and 43 and call items No. 65 and 66 first and begin tonight's meeting.

SUPERVISOR BOSWORTH: Mr. Wink, if you'd begin tonight's meeting.

MR. WINK: Added Starters: Item 65, a resolution appointing Veronica A. Bisek Lurvey, to the Town Board of the Town of North Hempstead, to fill the seat vacated by Anna M. Kaplan.

SUPERVISOR BOSWORTH: So as most of you know, we have a councilmember vacancy in District 4. And I'm happy this evening to be asking the board to consider Veronica Bisek Lurvey. Veronica, could you please stand so they can see you. There you go. So Veronica is an attorney who worked at Skadden Arps Slate Meagher and Flom, LLP, for almost two decades up until 2012. She currently lives in Great Neck with her husband and two teenage sons. She's an active member of the community who co-founded North Shore Action. She's the vice president of

Temple Israel of Great Neck and is a member of the Village of Kensington Zoning Board of Appeals. I've gotten to know Veronica and I believe she will be such a wonderful addition to this Town Board as we continue to all work together to serve the residents of North Hempstead. Veronica, you will just be wonderful. So I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: So before I vote, I want to say that ironically I had the opportunity to meet Veronica too about eight or nine months ago. She reached out to all of our officers in connection with the --the March for Life -- and March for Our Lives. And we had -- I had breakfast with her and a colleague of hers. And so it's ironic that we -- I was impressed by how -- what a passionate, community-minded person you are and we had a really nice meeting before in my office and a great chat. And I think that you'll find that being a councilperson is probably one of the hardest/best things that you'll do. So I, you know, I am going to support you being on this board because I think you will be a great addition to the board. And aye. Welcome.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: So I just want to add, you know, that's such a great -- Dina, what a great story. It's such a terrific indication of the spirit of bipartisanship that I know you will bring to this board as you join us. And I very proudly say aye. Congratulations.

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

RESOLUTION NO. 18 - 2019

A RESOLUTION APPOINTING VERONICA A. BISEK-LURVEY TO THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD TO FILL THE SEAT VACATED BY ANNA M. KAPLAN.

WHEREAS, there is a vacancy on the Town Board created by the seat vacated by Anna M. Kaplan; and

WHEREAS, the Town Board wishes to fill the vacancy, and

WHEREAS, Veronica A. Bisek is duly qualified to become a member of the Town Board.

NOW, THEREFORE, BE IT

RESOLVED that Veronica A. Bisek, of 7 Greenacre Court, Great Neck, New York, be and is hereby appointed as a Councilperson and member of the Town Board of the Town of North Hempstead pursuant to Section 64(5) of the Town Law, to serve until December 31, 2019.

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Noes: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller

MR. WINK: Item 66, a resolution making an appointment to the Board of Directors in membership of the Town of North Hempstead Business and Tourism Development Corporation.

SUPERVISOR BOSWORTH: So this item will allow Ms. Lurvey to serve on our Business and Tourism Development Board and so I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye. Congratulations again.

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

RESOLUTION NO. 19 - 2019

A RESOLUTION MAKING AN APPOINTMENT TO THE BOARD OF DIRECTORS AND MEMBERSHIP OF THE TOWN OF NORTH HEMPSTEAD BUSINESS AND TOURISM DEVELOPMENT CORPORATION.

WHEREAS, Article V, Section 4 of the by-laws of the Town of North Hempstead Business and Tourism Development Corporation (the "Corporation") provides that the directors of the Corporation shall be appointed by, and serve at the pleasure of, the Town Board of the Town of North Hempstead (the "Board") and will also serve as members of the Corporation; and

WHEREAS, this Board wishes to appoint Veronica A. Bisek to the Board of Directors and membership of the Corporation.

NOW, THEREFORE, BE IT

RESOLVED that Veronica A. Bisek is hereby appointed to the Board of Directors and membership of the Corporation; and be it further

RESOLVED that such appointment shall become effective January 29, 2019.

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Noes: None

Absent: Councilperson Ferrara

cc: BTDC Program Director

MR. WINK: Public hearings. Item 1, a public hearing to consider the adoption of a local law establishing Chapter 38A of the Town code entitled "Landscaping and Gardening."

SUPERVISOR BOSWORTH: So tonight this Town Board will be voting on our proposed landscaping legislation. So over a year ago we sought to form a committee to help us craft legislation that would address gas leaf blower which so many of our residents had expressed frustration about. During the time we asked the public to let us know if they wanted to participate in the committee. And we did have a lot of interest expressed and we narrowed it down to residents who have been very involved and passionate about the issue and have expressed to us multiple times that they wanted to take part in the process. We also included individuals who strongly advocated for the environmental causes on a daily basis. And, of course, we had members of the Nassau Suffolk Landscape Grounds Association, as well as landscaping company owners, horticulturalists and those familiar with landscaping equipment. And I have to say that this was really quite an effort. And I -- I want to thank our Town Attorney's office, who worked so diligently on this legislation, as well as all the people who participated in this. And I remember the first time this was brought up as a possibility and we had some very angry landscapers with us. And -- but we promised that we would have a committee, that we would look at this from all the different angles. We would have demonstrations of the equipment. We would hear what your concerns were and we heard what the concerns of the environmentalists were. We heard what the concerns of our residents are. And so at my direction, members of staff; Stephanie, Rachel -- who did an outstanding job. You met with them. Met with members of the committee here at Town Hall and, you know, again, we hosted equipment demonstrations with battery-operated machinery because we wanted to make sure that the machinery that we were saying should be used was actually something that would be usable. So all of these meetings, phone calls and e-mails helped the Town Attorney's office to shape the legislation that's proposed tonight. So during the meetings we learned about many issues that surround this topic that needed addressing, including unlicensed landscaping. And so with that, we're also implementing licensing procedures within this legislation that will be overseen by our Town Clerk's office. And I know that was something that was important. Prior to tonight, we didn't have regulations about performing landscaping work on specific holidays and now we will. And so these are just a couple of examples of what we needed to have addressed. We understand that there are those that would like the ban on the gas leaf blowers to be extended from three months to four months and we weighed our options. But this time we're still proposing the three months. Some felt our proposal was too strong, others felt it wasn't strong enough. And so our goal was to find a compromise while going forward with making a positive change for our residents. And I think because of the spirit of cooperation, I think we're there. So I'm going to say it again, on behalf of the Town Board, we'd like to thank all the members of the landscaping committee and I know I mentioned the various groups, who have devoted so much time and provided us with tremendous and valuable input. I want to make it clear that this is not that this is it and we're never going to speak about it again. This is a committee that will continue to meet as we work through the licensing, the Code enforcement and the overall, you know, implementation. It's really the beginning of the conversation not the end. And so -- because we need to see, you can have the best of intentions and some things may work and some things may not work. We need to -- this has to be a living piece of legislation so that we're getting feedback and we're able to adjust according to the feedback that we're getting. So I'm now going to ask our Chief Deputy Town Attorney, Mike Kelly, just to go through the different parts of the legislation.

COUNCILWOMAN DE GIORGIO: Supervisor -- yeah, before we go into the substance of it, I do

have a statement that I'd like to read. So I'm abstaining tonight from participating in the public hearing and voting on the legislation. A year or two ago, I had the privilege of working on the Town committee which strengthened -- which strengthened our ethics code. And as a result of the effort of that committee, the -- our ethics code is stricter and in some ways, I think, better than it was before. In the spirit of that improved Code, I think I should abstain from tonight's vote and not participate in any meaningful way in the hearing, although I am going to stay here. As many people know, my husband has many family members who are landscapers, commercial landscapers, and this legislation will impact them. And in light of that potential impact on family members of mine, it's best that I not engage and I think the ethics code requires me to abstain. I do want to say something about the process. I want to commend the Supervisor and her staff for really working hard after the last hearing, which was very contentious on this issue and for all of the committee members who volunteered their time to meet and work together to try to come up with legislation that was a good compromise between all the parties. It seems that they worked really had to get significant feedback from the community and that the process that they used was a good one. So even though I'm not going to be commenting any more about the legislation, I did want to say that. Thank you, Supervisor.

SUPERVISOR BOSWORTH: Thank you so much. So, you know, the other thing is that, again, this will take effect, you know, assuming it is passed this evening, January of 2020. So we want everybody to have a chance to get acclimated to what the provisions are. So Mr. Kelly.

MR. KELLY: Good evening. The proposed local law would add Chapter 38A to the Town Code to be entitled, Landscaping and Gardening. First, the law would require that those engaged in commercial landscaping within the Town be licensed. Applicants must have a valid license issued by the Nassau County Office of Consumer Affairs. A landscaper would apply for a license from the Town Clerk, which would require the application and accompanying fee. The fee that the Town is proposing for the license is \$100. In addition, a license may be issued without application to landscapers who show certified copy of a license issued by a municipality within the boundary of the Town that extends reciprocity to the Town. Second, the law would impose regulations on commercial landscaping. For instance: Leaves, grass, et cetera, may not be deposited on public property or on another person's property; If leaves and clippings are removed, such removal must be in a vehicle secured by a tarp; No spillage or dumping of oil or gas products; Commercial landscaping is only permitted between 8:00 a.m. and 7:00 p.m. on weekdays and between 10:00 a.m. and 5:00 p.m. on Saturdays and not on Sundays or holidays as defined in the law; and, No burning of waste, leaves, cutting et cetera. Third, the law would prohibit: The use of gas powered leaf blowers by landscapers or on Town-owned property from June 15th through September 15th. This restriction may be suspended during emergencies and a temporary permit may be granted to accommodate a special circumstance. In addition, the restriction would not apply to use at golf courses and cemeteries, except when equipment is operated within 100 feet of a lot containing a residence. The law establishes two classes of penalties. One class for not having a license and another class for violating any other provision of the law. The penalties are steeper for not having a license. The law also establishes a Landscaper Advisory Committee to assist and advise the Town Board on landscaping matters and the proposed effective date for the law is January 1st, 2020.

SUPERVISOR BOSWORTH: Great. Is there anybody from the public that would like to comment?

SUPERVISOR BOSWORTH: Mr. Wink, do you have any cards?

MR. WINK: A number of them. Evan Daco.

MR. WINK: Okay. Allen Franklin. Mr. Franklin, I'm going to ask you to confine your comments to three minutes.

MR. FRANKLIN: Yes, Mr. Wink.

MR. WINK: Thank you.

MR. FRANKLIN: Supervisor Judi Bosworth, Councilmembers, Mr. Wink, Attorney Liz Botwin, Stephanie, I want to thank you all for reaching this point and addressing a real problem we've had in the Town of North Hempstead and that's gas leaf blowers. Finally we've made some headway. I would like to thank you all for studying the facts that were presented and the understanding and negative impact these blowers have on the residents. This proposed ban will make a big difference in the quality of air we breathe, our general health and our quality of life. The time has come and I am very grateful that this whole issue was taken serious. And what I'd like to do now is thank -- give special thanks to three special ladies: Dr. Bonnie Sager, co-founder of Huntington Calm; Dr. Lucy Weinstein. She's not here tonight, also co-founder of Huntington Calm. Both -- both these smart ladies have been on PBS television, brought out all the issues with blowers, televised. Also, another member, she's not here tonight and that's Patty Wood, founder and executive director of Grass Roots Environmental Education. Her organization uses scientific-driven arguments for clean air, clean water and safe food supply. These are three smart ladies and the Town has actually been blessed with their input. So, again, I thank you for this time and I look forward to restrictions placed on gas leaf blowers.

SUPERVISOR BOSWORTH: So I want to thank you, Mr. Franklin because you came meeting after meeting after meeting. Brought up your concerns about gas leaf blowers and did it in a respectful way so that we were able to decide that this was something that we wanted to look into and then had the input of so many people who are sitting in this room. And it was just a great -- it was a great dialogue with people who, you know, started out at being at such odds with each other and through compromise and education were able to reach a sense of agreement about what we could all deal with. So thank you.

MR. FRANKLIN: Thank you for moving forward and believe me, it's greatly appreciated.

MR. WINK: Bonnie Seger.

SUPERVISOR BOSWORTH: So I would have to say -- I'd like to say who I got the most e-mails from ever, it would be this --this lovely lady.

MS. SAGER: Well, thank you. Good evening. I'm Bonnie Sager. I'm co-founder of Huntington Calm, along with Dr. Weinstein. We advocate for clean, alternative landscaping methods. Two stroke engines have been phased out of nearly all industries except landscaping. By replacing gas leaf blowers with quieter, cleaner battery equivalents, North Hempstead is setting an example for environmental accountability. Some might think -- still might be thinking you have too much time on your hands. Leaf blowers? Really. However, by making this one change to the landscaping culture, you are helping to eliminate many public health problems, including: Asthma and allergic reaction; COPD; Hearing loss and tinnitus; Hypertension due to noise; Lung, bladder and breast cancer; and, Risk of heart attacks. These health risks apply not only to the public but also to landscaping employees. The use of gas powered leaf blowers not only comes with high costs to our

health but to the environment and the enjoyment of living in North Hempstead in Long Island. We thank you, Supervisor Bosworth, your staff and the Councilmembers for taking this public health and quality of life issue seriously. We thank you for having the integrity, fairness and willingness to listen to all the parties that are affected by the proposed legislation. We thank the landscapers for listening and contributing their time and expertise to the gas leaf blower committee. We appreciate how competitive their industry is and the difficult conditions they often work under. Today many residents have home-based businesses, telecommute or work night shifts and need to sleep during the day or are stay-at-home parents and have napping children or are recovering from an illness or surgery that requires rest. This legislation will go a long way to provide an environment so they can manage their day without constant interruptions and intrusive noise. The proposed legislation is an important first step in joining the many communities nationwide that have already enacted legislation to eliminate the use of gas leaf blowers. Thank you very much for all your time and your consideration on this matter.

SUPERVISOR BOSWORTH: Thank you for your comments.

MR. WINK: Michael O'Donald.

MR. O'DONALD: Michael O'Donald, 50 Nugent Street, North New Hyde Park. I thank the Town and I thank the committee. Unfortunately, there's no time limit on how long they can run these blowers. It makes no sense if you ever watched them or ever heard them. Forty-five minutes. There's a guy standing there, he's doing an area no bigger than from that wall to over here for 45 minutes, which is ridiculous. It would drive anybody, a sane person insane and an insane person insaner. It's -- no excuse whatsoever. There has to be a limit how long they can use the things. You're not talking about land that's ten acres. This is a small confined residential area. I don't care whether you live in Roslyn or whether you live in New Hyde Park or you live in Manhasset. It's the same basically acreage. And they got to stand there for 45 minutes doing nothing. He's waiting for the other guy to come on over and do what he's going to do.

SUPERVISOR BOSWORTH: Well, I thank you for sharing, you know, those comments.

MR. O'DONALD: One thing I missed when I was writing my notes, on Saturday what is the restriction? It's ten to --

MR. KELLY: Ten to five.

SUPERVISOR BOSWORTH: Five.

MR. O'DONALD: Ten to five. Thank you.

SUPERVISOR BOSWORTH: Thank you.

MR. WINK: Francine Furtato.

MS. FURTATO: Hello, everybody. I just wanted to say thank you for this first step and I look forward to greater restrictions.

SUPERVISOR BOSWORTH: Thank you.

MR. WINK: Julieanne Littman.

MS. LITTMAN: Juliana Littman, Port Washington. I just wanted to thank everybody for the involvement and for taking first step and for looking at all the issues and we really appreciate the committee. It was a really great way to open up the communication, learn from both sides and get

this done. So it was really a good process and I look forward to many more meetings.

SUPERVISOR BOSWORTH: So you make a great point. We did learn from both sides. We learned from the landscapers, what their concerns were. We learned from the environmentalists. And it was a very fruitful discussion and I think one that we can all feel, you know, take pride in.

MS. LITTMAN: Yes. Probably the understanding is better now.

SUPERVISOR BOSWORTH: So thank you.

MS. LITTMAN: Now I understand what their point is. They understand what our point is. And I think some stuff was just not known before. So it's good. Thank you.

SUPERVISOR BOSWORTH: Thank you.

MR. WINK: Margaret Galbraith.

MS. GALBRAITH: Hi, everyone. I just wanted to reiterate what the last two ladies have said. I live in Port and I very much support this bill. I have kids. I work from home and it will be a huge improvement on my life and their life and many other people's lives. So thank you.

SUPERVISOR BOSWORTH: Thank you.

MR. WINK: Aldo Calabrese.

MR. CALABRESE: Good evening, Madam Supervisor.

SUPERVISOR BOSWORTH: Good evening.

MR. CALABRESE: Councilpersons. I was part of the Landscape Committee and I was -- as contentious as it was in the very beginning, we -- we were very fruitful to be able to come up with what we have as proposed legislation. I do have a couple of concerns. I didn't mention them to Rachel. Specifically the way the law is written, you're literally targeting a specific industry, landscapers. I think it should be more inclusive, maybe general contractors because there are many industries out there that use gas powered blowers, not just landscapers. For example, tree cutting companies, they use blowers for the clean-up process. Masonry companies use blowers for the clean-up process. Asphalt companies use them also. So I think maybe the wording -- because what I'm trying to get at if a lay person wished to read the legislation, it specifically targets an industry, commercial landscapers. I think it should be a little more inclusive. If you want to keep landscaping in it but I think you should also include maybe some other industries. That's item No. 1. No. 2, realize we, the landscape industry, made major concessions. And I hope the residents realize what we gave up and if they don't understand maybe I could actually inform them. We gave up, as an industry, a very vital piece of equipment. We do not manufacture the equipment. We only buy the equipment that's provided on a shelf or in a store. The reason why we were very adamant about not losing the equipment because it's a very valuable tool to have in our toolbox. It does increase the speed and, also, the level of service, which in turn will make our clients happier. The least time we're there -- the less time we're there, the less we charge them, the less they hear noises. My point is we gave up a good amount and the fact that you want to keep this committee in tact, I commend you and we look forward to working with the Town in the future as the -- the other side, meaning the environmentalists and the residents realize, we are rational people and I can speak for myself as well as other individuals who presented the landscape industry, we are not out of control individuals who are not law-abiding individuals. We stress professionalism. You helped greatly in listening to our concern when it comes to unlicensed

professionals. That is a major problem within our industry and now the steps you have put in place will help the residents greatly because now these unlicensed professionals have to become licensed.

MR. WINK: I'm going to ask you to wrap up your comments.

MR. CALABRESE: Yes. Sorry, Mr. Wink.

MR. WINK: No problem.

MR. CALABRESE: Again, I want to thank Madam Supervisor and the Councilpersons for actually implementing that committee. It was very fruitful and I look forward in the future to be of any assistance that we can. Thank you.

SUPERVISOR BOSWORTH: Thank you. So I'd just like to say that there is a tremendous sense of appreciation of the compromise that was made. And as, you know, as you pointed out, we listened to what your concerns were and we knew that the licensing was very important. And, you know, again, they say the sign of a good compromise is nobody is really happy because some people think it should to further. Some people think it didn't go far enough. But we wanted to listen to everybody. I hope that the gentlemen that are sitting in the front row do understand how we appreciate your coming to this table and working all of us, as we work together to -- to make this law -- hopefully it will become a reality. You brought up, you know, some interesting points. I think these are things that we can consider. I would like us to be able to vote on the law as is stated today. But certainly -- that's why we're having this committee so we can look at it and see, you know, whatever else we need to be considering.

MR. CALABRESE: One question, if I may.

SUPERVISOR BOSWORTH: Sure.

MR. CALABRESE: Reciprocity. Could the Town Attorney actually explain that to us because I'm sure there's several of us who are not of the legal industry. We'd like to know exactly how that actually comes into play as far as if a -- a municipality within the Town of North Hempstead has same or similar type regulations --

MR. KELLY: Yes.

MR. CALABRESE: -- we do not have to receive a license from the Town of North Hempstead. How -- how does that work?

MR. KELLY: So you would still need to get a license from the Town Clerk's office only you wouldn't need to submit an application for it. You would just need to come into the Town Clerk's office and say, here's my license from this municipality in North Hempstead that has a -- that has a similar requirements as we do and the Town Clerk would issue a Town of North Hempstead --

MR. CALABRESE: Okay. So no application would be needed, we would just hand in the license -- permit from a different village within the Town?

MR. KELLY: That has similar requirements.

MR. CALABRESE: Similar requirements?

MR. KELLY: Yes.

MR. CALABRESE: Okay.

MR. KELLY: And that also would provide us reciprocity. So if there was a Town of North Hempstead -- so if there was a Town of North Hempstead -- so if another village allowed a Town of North Hempstead license to basically be the basis for their license, we would allow their license to be the basis for our license.

MR. CALABRESE: Okay. Understood. Thank you.

SUPERVISOR BOSWORTH: Okay. Thank you.

MR. WINK: I have no additional cards, Madam Supervisor.

SUPERVISOR BOSWORTH: Is there anybody else from the public that would like to speak on this?

SUPERVISOR BOSWORTH: So, again, I know I've said thank you a hundred times but I -- I just remember that first meeting where it seemed that coming together on this would certainly have been an impossible thing to accomplish but it shows when people of good will want to find common ground and work together, great things can happen. And so I thank you all so much. Liz, I thank you very much. I know you were so much, you know, a part of getting this legislation together and, of course, everybody in the Town Attorney's office that has worked so hard; Stephanie, Rachel and all the staff that worked, all the landscapers who gave so much of their time and input, environmentalists who were so passionate about this, as well as concerned residents. So that being said, I'd like to close the public hearing and offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: I'm abstaining.

MR. WINK: Okay. Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye. Okay. Congratulations.

SUPERVISOR BOSWORTH: Come on everybody, you should applaud. This is big. This is big.

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

RESOLUTION NO. 20 - 2019

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW ESTABLISHING CHAPTER 38A OF THE TOWN CODE ENTITLED "LANDSCAPING AND GARDENING."

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to establish Chapter 38A of the Town Code entitled "Landscaping and Gardening" in order to limit the use of gas-powered leaf blowers and to create a licensing requirement for commercial landscapers; 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 29th day of January, 2019, 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 January 29, 2019, with respect to the Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, this Board deems it in the public interest to adopt the proposed Local Law, to take effect January 1, 2020.

NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 2 of 2019 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 2 OF 2019**

**A LOCAL LAW ESTABLISHING CHAPTER 38A OF THE TOWN CODE
ENTITLED "LANDSCAPING AND GARDENING"**

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 establish Chapter 38A of the Town Code entitled "Landscaping and Gardening" in order to regulate commercial landscape gardening activities within the Town.

Section 2.

Chapter 38A of the Town Code is hereby established to read as follows:

§ 38A-1. Legislative Intent.

This Local Law establishes Chapter 38A of the Town Code entitled "Landscaping and Gardening" to advance the interests of Town residents in encouraging green landscaping practices, protecting public health by reducing emissions from the use of gas-powered leaf blowers, and deterring unlicensed landscapers.

The Board enacts this law after discussions between concerned residents, professional landscapers and Town staff about gas-powered leaf blowers; after reviewing legislation enacted by other communities on gas-powered leaf blowers; and after learning from manufacturers of electric landscaping equipment about the state of the industry.

Based on this research and testimony, the Board finds that certain commercial landscaping and gardening activities may pose a risk of noise, odor, pollution or other nuisances and may otherwise disturb the public health and welfare of Town residents. Scientific studies have been presented to this Board indicating that emissions from gas-powered leaf blowing equipment can cause deleterious health effects for those in the vicinity of their use. Further, the use of this equipment causes an unreasonable amount of noise that is detrimental to the enjoyment of property within the Town. These issues have garnered attention in New York and nationally, with a growing number of municipalities choosing to regulate gas-powered leaf blowers.

The Board also finds that certain landscaping companies operate within the Town in violation of the Town Code. The Board finds that since the Town does not license commercial landscapers, the Town does not have the tools it needs for proper enforcement of regulations regarding commercial landscaping.

It is the intent of this law to use the Town's power under the Town Law and the Municipal Home Rule Law to limit the use of gas-powered leaf blowers and to create a licensing requirement for commercial landscapers to make it easier to regulate commercial landscapers who do not comply with Town Code.

§ 38A-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

COMMERCIAL LANDSCAPING

The business or trade of rendering any landscaping, gardening or groundskeeping services, as defined herein, either as principal, independent contractor, or through an agent or employee, for a fee, charge, or other compensation, to or for the benefit of any owner, tenant, or occupant of lands, grounds, or buildings.

GARDENING

The tilling, sowing, cultivating, trimming, fertilizing, pruning, cutting, shaping, treating, spraying, or otherwise maintaining and/or providing care for any lawn, sod, tree, flower, shrub, bush, plant, or other flora on any lot, plot, or parcel of land.

GAS – POWERED LEAF BLOWER

Any device powered by a gasoline, diesel or similar fuel engine which is used, designed, or operated to produce a current of air for the purpose of pushing, propelling or blowing leaves, dirt, gardening and grass clippings and cuttings, refuse or debris.

GROUNDSKEEPING

The cleaning of any lot, plot, or parcel of land by means of gathering and/or removing weeds or any fallen, diseased, dead, or discarded tree limbs, branches, brush, leaves, grass, or lawn clippings, fruit or flower waste, or other plant waste and any litter, dirt, debris, rubbish, or other refuse or waste present or engendered on or about the premises. Groundskeeping does not include the removal of litter, dirt, debris, rubbish, or other refuse or waste by a commercial refuse carter which is not performing any other commercial landscaping services to or for the benefit of the owner, tenant, or occupant of the lands, grounds, or buildings from which the removal is taking place.

HOLIDAY

New Year's Day, Memorial Day, the Fourth of July, Labor Day, Veterans Day, Thanksgiving Day and Christmas Day.

LANDSCAPER

An individual, firm, corporation, or other entity performing commercial landscaping services.

LANDSCAPING

The planting, transplanting, arranging, placing, and/or removal of any lawns, sod, trees, flowers, shrubs, bushes, plants, or other flora on any lot, plot, or parcel of land for a planned design or purpose or to achieve some aesthetic effect.

TOWN

The Town of North Hempstead.

TOWN BOARD

The Town Board of the Town of North Hempstead.

§ 38A-3. License required; exceptions.

A. It shall be unlawful for any person to engage in, or practice the trade or business of, commercial landscaping within the Town without having first obtained and having in force a license pursuant to the requirements of this chapter.

B. Commercial landscaping may be performed without a license by:

(1) An employee of the owner, lessee, or occupant of the property on which the work is being performed, provided that such employee does not provide commercial landscaping for other properties within the Town within any one calendar year, and such employee has no employees of his or her own who are performing commercial landscaping within the Town. The term "employee" as used in this section 38A-3 is limited to persons who are treated by the owner, lessee, or occupant as an employee pursuant to all New York State and federal labor and income tax laws.

(2) A person who is less than 21 years of age and who is performing the commercial landscaping for his or her own account and not as an employee of another person or entity and has no employees of his or her own who are performing commercial landscaping within the Town.

§ 38A-4. Application procedure; fee; expiration; decals.

A. Any landscaper applying for a license shall file with the Town Clerk a written application upon forms to be furnished by the Town Clerk. Each application shall be accompanied by a copy of a valid license issued by the Nassau County Office of Consumer Affairs necessary to conduct commercial landscaping within Nassau County.

B. Each applicant for a license shall pay a nonrefundable filing fee with the application. Such fee shall be the fee stated in the Town of North Hempstead Fee Schedule. The Town Board shall provide for a reduced filing fee for any applicant who can provide receipts showing that five (5) or more pieces of landscape gardening equipment powered by electric or battery motors have been purchased by the applicant.

C. All licenses issued pursuant to this chapter shall expire on the last day of December in the calendar year three (3) years following the year in which they have been issued. Licenses may be renewed for additional three (3) year terms upon the filing of a renewal application and payment of the fee in an amount stated in the Town of North Hempstead Fee Schedule.

D. Landscapers licensed pursuant to this chapter shall, at all times, keep a copy of the license in every truck, dump truck, van, or other motor vehicle owned, leased, or otherwise used by any person engaged in commercial landscaping and shall immediately produce the license for inspection by any person lawfully requesting the production of the license, including but not limited to any peace or police officer and any inspector, official, officer or employee of the Town or other government agency or authority.

E. The Town shall provide decals to each licensed landscaper, which decal shall be attached to the bumper of every truck, dump truck, van or other motor vehicle owned, leased or otherwise used by any person engaged in commercial landscaping at all times when the vehicle is located within the Town.

§ 38A-5. Reciprocity.

The Town Clerk may issue a license pursuant to this chapter without the application required under this chapter to any landscaper who shall submit a certified copy of a license issued by any other municipality within the geographic boundaries of the Town of North Hempstead whose licensing requirements are substantially the equivalent of those established by this chapter, provided that such municipality extends similar reciprocity to licensees of the Town of North Hempstead.

§ 38A-6. Regulations.

A. No landscaper or other person shall individually, or cause or permit any other person who is providing commercial landscaping services for them or who is otherwise within their employ or control to:

1. Blow, rake, place, spill, dump, or otherwise deposit, any leaves, grass, garbage, refuse, cuttings, wood, oil, pesticides or other materials or debris from one property onto any public property, including, but not limited to, streets, sidewalks and rights-of-way, or the private property of another person, without such other person's permission. In any prosecution for a violation of this provision, it shall be an affirmative defense that such other person gave the alleged offender permission to blow, rake, place, spill, dump or otherwise deposit such material or debris on such other person's property.
2. Remove leaves, clippings or other yard waste in a truck, dump truck, van, or other motor vehicle, trailer, container, or other towable device without securing a tarpaulin or other cover to prevent spillage where such leaves, clippings or other yard waste do not remain on the property as mulch.

3. Spill or dump any oil, gasoline or other petroleum products within the Town.
4. Fill or refill any machinery or equipment with any fuel or lubricant except over a drop cloth or other device designed to catch and retain any accidental spillage.
5. Remove, destroy, or alter any tree in violation of Chapter 20A of the Town Code or otherwise in violation of state law.
6. Perform any commercial landscaping on:
 - a. Sundays and holidays;
 - b. Saturdays before 10:00 a.m. or after 5:00 p.m.; and
 - c. Weekdays before 8:00 a.m. or after 7:00 p.m.
7. Operate any equipment in violation of Chapter 38 of the Town Code, except as provided herein.
8. Operate any equipment which emits excessive fumes.
9. Burn any wastepaper, rubbish, leaves, cuttings, wood, or other waste materials.

B. All commercial landscaping shall be performed in accordance with the laws, ordinances, rules, and regulations of the United States, the State of New York, the County of Nassau, and the Town.

§ 38 A-7. Gasoline or Diesel Powered Leaf Blowers.

A. No Landscaper or Town employee performing landscaping on Town-owned property shall operate any gas-powered leaf blower during the period from June 15 through and including September 15.

- (1) During times of emergency as determined by the Supervisor, the Commissioner of Public Safety may temporarily suspend the restriction contained in this subsection.
- (2) The Commissioner of Public Safety may, in his or her discretion and upon application, grant a temporary permit to allow the operation of one or more gas-powered leaf blower to accommodate a special circumstance. By way of illustration, a "special circumstance" includes, among other things, the remediation of an abandoned or neglected property, the cleanup of streets and roadways following a severe storm or any emergency situation which presents an immediate danger to public health and safety.
- (3) This subsection shall not apply to the operation of gasoline or diesel powered leaf blowers operated in the course of performing groundskeeping, gardening or landscaping services at golf courses or cemeteries, except when the equipment is operated within 100 feet of a lot containing a residence.

B. There is hereby established a Landscaper Advisory Committee to assist and advise the Town Board on matters relating to landscaping within the Town. The advisory committee shall be composed of up to nine (9) members and shall include representatives from the Supervisor's office, the Office of the Town Clerk, the Department of Parks and Recreation, licensed landscapers and such other members as the Supervisor shall appoint. The Landscaper Advisory Committee shall designate one of its members as Chairperson. The Committee is authorized to adopt rules and establish procedures for its meetings.

§ 38A-8. Suspension or revocation of license.

A. Whenever it shall appear, to the satisfaction of the Town Clerk, that there has been any false statement, or any misrepresentation as to a material fact, in the application on which a license was based, or that any license has been issued in error, or that there has been a material failure to comply with any statute, ordinance, rule, or regulation, or with any condition upon which a license was granted, or that the further use of the license or the exercise of the privilege thereunder could cause or tend to cause injury, damage, or unreasonable annoyance to a reasonable person of normal sensitivities, or to property within the Town, the Town Clerk may, upon not less than five (5) days' notice by certified mail, return receipt requested, suspend such license for a period not to exceed thirty (30) days, without refunding any portion of the registration fee, or revoke the license.

B. Any applicant who shall have been denied a license under this chapter by the Town Clerk or whose license has been suspended or revoked by the Town Clerk may apply to the Town Board for review of the denial, suspension or revocation as herein provided.

1. The application to review the Town Clerk's determination shall be in writing, signed and verified by the applicant, and shall state the reasons for claiming that the Town Clerk's determination was erroneous.
2. The application must be filed with the Town Clerk within twenty (20) days of the receipt by the applicant, either by mail or in person, of the notice of the denial, suspension or revocation.
3. Upon the filing of the application for review, the Town Clerk shall request that the Town Board schedule, and the Town Board shall hold, a hearing at a date, place and hour designated by the Town Board, but in no event shall this date exceed thirty (30) days from the date of the filing of the application for review.
4. The Town Clerk shall give notice of the hearing, stating the name and address of the applicant or license holder concerned, the subject matter of the hearing and date, place and hour designated therefor by mailing a copy thereof to the applicant or license holder concerned at the address shown upon the most recent application or license ten (10) days before such hearing. No general public notice of the hearing shall be required if the hearing is held during a scheduled Town Board meeting.

5. The applicant or licensee shall appear before the Town Board and show cause why the license should not be permanently denied, suspended or revoked and the failure of the licensee to appear at the time and place appointed shall, without more, be deemed adequate grounds for the denial, suspension or revocation of the license.

6. Any individual or entity that has had a license revoked or an application for a license denied may not reapply for a license for a period of one (1) year after the denial or revocation.

§ 38A-9. Penalties for offenses.

A. Any person or persons who shall violate any of the provisions of this chapter, except a violation of § 38A-3, shall be subject to the following penalties:

1. For conviction of a first offense, by a fine of not less than \$500 and not more than \$1,000 or by imprisonment not exceeding 5 days, or by both.

2. For conviction of the second of two offenses, both of which were committed within a period of five years, by a fine of not less than \$1,500 and not more than \$2,500 or by imprisonment not exceeding 10 days, or by both.

3. For conviction of a third or subsequent offense, all of which were committed within a period of five years, by a fine of not less than \$3,000 and not more than \$10,000 or by imprisonment not exceeding 15 days, or by both.

B. Notwithstanding any other provision of this code, any person or persons who violates § 38A-3 of this Chapter shall be subject to the following penalties:

1. For conviction of a first offense, by a fine of not less than \$2,000 and not more than \$10,000 or by imprisonment not exceeding 5 days, or by both.

2. For conviction of the second of two offenses, both of which were committed within a period of two years, by a fine of not less than \$5,000 and not more than \$20,000 or by imprisonment not exceeding 10 days, or by both.

3. For conviction of a third or subsequent offense, all of which were committed within a period of five years, by a fine of not less than \$10,000 and not more than \$50,000 or by imprisonment not exceeding 15 days, or by both.

§ 38A-10. Severability.

If any clause, sentence, paragraph, section, word or part of this chapter is adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect, impair or invalidate the remainder of this chapter but shall be confined in its operation to the clause, sentence, paragraph, section, word or part of this chapter directly involved in the controversy in which judgment is rendered.

Section 3.

This chapter shall take effect January 1, 2020.

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 January 29, 2019 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. of 2019 was adopted. The local law establishes Chapter 38A of the Town Code entitled "Landscaping and Gardening" in order to limit the use of gas-powered leaf blowers and to create a licensing requirement for commercial landscapers.

Dated: Manhasset, New York
January 29, 2019

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,
Supervisor Bosworth

Nays: None

Abstain: Councilperson De Giorgio

Absent: Councilperson Ferrara

cc: Town Attorney

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

Henry Krukowski, being duly sworn, deposes and says that on the 11th day of January, 2019, he posted the attached Notice of Hearing amending Chapter 38A of the Town Code entitled "Landscaping and Gardening", to regulate commercial landscape gardening activities within the Town, at the following locations:

Town Clerk Bulletin Board

Greenvale Post Office

Great Neck Post Office

Manhasset Post Office

Port Washington Post Office

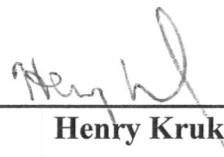
Roslyn Heights Post Office

Albertson Post Office

Carle Place Post Office


Westbury Post Office

New Hyde Park Post Office


Henry Krukowski

Sworn to me this

14th day of January, 2019


Notary Public

Brandon K Gimpelman
Notary Public, State of New York
No. 01GI6371819
Qualified in Nassau County
Commission expires March 5, 2022

NEWSDAY AFFIDAVIT OF PUBLICATION

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

NOTARY PUBLIC
2019 JAN 28 AM 11:33
TOWN OF NORTH HEMP
MANHASSET, NY 11030

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

Legal Notice No. 0021457780

Darryl Murphy of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Thursday January 17, 2019 Nassau

SWORN to before me this
17 Day of January, 2019.



CHRISTOPHER LAWSON
Notary Public – State of New York
No. 01LA6348406
Qualified in Suffolk County
My Commission Expires September 26, 2020



Ad Content

Legal Notice # 21457780

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 29th day of January, 2019, at 7:00 P.M. in the Town Board Meeting Room at Town Hall, 220 Plandome Road, Manhasset, New York, for the purpose of considering the adoption of a Local Law establishing Chapter 38A of the Town Code entitled "Landscaping and Gardening" in order to regulate commercial landscape gardening activities 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 on file in the Office of the Town Clerk prior to the hearing and may be examined during regular business hours.

Dated: Manhasset, New York
December 18, 2018

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

NEWSDAY PROOF

Advertiser: TOWN OF NORTH HEMP CLERK OFFICE
Agency: TOWN OF NORTH HEMP CLERK OFFICE
Ad Number: 0021457780
Start Date: 01/17/2019
End Date: 01/17/2019
Price: \$172.00
Ordered By: Legaladv@newsday.com

Phone: 5168697625
Contact: Paul Garille
Section: Legals
Class: 11100
Size: 1 x 43 Times: 1
Date: 1/10/2019
Zone(s): C-Nassau

Signature of Approval: _____ Date: _____

NEWSDAY AFFIDAVIT OF PUBLICATION

TOWN OF NORTH HEMPSTEAD (GEN ACCT)
200 PLANDOME ROAD
RECEIVER OF TAXES
MANHASSET, NY 11030-2326

TOWN OF NORTH HEMPSTEAD
MANHASSET, N.Y. 11030

2019 FEB -8 AM 11:32

RECEIVED
OFFICE OF THE TOWN CLERK

STATE OF NEW YORK)

Legal Notice No.

0021463462

:SS.:

COUNTY OF SUFFOLK)

Darryl Murphy of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Monday

February 04, 2019

Nassau

SWORN to before me this

4 Day of February, 2019.



CHRISTOPHER LAWSON
Notary Public – State of New York
No. 01LA6348406
Qualified in Suffolk County
My Commission Expires September 26, 2020



Ad Content

Legal Notice #: 21463462
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 January 29, 2019 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. 2 of 2019 was adopted. The local law establishes Chapter 32A of the Town Code entitled "Landscaping and Gardening" in order to limit the use of gas-powered leaf blowers and to create a licensing requirement for commercial landscapers.
Dated: Manhasset, New York January 29, 2019
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
TOWN CLERK

NEWSDAY PROOF

Advertiser: TOWN OF NORTH HEMP CLERK OFFICE
Agency: TOWN OF NORTH HEMPSTEAD (GEN ACCT)
Ad Number: 0021463462
Start Date: 02/04/2019
End Date: 02/04/2019
Price: \$108.00
Ordered By: Legaladv@newsday.com

Phone: 5168697625
Contact: Paul Garille
Section: Legals
Class: 11100
Size: 1 x 27 Times: 1
Date: 1/30/2019
Zone(s): C-Nassau

Signature of Approval: _____

Date: _____

RECEIVED
OFFICE OF THE TOWN CLERK
2019 FEB -08 AM 11:33
TOWN OF NORTH HEMPSTEAD
220 PLANDOME ROAD
MANHASSET, N.Y. 11030

MR. WINK: Item 2, a public hearing to consider the adoption of a local law amending Chapter 70 of the Town Code entitled, "Zoning."

SUPERVISOR BOSWORTH: So items 2 and 3 are companion resolutions that Councilman Ferrara, who is not with us today. He's away, and I came up with together. These proposed changes, which have been recommended to us by the Building Department will clean up common issues from the past in order to make things easier for our constituents as they're applying for permits. It will clarify provision in our Code concerning encroachments, parking requirements, attic space, sheds and other provisions. Mr. Kelly, I'm going to ask you, please, to go through the proposed legislation for both items 2 and 3.

MR. KELLY: Certainly. Chapters -- the amendments to Chapters 70 and to Chapter 28 are what we refer to as the low hanging fruit of -- of changes to our zoning and property maintenance codes that were easily identified by our Building Department and by our Planning Department and by Councilperson and the Supervisor, as being areas of the law that we could easily change in order to make things easier for residents. Under Chapter 70: We're changing how certain encroachments into front and side yards are calculated in order to be more permissive; We're changing the parking requirement, how parking requirements are calculated to be more consistent, particularly with regard to restaurants; Simplifying the review of single and two-family homes located in business and industrial districts to be -- to conform more to the Residence C District; Requiring notices for conditional and special use applications to be sent by first class mail in addition to certified mail; Changing several definitions to allow attics to be used as habitable space; Clarifying the rules on how to calculate floor area for attics; and, Allowing sheds to be up to 144 square feet. For Chapter 28: We're changing requirements for room size for occupancy purposes; and also, Changing occupancy requirements for sleeping rooms to be more permissive; Changing requirements for ceiling heights; Adding requirements that any restaurant, bar and grille or retail food place have a refrigerated garbage locker; and, Extending how long residents have to fix graffiti on their property.

SUPERVISOR BOSWORTH: Okay. Thank you. And we wanted to also thank Commissioner Niewender for working, you know, with us so diligently. You know, these are really things that as people have applied for permits they've become problematic with so many of the permits and people go for variances and, you know, in fact, the variances are granted. So we felt that we needed to look at these Codes to bring them up to basically what the current usage really is and as long as they're Code compliant. And so we're hoping that by amending these, that it will, as I said before, go a long way towards speeding up, you know, some of the permit processes. Also, I was going to say, Mr. Wink are there any cards?

MR. WINK: No.

SUPERVISOR BOSWORTH: No. Mr. O'Donald.

MR. O'DONALD: Michael O'Donald, 50 Nugent Street, North New Hyde Park. The attic space.

MR. KELLY: Yes.

MR. O'DONALD: You can live in there and you can use it, is that what you're saying?

MR. KELLY: That -- under certain circumstances if ceiling heights are --are the way they're supposed to be, then yes, it can be used as living space.

MR. O'DONALD: So that will change the whole context of what it looks like in the community. Because now you're going to allow a third floor.

MR. KELLY: No. I believe that the --

MR. O'DONALD: We already had one that I turned into the Town in North New Hyde Park and they said no because he has the windows, they're allowed to have a regular house windows. All right. So if he's only using it as an attic, which is BS because I know someone's living upstairs.

SUPERVISOR BOSWORTH: So, Mr. Kelly, can you just address --

MR. KELLY: Sure.

SUPERVISOR BOSWORTH: -- the kinds of requests that are made about the attic space.

MR. KELLY: I can try.

SUPERVISOR BOSWORTH: Maybe John can --

MR. KELLY: I can actually ask John Niewender to come up and talk about the requests that are made to his department.

SUPERVISOR BOSWORTH: I'm sorry. Right. The Commissioner should be doing that.

MR. NIEWENDER: John Niewender, Building Commissioner. The whole idea of the attic is to -- when you have either limited space that you can't sleep in there and you can't use it, it's like a reverse of the basement. You're able to use it now in the finished sense, you can put a chair up there, a sewing machine or whatever you want to do. Before that you couldn't do that. And then the calculation for the allowed ceiling height because the whole floor instead of the height -- within the height area of the usable space. It's a little technical but it in no way, no means is it for an apartment, living quarters or anything like that. So -- because there are people that have their homes built, back in the day, where the attic area wasn't finished. So we're trying to help out in that -- so for storage.

SUPERVISOR BOSWORTH: It's not a third floor.

MR. NIEWENDER: It's not a third floor. A third floor would still have to meet the requirements of our fire sprinkler, emergency egress, that kind of thing.

MR. O'DONALD: So the way it's written, it does not specify the fact you may not use this for sleeping accommodations. You're dealing with people who are really smart.

SUPERVISOR BOSWORTH: No, no, I get it. So is that something that would need to be added to the Code?

MR. NIEWENDER: So it's built in. The only way that somebody would have access to recreate that space would be to file with us and we would pick it up. It goes along with everything else. People are using basements illegally. They're using -- and this isn't even an invitation to do that. This is just a don't hide it, come out. We'll give you the permit if you're not using for livable --livable space. It's limited to what you can put in there .

MR. KELLY: And to answer your question, Mr. O'Donnell --

MR. NIEWENDER: And it doesn't count as the floor area.

SUPERVISOR BOSWORTH: Can you speak into the mic.

MR. KELLY: To answer your question, the changes that we're making to Chapter 70 with regard to that habitable space are mostly to the definition of gross floor area. However, if you look at the definition of attic in the Zoning Code, it says the space between the ceiling joists and the top story of the roof, an attic shall not be used or occupied as living or sleeping quarters. So you can't use the attic space to sleep.

MR. O'DONALD: Sounds good. Now the next step, if someone calls up and says they're using it for living space. Can they get a warrant? Is the Town going to get a warrant and go in?

MR. KELLY: Well, under certain circumstances a call would be made to the Building Department and the Building Department will take the course of actions deemed necessary.

MR. O'DONALD: Now in my past existence, I've dealt with this where we try to get government to go and get a warrant, after three, four maybe five visits by the building inspector, you know, he's knocking on the door and they're not letting him in. John knows that. But you're supposed to get a warrant and, of course, all municipalities are reluctant to go and get a warrant and we're back to our constitution is what it is? It's an embarrassment. So what's the alternative?

SUPERVISOR BOSWORTH: Well, so -- so if I might add, the reason this is being included in the list is because people are saying they want to do it and the Building Department said no and then they go to the BZA to get a variance and the variance is granted. John, is that --

MR. NIEWENDER: That's correct.

SUPERVISOR BOSWORTH: So that is happening.

MR. NIEWENDER: This Code is designed for the good guy, not the bad guy. The bad guy we deal in other ways. And just to clarify we are very aggressive in our attempt to get search warrants. It's not up to this Town to issue it. The judge must sign off on it. So we're doing the best we can as far as the illegal housing part of it goes. Most of our cases are not attic or we would have, you know, backed off a little bit.

SUPERVISOR BOSWORTH: So in other words, people are applying for it. It's being granted. This is trying to cut that step out. People who have goals that -- that are not honorable let's say, aren't -- aren't going to the Building Department asking for a permit to do this anyhow. So this is just really to serve as a way of making it easier for residents who are, you know, applying for permits. I see you're dubious.

MR. O'DONALD: Very. A little suggestion, I don't know whether the Town is aware, I know in the City of New York because of the same problems, eventually where the inspector could not gain entrance that they would fine the resident and put it on his tax bill, which then he gets some type of compliance because you're getting money out of the deal. As the Town of North Hempstead deliberates the law, this piece of State legislation, which was allowed in the City of New York and so I guess -- I hope the Town of North Hempstead can do it.

MR. NIEWENDER: I'm not going to get -- the legal part of it but I'm not going to -- we're not going to ever get into that situation. We have to prove that there is such an event going on. We do have things in our Code that we can -- if extenuating circumstances and we can tell that it's being occupied or not. Yeah, we conditioned the violation on that but we can't just assume somebody has a tenant and bring them to court and make them guilty until proven innocent. We can't do that, you know --

SUPERVISOR BOSWORTH: Okay. Thank you.

MR. O'DONALD: Thank you, Michael.

COUNCILWOMAN DE GIORGIO: Commissioner, can I just ask you stay up there for one second because I just have a question. So with the addition of item 10, with the refrigerated garbage locker, so this is not -- this is prospective. This is not retroactive; correct?

MR. NIEWENDER: Correct.

COUNCILWOMAN DE GIORGIO: So I know that when the -- when the BZA issues a special use permit for a restaurant, they typically add this condition. So is this sort of now -- how does this interplay between what the BZA does now and the way that we're changing our Code?

MR. NIEWENDER: It affords the restaurant owner the ability to have the refrigerated locker. If the footprint is irregular and they wanted to enclose it into a refrigerated box outside so the waste company is not coming into their restaurant every other day, so that's one thing. Some places have changed the way they do business and changed their menus and that type of thing so the putrescible waste is very, very -- the volume is incredible and that needs to be removed like immediately or refrigerated. So that's what that's about.

COUNCILWOMAN DE GIORGIO: So I have sort of a practical application question. I'm asking this because garbage is a particular issue. I know it's an issue everywhere but on our main street, it's a big issue. So in other words, it's prospective. But let's just say for example --

MR. NIEWENDER: It's not garbage, it's putrescible waste.

COUNCILWOMAN DE GIORGIO: Yeah, that's food.

MR. NIEWENDER: It's food product.

COUNCILWOMAN DE GIORGIO: It's food products.

MR. NIEWENDER: Yeah.

COUNCILWOMAN DE GIORGIO: Right. So like for example, if there's a restaurant or take-out facility that already exists but they -- but because the garbage district in Port Washington does pick up regular garbage, not food waste, you know, in the morning. And a lot of the restaurants do put out like a small quantity of just regular garbage to be picked up. So if a restaurant were to put food waste out for regular garbage pick up, through the Port Washington Garbage District would -- would that violate this Code?

MR. NIEWENDER: Related to it, yeah, it has to be properly contained or refrigerated. So they usually, you know, are part of our inspection of public assembly locations, we require a vendor's certificate, a vendor contract to show how many times that waste is removed and not put out.

COUNCILWOMAN DE GIORGIO: The issue is not so much with the actual like restaurants, which fall under public assembly, it's more with like take-out businesses --

MR. NIEWENDER: Right.

COUNCILWOMAN DE GIORGIO: and other businesses that don't have a lot of seating but they do serve food as sort of their primary business purpose.

MR. NIEWENDER: Right. So we -- we could have that discussion. Anybody that generated putrescible waste should be responsible and require either refrigeration or proper containment.

COUNCILWOMAN DE GIORGIO: Even if they were -- even if they preexisted this Code? Like

that's — that's like —

MR. NIEWENDER: Yeah.

COUNCILWOMAN DE GIORGIO: maybe I can ask maybe if the Town Attorney has an opinion on that.

MR. KELLY: As we stated before that this would be a prospective enforcement. I think to answer your question, I think the issue is less of whether they're violating this provision or violating a provision in the Sanitary Code as to whether they should be putting putrescible waste out on the street for -- for the collector to pick up. And that's -- that's the question and we can certainly look into it.

COUNCILWOMAN DE GIORGIO: Okay. So -- okay. So that was my question. So we just have to talk about that a little bit later.

MR. NIEWENDER: Right. Yeah. Okay.

COUNCILWOMAN DE GIORGIO: Okay. Thank you.

SUPERVISOR BOSWORTH: Are there any other comments?

SUPERVISOR BOSWORTH: Okay. I'd like to close the public hearing, offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 21 - 2019

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

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend Chapter 70 of the Town Code entitled "Zoning" to simplify and clarify the Town's zoning requirements; 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 29th day of January, 2019, 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 January 29, 2019, with respect to the Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

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

NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 3 of 2019 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 3 OF 2019**

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

Section 1. Legislative Intent

The Board finds that it is in the best interest of the residents of the Town of North Hempstead to make amendments to Chapter 70 of the Town Code entitled "Zoning" in order to simplify and clarify the Town's zoning requirements.

Section 2.

Subsection A of Section 70-101 of Chapter 70 of the Town Code is hereby amended as follows:

A. Cornices and eaves shall project not more than 18 inches, gutters not more than eight inches and chimneys not more than 18 inches; bay windows shall be not more than eight feet in width and shall project not more than 24 inches into any required yard; belt courses and sills shall project not more than six inches. All encroachments listed within this subsection shall be permitted as encroachments beyond a legally existing building and shall not be deemed to violate any required setbacks; provided, however, that each encroachment must be within the bounds of the property and comply with New York State Uniform Building Code. All encroachments listed in this subsection shall also be permitted as additional encroachments beyond those encroachments listed in § 70-101(B) and § 70-101(C).

Section 3.

Subsection A of Section 70-103 of Chapter 70 of the Town Code is hereby amended to read as follows:

A. Parking requirements.

[Amended 9-30-2003 by L.L. No. 12-2003; 11-15-2005 by L.L. No. 13-2005]

(1) All districts. The following off-street parking requirements shall apply in all districts in which the enumerated uses are authorized, except where otherwise provided in the article regulating such districts. All references to parking space contained in this section shall be interpreted in conformity with the definition of "parking space" contained in § 70-231 of this chapter. Where any category below denotes that the requirement applies to area in excess of 1,000

square feet, the 1,000 square feet may be deducted only once; must be deducted from the total of all contiguous properties under common ownership and/or control of the applicant; and, at the option of the applicant, may be deducted from the most restrictive category applicable to the site.

[Amended 7-29-2008 by L.L. No. 7-2008; 9-22-2008 by L.L. No. 9-2008; 6-23-2009 by L.L. No. 11-2009; 1-24-2012 by L.L. No. 2-2012; 5-13-2014 by L.L. No. 8-2014; 3-20-2018 by L.L. No. 2-2018]

Use

One Parking Space for Each

Dwelling of any kind other than those specifically listed below

1/2 dwelling unit

Retail food use – 1-12 seats

Retail food use – no seating

300 square feet

300 square feet of floor area in excess of 1,000 square feet

Hospital, clinic

2 beds, plus 1 space per employee

Hotel

Refer to § 70-103S

Industry

600 square feet of floor area

Place of public assembly or place of assembly, exclusive of restaurants (theater, lodge, club, hall, church, auditorium, bowling, gym, fitness center, etc.)

4 seats or 4 persons which can be legally accommodated, plus 1 space per employee

Restaurant/bar and grill

80 square feet of floor area, inclusive of outdoor seating areas, and 1 space per 3 linear feet of a bar or counter where food and/or drink are served as measured on the patron's side of the bar/counter. Spaces reserved for takeout/to-go orders are not counted towards satisfying parking requirements.

Retail store, personal service shop

300 square feet of floor area in excess of 1,000 square feet

Wholesale establishment, warehouse

600 square feet of floor area

All other business

300 square feet of floor area in excess of 1,000 square feet

Gasoline service station/convenience store, Motor Vehicle Shop as defined in § 70-231, Auto body shop including any and all shops that work with and on vehicles.

300 square feet of floor area; service bays, drive aisles, and areas utilized for the pumping of gas shall not be counted as or defined as off-street parking

Game courts (tennis, squash, handball, badminton)

1/8 of each game court, plus 10 spaces for each main structure

Medical, dental and similar offices

150 square feet of floor area in excess of 1,000 square feet

All other offices

200 square feet of floor area in excess of 1,000 square feet

Public housing

Dwelling unit

Dwelling unit in a mixed-use building

Dwelling unit

Senior independent-living facility

0.67 dwelling unit

Senior congregate-living facility

0.67 dwelling unit

Senior assisted-living facility

Dwelling unit

Senior day care

500 square feet of gross floor area

Nursing home/temporary care facility

2 beds

Child care, nursery school or similar facility

1 staff member, plus 1 parking space per each 15 children capacity, or portion thereof

Boatel

2 guest rooms or suites, plus 1 space per employee

Marina

Slip, plus 1 space per employee

(2) Multiple Residence District. Within a Multiple Residence District, there shall be provided on the premises parking or garage facilities at the rate of 2 1/4 spaces for each apartment other than one basement apartment. Such garage facilities shall not include space for more than six cars in one accessory building, which shall conform architecturally to the main building. Parking for senior citizen facilities within a Multiple Residence District shall be provided at the rates indicated in § 70-103A(1). Parking for dwelling units in a Multiple Residence District located within the New Cassel Urban Renewal Area shall be provided at the rate of 1/2 parking space per bedroom in the multiple residence building(s), but in no instance shall there be less than one parking space per dwelling unit.

(3) Golden Age Residence District. Within a Golden Age Residence District there shall be provided off-street parking at the rate of 1 1/4 spaces for each one of the dwelling units.

Section 4.

Section 70-203 of Chapter 70 of the Town Code is hereby amended to add Subsection X to follow Subsection W to read as follows:

X. Electric Vehicle Charging Stations shall be permitted in all commercial districts, subject to the following:

(1) Each electric vehicle charging station shall include vehicle impact protection (bollards) or a similar structure.

(2) A maximum of two parking spaces that are designated for the exclusive use of electric charging and the sale of electricity may be counted towards the off street parking requirements specified in §70-103.

(3) Components for Electric Vehicle Charging Stations may encroach up to 36 inches into a required setback or buffer.

Section 5.

Section 70-208 of Chapter 70 of the Town Code is hereby amended to add Subsection K to follow Subsection J to read as follows:

K. Applications concerning single family and two family dwellings located in Business or Industrial Districts that existed at, and were lawful at, the effective date of this Chapter shall be reviewed in accordance with the requirements of Article VI of this Chapter pertaining to the Residence-C District. Nothing in this code shall permit, in Business and Industrial Districts, the construction of a new dwelling nor the reconstruction of an existing dwelling that has been removed to the extent that the removal exceeds 50% of the existing structure as defined in § 70-209.

Section 6.

Subsection B of Section 70-225 of Chapter 70 of the Town Code shall be amended to read as follows:

B. Conditional and special uses.

(1) In the consideration and determination of applications for conditional uses or special permits, the Board of Zoning and Appeals shall consider the following general standards as applied to the specific application:

(a) The purposes of zoning as set forth in the Town Law of the State of New York and uses permitted in the district in which the property is located.

(b) Whether the proposed use is of such character, size, location, design and site layout as to be appropriate to and in harmony with the surrounding properties.

(c) Whether the proposed use will provide a desirable service, facility or convenience to the area or otherwise contribute to the proper growth and development of the community and to its general welfare.

(d) Whether the proposed use will be hazardous, conflicting or incongruous to the immediate neighborhood by reason of excessive traffic, assembly of persons or vehicles, proximity to travel routes or congregations of children or pedestrians.

(e) Whether the proposed use will be of such nature as to be objectionable to nearby residential dwellings by reason of noise, lights, vibration or other factors of impact.

(f) Whether the proposed use will be a harmonious use in the district in which it is to be situated and not hinder or discourage the appropriate use and development of adjacent uses or impair the value thereof.

(g) In addition to the foregoing, the location and size of a proposed use in a business or industrial district, the nature and intensity of the operations proposed, the site layout and its relation to access streets shall be considered by the board having jurisdiction of the application to determine whether the vehicular traffic resulting from such use will be more hazardous than the normal traffic of the district, taking into account such factors as street intersection, traffic flow, sight distances and pedestrian traffic.

(2) If the Board of Zoning and Appeals shall determine that the conditional uses provided in this chapter or a proposed special use will conform to the general character of the neighborhood to which the proposed use will apply and that the public health, morals, safety and general welfare of such neighborhood will be secure by the granting of such use, subject to the safeguards imposed by the Board, then the Board of Zoning and Appeals shall authorize the issuance of a permit pursuant to § 70-225 of this article. Such permits may be granted for a temporary period or permanently, as determined by the Board, and, if granted for a temporary period, application for extension of same will be subject to a public hearing as required in the original application.

(3) Before an application for a conditional or special use may be heard by the Board of Zoning and Appeals, a complete and accurate list of the names and addresses of the owners of all the lands within a radius of [200]300 feet of the property affected by such application as appears on the latest completed assessment roll of the County of Nassau shall be submitted simultaneously with the application. The applicant shall send, by first class mail and by registered or certified mail, to each owner shown on said list, not less than 10 nor more than 20 days before the date set for a hearing upon this application, a notice addressed to such owners generally, signed by the applicant, identifying the property affected thereby and setting forth the use requested and the date, hour and place fixed by the Board of Zoning and Appeals for the hearing thereon. Before such case may be heard by the Board of Zoning and Appeals, the applicant must file with the Clerk of the Board, not later than five days prior to the hearing date, an affidavit of the mailing of such notices as herein provided, said affidavit to be made on forms to be provided by the Board of Zoning and Appeals. This provision shall likewise apply to any application for the extension of a temporary conditional or special use.

(4) If the Board of Zoning and Appeals finds that in an application the conditional use provided in this chapter or special use proposed and requested in said application will not conform to the general character of the neighborhood to which the proposed use will apply and that the public health, morals, safety and general welfare of such neighborhood will not be secured by

granting such conditional use, then the Board of Zoning and Appeals shall deny such application, anything in this chapter to the contrary notwithstanding.

(5) If, upon an application for extension of a conditional or special use, the Board finds that the applicant has violated the conditions imposed in the granting of same or if the Board finds that because of a change in the general character of the neighborhood the public health, safety, morals and general welfare will be adversely affected by the extension of such conditional or special use, then the Board of Zoning and Appeals may deny an application for extension of such conditional or special use, anything in this chapter to the contrary notwithstanding.

(6) Mother-daughter residences.

(a) Upon an application for a mother-daughter residence, as defined in § 70-231 of this chapter, § 70-225B(3) shall not apply; however, the applicant shall file with the Board the written consents received from, or proof of written notice given to, all owners of property adjoining the property affected by the application.

(b) Any mother-daughter residence legally in existence with a currently valid permit on April 1, 1997, shall be considered to be a legal nonconforming use with respect to any structural improvement in existence on April 1, 1997. Any subsequent structural improvement shall conform to the conditions of a mother-daughter residence, as defined in § 70-231.

(c) The fee owner of any residence which ceases to be a mother-daughter residence under the conditions listed in § 70-231 shall remove all cooking facilities from the apartment within 90 days of the change. As a condition of granting any application for a conditional use of a mother-daughter residence, the Board of Zoning and Appeals shall require the recording of a covenant to remove cooking facilities as aforesaid.

(7) Changes to uses requiring conditional use permit; noncompliance.

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

(a) Any restaurant or retail food use must apply to the Board of Zoning and Appeals if any of the following occurs:

[1] An increase in the size of an approved kitchen by 20% of floor area of said kitchen, or 250 square feet, whichever is less, inclusive of prep areas, is proposed.

[2] The addition or removal of counter/kiosk service for the placement of a food order.

(b) Failure to comply with the conditions imposed in the decision of the Board of Zoning and Appeals may result in a revocation of the conditional use permit. In the event that the conditional use permit is revoked, a new conditional use permit application must be made and the appropriate fees paid.

Section 7.

Subsection D of Section 70-227 of Chapter 70 of the Town Code shall be amended to read as follows:

D. Hearing notice requirements.

(1) The Secretary to the Board of Zoning and Appeals shall publish notice of the public hearing for a variance, appeal for determination or conditional use permit in the local newspapers at least 10 days before the hearing date. The notice shall identify the property affected by stating the section, block, lot and street address and shall also state the date, time and place of the hearing.

(2) Before the application will be heard, the applicant must provide notice of the hearing to property owners within a radius of 300 feet of the site, in the manner provided herein, and must file an affidavit as to the mailing of such notices in accordance with this Section with the Secretary to the Board of Zoning and Appeals not less than five days before the hearing. Not less than 10 nor more than 20 days before the hearing, the applicant shall send, by first class mail and by registered or certified mail, a notice to each affected owner identifying the subject property, stating the nature of the application and the date, time and place for the hearing. For applications for additions and alterations to one- or two-family residential structures, notice may be provided to only the adjoining property owners.

Section 8.

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

§ 70-231. Definitions.

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

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

ABATTOIR

A slaughterhouse for the slaughtering of livestock other than poultry.

ACCESSORY APARTMENT

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

ACCESSORY BUILDING OR USE

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

AFFORDABLE SENIOR CITIZEN FACILITY

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

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

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

AGRICULTURE

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

ALL-SUITE HOTEL

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

ALTERATION

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

AMUSEMENT ARCADE

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

AMUSEMENT DEVICE

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

ATTIC

The space between the ceiling joists of the top story and the roof rafters. An attic shall not be used or occupied as living or sleeping quarters. There shall be no fixed stair to any new attic space nor operable windows. Attics shall not have finished floors or heating systems. Attics over one-story extensions shall count as additional gross floor area if the height from the joist to the underside of the ridge is greater than five feet. Horizontal access to attics shall be limited to nine square feet. Notwithstanding the foregoing, an attic may be permitted to be constructed as, or converted into, habitable or occupiable space where the requirements of the district would permit a full story; provided, however, that the attic shall be counted as gross floor area when used as habitable or occupiable space.

BAR AND GRILL

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

BASEMENT

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

BELOW-GRADE PARKING STRUCTURE

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

BILLBOARD or POSTER PANEL

A sign erected and maintained by an outdoor advertiser.

BLOCKFRONT

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

BOATEL

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

BUILDING

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

BUILDING DEPARTMENT

The Building Department of the Town of North Hempstead.

BUILDING HEIGHT

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

BUILDING OFFICIAL

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

CARETAKER UNIT

An accessory living space within a historic building, structure or dwelling intended as a primary residence for the person or family responsible for the maintenance, upkeep and/or security of the building or site. Caretaker units may comprise up to 50% of the gross floor area of the building, and may have a separate entrance.

[Added 9-10-2013 by L.L. No. 4-2013]

CELLAR

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

CHILD-CARE FACILITY

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

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

CODE ENFORCEMENT OFFICER

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

[Added 11-16-2010 by L.L. No. 15-2010]

COMMERCIAL PARKING LOT

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

CONCRETE RECYCLING OPERATION

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

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

CONVENIENCE STORE

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

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

CORNER LOT

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

CORRAL

An outdoor accessory structure for the storage of shopping baskets, carts and wagons that is made available for use by the shopping public and for the secure storage of carts during hours when the business is closed.

[Added 3-8-2011 by L.L. No. 4-2011]

COURT

A required open and unoccupied space on the same lot and enclosed on at least three sides by walls of a building.[1]

DEPARTMENT OF HEALTH

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

DEPTH OF A LOT

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

DISPLAY SURFACE

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

DRIVE-THROUGH FACILITY

A business, establishment, building or other structure intended, in whole or in part, to accommodate in-vehicle customer service. Such facilities shall also include, but not be limited to, establishments such as drive-through oil change and/or car wash operations, which utilize a

drive-through lane or lanes, but perform their services while customers wait outside their motor vehicles, and establishments that provide in-vehicle customer service via a freestanding box.

DWELLING

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

DWELLING UNIT

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

EAVE HEIGHT

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

ELEEMOSYNARY

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

ELECTRONIC CIGARETTE

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

[Added 8-9-2016 by L.L. No. 7-2016; amended 11-20-2018 by L.L. No. 10-2018]

ELECTRIC VEHICLE CHARGING STATION

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

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

ERECTED

Includes constructed, reconstructed, altered, placed or moved.

EXISTING BUILDING

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

FAMILY

One individual or a collective group of individuals either:

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

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

FOOD SERVICE

See definition of "restaurant" contained in this section.

FRONT OF BUILDING

On an interior lot, the exterior wall facing the street. The "front of a building" on a corner lot is the exterior wall where the main entrance is established.[2]

FRONT YARD

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

FRONT YARD, PRIMARY

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

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

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

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

GASOLINE SERVICE STATION/CONVENIENCE STORE

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

supplies, oils, waxes and windshield fluids, newspapers and magazines may also be sold at a gasoline service station/convenience store.

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

GROSS FLOOR AREA (NONRESIDENTIAL)

The sum of the gross horizontal areas of the several floors of a building, including interior balconies and mezzanines and attics over one-story extensions where the height from the joist to the underside of the ridge is greater than five (5) feet, but excluding exterior balconies. All horizontal dimensions of each floor are to be measured from the exterior faces of the walls of each such floor, including roofed porches having more than one wall. The "gross floor area" of accessory buildings shall include the floor area of accessory buildings on the same lot, measured the same way. In computing the "gross floor area," there shall be excluded any floor area of a story whose ceiling is less than four feet above grade at the nearest building line and attic space having a headroom of less than seven feet, provided that those areas are nonhabitable and are used for storage or mechanical equipment.

GROSS FLOOR AREA (RESIDENTIAL)

The sum of the gross horizontal area of all floors or stories of a dwelling as [measured to the outside surfaces of structural walls] measured to the outside face of the exterior wall inclusive of all exterior facing as well as attached garages, enclosed porches and roofed porches having more than 50% of the perimeter enclosed or screened, attics over one-story extensions where the height from the joist to the underside of the ridge is greater than five (5) feet, all habitable and occupiable attics and basement areas with ceiling heights in excess of seven feet or greater. Basement areas with a maximum ceiling height of eight feet shall not be included in the gross floor area in all residential building permit applications or amendments submitted prior to December 21, 2007. Attics that are non-habitable and non-occupiable and cellars shall be excluded from the gross floor area. The gross floor area of detached garages greater than 300 square feet shall be included in their entirety. Gross floor area in dwellings for areas exceeding [10] 12 feet in height shall be counted at [1.5] 2.0 times the actual floor area except in garages

GROUND OR FIRST STORY

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

GROUND SIGN and POLE SIGN

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

GROUP GARAGE

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

HABITABLE FLOOR AREA IN A DWELLING

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

HALF STORY

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

HOTEL

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

INDOOR SMOKING ESTABLISHMENT

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

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

INDUSTRIAL PARK

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

INDUSTRY

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

INTERIOR LOT

A lot other than a corner lot.

JUNKYARD

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

LANDBANKED PARKING AREA

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

LODGE

A building used by fraternal organizations.

LOT

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

LOT AREA

The area of a lot measured within the boundaries thereof.

LOT COVERAGE

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

MAIN BUILDING

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

MAINTAIN EXISTING

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

MARIJUANA

Shall have the same definition ascribed to "marihuana" in § 3302 of the New York Public Health Law.

[Added 11-20-2018 by L.L. No. 10-2018]

MARIJUANA PRODUCT

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

[Added 11-20-2018 by L.L. No. 10-2018]

MARIJUANA RETAIL STORE

A building, structure or premises engaged in the sale, use or distribution of marijuana and/or marijuana products for nonmedical use. A building, structure or premises shall be considered a marijuana retail store regardless of whether products in addition to marijuana products are offered for sale, use or distribution at the building, structure or premises and regardless of the amount of marijuana or marijuana products available for sale, use or distribution at the building, structure or premises in comparison to other products offered for sale, use or distribution at the building, structure or premises.

[Added 11-20-2018 by L.L. No. 10-2018]

MARINA

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

MARINE

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

MATERIAL CRUSHING

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

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

MEDICAL MARIJUANA

Shall have the same definition ascribed to medical marihuana in § 3360 of the New York Public Health Law.

MEDICAL MARIJUANA DISPENSARY

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

MIXED USE

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

MOTHER-DAUGHTER RESIDENCE

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

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

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

MOTOR VEHICLE REPAIR SHOP

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

MULTIPLE-FAMILY DWELLING

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

NEW CASSEL URBAN RENEWAL AREA

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

NEW CASSEL URBAN RENEWAL OVERLAY DISTRICT or OVERLAY DISTRICT

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

NEW CASSEL URBAN RENEWAL PLAN

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

NEW CASSEL VISION PLAN

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

NONCONFORMING BUILDING

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

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

NONCONFORMING USE

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

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

NONPERMITTED SUBSTANTIAL AMENDMENT

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

NURSERY SCHOOL

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

NURSING HOME

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

OPEN PORCH

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

OPEN SPACE

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

PARKING SPACE

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

PERSON

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

PORTABLE SHED

A structure of no more than [100] 144 square feet, with a maximum height of 10 feet, not having a firm attachment to the ground, for the storage of garden and recreational equipment.

PREEXISTING GRADE

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

PREMISES

Includes the land and all buildings or structures thereon.

PRIMARY BUILDING

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

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

PRIVATE GARAGE

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

PROFESSIONAL OFFICE

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

PUBLIC GARAGE

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

PUBLIC HOUSING

A building, portion of a building or group of buildings that provides dwellings in a residential environment, subject to the regulations set forth in Article IX of this chapter, and which is owned or operated by one of the following:

[Added 6-29-2010 by L.L. No. 7-2010]

- A. The North Hempstead Housing Authority; or
- B. An entity that is working under contract with the North Hempstead Housing Authority;
or
- C. A limited partnership whose general partner is the North Hempstead Housing Authority or an entity owned, operated and controlled by the North Hempstead Housing Authority.

REAR YARD

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

RESIDENCE UNIT

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

RESTAURANT

A business engaged in the preparation and sale of food and beverages for consumption either on or off the premises that is not a retail food use.[3]

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

RETAIL FOOD USE

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

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

RETAINING WALLS

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

ROW DWELLING

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

SANATORIUM

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

SENIOR ASSISTED-LIVING FACILITY

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

Occupancy is restricted to persons 62 years of age or older or couples, one of whose member is 62

years of age or older who may have difficulties with one or more essential activities of daily living, such as feeding, bathing, dressing or mobility.

SENIOR CITIZEN FACILITY

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

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

SENIOR CONGREGATE-LIVING FACILITY

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

SENIOR DAY-CARE FACILITY

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

SENIOR INDEPENDENT-LIVING FACILITY

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

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

SENIOR RESIDENCE DISTRICT (R-S)

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

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

SHOPPING CENTER

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

SIDE YARD

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

SIGN

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

SINGLE-FAMILY DWELLING

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

SKY EXPOSURE PLANE

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

STORY

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

STREET

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

STREET FRONT

Any property line which abuts a street.

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

STREET FRONTAGE

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

STREET LINE

The line dividing a lot from a street.

STRUCTURE

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

TELEPHONE EXCHANGE

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

TEMPORARY CARE FACILITY

A facility providing housing on a temporary basis to a limited population upon individual referral by a state or federal agency. Such facilities are staffed full time and may have full- or part-time medical staff on premises and often provide on-site counseling services. Such facilities are not acute care or nursing facilities.

[Added 1-24-2012 by L.L. No. 2-2012]

TERRACE

An open porch without a permanent roof.

TOWN OF NORTH HEMPSTEAD

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

TRAFFIC SEPARATOR

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

TRAILER or CAMP CAR

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

TRANSFER STATION

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

TWO-AND-ONE-HALF-STORY BUILDING

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

TWO-FAMILY ATTACHED RESIDENCE BUILDING

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

TWO-FAMILY DETACHED DWELLING

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

TWO-STORY BUILDING

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

USED

Includes designed, intended or arranged to be used.

USES

The listed uses permitted in various districts. The listing of any uses as being permitted uses in any district shall be deemed to mean that such uses and no other shall be permitted in such district unless specifically permitted in this chapter. The listing of any use as being permitted in or as being

excluded from a particular district shall be deemed to be an exclusion of such use from any more restricted district unless specifically permitted by this chapter. Each of the hereinafter-named districts shall be deemed to be more restricted than the districts which succeed it and less restricted than the districts which precede it: Residence AAA, Residence AA, Residence A, Residence B, Residence C, Residence D, Multiple Residence, Public Housing Residence, Golden Age Residence, Parking, Transportation, Business AA, Business A, Business B, Planned Industrial Park, Industrial A, Modified Planned Industrial Park, Service Commercial and Industrial B Districts.

VALET PARKING

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

VEHICULAR STANDING SPACE

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

WATER-DEPENDENT USE

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

WIDTH OF A LOT

The mean width measured at right angles to its depth.

YARD

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

[1] Editor's Note: The former definition of "delicatessen," which immediately followed, was repealed 3-20-2018 by L.L. No. 2-2018. See now the definition of "retail food use."

[2] Editor's Note: The former definition of "front street," which immediately followed, was repealed 7-10-2012 by L.L. No. 11-2012. See now the definition of "street front."

[3] Editor's Note: The former definition of "restaurant, fast food," which immediately followed, was repealed 3-20-2018 by L.L. No. 2-2018.

Section 9.

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

Section 10.

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

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on January 29, 2019 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. of 2019 was adopted. The local law amends Chapter 70 of the Town Code entitled "Zoning" to simplify and clarify the Town's zoning requirements.

Dated: Manhasset, New York
January 29, 2019

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney

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

Henry Krukowski, being duly sworn, deposes and says that on the 11th day of January, 2019, he posted the attached Notice of Hearing amending Chapter 70 of the Town Code entitled "Zoning", to update and clarify a number of provisions of the Town's zoning code concerning encroachments, parking requirements, attic space, sheds, notices and other provisions, at the following locations:

Town Clerk Bulletin Board

Greenvale Post Office

Great Neck Post Office

Manhasset Post Office

Port Washington Post Office

Roslyn Heights Post Office

Albertson Post Office

Carle Place Post Office

Westbury Post Office

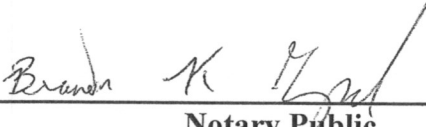
New Hyde Park Post Office



Henry Krukowski

Sworn to me this

14th day of January, 2019



Notary Public

Brandon K Gimpelman
Notary Public, State of New York
No. 01GI6371819
Qualified in Nassau County
Commission expires March 5, 2022

NEWSDAY AFFIDAVIT OF PUBLICATION

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

2019 JAN 28 AM 11:33
TOWN OF NORTH HEMP
MANHASSET, N.Y. 11030

STATE OF NEW YORK)

Legal Notice No.

0021457770

:SS.:

COUNTY OF SUFFOLK)

Darryl Murphy of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Thursday January 17, 2019 Nassau

SWORN to before me this
17 Day of January, 2019.



CHRISTOPHER LAWSON
Notary Public - State of New York
No. 01LA6348406
Qualified in Suffolk County
My Commission Expires September 26, 2020



Ad Content

Legal Notice # 21457770

NOTICE OF HEARING
PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead at Town Hall, 220 Plandome Road, Manhasset, New York, on the 29th day of January, 2019, at 7:00 P.M., to consider the adoption of a Local Law amending Chapter 70 of the Town Code entitled "Zoning" in order to update and clarify a number of provisions of the Town's zoning code concerning encroachments, parking requirements, attic space, sheds, notices and other provisions.

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

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

Dated: Manhasset, New York
December 18, 2018

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

NEWSDAY PROOF

Advertiser: TOWN OF NORTH HEMP CLERK OFFICE
Agency: TOWN OF NORTH HEMP CLERK OFFICE
Ad Number: 0021457770
Start Date: 01/17/2019
End Date: 01/17/2019
Price: \$164.00
Ordered By: Legaladv@newsday.com

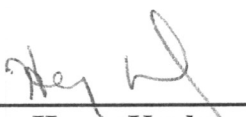
Phone: 5168697625
Contact: Paul Garille
Section: Legals
Class: 11100
Size: 1 x 41 Times: 1
Date: 1/10/2019
Zone(s): C-Nassau

Signature of Approval: _____ Date: _____

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

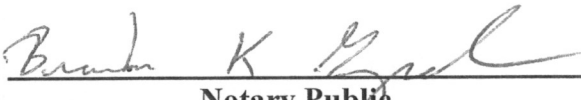
Henry Krukowski, being duly sworn, deposes and says that on the 31st day of January, 2019, he posted the attached Notice of Adoption of Local Law 3 amending Chapter 70 of the Town Code entitled "Zoning" to update and clarify a number of provisions of the Town's zoning code concerning encroachments, parking requirements, attic space, sheds, notices and other provisions, at the following location:

Town Clerk Bulletin Board



Henry Krukowski

Sworn to me this
31st day of January, 2019



Notary Public

NEWSDAY AFFIDAVIT OF PUBLICATION

TOWN OF NORTH HEMPSTEAD (GEN ACCT)
200 PLANDOME ROAD
RECEIVER OF TAXES
MANHASSET, NY 11030-2326

RECEIVED
OFFICE OF THE CLERK
2019 FEB -8 AM 11:32
TOWN OF NORTH HEMPSTEAD
MANHASSET, NY 11030

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

Legal Notice No. 0021463466

Darryl Murphy of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Monday February 04, 2019 Nassau

SWORN to before me this
4 Day of February, 2019.



CHRISTOPHER LAWSON
Notary Public – State of New York
No. 01LA6348406
Qualified in Suffolk County
My Commission Expires September 26, 2020



Ad Content

Legal Notice # 21463466
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 January 29, 2019 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. 3 of 2019 was adopted. The local law amends Chapter 70 of the Town Code entitled "Zoning" to simplify and clarify the Town's zoning requirements.
Dated: Manhasset, New York January 29, 2019
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
TOWN CLERK

NEWSDAY PROOF

Advertiser: TOWN OF NORTH HEMP CLERK OFFICE
Agency: TOWN OF NORTH HEMPSTEAD (GEN ACCT)
Ad Number: 0021463466
Start Date: 02/04/2019
End Date: 02/04/2019
Price: \$96.00
Ordered By: Legaladv@newsday.com

Phone: 5168697625
Contact: Paul Garille
Section: Legals
Class: 11100
Size: 1 x 24 Times: 1
Date: 1/30/2019
Zone(s): C-Nassau

Signature of Approval: _____

Date: _____

RECEIVED
OFFICE OF THE TOWN CLERK
2019 FEB -8 AM 11:32
TOWN OF NORTH HEMPSTEAD
MANHASSET, N.Y. 11040

MR. WINK: Okay. Item 3, a public hearing to consider the adoption of a local law amending Chapter 28 of the Town code entitled "Housing, Rehabilitation and Property Maintenance Code."

SUPERVISOR BOSWORTH: All right. Mr. Wink, are there any cards for this item?

MR. WINK: I have none.

SUPERVISOR BOSWORTH: Okay. Is there anybody from the public that would like to comment?

SUPERVISOR BOSWORTH: All right. So being that Mr. Kelly just explained the legislation -- yeah. I'd like to offer the resolution and move for the adoption -- for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 22 - 2019

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 28 OF THE TOWN CODE ENTITLED "HOUSING, REHABILITATION AND PROPERTY MAINTENANCE CODE."

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

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend Chapter 28 of the Town Code entitled "Housing, Rehabilitation and Property Maintenance Code" to simplify and clarify certain requirements within the property maintenance code.; 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 29th day of January, 2019, 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 January 29, 2019, with respect to the Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

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

NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 4 of 2019 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 4 OF 2019**

**A LOCAL LAW AMENDING CHAPTER 28 OF
THE TOWN CODE ENTITLED "HOUSING, REHABILITATION AND PROPERTY
MAINTENANCE CODE"**

Section 1. Legislative Intent

The Board finds that it is in the best interest of the residents of the Town of North Hempstead to make amendments to Chapter 28 of the Town Code entitled "Housing, Rehabilitation and Property Maintenance Code" in order to simplify and clarify the requirements within the property maintenance code.

Section 2.

Section 28-7 of Chapter 28 of the Town Code is hereby amended to read as follows:

§28-7. Maximum occupancy and minimum room size

No person shall occupy as owner or occupant or let to another for occupancy any structure or portion thereof which does not comply with the following requirements:

A. Calculation. For the purpose of this regulation, each person 12 years of age and older shall be counted as one person; children more than one year old but less than 12 years old shall be deemed to be 1/2 person; and infants up to one year old shall not be counted. The floor area shall be based upon the area of habitable rooms contained within the living unit, exclusive of utility and storage rooms, halls, closets, porches and any connecting spaces. Any area in a habitable room which has a ceiling height of less than five feet shall not be counted or included in the computation of the space.

B. Dwelling units. Every dwelling unit shall have at least 150 square feet of habitable floor space for the first occupant, plus 100 square feet of habitable floor space for each additional occupant. Each dwelling unit shall contain one habitable room with at least 150 square feet of floor area and a minimum horizontal dimension of eight feet. Any additional habitable rooms shall have a minimum floor area of [100] 120 square feet and a minimum horizontal dimension of [seven] 7 feet.

C. Sleeping rooms. No room in any dwelling unit or rooming unit shall be used for sleeping purposes unless there is a minimum habitable floor space of 70 square feet for [each occupant] a space with a single occupant, and a minimum habitable floor space of 50 square feet per occupant for a space with multiple occupants.

D. Ceiling height. [At least 1/2 of the floor space of any habitable room must have an average height of at least seven feet six inches. Portions of floor spaces having ceiling heights less than five feet shall not be counted.] Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a minimum clear ceiling height of 7 feet, except:

(1) In one- and two-family dwellings, beams or girders spaced not less than 4 feet on center may project a maximum of 6 inches below the required ceiling height; and

(2) Basement rooms in one-and two-family dwellings occupied exclusively for laundry, study or recreation purposes shall have a minimum ceiling height of 6 feet 8 inches with a minimum clear height of 6 feet 4 inches under beams, girders and similar obstructions; and

(3) In rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling, all or part of the room shall have a minimum clear ceiling height of 7 feet over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a minimum clear ceiling height of 5 feet shall be included.

Section 3.

Section 28-22 of Chapter 28 of the Town Code is hereby amended to read as follows:

§28-22. Maintenance standards

It shall be a violation of this chapter for any person, owner or occupant to create, cause, maintain or permit to continue any condition which is prohibited or otherwise inconsistent with the provisions of this section.

A. Open areas; parking spaces.

(1) Surface and subsurface water shall be appropriately drained to protect buildings and structures and to prevent the development of stagnant ponds. Gutters, culverts, catch basins, drain inlets, stormwater sewers, approved combined storm and sanitary sewers or other satisfactory drainage systems shall be utilized where necessary. No roof, surface or sanitary drainage shall create a structural, safety or health hazard by reason of construction, maintenance or manner of discharge.

(2) Fences, planting areas and other minor construction shall be maintained in a safe and substantial condition. Such maintenance shall include but not be limited to the replacement or removal of trees and shrubs which may die and/or otherwise be destroyed, and the replacement and/or repair of fences or other structures which may become in disrepair.

(3) Steps, walks, driveways, parking spaces and similar paved areas shall be in a proper state of repair, maintained so as to afford safe passage under normal use and weather conditions and shall be maintained free from hazardous conditions. Any holes or other hazards that may exist shall be filled or necessary repairs or replacement carried out.

(4) Yards, courts and vacant lots shall be kept clean and free of physical hazards, rodent harborage and infestation. They shall be maintained in a manner that will prevent dust or other particles from being blown about the neighborhood. Open wells, cesspools or cisterns shall be securely closed or barricaded from access to the public.

(5) All premises and immediate exterior property shall be maintained free from weeds or plant growth in excess of 10 inches. All noxious weeds are prohibited. Any trees or shrubs or portions thereof located on private property and constituting a hazard to persons or property shall be removed.

(6) A junked vehicle may not be parked, stored or left in the open. Unlicensed vehicles must be relocated to a completely enclosed location or otherwise removed from the property.

(7) That portion of the public right-of-way not covered by pavement or a similar surface and located between the portion of the right-of-way used for vehicular traffic and the boundary line of said right-of-way shall be maintained by the adjoining property owner. Such maintenance shall include but not be limited to the removal of litter, glass, paper and all other nonindigenous materials and the cutting of all weeds except trees, bushes and shrubs to a height of less than four inches. The requirements of this section shall be in addition to and not in lieu of the requirements of Chapter 48 of this Code.

(8) No person shall park any motor vehicle or boat in any front yard area except on driveways constructed and installed in compliance with the Town Code.

(9) The accumulation of any filth, dirt, ashes, junk, garbage, wastewater, raw sewage, sewage, wastepaper, dust, rubbish, sticks, stones, wood (including log piles exposed to the weather and elements), leaves, paper or paper boxes, iron, tin, nails, bottles or glass of any kind, old cars and parts thereof, discarded appliances such as refrigerators and the like is prohibited upon any premises.

(10) The exterior of the premises and all structures located on the premises shall be kept free of all nuisances and any hazards to the safety of occupants, pedestrians and other persons utilizing the premises and shall be free of unsanitary conditions.

(11) Approved methods of erosion control and stormwater retention shall be provided for on all properties and shall conform to the requirements of § 70-202.2. Where existing site conditions fail to control erosion and contain stormwater on site, appropriate corrective measures shall be taken.

B. Business units.

(1) Business units, as defined herein, shall at all times be maintained in compliance with the provisions of this code regulating open areas, parking spaces and buildings or structures.

(2) All garbage, crates, pallets, rubbish, refuse or debris shall be kept inside the building or buildings or on the premises in an acceptable enclosure and shall be regularly collected and removed from the premises.

[Amended 3-8-2011 by L.L. No. 3-2011]

(3) Storage of shopping baskets, carts and wagons shall be in compliance with § 70-202.4 of the Town Code.

[Amended 3-8-2011 by L.L. No. 3-2011]

(4) No mobile refrigeration unit shall be operated on the premises after the closing of the business conducted thereon unless such mobile refrigeration unit is electrically operated.

(5) No truck or other vehicle shall be loaded or unloaded outside the confines of the building or buildings on the premises, before 7:00 a.m. or after the business conducted on the premises has been closed to the public, in such manner as to cause excessive noise or disturbance to the adjoining properties. The loading and unloading area on the premises shall be enclosed at all times except where such area abuts a topographical barrier of such nature as to reduce the decibels of noise resulting from the loading or unloading activity. For the purposes of this section, a noise rating exceeding 25 decibels of average noise at the nearest residence to the premises shall be deemed excessive.

(6) All fences and planting areas installed on the premises shall be maintained by the owner or occupant of the property. Such maintenance shall include but not be limited to the replacement of trees and shrubs which may die and/or otherwise be destroyed and to the replacement and/or repair of fences which may become in disrepair. The owner or occupant shall, upon written notice of the Enforcement Officer, replace any shrubbery and/or trees and/or replace or repair any fence installed on the premises.

(7) All required parking spaces must be adequately marked or striped as per the building permit, building and/or zoning ordinance or Board of Zoning and Appeals decision.

(8) No exterior storage of industrial or commercial materials, or other materials, or trucks or trailers is permitted in required parking spaces.

(9) Restaurants and other eating facilities shall have garbage containers sufficient in number for all of their solid waste and shall maintain them in satisfactory condition.

(10) A refrigerated garbage locker shall be required within any restaurant, bar and grill or retail food use. There shall be no outdoor storage of putrescible waste generated by any food use at any time. The applicant shall arrange for indoor carry-out/pickup with a licensed sanitation collector and shall forward a copy of the contract to the Building Official prior to the issuance of a certificate of occupancy. Terms used in this subsection that are not defined by this Chapter shall have the meanings ascribed to them by §70-231 of the Town Code.

C. Buildings and structures.

(1) All exterior exposed surfaces not inherently resistant to deterioration shall be repaired, coated, treated or sealed to protect them from deterioration or weathering. Said surfaces, having once been coated with any finish such as paint, varnish, lacquer, etc., must be continuously maintained and recoated as necessary to keep uniformity of color and texture. Such surface shall be recoated in a workmanlike manner.

(2) Floors, walls, ceilings, stairs, furnishings and fixtures of buildings shall be maintained in a clean, safe and sanitary condition. Every floor, exterior wall, roof and porch, or appurtenance thereto, shall be maintained in a manner so as to prevent collapse of the same or injury to the occupants of the building or to the public.

(3) The foundation walls of every building shall be maintained in good repair and shall be structurally sound. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

(4) Exterior walls, roofs and all openings around doors, windows, chimneys and other parts of a building shall be so maintained as to keep water from entering the building and to prevent undue heat loss from occupied areas. Materials which have been damaged or show evidence of dry rot or other deterioration shall be repaired or replaced and refinished in a workmanlike manner. Exterior walls, roofs and other parts of the building shall be free from holes, breaks, rotting material and loose and unsecured objects and material and improperly secured objects and material. Such objects or materials shall be removed, repaired or replaced.

(5) The owner of a vacated building shall take such steps and perform such acts as may be required of him from time to time to ensure that the building and its adjoining yards remain safe and secure and do not present a hazard to adjoining property or to the public. All openings shall be provided with painted exterior-grade plywood closures, securely fastened.

(6) Buildings and structures shall be maintained in such condition so that they shall not become an unoccupied hazard as defined in this code.

(7) All signs, awnings and lighting systems shall be maintained in a completely operable, clean, nondeteriorated and safe condition.

(8) All decorative pools and similar devices shall be maintained free of litter and operated as intended. Should the maintenance costs of such devices prove unacceptable, the device shall be removed.

(9) Fuel-burning or heat-producing equipment shall be installed and maintained so that the emissions or discharge into the atmosphere of smoke, dust particles, odors or other products of combustion will not create a nuisance or be detrimental to the health, comfort, safety or property of any person.

(10) Chimneys, flues and their supports shall be installed and maintained so as to be structurally safe, durable, smoke-tight, noncombustible and capable of withstanding the action of flue gases without softening, cracking or corroding.

(11) Air-conditioning units which are over any public opening shall have condensation piped away from the entranceway of same.

(12) Electrical fixtures, devices, wiring and systems shall be maintained in safe working condition, keeping in mind energy conservation, and shall be turned off when not in use, so as not to be a potential source of ignition of combustible material or an electric hazard or shock, and shall be properly connected to a reasonable and adequate source of electrical power.

(13) All plumbing fixtures, sanitary facilities, plumbing appliances and plumbing equipment shall be properly maintained in good working condition.

(14) If a sign is removed from the exterior of a building or structure, the area that was covered by the removed sign and now left exposed, even if a new sign is installed, shall be cleaned and maintained so that the exterior of the building or structure shall have a uniform color and texture.

(15) Any building or structure which is structurally unsound, unsanitary or which has become unsafe by reason of the elements, age, general deterioration, inadequate maintenance, dilapidation, obsolescence or abandonment, or which is otherwise dangerous to human life, shall be prohibited upon any premises.

Section 4.

Section 28-23.1 of Chapter 28 of the Town Code is hereby amended to read as follows:

§28-23.1. Graffiti; defacement of property.

A. It shall be unlawful to spray or create graffiti in any manner on any building or structure.

B. It shall be the responsibility of any person owning or occupying any building or structure which has been defaced with graffiti to cause such graffiti to be removed or covered over. Responsibility for removal or covering of graffiti shall lie with the owner or occupant, notwithstanding that said person may not have created the graffiti.

C. Any person who creates graffiti in any manner shall be liable for the cost of removing or covering the same.

D. Notwithstanding § 28-35 of this Chapter, the required time for remedying a violation of this § 28-23.1 shall not be less than ten (10) days nor more than forty-five (45) days from the date of service of a notice of violation.

Section 5.

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

Section 6.

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

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on January 29, 2019 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. of 2019 was adopted. The local law amends Chapter 28 of the Town Code entitled “Housing, Rehabilitation and Property Maintenance Code” to simplify and clarify certain requirements within the property maintenance code.

Dated: Manhasset, New York
January 29, 2019

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney

NEWSDAY AFFIDAVIT OF PUBLICATION

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

REC'D
TOWN CLERK
JAN 28 AM 11:33
NORTH HEMP
MANHASSET, NY 11030

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

Legal Notice No. 0021457773

Darryl Murphy of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Thursday January 17, 2019 Nassau

SWORN to before me this
17 Day of January, 2019.



CHRISTOPHER LAWSON
Notary Public – State of New York
No. 01LA6348406
Qualified in Suffolk County
My Commission Expires September 26, 2020



Ad Content

Legal Notice # 21457773
NOTICE OF HEARING
PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead at Town Hall, 220 Plandome Road, Manhasset, New York, on the 29th day of January, 2019, at 7:00 P.M., to consider the adoption of a Local Law amending Chapter 28 of the Town Code entitled "Housing, Rehabilitation and Property Maintenance Code" in order to update and clarify a number of provisions of the Town's property maintenance code concerning occupancy requirements, ceiling heights, trash storage and other provisions.
PLEASE TAKE FURTHER NOTICE that all interested persons shall have an opportunity to be heard concerning the Local Law at the time and place advertised.
PLEASE TAKE FURTHER NOTICE that the full text of the proposed Local Law will be posted on the Town's website and on file in the Office of the Town Clerk prior to the hearing and may be examined during regular business hours.
Dated: Manhasset, New York
December 18, 2018
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
Town Clerk

NEWSDAY PROOF

Advertiser: TOWN OF NORTH HEMP CLERK OFFICE
Agency: TOWN OF NORTH HEMP CLERK OFFICE
Ad Number: 0021457773
Start Date: 01/17/2019
End Date: 01/17/2019
Price: \$184.00
Ordered By: Legaladv@newsday.com

Phone: 5168697625
Contact: Paul Garille
Section: Legals
Class: 11100
Size: 1 x 46 Times: 1
Date: 1/10/2019
Zone(s): C-Nassau

Signature of Approval: _____ Date: _____

NEWSDAY AFFIDAVIT OF PUBLICATION

RECEIVED
CLERK OF THE TOWN CLERK
2019 FEB -8 AM 11:32
TOWN OF NORTH HEMPSETT
MANHASSET, NY 11031

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

STATE OF NEW YORK)

Legal Notice No.

0021463470

:SS.:

COUNTY OF SUFFOLK)

Darryl Murphy of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Monday

February 04, 2019

Nassau

SWORN to before me this

4 Day of February, 2019.



CHRISTOPHER LAWSON
Notary Public - State of New York
No. 01LA6348406
Qualified in Suffolk County
My Commission Expires September 26, 2020



Ad Content

Legal Notice # 21463470
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 January 29, 2019 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. 4 of 2019 was adopted. The local law amends Chapter 28 of the Town Code entitled "Housing, Rehabilitation and Property Maintenance Code" to simplify and clarify certain requirements within the property maintenance code.
Dated: Manhasset, New York January 29, 2019
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
TOWN CLERK

NEWSDAY PROOF

Advertiser: TOWN OF NORTH HEMP CLERK OFFICE
Agency: TOWN OF NORTH HEMP CLERK OFFICE
Ad Number: 0021463470
Start Date: 02/04/2019
End Date: 02/04/2019
Price: \$108.00
Ordered By: Legaladv@newsday.com

Phone: 5168697625
Contact: Paul Garille
Section: Legals
Class: 11100
Size: 1 x 27 Times: 1
Date: 1/30/2019
Zone(s): C-Nassau

RECEIVED
OFFICE OF THE TOWN CLERK
2019 FEB - 8 AM 11:32
TOWN OF NORTH HEMPSTEAD
MANHASSET, N.Y. 11030

Signature of Approval: _____ Date: _____

MR. WINK: Item 4, a public hearing to consider the adoption of a local law amending Chapter 70 of the Town code entitled, "Zoning."

SUPERVISOR BOSWORTH: Okay. Items 4 and 5 are also companion resolutions and they're related to yard waste facilities in North Hempstead. So I'm going to ask Mr. Kelly to go through the legislation for both items.

MR. KELLY: Okay. So just before I start going through the legislation, I would note that we discovered today that the --we have not yet received the required recommendations we need from the Nassau County Planning Commission for the adoption of Chapter 70 for this particular amendment to Chapter 70. So we will need to postpone the hearing or, I'm sorry, adjourn the hearing until the next meeting date so that we can get the recommendations from the Planning Commission but continue the public hearing. However, the Zoning Code amendments we're making, or we're proposing, would create a new special use permit for facilities that accept and process yard waste. As part of this special use permit process, we've created specific guidelines for operating facilities, including environmental controls and hours of operation. In order to operate the facility, an applicant must obtain a separate license from the Solid Waste Management Authority and must ensure that only Town licensed landscapers use the facility. Companion resolution to this is Chapter 46, Sanitation Code, this creates a new type of license for facilities that accept and process yard waste, known as a Type 5 license and this license is necessary in order to obtain the yard waste acceptance and processing facility permit.

SUPERVISOR BOSWORTH: Okay. Thank you. Are there any cards for this?

MR. WINK: We have one card. Kevin O'Brien.

MR. O'BRIEN: It works. Good evening, Supervisor Bosworth, honorable members of the board. Kevin O'Brien from the firm of Murphy, Bartol and O'Brien, offices at 22 Jericho Turnpike, Mineola, New York. I'm here on behalf of the Vigliotti Enterprises. They operate a business that will be affected by this legislation and the principal of the business is here. First and foremost, I just want to tell the board that I appreciate the legislation that you've put forth. I understand it's a lot of hard work and effort has gone into it and that hard work and effort is appreciated. We received and looked at the legislation recently. I think it's good. We, you know, we support it but perhaps with a couple of tweaks. I think there are just certain, you know, tweaks of the legislation, perhaps certain clarifications that I think might make a good legislation even better legislation. So sort of with that in mind, what we would like the opportunity to do, I guess similar maybe as to what was going on with the legislation that affected the battery operated --

SUPERVISOR BOSWORTH: Leaf blowers.

MR. O'BRIEN: -- blowers, you know, whatever. It's just -- if we could have like just a little opportunity to perhaps meet with some of the people that were involved with the legislative process, express a couple of things that we think could be adjusted and, you know, we're talking minor. Certainly we're supportive but we just think just a couple of little tweaks and clarifications might be helpful. So, again, I think it's good. It could be better and we'd like the opportunity to work with the Town in that regard. Thank you.

COUNCILWOMAN RUSSELL: I just wanted to add that I did have a conversation with Mr. O'Brien and Mr. Vigliotti right before the meeting and they did ask if we could postpone voting on it. So things kind of worked in your favor.

SUPERVISOR BOSWORTH: I think you said the stars were aligning.

COUNCILWOMAN RUSSELL: Yeah, the stars were aligned and we do have to postpone anyway, although we were looking to postpone it so that you would have an opportunity to continue to review it.

MR. O'BRIEN: Thank you.

SUPERVISOR BOSWORTH: Are there any other comments?

SUPERVISOR BOSWORTH: So I am adjourning the public hearing --

MR. WINK: Continue.

SUPERVISOR BOSWORTH: Oh, I'm sorry. Yes.

MR. DACA: Evan Daca from North Shore Landscape Grounds Association. I'm on the Landscape Committee. I just ask for -- if we could possibly have reciprocity with, you know, if they have a Town of Oyster Bay license or, you know, so on and so forth because Vigliotti is used by, you know, a majority of the people in Nassau County, Western Suffolk County, to dump their waste. You know, there's not a lot of places. You know, there used to be a racetrack where we return. Now there's one on Long Island. You know, so allowing, you know, instead of a guy who only works in, you know, in the Town of Oyster Bay, you know, he comes into Vigliotti to dump, you know, reciprocity, you know, for the Town of Oyster Bay license, you know you can have a Town of North Hempstead license or an Oyster Bay license, you know, or others.

SUPERVISOR BOSWORTH: So you bring up an interesting point. And I know that there's going to be more discussion --

MR. DACA: Yeah.

SUPERVISOR BOSWORTH: — about this and so certainly that would be something that we can look at.

MR. DACA: Yeah. I brought up in the landscaper meeting as well.

SUPERVISOR BOSWORTH: Thank you. Mr. Kelly, correct?

MR. KELLY: Yes.

SUPERVISOR BOSWORTH: Okay. Thank you.

MR. DACA: Okay. Thank you.

SUPERVISOR BOSWORTH: So I'd like to continue -- I'd like to continue the hearing.

MR. KELLY: Yes.

SUPERVISOR BOSWORTH: Do we need to vote on it?

MR. WINK: Yes.

SUPERVISOR BOSWORTH: So Mr. Wink.

MR. WINK: We're continuing the hearing to February 28th.

SUPERVISOR BOSWORTH: Yes.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

MR. WINK: Item 5, a public hearing to consider the adoption of a local law amending Chapter 46 of the town code entitled "Sanitation."

SUPERVISOR BOSWORTH: So this is a companion case. Thank you.

MR. WINK: This is also being continued.

SUPERVISOR BOSWORTH: Any comments ?

SUPERVISOR BOSWORTH: So I assume that we are going to continue the hearing until -- February -- what is it?

MR. WINK: February 28th.

SUPERVISOR BOSWORTH: Until February 28th.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

MR. WINK: Item 6, this item will be adjourned until February 28th, 2019 and no decision will be made by the board. A public hearing to consider the adoption of a local law amending Chapter 70 of the Town Code entitled "Zoning."

SUPERVISOR BOSWORTH: So I guess we'll do a lot of continued hearings. So this proposal would establish time limitations for the effectiveness of approvals given by the Town Board, both the Board of Zoning Appeals and the Department of Building Safety, Inspection and Enforcement for site plans, special use permits, conditional use permits, variances, changes of zone and building permits. And so I'd like to continue the public hearing and -- this will be adjourned? This item will

be adjourned until February 28th. Do we vote on that?

MR. WINK: Yes.

SUPERVISOR BOSWORTH: Yes.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye. We're not continuing this. We're not adjourning it; right?

MR. WINK: Yes.

SUPERVISOR BOSWORTH: Okay. Just checking.

MR. WINK: Item 7, a public hearing to consider the adoption of an ordinance affecting Ridge Drive in New Cassel, New York.

COUNCILWOMAN RUSSELL: This ordinance will establish parking restrictions on the north and south side of Ridge Drive, west of Cantiague Lane. I received a request from residents due to an overflow of parking from Nassau BOCES. Is there anyone here wishing to be heard?

COUNCILWOMAN RUSSELL: Seeing no one, I'd like to close the public hearing, offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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. 1 - 2019
NEW CASSEL, NEW YORK**

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

PROPOSAL:

ADOPT:

1. RIDGE DRIVE – NORTH SIDE – NO PARKING 9AM – 1PM WEEKDAYS

From the west curb line of Cantiague Lane, west, to the east curb line of Oakdale Drive.

2. RIDGE DRIVE – SOUTH SIDE – NO PARKING 9AM – 1PM WEEKDAYS

From a point 30 feet west of the west curb line of Cantiague Lane, west, to a point opposite of the east curb line of Oakdale Drive.

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

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

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

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

Dated: January 29, 2019
Manhasset, New York

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

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

Henry Krukowski, being duly sworn, deposes and says that on the 11th day of January, 2019, he posted the attached Notice of Hearing to establish parking restrictions on the north and south side of Ridge Drive, west of Cantiague Lane, New Cassel, at the following locations:

Town Clerk Bulletin Board

Westbury Post Office

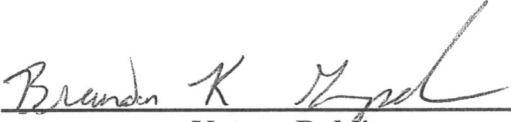
Pole at the corner of Cantiague Lane and Oakdale Drive

Pole at the corner of Cantiague Lane and Ridge Drive


Henry Krukowski

Sworn to me this

14th day of January, 2019


Notary Public

Brandon K Gimpelman
Notary Public, State of New York
No. 01GI6371819
Qualified in Nassau County
Commission expires March 5, 2022

Affidavit of Publication

County of Nassau SS
State of New York,

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

1 weeks, viz: January 16, 2019

Linda Baccoli

Sworn to me this 16 day of
January-2019

Shari M. Egnasko

Notary Public
Shari M. Egnasko
Notary Public, State of New York
No. 01EG6119807
Qualified in Nassau County
Commission Expires Dec. 6, 2020

**LEGAL NOTICE
NOTICE OF HEARING**
PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead in the Town Hall, 220 Plandome Road, Manhasset New York, on the 29th day of January, 2019, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:
NEW CASSEL, NEW YORK
Section 1. All motor or other vehicles of any kind shall comply with the following:
PROPOSAL:
ADOPT:
1. RIDGE DRIVE - NORTH SIDE - NO PARKING 9AM - 1PM WEEKDAYS
From the west curb line of Cantiague Lane, west, to the east curb line of Oakdale Drive.
2. RIDGE DRIVE - SOUTH SIDE - NO PARKING 9AM - 1PM WEEKDAYS
From a point 30 feet west of the west curb line of Cantiague Lane, west, to a point opposite of the east curb line of Oakdale Drive.
Section 2. All ordinances or regulations heretofore adopted in conflict with this ordinance are hereby repealed.
Section 3. PENALTIES: "A violation of this ordinance shall be punishable by a fine not in excess of Thirty (\$30.00) Dollars, plus any surcharge payable to other governmental entities."
Section 4. This ordinance shall take effect ten days from the date of its publication and posting pursuant to Section 133 of the Town Law of the State of New York.
Section 5. This ordinance shall be incorporated in the Uniform Traffic Code of the Town of North Hempstead.
Dated: December 18, 2018
Manhasset, New York
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
TOWN CLERK
1-16-2019-1T-#196786-WBY

RECORDED
FILED OF THE TOWN CLERK
2019 JAN 22 AM 11:40
TOWN OF NORTH HEMPSTEAD
MANHASSET, N.Y. 11030

MR. WINK: Item 8, a public hearing to consider the rescission and adoption of ordinances affecting Westbury Avenue in Carle Place, New York.

COUNCILWOMAN RUSSELL: This is a change of parking restriction limits from 30 minutes to 90 minutes on the north and south side of Westbury Avenue between Stonehinge Lane and Carle Road. Is there anyone here wishing to be heard?

COUNCILWOMAN RUSSELL: Seeing no one, I'd like to close the public hearing, offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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. 2 - 2019
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. # 3 - 2001

Adopted 1-23-2001

Westbury Avenue – North Side – 30 Minute Parking 6 am – 12 midnight

From a point 92 west of the west curbline of Carle Road, west, to a point 28 east of the east curb line of Koch Place.

2. T.O. # 3 - 2001

Adopted 1-23-2001

Westbury Avenue – North Side – 30 Minute Parking 6 am – 12 midnight

From a point 30 feet west of the west curbline of Koch Place, west, to a point 27 feet east of the east curb line of Sicardi Place.

3. T.O. # 3 - 2001

Adopted 1-23-2001

Westbury Avenue – South Side – 30 Minute Parking 6 am – 12 midnight

From a point 512 feet east of the east curb line of Stonehinge Lane, east, for a distance of 129 feet.

4. T.O. # 26 – 2013

Adopted 11-19-2013

Westbury Avenue – North Side – 30 Minute parking 6 am – 12 midnight

From a point 71 feet of the west curbline of Sicardi Place, west, for a distance of 30 feet.

5. T.O. # 26 – 2013

Adopted 11-19-2013

Westbury Avenue – South Side - 30 Minute parking 6 am – 12 midnight

From a point 166 feet east of the east curbline of Stonehinge Lane, east for a distance of 310 feet.

ADOPT:

1. WESTBURY AVENUE – NORTH SIDE – 90 Minute Parking 6am–12midnight

From a point 92 west of the west curbline of Carle Road, west, to a point 28 east of the east curb line of Koch Place.

2. WESTBURY AVENUE – NORTH SIDE – 90 Minute Parking 6am–12midnight

From a point 30 feet west of the west curbline of Koch Place, west, to a point 27 feet east of the east curb line of Sicardi Place.

3. WESTBURY AVENUE – NORTH SIDE – 90 Minute parking 6am–12midnight

From a point 71 feet of the west curbline of Sicardi Place, west, for a distance of 30 feet.

4. WESTBURY AVENUE – SOUTH SIDE – 90 Minute Parking 6am–12midnight

From a point 512 feet east of the east curb line of Stonehinge Lane, east, for a distance of 129 feet.

5. WESTBURY AVENUE – SOUTH SIDE – 90 Minute parking 6 am–12midnight

From a point 166 feet east of the east curbline of Stonehinge Lane, east for a distance of 310 feet.

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

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

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

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

Dated: January 29, 2019
Manhasset, New York

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

side - 30 Minute parking 6 am - 12 midnight
 From a point 71 feet of the west curbline of Sicardi Place, west, for a distance of 30 feet.
 5. T.O. # 26 - 2013
 Adopted 11-19-2013
 Westbury Avenue - South Side - 30 Minute parking 6 am - 12 midnight
 From a point 166 feet east of the east curbline of Stonehinge Lane, east for a distance of 310 feet.

Affidavit of Publication

County of Nassau SS
 State of New York,

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

1 weeks, viz: January 16, 2019

Linda Baccoli

Sworn to me this 16 day of
 January-2019

[Signature]
 Notary Public

Shari M. Egnasko
 Notary Public, State of New York
 No. 01EG6119807
 Qualified in Nassau County
 Commission Expires Dec. 6, 2020

FILED OF THE TOWN CLERK
 At Levittown
 2019 JAN 22 AM 11:40
 TOWN OF NORTH HEMPSTEAD
 MANHASSET, N.Y. 11033

LEGAL NOTICE NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead in the Town Hall, 220 Plandome Road, Manhasset New York, on the 29th day of January, 2019, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

CARLE PLACE, NEW YORK
 Section 1. All motor or other vehicles of any kind shall comply with the following:
PROPOSAL:

- RESCIND:**
1. T.O. # 3 - 2001
 Adopted 1-23-2001
 Westbury Avenue - North Side - 30 Minute Parking 6 am - 12 midnight
 From a point 92 west of the west curbline of Carle Road, west, to a point 28 east of the east curb line of Koch Place.
 2. T.O. # 3 - 2001
 Adopted 1-23-2001
 Westbury Avenue - North Side - 30 Minute Parking 6 am - 12 midnight
 From a point 30 feet west of the west curbline of Koch Place, west, to a point 27 feet east of the east curb line of Sicardi Place.
 3. T.O. # 3 - 2001
 Adopted 1-23-2001
 Westbury Avenue - South Side - 30 Minute Parking 6 am - 12 midnight
 From a point 512 feet east of the east curb line of Stonehinge Lane, east, for a distance of 129 feet.
 4. T.O. # 26 - 2013
 Adopted 11-19-2013
 Westbury Avenue - North

Section 2. All ordinances or regulations heretofore adopted in conflict with this ordinance are hereby repealed.
 Section 3. PENALTIES: "A violation of this ordinance shall be punishable by a fine not in excess of Thirty (\$30.00) Dollars, plus any surcharge payable to other governmental entities."
 Section 4. This ordinance shall take effect ten days from the date of its publication and posting pursuant to Section 133 of the Town Law of the State of New York.
 Section 5. This ordinance shall be incorporated in the Uniform Traffic Code of the Town of North Hempstead.
 Dated: December 18, 2018
 Manhasset, New York
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
 WAYNE H. WINK, JR.
 TOWN CLERK
 1-16-2019-1T-#196785-WBY

MR. WINK: Item 9, a public hearing to consider the adoption of an ordinance affecting Stonehinge Lane in Carle Place, New York.

COUNCILWOMAN RUSSELL: So this ordinance would establish a parking restriction on the east side of Stonehinge Lane, which is on the north side of Westbury Avenue. I know we had gotten some questions with regard to Stonehinge Lane as it relates to the Long Island Railroad project but this is on the other side of Stonehinge Lane, right outside of the Dairy Barn. Is there anyone here wishing to be heard?

COUNCILWOMAN RUSSELL: Seeing no one, I'd like to close the public hearing, offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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. 3 - 2019
CARLE PLACE, NEW YORK**

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

PROPOSAL:

ADOPT:

1. STONEHINGE LANE – EAST SIDE – NO STOPPING ANYTIME

From a point 85 feet north of the north curb line of Westbury Avenue, north, for a distance of 15 feet.

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

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

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

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

Dated: January 29, 2019
Manhasset, New York

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

Affidavit of Publication

County of Nassau SS
State of New York,

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

1 weeks, viz: January 16, 2019

Linda Baccoli

Sworn to me this 16 day of
January-2019

Shari M. Egnasko

Notary Public

Shari M. Egnasko
Notary Public, State of New York
No. 01EG6119807
Qualified in Nassau County
Commission Expires Dec. 6, 2020

LEGAL NOTICE NOTICE OF HEARING PLEASE TAKE NOTICE

that a public hearing will be held by the Town Board of the Town of North Hempstead in the Town Hall, 220 Plandome Road, Manhasset New York, on the 29th day of January, 2019, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

CARLE PLACE, NEW YORK

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

PROPOSAL:

ADOPT:

1. STONEHINGE LANE – EAST SIDE – NO STOPPING ANYTIME

From a point 85 feet north of the north curb line of Westbury Avenue, north, a distance of 15 feet.

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

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

governmental entities." Section 4. This ordinance shall take effect ten days from the date of its publication and posting pursuant to Section 133 of the Town Law of the State of New York. Section 5. This ordinance shall be incorporated in the Uniform Traffic Code of the Town of North Hempstead. Dated: December 18, 2018
Manhasset, New York
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
TOWN CLERK
1-16-2019-1T-#196784-WBY

RECEIVED
CLERK OF THE TOWN CLERK
2019 JAN 22 AM 11:40
TOWN OF NORTH HEMPSTEAD
MANHASSET, N.Y. 11030

MR. WINK: Item 10, a resolution and order after public hearing held on January 29, 2019 authorizing the increase and improvement of the facilities of the Harbor Hills Park District, pursuant to Section 202-b of the Town Law.

COUNCILWOMAN SEEMAN: The Town Board would like to hear from the public regarding this resolution. Mr. Wink, do you have any cards?

MR. WINK: We have no cards on this item, Councilwoman.

COUNCILWOMAN SEEMAN: Suzy.

MS. SCHECHTMAN: I'm Suzy Shechtman, president of the Harbor Hills Civic Association. We've had -- we'd like to say that we had multiple meetings with the Town. They have been very open and up front with what's needed in our park. And we are still continuing to have meetings about it. We recognize that it's a significant impact on our budget. We also recognize that our pool that's requiring the renovation is over 30 years old and that it's time for something that needs to be done because we want to maintain the ability to keep the park and the pool open. We do have one question. For the two -- Nos. 10 and 11 and I'm not sure which is which, which bond is for the FEMA bond or which is for the pool renovation. For the FEMA bond --

SUPERVISOR BOSWORTH: The FEMA bond is No. 12.

MS. SCHECHTMAN: Oh, 12. Okay. So I'll come back for No. 12.

SUPERVISOR BOSWORTH: So are you supporting this?

MS. SCHECHTMAN: Yes.

SUPERVISOR BOSWORTH: Just checking.

COUNCILWOMAN SEEMAN: I vote to close this.

MR. WINK: Councilwoman DeGiorgio.

SUPERVISOR BOSWORTH: Do we vote on this?

MR. WINK: No, we vote to close the public hearing.

SUPERVISOR BOSWORTH: Okay.

MR. WINK: And then we vote on the bonds next.

SUPERVISOR BOSWORTH: Okay.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 23 - 2019

RESOLUTION AND ORDER AFTER PUBLIC HEARING HELD ON JANUARY 29, 2019, AUTHORIZING THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE HARBOR HILLS PARK DISTRICT, PURSUANT TO SECTION 202-b OF THE TOWN LAW.

Recitals

WHEREAS, the Town Board of the Town of North Hempstead (herein called the “Town Board” and “Town”, respectively), in the County of Nassau, New York, on behalf of the Harbor Hills Park District (herein called the “District”), has determined that it is in the best interests of the Town and the District to construct improvements to the pool mechanical systems (the “Project”);

WHEREAS, on December 18, 2018, the Town Board adopted a Resolution describing the Project in general terms, specifying that the estimated cost thereof is \$1,342,000, and stating that the Town Board would meet to hear all persons interested in said increase and improvement of facilities on January 29, 2019, at 7:00 P.M. (Prevailing Time) at the Town Hall, in said Town;

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law and mailed by first class mail to each owner of taxable real property in the District; and

WHEREAS, such public hearing was duly held by the Town Board on this 29th day of January, 2019, at 7:00 P.M. (Prevailing Time) at the Town Hall, 220 Plandome Road, Manhasset, New York, and considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to the increase and improvement of the facilities of the District.

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

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to, at the estimated maximum cost of \$1,342,000; and it is hereby

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

FURTHER ORDERED, that said increase and improvement of facilities shall be financed by the issuance of not to exceed \$1,342,000 bonds of the Town, and the cost of the project, including payment of the principal of and interest on said bonds as the same shall become due and payable, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District in the same manner and at the same time as other Town charges; and it is hereby

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

DATED: JANUARY 29, 2019

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

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

Nays: None

Absent: Councilperson Ferrara

The Resolution and Order was declared adopted.

CERTIFICATE

I, Wayne H. Wink, Jr., Town Clerk of the Town of North Hempstead, in the County of Nassau, New York, DO HEREBY CERTIFY that I have compared the preceding Resolution and Order After Public Hearing with the original thereof filed in my office, and the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 30th day of January, 2019.

(SEAL)


Deputy Town Clerk

MR. WINK: Item 11, a bond resolution of the Town of North Hempstead, New York, adopted January 29, 2019, appropriating \$1,342,000 for the increase and improvement of the facilities of the Harbor Hills Park District and authorizing the issuance of bonds of the Town in the principal amount of not to exceed \$1,342,000 to finance said appropriation.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 24-2019

BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED JANUARY 29, 2019, APPROPRIATING \$1,342,000 FOR THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE HARBOR HILLS PARK DISTRICT AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,342,000 TO FINANCE SAID APPROPRIATION.

Recital

WHEREAS, the Town Board of the Town of North Hempstead (herein called the "Town Board" and "Town", respectively), in the County of Nassau, New York, on behalf of the Harbor Hills Park District (herein called the "District"), has determined that it is in the best interests of the Town and the District to construct improvements to the pool mechanical systems (the "Project"), at the estimated maximum cost of \$1,342,000, and after a public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be so increased and improved.

Now, therefore, be it

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

Section 1. The Town hereby appropriates the amount of \$1,342,000 for the increase and improvement of the facilities of the District, consisting of the construction of improvements to the pool mechanical systems. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,342,000. The plan of financing includes the issuance of \$1,342,000 bonds of the Town to finance said appropriation, and the assessment, levy and collection of assessments from the several lots and parcels of land within the District in the same manner and at the same time as other Town charges, to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of \$1,342,000, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

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

(a) The period of probable usefulness of the specific object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 61 of the Law, is fifteen (15)

years.

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

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

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

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

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

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

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

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

AYES: Councilwoman De Giorgio, Councilwoman Russell, Councilwoman Seeman, Councilman Zuckerman, Supervisor Bosworth

NOES: None

The Resolution was declared adopted.

CERTIFICATE

I, Wayne H. Wink, Jr., Town Clerk of the Town of North Hempstead, in the County of Nassau, New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on January 29, 2019 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 30th day of January, 2019.

(SEAL)


Town Clerk

(NOTICE AND SUMMARY OF BOND RESOLUTION FOR PUBLICATION)

LEGAL NOTICE

The resolution, a summary of which is published herewith, has been adopted on January 29, 2019, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of North Hempstead, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

Wayne H. Wink, Jr.
Town Clerk

BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED JANUARY 29, 2019, APPROPRIATING \$1,342,000 FOR THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE HARBOR HILLS PARK DISTRICT AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,342,000 TO FINANCE SAID APPROPRIATION

The object or purpose for which the bonds are authorized is the construction of improvements to the pool mechanical systems.

The period of probable usefulness applicable to the bonds issued is fifteen (15) years.

The maximum amount of obligations authorized to be issued is \$1,342,000.

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

Dated: January 29, 2019
Manhasset, New York

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

Henry Krukowski, being duly sworn, deposes and says that on the 11th day of January, 2019, he posted the attached Notice of Hearing regarding the increase and improvement of facilities of the Harbor Hills Park District, consisting of the construction of improvements to the pool mechanical systems, at an estimated maximum cost of \$1,342,000. The purpose of the bond authorization is to provide a source of funding to hire a contractor to complete improvements to the Harbor Hills pool facilities, at the following locations:

Town Clerk Bulletin Board

Great Neck Post Office



Henry Krukowski

Sworn to me this

14th day of January, 2019



Notary Public

Brandon K Gimpelman
Notary Public, State of New York
No. 01GI6371819
Qualified in Nassau County
Commission expires March 5, 2022

NEWSDAY AFFIDAVIT OF PUBLICATION

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

RECEIVED
OFFICE OF THE TOWN CLERK
2019 JAN 22 AM 11:41
NORTH HEMP
MANHASSET, NY 11030

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

Legal Notice No. 0021457816

Darryl Murphy of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Thursday January 17, 2019 Nassau

SWORN to before me this
17 Day of January, 2019.



CHRISTOPHER LAWSON
Notary Public - State of New York
No. 01LA6348406
Qualified in Suffolk County
My Commission Expires September 26, 2020



Ad Content

Legal Notice # 21457816
NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that the Town Board of the Town of North Hempstead, in the County of Nassau, State of New York, will meet at the Town Hall, 220 Plandome Road, Manhasset, New York, on January 29, 2019, at 7:00 P.M. (Prevaling Time), for the purpose of conducting a public hearing regarding the increase and improvement of facilities of the Harbor Hills Park District, consisting of the construction of improvements to the pool mechanical systems, at an estimated maximum cost of \$1,342,000. The purpose of the bond authorization is to provide a source of funding to hire a contractor to complete improvements to the Harbor Hills pool facilities. The authorization does not require that any or all of the money be borrowed or that any work ultimately be done. All proposed work will be evaluated by the public in conjunction with the Town prior to entering into any agreements in which funding will be spent. At said public hearing, the Town Board will hear all persons interested in said subject matter thereof.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
Dated: December 18, 2018
Manhasset, New York
WAYNE H. WINK, JR.
Town Clerk

NEWSDAY PROOF

Advertiser: TOWN OF NORTH HEMP CLERK OFFICE
Agency: TOWN OF NORTH HEMP CLERK OFFICE
Ad Number: 0021457816
Start Date: 01/17/2019
End Date: 01/17/2019
Price: \$184.00
Ordered By: Legaladv@newsday.com

Phone: 5168697625
Contact: PAUL
Section: Legals
Class: 11100
Size: 1 x 46 Times: 1
Date: 1/10/2019
Zone(s): C-Nassau

Signature of Approval: _____ Date: _____

Affidavit of Publication

County of Nassau SS
State of New York,

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

1 weeks, viz: January 16, 2019

Linda Baccoli

Sworn to me this 16 day of
January-2019

Shari M. Egnasko
Notary Public

Shari M. Egnasko
Notary Public, State of New York
No. 01EG6119807
Qualified in Nassau County
Commission Expires Dec. 6, 2020

RECEIVED
OFFICE OF THE TOWN CLERK
2019 JAN 22 AM 11:40
TOWN OF NORTH HEMPSTEAD
MANHASSET, N.Y. 11030

**LEGAL NOTICE
NOTICE OF
PUBLIC HEARING**
NOTICE IS HEREBY GIVEN that the Town Board of the Town of North Hempstead, in the County of Nassau, State of New York, will meet at the Town Hall, 220 Plandome Road, Manhasset, New York, on January 29, 2019, at 7:00 P.M. (Prevailing Time), for the purpose of conducting a public hearing regarding the increase and improvement of facilities of the Harbor Hills Park District, consisting of the construction of improvements to the pool mechanical systems, at an estimated maximum cost of \$1,342,000. The purpose of the bond authorization is to provide a source of funding to hire a contractor to complete improvements to the Harbor Hills pool facilities. The authorization does not require that any or all of the money be borrowed or that any work ultimately be done. All proposed work will be evaluated by the public in conjunction with the Town prior to entering into any agreements in which funding will be spent. At said public hearing, the Town Board will hear all persons interested in said subject matter thereof.
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
Dated: December 18, 2018
Manhasset, New York
WAYNE H. WINK, JR.
Town Clerk
1-16-2019-1T-#196783-GN

NEWSDAY AFFIDAVIT OF PUBLICATION

RECEIVED
OFFICE OF THE TOWN CLERK
2019 FEB - 8 AM 11:31
TOWN OF NORTH HEMP
MANHASSET, NY 11030

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

STATE OF NEW YORK)

Legal Notice No.

0021463516

:SS.:

COUNTY OF SUFFOLK)

Darryl Murphy of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Monday

February 04, 2019

Nassau

SWORN to before me this

4 Day of February, 2019.



CHRISTOPHER LAWSON
Notary Public – State of New York
No. 01LA6348406
Qualified in Suffolk County
My Commission Expires September 26, 2020



Ad Content

Legal Notice # 21463516
LEGAL NOTICE

The resolution, a summary of which is published herewith, has been adopted on January 29, 2019, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of North Hempstead, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

Wayne H. Wink, Jr.
Town Clerk

BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED JANUARY 29, 2019, APPROPRIATING \$1,342,000 FOR THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE HARBOR HILLS PARK DISTRICT AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,342,000 TO FINANCE SAID APPROPRIATION

The object or purpose for which the bonds are authorized is the construction of improvements to the pool mechanical systems.

The period of probable usefulness applicable to the bonds issued is fifteen (15) years.

The maximum amount of obligations authorized to be issued is \$1,342,000.

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

Dated: January 29, 2019
Manhasset, New York

NEWSDAY PROOF

Advertiser: TOWN OF NORTH HEMP CLERK OFFICE
Agency: TOWN OF NORTH HEMP CLERK OFFICE
Ad Number: 0021463516
Start Date: 02/04/2019
End Date: 02/04/2019
Price: \$316.00
Ordered By: Legaladv@newsday.com

Phone: 5168697625
Contact: Paul
Section: Legals
Class: 11100
Size: 2 x 40 Times: 1
Date: 1/30/2019
Zone(s): C-Nassau

Signature of Approval: _____ Date: _____

RECEIVED
TOWN OF NORTH HEMPSTEAD
MANHASSET, N.Y. 11030
2019 FEB -8 AM 11:32

Affidavit of Publication

County of Nassau SS
State of New York,

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

1 weeks, viz: February 6, 2019

Linda Baccoli

Sworn to me this 6 day of
February-2019

Shari M. Egnasko

Notary Public
Shari M. Egnasko
Notary Public, State of New York
No. 01EG6119807
Qualified in Nassau County
Commission Expires Dec. 6, 2020

RECEIVED
TOWN CLERK
2019 FEB 11 11:11:52
OFFICE OF THE TOWN CLERK
200 WEST N. Y. 11001

LEGAL NOTICE

The resolution, a summary of which is published herewith, has been adopted on January 29, 2019, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of North Hempstead, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

Wayne H. Wink, Jr.
Town Clerk

BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED JANUARY 29, 2019, APPROPRIATING \$1,342,000 FOR THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE HARBOR HILLS PARK DISTRICT AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,342,000 TO FINANCE SAID APPROPRIATION

The object or purpose for which the bonds are authorized is the construction of improvements to the pool mechanical systems.

The period of probable usefulness applicable to the bonds issued is fifteen (15) years.
The maximum amount of ob-

ligations authorized to be issued is \$1,342,000.

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

Dated: January 29, 2019
Manhasset, New York
2-6-2019-1T-#198613-GN

MR. WINK: Item 12, a resolution and order after public hearing held on January 29, 2019, authorizing the increase and improvement of facilities of the Harbor Hills Park District, pursuant to Section 202-b of the Town Law.

COUNCILWOMAN SEEMAN: Again, the Town Board would like to hear from the public regarding this resolution. Mr. Wink, do you have any cards?

MR. WINK: We have no cards.

SUPERVISOR BOSWORTH: Ms. Schechtman, is that what you wanted to speak about?

MS. SCHECHTMAN: We had — we had asked about -- the question of how -- what the time period, time frame is in terms of redeeming of the bonds for the pool and, also, for FEMA. And what our impression was with the FEMA bond was that we would be reimbursed as quickly as the government reimburses us for the work that's being done. The question I had was that there was some indication that I had gotten about that it could be about it was going to be a 15-year term and that was confusing in terms of which one it was supposed to be.

SUPERVISOR BOSWORTH: So can someone speak to that?

MR. KELLY: So 15 — the term of the bond is what we call a period of probably use on this. We have to assign one for every bond we issue.

MS. SCHECHTMAN: Right.

MR. KELLY: So for this particular kind of project, the period of probable use would be 15 years. However, depending on how we get, you know, as quickly as we get reimbursed by grants, that's how quickly we would -- we would apply them to bonds. It doesn't we would have to issue bonds for 15 years but it could be quicker than 15 years.

MS. SCHECHTMAN: They could be paid off quicker.

MR. KELLY: Yes.

MS. SCHECHTMAN: Okay. Because our impression was that it would be a relatively quick amount of time so that we would not have have the significant tax consequence --

MR. KELLY: Yes.

MS. SCHECHTMAN: — in addition to what's happening with the pool.

MR. KELLY: Yes, yes. But in order to bond, we do have to assign a time period.

MS. SCHECHTMAN: You have to assign. And is the minimum 15 years?

MR. KELLY: For this particular kind of project, the time period is 15 years. That's -- that's the period we have to use.

MS. SCHECHTMAN: Okay. But the -- we won't be -- we will have the knowledge that this one, as we get the grants to reimburse it, we will be paying it off?

MR. KELLY: That is our —

MS. SCHECHTMAN: Okay.

COUNCILWOMAN SEEMAN: I vote to close here.

SUPERVISOR BOSWORTH: The public hearing.

MR. WINK: Okay. Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 25-2019

RESOLUTION AND ORDER AFTER PUBLIC HEARING HELD ON JANUARY 29, 2019, AUTHORIZING THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE HARBOR HILLS PARK DISTRICT, PURSUANT TO SECTION 202-b OF THE TOWN LAW.

Recitals

WHEREAS, on January 31, 2017, the Town Board of the Town of North Hempstead (herein called the "Town"), in the County of Nassau, New York, on behalf of the Harbor Hills Park District (herein called the "District") adopted: (i) a resolution authorizing the increase and improvement of facilities of the District, consisting of the reconstruction of the existing dock, pier and seawall, drainage improvements and improvements to the parking lot (the "Project"), pursuant to Section 202-b of the Town Law and (ii) a bond resolution (Resolution No. 25-2017) authorizing the issuance of bonds in the principal amount of not to exceed \$847,975 to finance the Project; and

WHEREAS, the maximum amount proposed to be expended for the increase and improvement of facilities of the District has now been determined to be \$2,447,975; and

WHEREAS, the Town Board has determined that it is in the best interests of the Town to increase the estimated total cost of the Project from \$847,975 to \$2,447,975 and to increase the amount of serial bonds authorized to pay for such increased cost from \$847,975 to \$2,447,975; and

WHEREAS, grant funds are expected to be received in connection with said increase and improvement of facilities of the District, and any such grant funds received are authorized to be used to pay a part of the cost of such project, or to pay debt service related thereto.

WHEREAS, on December 18, 2018, the Town Board adopted a Resolution describing the Project in general terms, specifying the estimated cost thereof, and stating that the Town Board would

meet to hear all persons interested in said increase and improvement of facilities on January 29, 2019, at 7:00 P.M. (Prevailing Time) at the Town Hall, in said Town;

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law and mailed by first class mail to each owner of taxable real property in the District; and

WHEREAS, such public hearing was duly held by the Town Board on this 29th day of January, 2019, at 7:00 P.M. (Prevailing Time) at the Town Hall, 220 Plandome Road, Manhasset, New York, and considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of the facilities of the District.

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

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to at the estimated maximum cost of \$2,447,975; and it is hereby

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

FURTHER ORDERED, that said increase and improvement of facilities shall be financed by the issuance of not to exceed \$2,447,975 bonds of the Town, and the cost of the project, including payment of the principal of and interest on said bonds as the same shall become due and payable,

shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District in the same manner and at the same time as other Town charges; and it is hereby

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

DATED: JANUARY 29, 2019

TOWN BOARD OF THE TOWN OF
NORTH HEMPSTEAD

AYES: Councilwoman De Giorgio, Councilwoman Russell, Councilwoman Seeman, Councilman Zuckerman, Supervisor Bosworth

NOES:None

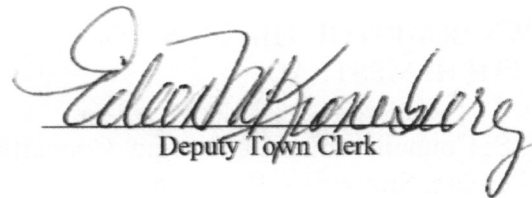
The Resolution and Order was declared adopted.

CERTIFICATE

I, Wayne H. Wink, Jr., Town Clerk of the Town of North Hempstead, in the County of Nassau, New York, DO HEREBY CERTIFY that I have compared the preceding Resolution and Order After Public Hearing with the original thereof filed in my office, and the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 30th day of January, 2019.

(SEAL)


Deputy Town Clerk

MR. WINK: Item 13, a resolution of the Town of North Hempstead, New York, adopted January 29, 2019, appropriating \$1,600,000 for the increase and improvement of facilities of the Harbor Hills Park District, authorizing the issuance of bonds of said Town in the principal amount of not to exceed \$1,600,000 in addition to the \$847,975 heretofore appropriated for such purpose; and authorizing the issuance of bonds of the town in the principal amount of not to exceed \$1,600,000, in addition to the \$847,975 bonds heretofore authorized for the project to finance said appropriation and further authorizing any funds to be received from the United States of America, the State of New York or any other sources to be expended towards the cost of said project or redemption of the Town's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 26-2019

BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED JANUARY 29, 2019, APPROPRIATING \$1,600,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE HARBOR HILLS PARK DISTRICT, AUTHORIZING THE ISSUANCE OF BONDS OF SAID TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,600,000 IN ADDITION TO THE \$847,975 HERETOFORE APPROPRIATED FOR SUCH PURPOSE; AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,600,000, IN ADDITION TO THE \$847,975 BONDS HERETOFORE AUTHORIZED FOR THE PROJECT TO FINANCE SAID APPROPRIATION AND FURTHER AUTHORIZING ANY FUNDS TO BE RECEIVED FROM THE UNITED STATES OF AMERICA, THE STATE OF NEW YORK OR ANY OTHER SOURCES TO BE EXPENDED TOWARDS THE COST OF SAID PROJECT OR REDEMPTION OF THE TOWN'S BONDS OR NOTES ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES TO BE COLLECTED FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS OR NOTES.

Recital

WHEREAS, on January 31, 2017, the Town Board of the Town of North Hempstead (herein called the "Town"), in the County of Nassau, New York, on behalf of the Harbor Hills Park District (herein called the "District") adopted: (i) a resolution authorizing the increase and improvement of facilities of the District, consisting of the reconstruction of the existing dock, pier and seawall, drainage improvements and improvements to the parking lot (the "Project"), pursuant to Section 202-b of the Town Law and (ii) a bond resolution (Resolution No. 25-2017) authorizing the issuance of bonds in the principal amount of not to exceed \$847,975 to finance the Project; and

WHEREAS, the maximum amount proposed to be expended for the increase and improvement of facilities of the District has now been determined to be \$2,447,975; and

WHEREAS, the Town Board has determined that it is in the best interests of the Town to increase the estimated total cost of the Project from \$847,975 to \$2,447,975 and to increase the amount of serial bonds authorized to pay for such increased cost from \$847,975 to \$2,447,975; and

WHEREAS, grant funds are expected to be received in connection with said increase and improvement of facilities of the District, and any such grant funds received are authorized to be used to pay a part of the cost of such project, or to pay debt service related thereto.

WHEREAS, after a public hearing duly called and held on January 29, 2019, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be increased and improved;

Now, therefore, be it

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

Section 1. The Town hereby appropriates the amount of \$1,600,000 for the increase and improvement of facilities of the District as described in the above Recital, all in accordance with the map, plan and report for the Project. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,224,975 and \$1,600,000 is hereby appropriated for such purpose, in addition to the \$847,975 heretofore appropriated for the Project pursuant to the Bond Resolution No. 25-2017 adopted by the Town Board on January 31, 2017 (the "Prior Bond Resolution"). The plan of financing includes the issuance of the bonds of the Town in the principal amount of not to exceed \$1,600,000 to finance said additional appropriation, in addition to the \$847,975 bonds heretofore authorized pursuant to the Prior Bond Resolution and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any grant funds received by the Town and any other funds available for such purpose are authorized to be applied toward the cost of said project or redemption of the Town's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of \$1,600,000, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said additional appropriation.

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

- (a) The period of probable usefulness of the specific object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) years.
- (b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.
- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real

property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

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

AYES: Councilwoman De Giorgio, Councilwoman Russell, Councilwoman Seeman,
Councilman Zuckerman, Supervisor Bosworth

NOES: None

The Resolution was declared adopted.

CERTIFICATE

I, Wayne H. Wink, Jr., Town Clerk of the Town of North Hempstead, in the County of Nassau, New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on January 29, 2019 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 30th day of January, 2019.

(SEAL)


Town Clerk

(NOTICE AND SUMMARY OF BOND RESOLUTION FOR PUBLICATION)

LEGAL NOTICE

The resolution, a summary of which is published herewith, has been adopted on January 29, 2019, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of North Hempstead, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

Wayne H. Wink, Jr.
Town Clerk

BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED JANUARY 29, 2019, APPROPRIATING \$1,600,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE HARBOR HILLS PARK DISTRICT, AUTHORIZING THE ISSUANCE OF BONDS OF SAID TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,600,000 IN ADDITION TO THE \$847,975 HERETOFORE APPROPRIATED FOR SUCH PURPOSE; AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,600,000, IN ADDITION TO THE \$847,975 BONDS HERETOFORE AUTHORIZED FOR THE PROJECT TO FINANCE SAID APPROPRIATION AND FURTHER AUTHORIZING ANY FUNDS TO BE RECEIVED FROM THE UNITED STATES OF AMERICA, THE STATE OF NEW YORK OR ANY OTHER SOURCES TO BE EXPENDED TOWARDS THE COST OF SAID PROJECT OR REDEMPTION OF THE TOWN'S BONDS OR NOTES ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES TO BE COLLECTED FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS OR NOTES

The object or purpose for which the bonds are authorized is the increase and improvement of facilities of the Harbor Hills Park District, consisting of the reconstruction of the existing dock, pier and seawall, drainage improvements and improvements to the parking lot as further described in said map, plan and report for said project. Any grant funds received by the Town and any other funds available for such purpose are authorized to be applied toward the cost of said project or redemption of the Town's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes.

The period of probable usefulness applicable to the bonds issued is fifteen (15) years.

The maximum amount of obligations authorized to be issued is \$1,600,000, in addition to the \$847,975 bonds heretofore authorized for the project.

A complete copy of the bond resolution summarized above shall be available for public inspection

during normal business hours at the office of the Town Clerk, Town Hall, 220 Plandome Road, Manhasset, New York.

Dated: January 29, 2019
 Manhasset, New York

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

Henry Krukowski, being duly sworn, deposes and says that on the 11th day of January, 2019, he posted the attached Notice of Hearing regarding the increase and improvement of facilities of the Harbor Hills Park District, consisting of the reconstruction of the existing dock, pier and seawall, drainage improvements and improvements to the parking lot, at an estimated maximum cost of \$2,447,975; The maximum amount to be expended for the increase and improvement of facilities of the District was heretofore estimated to be \$847,975, at the following locations:

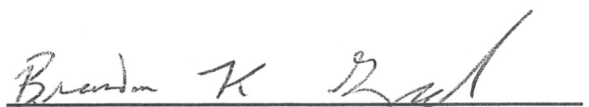
Town Clerk Bulletin Board

Great Neck Post Office



Henry Krukowski

Sworn to me this
14th day of January, 2019



Notary Public

Brandon K Gimpelman
Notary Public, State of New York
No. 01GI6371819
Qualified in Nassau County
Commission expires March 5, 2022

NEWSDAY AFFIDAVIT OF PUBLICATION

RECEIVED
OFFICE OF THE TOWN CLERK
2019 JAN 22 AM 11:41
TOWN OF NORTH HEMP
MANHASSET, NY 11030

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

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

Legal Notice No. 0021457808

Darryl Murphy of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Thursday January 17, 2019 Nassau

SWORN to before me this
17 Day of January, 2019.



CHRISTOPHER LAWSON
Notary Public – State of New York
No. 01LA6348406
Qualified in Suffolk County
My Commission Expires September 26, 2020



Ad Content

Legal Notice # 21457808
NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN
that the Town Board of the
Town of North Hempstead,
in the County of Nassau,
State of New York, will meet
at the Town Hall, 220
Plandome Road, Manhasset,
New York, on January 29,
2019, at 7:00 P.M. (Prevail-
ing Time), for the purpose of
conducting a public hearing
regarding the increase and
improvement of facilities of
the Harbor Hills Park Dis-
trict, consisting of the recon-
struction of the existing
dock, pier and seawall, drain-
age improvements and im-
provements to the parking
lot, at an estimated maxi-
mum cost of \$2,447,975; The
maximum amount to be ex-
pended for the increase and
improvement of facilities of
the District was heretofore
estimated to be \$847,975. It
has now been determined
that the maximum amount
to be expended for the in-
crease and improvement of
facilities of the District shall
be \$2,447,975 and that the
amount of serial bonds au-
thorized to pay for such in-
creased cost shall increase
from \$847,975 to \$2,447,975.
It is expected that grant
funds will be received in con-
nection with said increase and
improvement of facilities of
the District and that any
such grant funds received
are authorized to be used to
pay a part of the cost of
such project, or to pay debt
service related thereto. The
purpose of the bond authori-
zation is to provide a source
of funding to hire a contrac-
tor to complete all work au-
thorized by the Federal Emer-
gency Management Agency
(FEMA). All work will be ap-
proved by FEMA prior to any
work beginning and will be re-
imbursed by FEMA obligated
funds.

At said public hearing, the
Town Board will hear all per-
sons interested in said sub-
ject matter thereof.

BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
NORTH HEMPSTEAD
Dated: December 18, 2018
Manhasset, New York
AYNE H. WINK, JR.
Town Clerk

NEWSDAY PROOF

Advertiser: TOWN OF NORTH HEMP CLERK OFFICE
Agency: TOWN OF NORTH HEMP CLERK OFFICE
Ad Number: 0021457808
Start Date: 01/17/2019
End Date: 01/17/2019
Price: \$276.00
Ordered By: Legaladv@newsday.com

Phone: 5168697625
Contact: PAUL
Section: Legals
Class: 11100
Size: 1 x 69 Times: 1
Date: 1/10/2019
Zone(s): C-Nassau

Signature of Approval: _____ Date: _____

Affidavit of Publication

County of Nassau SS
State of New York,

**LEGAL NOTICE
NOTICE OF
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of North Hempstead, in the County of Nassau, State of New York, will meet at the Town Hall, 220 Plandome Road, Manhasset, New York, on January 29, 2019, at 7:00 P.M. (Prevailing Time), for the purpose of conducting a public hearing regarding the increase and improvement of facilities of the Harbor Hills Park District, consisting of the reconstruction of the existing dock, pier and seawall, drainage improvements and improvements to the parking lot, at an estimated maximum cost of \$2,447,975; The maximum amount to be expended for the increase and improvement of facilities of the District was heretofore estimated to be \$847,975. It has now been determined that the maximum amount to be expended for the increase and improvement of facilities of the District shall be \$2,447,975 and that the amount of serial bonds authorized to pay for such increased cost shall increase from \$847,975 to \$2,447,975. It is expected that grant funds will be received connection with said increase and improvement of facilities of the District and that any such grant funds received are authorized to be used to pay a part of the cost of such project, or to pay debt service related thereto. The purpose of the bond authorization is to provide a source of funding to hire a contractor to complete all work authorized by the Federal Emergency Management Agency (FEMA). All work will be approved by FEMA prior to any work beginning and will be reimbursed by FEMA obligated funds.

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

BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
Dated: December 18, 2018
Manhasset, New York
WAYNE H. WINK, JR.
Town Clerk
1-16-2019-1T-#196782-GN

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

1 weeks, viz: January 16, 2019

Linda Baccoli

Sworn to me this 16 day of
January-2019

Shari M. Egnasko

Notary Public
Shari M. Egnasko
Notary Public, State of New York
No. 01EG6119807
Qualified in Nassau County
Commission Expires Dec. 6, 2020

RECEIVED
OFFICE OF THE TOWN CLERK
2019 JAN 22 AM 11:40
TOWN OF NORTH HEMPSTEAD
MANHASSET, N.Y. 11001

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

Henry Krukowski, being duly sworn, deposes and says that on the 31st day of January, 2019, he posted the attached Summary of Bond Resolution 26-2019 entitled "BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED JANUARY 29, 2019, APPROPRIATING \$1,600,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE HARBOR HILLS PARK DISTRICT, AUTHORIZING THE ISSUANCE OF BONDS OF SAID TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,600,000 IN ADDITION TO THE \$847,975 HERETOFORE APPROPRIATED FOR SUCH PURPOSE; AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,600,000, IN ADDITION TO THE \$847,975 BONDS HERETOFORE AUTHORIZED FOR THE PROJECT TO FINANCE SAID APPROPRIATION AND FURTHER AUTHORIZING ANY FUNDS TO BE RECEIVED FROM THE UNITED STATES OF AMERICA, THE STATE OF NEW YORK OR ANY OTHER SOURCES TO BE EXPENDED TOWARDS THE COST OF SAID PROJECT OR REDEMPTION OF THE TOWN'S BONDS OR NOTES ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES TO BE COLLECTED FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS OR NOTES.", at the following location:

Town Clerk Bulletin Board



 Henry Krukowski

Sworn to me this

31st day of January, 2019



 Notary Public

Brandon K Gimpelman
 Notary Public, State of New York
 No. 01GI6371819
 Qualified in Nassau County
 Commission expires March 5, 2022

LEGAL NOTICE

The resolution, a summary of which is published herewith, has been adopted on January 29, 2019, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of North Hempstead, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

Wayne H. Wink, Jr.
Town Clerk

BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED JANUARY 29, 2019, APPROPRIATING \$1,600,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE HARBOR HILLS PARK DISTRICT, AUTHORIZING THE ISSUANCE OF BONDS OF SAID TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,600,000 IN ADDITION TO THE \$847,975 HERETOFORE APPROPRIATED FOR SUCH PURPOSE; AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,600,000, IN ADDITION TO THE \$847,975 BONDS HERETOFORE AUTHORIZED FOR THE PROJECT TO FINANCE SAID APPROPRIATION AND FURTHER AUTHORIZING ANY FUNDS TO BE RECEIVED FROM THE UNITED STATES OF AMERICA, THE STATE OF NEW YORK OR ANY OTHER SOURCES TO BE EXPENDED TOWARDS THE COST OF SAID PROJECT OR REDEMPTION OF THE TOWN'S BONDS OR NOTES ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES TO BE COLLECTED FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS OR NOTES

The object or purpose for which the bonds are authorized is the increase and improvement of facilities of the

Harbor Hills Park District, consisting of the reconstruction of the existing dock, pier and seawall, drainage improvements and improvements to the parking lot as further described in said map, plan and report for said project. Any grant funds received by the Town and any other funds available for such purpose are authorized to be applied toward the cost of said project or redemption of the Town's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes.

The period of probable usefulness applicable to the bonds issued is fifteen (15) years.

The maximum amount of obligations authorized to be issued is \$1,600,000, in addition to the \$847,975 bonds heretofore authorized for the project.

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

Dated: January 29, 2019
Manhasset, New York

Affidavit of Publication

County of Nassau SS
State of New York,

Linda Baccoli, being duly sworn, deposes and says that she is the principal Clerk of the Publisher of

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

1 weeks, viz: February 6, 2019

Linda Baccoli

Sworn to me this 6 day of
February-2019

Shari M. Egnasko
Notary Public

Shari M. Egnasko
Notary Public, State of New York
No. 01EG6119807
Qualified in Nassau County
Commission Expires Dec. 6, 2020

2019 FEB 11 AM 11:52
NORTH HEMPSTEAD
NASSAU COUNTY

NEWSDAY AFFIDAVIT OF PUBLICATION

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

RECORDED
OFFICE OF THE TOWN CLERK
2019 FEB -8 AM 11:31
TOWN OF NORTH HEMP
MANHASSET, NY 11030

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

Legal Notice No. 0021463522

Darryl Murphy of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Monday February 04, 2019 Nassau

SWORN to before me this
4 Day of February, 2019.



CHRISTOPHER LAWSON
Notary Public – State of New York
No. 01LA6348406
Qualified in Suffolk County
My Commission Expires September 26, 2020



Ad Content

Legal Notice # 21463522
LEGAL NOTICE

The resolution, a summary of which is published herewith, has been adopted on January 29, 2019, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of North Hempstead, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

Wayne H. Wink, Jr.
Town Clerk

BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED JANUARY 29, 2019, APPROPRIATING \$1,600,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE HARBOR HILLS PARK DISTRICT. AUTHORIZING THE ISSUANCE OF BONDS OF SAID TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,600,000 IN ADDITION TO THE \$847,975 HERETOFORE APPROPRIATED FOR SUCH PURPOSE; AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,600,000, IN ADDITION TO THE \$847,975 BONDS HERETOFORE AUTHORIZED FOR THE PROJECT TO FINANCE SAID APPROPRIATION AND FURTHER AUTHORIZING ANY FUNDS TO BE RECEIVED FROM THE UNITED STATES OF AMERICA, THE STATE OF NEW YORK OR ANY OTHER SOURCES TO BE EXPENDED TOWARDS THE COST OF SAID PROJECT OR REDEMPTION OF THE TOWN'S BONDS OR NOTES ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES TO BE COLLECTED FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS OR NOTES

The object or purpose for which the bonds are authorized is the increase and improvement of facilities of the Harbor Hills Park District, consisting of the reconstruction of the existing dock, pier and seawall, drainage improvements and improvements to the parking lot as further described in said map, plan and report for said project. Any grant funds received by the Town and any other funds available for such purpose are authorized to be applied toward the cost of said project or redemption of the Town's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes.

The period of probable usefulness applicable to the bonds issued is fifteen (15) years.

The maximum amount of obligations authorized to be issued is \$1,600,000, in addition to the \$847,975 bonds heretofore authorized for the project.

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

Dated: January 29, 2019
Manhasset, New York

2019 FEB -8 AM 11:31
OFFICE OF THE TOWN CLERK
TOWN OF NORTH HEMPSTEAD
ASSET, N.Y. 11034

NEWSDAY PROOF

Advertiser: TOWN OF NORTH HEMP CLERK OFFICE
Agency: TOWN OF NORTH HEMP CLERK OFFICE
Ad Number: 0021463522
Start Date: 02/04/2019
End Date: 02/04/2019
Price: \$516.00
Ordered By: Legaladv@newsday.com

Phone: 5168697625
Contact: Paul
Section: Legals
Class: 11100
Size: 2 x 65 Times: 1
Date: 1/30/2019
Zone(s): C-Nassau

Signature of Approval: _____ Date: _____

MR. WINK: Item 14, a resolution and order after public hearing held on January 29, 2019, authorizing the increase and improvement of facilities of the North Hempstead Lighting District.

SUPERVISOR BOSWORTH: So if anybody would like to speak to this?

SUPERVISOR BOSWORTH: I vote to close the public hearing.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 27-2019

RESOLUTION AND ORDER AFTER PUBLIC HEARING HELD ON JANUARY 29, 2019, AUTHORIZING THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE NORTH HEMPSTEAD LIGHTING DISTRICT.

Recitals

WHEREAS, the Town Board of the Town of North Hempstead (herein called the “Town Board” and “Town”, respectively), in the County of Nassau, New York, on behalf of the North Hempstead Lighting District (herein called the “District”), has determined that it is in the best interests of the Town and the District to increase and improve the facilities of the District by installing LED lighting therein (hereinafter, the “Project”), including any ancillary or related work required in connection therewith, at the estimated maximum cost of \$500,000;

WHEREAS, on December 18, 2018, the Town Board adopted a Resolution describing the Project in general terms, specifying the estimated cost thereof, and stating that the Town Board would meet to hear all persons interested in said increase and improvement of facilities on January 29, 2019, at 7:00 P.M. (Prevailing Time) at the Town Hall, in said Town;

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

WHEREAS, such public hearing was duly held by the Town Board on this 29th day of January, 2019, at 7:00 P.M. (Prevailing Time) at the Town Hall, 220 Plandome Road, Manhasset, New York, and considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of the facilities of the District.

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

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to, at the estimated maximum cost of \$500,000; and it is hereby

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

FURTHER ORDERED, that said increase and improvement of facilities shall be financed by the issuance of not to exceed \$500,000 bonds of the Town, and the cost of the project, including payment of the principal of and interest on said bonds as the same shall become due and payable, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District in the same manner and at the same time as other Town charges; and it is hereby

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

DATED: JANUARY 29, 2019

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

AYES: Councilwoman De Giorgio, Councilwoman Russell, Councilwoman Seeman, Councilman Zuckerman, Supervisor Bosworth

NOES: None

CERTIFICATE

I, Wayne H. Wink, Jr., Town Clerk of the Town of North Hempstead, in the County of Nassau, New York, DO HEREBY CERTIFY that I have compared the preceding Resolution and Order After Public Hearing with the original thereof filed in my office, and the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 30th day of January, 2019.

(SEAL)


Deputy Town Clerk

MR. WINK: Item 15, a bond resolution of the Town of North Hempstead, New York, adopted January 29, 2019, appropriating \$500,000 for the increase and improvement of facilities of the North Hempstead Lighting District and authorizing the issuance of bonds of the Town in the principal amount of not to exceed \$500,000 to finance said appropriation.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 28-2019

BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED JANUARY 29, 2019, APPROPRIATING \$500,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE NORTH HEMPSTEAD LIGHTING DISTRICT AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$500,000 TO FINANCE SAID APPROPRIATION.

Recital

WHEREAS, the Board of Commissioners of the North Hempstead Lighting District (herein called the "District") in the Town of North Hempstead (herein called the "Town"), in the County of Nassau, New York, has requested that the Town Board undertake proceedings for the increase and improvement of facilities of the District, consisting of the installation of LED lighting, at an estimated maximum cost of \$500,000; all of the foregoing to include any equipment, furnishings, machinery or apparatus, and any ancillary or related work required in connection therewith, and after a public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be increased and improved.

Now, therefore, be it

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

Section 1. The Town hereby appropriates the amount of \$500,000 for the increase and improvement of facilities of the District, consisting of the installation of LED lighting. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$500,000. The plan of financing includes the issuance of \$500,000 bonds of the Town to finance said appropriation, and the assessment, levy and collection of assessments from the several lots and parcels of land within the District in the same manner and at the same time as other Town charges, to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of \$500,000, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

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

(a) The period of probable usefulness of the specific object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law, is five (5) years.

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

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

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

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

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

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

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

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

AYES: Councilwoman De Giorgio, Councilwoman Russell, Councilwoman Seeman,
Councilman Zuckerman, Supervisor Bosworth

NOES: None

The Resolution was declared adopted.

CERTIFICATE

I, Wayne H. Wink, Jr., Town Clerk of the Town of North Hempstead, in the County of Nassau, New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on January 29, 2019 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 30th day of January, 2019.

(SEAL)


Town Clerk

(NOTICE AND SUMMARY OF BOND RESOLUTION FOR PUBLICATION)

LEGAL NOTICE

The resolution, a summary of which is published herewith, has been adopted on January 29, 2019, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of North Hempstead, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

Wayne H. Wink, Jr.
Town Clerk

BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED JANUARY 29, 2019, APPROPRIATING \$500,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE NORTH HEMPSTEAD LIGHTING DISTRICT AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$500,000 TO FINANCE SAID APPROPRIATION

The object or purpose for which the bonds are authorized is the increase and improvement of facilities of the North Hempstead Lighting District, consisting of the installation of LED lighting, at the estimated maximum cost of \$500,000.

The period of probable usefulness applicable to the bonds issued is five (5) years.

The maximum amount of obligations authorized to be issued is \$500,000.

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

Dated: January 29, 2019
Manhasset, New York

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

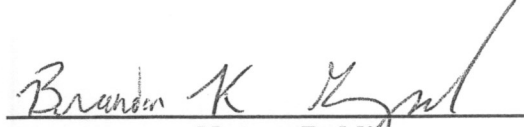
Henry Krukowski, being duly sworn, deposes and says that on the 11th day of January, 2019, he posted the attached Notice of Hearing regarding the increase and improvement of facilities of the North Hempstead Lighting District, consisting of the installation of LED lighting, at an estimated maximum cost of \$500,000; and all of the foregoing to include any equipment, furnishings, machinery or apparatus, and any ancillary or related work required in connection therewith, at the following locations:

- Town Clerk Bulletin Board
- Greenvale Post Office
- Great Neck Post Office
- Manhasset Post Office
- Port Washington Post Office
- Roslyn Heights Post Office
- Albertson Post Office
- Carle Place Post Office
- Westbury Post Office
- New Hyde Park Post Office



Henry Krukowski

Sworn to me this
14th day of January, 2019



Notary Public

Brandon K Gimpelman
Notary Public, State of New York
No. 01G16371819
Qualified in Nassau County
Commission expires March 5, 2022

NEWSDAY AFFIDAVIT OF PUBLICATION

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

RECEIVED
TOWN CLERK
2019 JAN 22 AM 11:41
TOWN OF NORTH HEMP
MANHASSET, NY 11030

STATE OF NEW YORK)

Legal Notice No.

0021457821

:SS.:

COUNTY OF SUFFOLK)

Darryl Murphy of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Thursday

January 17, 2019

Nassau

SWORN to before me this
17 Day of January, 2019.



CHRISTOPHER LAWSON
Notary Public – State of New York
No. 01LA6348406
Qualified in Suffolk County
My Commission Expires September 26, 2020



Ad Content

Legal Notice # 21457821
NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN
that the Town Board of the
Town of North Hempstead,
in the County of Nassau,
State of New York, will meet
at the Town Hall, 220
Sandome Road, Manhasset,
New York, on January 29,
2019, at 7:00 o'clock P.M.
(prevailing Time), for the pur-
pose of conducting a public
hearing regarding the in-
crease and improvement of
facilities of the North Hemp-
stead Lighting District, con-
sisting of the installation of
LED lighting, at an estimat-
ed maximum cost of
\$500,000; and all of the fore-
going to include any equip-
ment, furnishings, machinery
or apparatus, and any ancil-
lary or related work required
in connection therewith. At
said public hearing, the Town
Board will hear all persons in-
terested in said subject mat-
ter thereof.

BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
NORTH HEMPSTEAD
Dated: December 18, 2018
Manhasset, New York
WAYNE H. WINK, JR.
Town Clerk

NEWSDAY PROOF

Advertiser: TOWN OF NORTH HEMP CLERK OFFICE
Agency: TOWN OF NORTH HEMP CLERK OFFICE
Ad Number: 0021457821
Start Date: 01/17/2019
End Date: 01/17/2019
Price: \$144.00
Ordered By: Legaladv@newsday.com

Phone: 5168697625
Contact: PAUL
Section: Legals
Class: 11100
Size: 1 x 36 Times: 1
Date: 1/10/2019
Zone(s): C-Nassau

Signature of Approval: _____

Date: _____

NEWSDAY AFFIDAVIT OF PUBLICATION

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

RECEIVED
OFFICE OF THE TOWN CLERK
2019 FEB -8 AM 11:31
TOWN OF NORTH HEMP
MANHASSET, N.Y. 11030

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

Legal Notice No. 0021463530

Darryl Murphy of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Monday February 04, 2019 Nassau

SWORN to before me this
4 Day of February, 2019.



CHRISTOPHER LAWSON
Notary Public - State of New York
No. 01LA6348406
Qualified in Suffolk County
My Commission Expires September 26, 2020



Ad Content

Legal Notice # 21463530
LEGAL NOTICE

The resolution, a summary of which is published herewith, has been adopted on January 29, 2019, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of North Hempstead, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

Wayne H. Wink, Jr.
Town Clerk

BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED JANUARY 29, 2019, APPROPRIATING \$500,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE NORTH HEMPSTEAD LIGHTING DISTRICT AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$500,000 TO FINANCE SAID APPROPRIATION

The object or purpose for which the bonds are authorized is the increase and improvement of facilities of the North Hempstead Lighting District, consisting of the installation of LED lighting, at the estimated maximum cost of \$500,000.

The period of probable usefulness applicable to the bonds issued is five (5) years.
The maximum amount of obligations authorized to be issued is \$500,000.

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

Dated: January 29, 2019
Manhasset, New York

RECEIVED
OFFICE OF THE TOWN CLERK
2019 FEB - 8 AM 11: 31
TOWN OF NORTH HEMPSTEAD
MANHASSET, NY 1109

NEWSDAY PROOF

Advertiser: TOWN OF NORTH HEMP CLERK OFFICE
Agency: TOWN OF NORTH HEMP CLERK OFFICE
Ad Number: 0021463530
Start Date: 02/04/2019
End Date: 02/04/2019
Price: \$324.00
Ordered By: Legaladv@newsday.com

Phone: 5168697625
Contact: Paul
Section: Legals
Class: 11100
Size: 2 x 41 Times: 1
Date: 1/30/2019
Zone(s): C-Nassau

Signature of Approval: _____

Date: _____

MR. WINK: Resolutions. Item 16, a resolution setting a date for a public hearing to consider the rescission and adoption of ordinance affecting Mayfair Road in New Hyde Park, New York.

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

MR. WINK: Councilwoman DeGiorgio. And setting a date of January 28th.

SUPERVISOR BOSWORTH: January 28th?

MR. WINK: February 28th, 2019. Excuse me. Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 29 - 2019

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE RESCISSION AND ADOPTION OF ORDINANCES AFFECTING MAYFAIR ROAD IN NEW HYDE PARK, NEW YORK.

WHEREAS, a recommendation has been made for the adoption of an ordinance affecting Mayfair Road, New Hyde Park, New York

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by the Town Board of the Town of North Hempstead on the 28th day of February, 2019, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

PROPOSAL:

RESCIND:

1. T.O. 41 – 2000

Adopted September 19th, 2000

MAYFAIR ROAD – WEST SIDE - NO STOPPING –

7:30am to 3:30pm, SCHOOL DAYS, EXCEPT SCHOOL BUSES -

From a point 30 feet south of the south curb line of Durham Road, south, for a distance of 594 feet.

ADOPT:

1. MAYFAIR ROAD – WEST SIDE – NO STOPPING -

7:30AM – 3:30PM, SCHOOL DAYS, EXCEPT SCHOOL BUSES

From a point 173 feet south of the south curb line of Durham Road, south, for a distance of 374 feet.

2. MAYFAIR ROAD – WEST SIDE – 15 MINUTES PARKING –

7:30AM – 3:30PM, SCHOOL DAYS

From a point 30 feet south of the south curb line of Durham Road, south, for a distance of 100 feet.

3. MAYFAIR ROAD – WEST SIDE – 15 MINUTES PARKING –

7:30AM – 3:30PM, SCHOOL DAYS

From a point 265 feet north of the north curb line of Aberdeen Road, north, for a distance of 35 feet.

4. MAYFAIR ROAD – WEST SIDE – 15 MINUTES PARKING –

7:30AM – 3:30PM, SCHOOL DAYS

From a point 215 feet north of the north curb line of Aberdeen Road, north, for a distance of 30 feet.

5. MAYFAIR ROAD – WEST SIDE – SCHOOL SPEED LIMIT 20MPH –

7am – 6pm, SCHOOL DAYS

From the south curblines of Durham Road to the north curblines of Aberdeen Road.

6. MAYFAIR ROAD – EAST SIDE – SCHOOL SPEED LIMIT 20MPH –

7am – 6pm, SCHOOL DAYS

From the south curblines of Durham Road to the north curblines of Surrey Road.

7. MAYFAIR ROAD – EAST SIDE – SCHOOL SPEED LIMIT 20MPH –

7am – 6pm, SCHOOL DAYS

From the south curblines of Surrey Road, to the north curb line of Aberdeen Road.

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: January 29, 2019
Manhasset, New York

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Public Safety Comptroller Traffic Safety

MR. WINK: Item 17, a resolution setting a date for a public hearing to consider the adoption of an ordinance affecting Swalm Street in Westbury, New York.

COUNCILWOMAN RUSSELL: I'd like to offer the resolution setting a tentative hearing date of February 28th.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 30 - 2019

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

WHEREAS, it has been requested that the Town Board of the Town of North Hempstead (the "Town") enact an ordinance, pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space on the west side of Swalm Street, Westbury, New York, from a point of 435 feet south of the south curb line of Prospect Avenue, south, for a distance of 20 feet; and

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

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on February 28, 2019 at 7:00 p.m., to consider an ordinance establishing a reserved parking space as described in the notice of hearing set forth below; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead at a regularly scheduled meeting of the Board on February 28, 2019, at 7:00 p.m. at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the enactment of an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

PLEASE TAKE FURTHER NOTICE that the proposed ordinance would establish a reserved parking space on the west side of Swalm Street, Westbury, New York, from a point of 435 feet south of the south curb line of Prospect Avenue, south, for a distance of 20 feet.

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

Dated: Manhasset, New York
January 29, 2019

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Highways Traffic Safety Public Safety

PROPOSED ORDINANCE

1. Section 5 of the ordinance establishing handicapped spaces adopted July 21, 1987 and amended September 15, 1987, February 7, 1989, April 3, 1990, July 17, 1990, November 20, 1990, December 4, 1990, February 19, 1991, October 8, 1991, April 29, 1992, August 11, 1992, April 13, 1993, May 3, 1994, November 22, 1994, April 25, 1995, August 29, 1995, August 27, 1996, November 12, 1996, December 17, 1996, March 4, 1997, May 6, 1997, June 10, 1997, July 15, 1997, March 24, 1998, November 17, 1998, March 2, 1999, June 8, 1999, October 20, 1999, June 27, 2000, August 29, 2000, September 19, 2000, November 14, 2000, February 13, 2001, March 6, 2001, March 27, 2001, May 15, 2001, August 21, 2001, October 16, 2001, November 13,

2001, January 29, 2002, March 12, 2002, April 2, 2002, June 4, 2002, October 1, 2002, November 19, 2002, December 10, 2002, February 11, 2003, April 22, 2003, October 21, 2003, January 6, 2004, March 9, 2004, May 11, 2004, June 29, 2004, August 31, 2004, January 25, 2005, June 14, 2005, July 19, 2005, October 18, 2005, November 15, 2005, January 3, 2006, January 24, 2006, March 21, 2006, May 2, 2006, January 2, 2007, March 6, 2007, April 17, 2007, June 19, 2007, August 14, 2007, September 25, 2007, December 11, 2007, January 29, 2008, May 6, 2008, June 17, 2008 July 29, 2008, August 19, 2008, September 9, 2008, January 6, 2009, May 19, 2009, July 14, 2009, August 4, 2009, August 25, 2009, October 20, 2009, December 8, 2009, January 26, 2010, October 5, 2010, December 14, 2010, January 25, 2011, March 8, 2011, June 14, 2011, July 12, 2011, May 8, 2012, June 19, 2012, July 10, 2012, August 21, 2012, September 12, 2012, November 20, 2012, December 11, 2012, January 8, 2013, February 19, 2013, April 02, 2013, May 14, 2013, June 4, 2013, September 10, 2013, October 7, 2013, December 10, 2013, February 25, 2014, April 1, 2014, June 10, 2014, December 9, 2014, March 31, 2015, May 12, 2015, July 14, 2015, August 25, 2015, October 20, 2015, November 17, 2015, December 15, 2015 and January 26, 2016, February 23, 2016, April 19, 2016, May 10, 2016 June 7, 2016, July 12, 2016, August 9, 2016, September 13, 2016, September 27, 2016, October 25, 2016, December 13, 2016, January 31, 2017, February 28, 2017, April 4, 2017, April 25, 2017, July 18, 2017, September 7, 2017, September 26, 2017; November 14, 2017, January 30, 2018; February 27, 2018, September 6, 2018, September 27, 2018, October 25, 2018, November 20, 2018, and December 18, 2018 is further amended by adding thereto a new subdivision as follows:

"103" A reserved parking space is established on the west side of Swalm Street, Westbury, New York, from a point 435 feet south of the south curb line of Prospect Avenue, south, for a distance of 20 feet

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

Dated: Manhasset, New York
January 29, 2019

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

MR. WINK: Item 18, a resolution setting a date for a public hearing to consider the adoption of an ordinance affecting Sixth Street in Garden City Park, New York.

SUPERVISOR BOSWORTH: I offer the resolution and set the hearing date for February 28th, 2019.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 31 - 2019

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING SIXTH STREET IN GARDEN CITY PARK, NEW YORK.

WHEREAS, it has been requested that the Town Board of the Town of North Hempstead (the "Town") enact an ordinance, pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space on the north side of Sixth Street, Garden City Park, New York, from a point of 522 feet northeast of the east curb line of Central Avenue, northeast, for a distance of 20 feet; and

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

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on February 28, 2019 at 7:00 p.m., to consider an ordinance establishing a reserved parking space as described in the notice of hearing set forth below; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead at a regularly scheduled meeting of the Board on February 28, 2019, at 7:00 p.m. at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the enactment of an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

PLEASE TAKE FURTHER NOTICE that the proposed ordinance would establish a reserved parking space on the north side of Sixth Street, Garden City Park, New York, from a point of 522 feet northeast of the east curb line of Central Avenue, northeast, for a distance of 20 feet.

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

Dated: Manhasset, New York
January 29, 2019

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Highways Traffic Safety Public Safety

PROPOSED ORDINANCE

1. Section 5 of the ordinance establishing handicapped spaces adopted July 21, 1987 and amended September 15, 1987, February 7, 1989, April 3, 1990, July 17, 1990, November 20, 1990, December 4, 1990, February 19, 1991, October 8, 1991, April 29, 1992, August 11, 1992, April 13, 1993, May 3, 1994, November 22, 1994, April 25, 1995, August 29, 1995, August 27, 1996, November 12, 1996, December 17, 1996, March 4, 1997, May 6, 1997, June 10, 1997, July 15, 1997, March 24, 1998, November 17, 1998, March 2, 1999, June 8, 1999, October 20, 1999, June 27, 2000, August 29, 2000, September 19, 2000, November 14, 2000, February 13, 2001, March 6, 2001, March 27, 2001, May 15, 2001, August 21, 2001, October 16, 2001, November 13, 2001, January 29, 2002, March 12, 2002, April 2, 2002, June 4, 2002, October 1, 2002, November

19, 2002, December 10, 2002, February 11, 2003, April 22, 2003, October 21, 2003, January 6, 2004, March 9, 2004, May 11, 2004, June 29, 2004, August 31, 2004, January 25, 2005, June 14, 2005, July 19, 2005, October 18, 2005, November 15, 2005, January 3, 2006, January 24, 2006, March 21, 2006, May 2, 2006, January 2, 2007, March 6, 2007, April 17, 2007, June 19, 2007, August 14, 2007, September 25, 2007, December 11, 2007, January 29, 2008, May 6, 2008, June 17, 2008 July 29, 2008, August 19, 2008, September 9, 2008, January 6, 2009, May 19, 2009, July 14, 2009, August 4, 2009, August 25, 2009, October 20, 2009, December 8, 2009, January 26, 2010, October 5, 2010, December 14, 2010, January 25, 2011, March 8, 2011, June 14, 2011, July 12, 2011, May 8, 2012, June 19, 2012, July 10, 2012, August 21, 2012, September 12, 2012, November 20, 2012, December 11, 2012, January 8, 2013, February 19, 2013, April 02, 2013, May 14, 2013, June 4, 2013, September 10, 2013, October 7, 2013, December 10, 2013, February 25, 2014, April 1, 2014, June 10, 2014, December 9, 2014, March 31, 2015, May 12, 2015, July 14, 2015, August 25, 2015, October 20, 2015, November 17, 2015, December 15, 2015 and January 26, 2016, February 23, 2016, April 19, 2016, May 10, 2016 June 7, 2016, July 12, 2016, August 9, 2016, September 13, 2016, September 27, 2016, October 25, 2016, December 13, 2016, January 31, 2017, February 28, 2017, April 4, 2017, April 25, 2017, July 18, 2017, September 7, 2017, September 26, 2017; November 14, 2017, January 30, 2018; February 27, 2018, September 6, 2018, September 27, 2018, October 25, 2018, November 20, 2018, and December 18, 2018 is further amended by adding thereto a new subdivision as follows:

"104" A reserved parking space is established on the north side of Sixth Street, Garden City Park, New York, from a point 522 feet northeast of the east curb line of Central Avenue, northeast, for a distance of 20 feet

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

Dated: Manhasset, New York
January 29, 2019

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

MR. WINK: Item 19, a resolution setting a date for a public hearing to consider the adoption of an ordinance affecting Pinetree Road in New Cassel, New York.

COUNCILWOMAN RUSSELL: I'd like to offer the resolution setting a tentative hearing date of February 28th.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 32 - 2019

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING PINETREE ROAD IN NEW CASSEL, NEW YORK.

WHEREAS, it has been requested that the Town Board of the Town of North Hempstead (the "Town") enact an ordinance, pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space on the south side of Pinetree Road, New Cassel, New York, from a point of 367 feet northeast of the east curb line of Cedar Road, northeast, for a distance of 20 feet; and

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

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on February 28, 2019 at 7:00 p.m., to consider an ordinance establishing a reserved parking space as described in the notice of hearing set forth below; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead at a regularly scheduled meeting of the Board on February 28, 2019, at 7:00 p.m. at Town Hall, 220 Plandome Road, Manhasset, New York, to consider the enactment of an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

PLEASE TAKE FURTHER NOTICE that the proposed ordinance would establish a reserved parking space on the south side of Pinetree Road, New Cassel, New York, from a point of 367 feet northeast of the east curb line of Cedar Road, northeast, for a distance of 20 feet.

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

Dated: Manhasset, New York
January 29, 2019

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Highways Traffic Safety Public Safety

PROPOSED ORDINANCE

1. Section 5 of the ordinance establishing handicapped spaces adopted July 21, 1987 and amended September 15, 1987, February 7, 1989, April 3, 1990, July 17, 1990, November 20, 1990, December 4, 1990, February 19, 1991, October 8, 1991, April 29, 1992, August 11, 1992, April 13, 1993, May 3, 1994, November 22, 1994, April 25, 1995, August 29, 1995, August 27, 1996, November 12, 1996, December 17, 1996, March 4, 1997, May 6, 1997, June 10, 1997, July 15, 1997, March 24, 1998, November 17, 1998, March 2, 1999, June 8, 1999, October 20, 1999, June 27, 2000, August 29, 2000, September 19, 2000, November 14, 2000, February 13, 2001, March 6, 2001, March 27, 2001, May 15, 2001, August 21, 2001, October 16, 2001, November 13,

2001, January 29, 2002, March 12, 2002, April 2, 2002, June 4, 2002, October 1, 2002, November 19, 2002, December 10, 2002, February 11, 2003, April 22, 2003, October 21, 2003, January 6, 2004, March 9, 2004, May 11, 2004, June 29, 2004, August 31, 2004, January 25, 2005, June 14, 2005, July 19, 2005, October 18, 2005, November 15, 2005, January 3, 2006, January 24, 2006, March 21, 2006, May 2, 2006, January 2, 2007, March 6, 2007, April 17, 2007, June 19, 2007, August 14, 2007, September 25, 2007, December 11, 2007, January 29, 2008, May 6, 2008, June 17, 2008 July 29, 2008, August 19, 2008, September 9, 2008, January 6, 2009, May 19, 2009, July 14, 2009, August 4, 2009, August 25, 2009, October 20, 2009, December 8, 2009, January 26, 2010, October 5, 2010, December 14, 2010, January 25, 2011, March 8, 2011, June 14, 2011, July 12, 2011, May 8, 2012, June 19, 2012, July 10, 2012, August 21, 2012, September 12, 2012, November 20, 2012, December 11, 2012, January 8, 2013, February 19, 2013, April 02, 2013, May 14, 2013, June 4, 2013, September 10, 2013, October 7, 2013, December 10, 2013, February 25, 2014, April 1, 2014, June 10, 2014, December 9, 2014, March 31, 2015, May 12, 2015, July 14, 2015, August 25, 2015, October 20, 2015, November 17, 2015, December 15, 2015 and January 26, 2016, February 23, 2016, April 19, 2016, May 10, 2016 June 7, 2016, July 12, 2016, August 9, 2016, September 13, 2016, September 27, 2016, October 25, 2016, December 13, 2016, January 31, 2017, February 28, 2017, April 4, 2017, April 25, 2017, July 18, 2017, September 7, 2017, September 26, 2017; November 14, 2017, January 30, 2018; February 27, 2018, September 6, 2018, September 27, 2018, October 25, 2018, November 20, 2018, and December 18, 2018 is further amended by adding thereto a new subdivision as follows:

"105" A reserved parking space is established on the south side of Pinetree Road, New Cassel, New York, from a point 367 feet northeast of the east curb line of Cedar Road, northeast, for a distance of 20 feet

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

Dated: Manhasset, New York
January 29, 2019

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

MR. WINK: Item 20, a resolution setting a date for a public hearing to consider the application of Northwell Health for site plan review for the premises located at 300 Community Drive, Manhasset and designated on the Nassau County Land and Tax Map as Section 3, Block E, Lots 190, 191, 192, 1052, 1061, 1063, 1067, 1069, 1072, 1078, 1081, 1094, 1101, 1102, 1104, 1105, 1107, 1108 and 1109.

SUPERVISOR BOSWORTH: I offer the resolution and set the hearing date for February 28th, 2019.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 33 - 2019

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF NORTHWELL HEALTH FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 300 COMMUNITY DRIVE, MANHASSET AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 3, BLOCK E, LOTS 190, 191, 192, 1052, 1061, 1063, 1067, 1069, 1072, 1078, 1081, 1094, 1101, 1102, 1104, 1105, 1107, 1108 AND 1109.

WHEREAS, Northwell Health, Inc. (the "Applicant") has applied (the "Application") to construct an eight (8) level, 257,139 square foot addition to the existing Payson Whitney Tower with a 31,662 square foot parking deck located at 300 Community Drive, Manhasset, New York, identified on the Nassau County Land and Tax Map as Section 3, Block E, Lots 190, 191, 192, 1052, 1061, 1063, 1067, 1069, 1072, 1078, 1081, 1094, 1101, 1102, 1104, 1105, 1107, 1108 and 1109 (the "Premises"); and

WHEREAS, it has been determined that the Application requires site plan review pursuant to Town Code § 70-219 ("Site Plan Review"); and

WHEREAS, this Board wishes to set a date for a public hearing for the Site Plan Review.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing shall be held on February 28, 2019 at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York to consider the Application for Site Plan Review; and be it further

RESOLVED that the Commissioner shall immediately notify the Applicant of the date and time of the hearing so that the Applicant may provide notice of the hearing for Site Plan Review to certain property owners pursuant to Sections 70-219 (F)(2) and 70-240 of the Town Code; and be it further

RESOLVED that the Applicant shall also comply with the sign notice requirements pursuant to Town Code § 70-219 (F)(3); and be it further

RESOLVED that the Town Clerk be and hereby is authorized and directed to publish a notice of hearing as required by §70-219 (F)(1) of the Town Code, 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 28th day of February, 2019, at 7:00 P.M. at Town Hall, 220 Plandome Road, Manhasset, New York, on the application for site plan review submitted by Northwell Health to construct an eight (8) level, 257,139 square foot addition to the existing Payson Whitney Tower with a 31,662 square foot parking deck located at 300 Community Drive, Manhasset, New York, identified on the Nassau County Land and Tax Map as Section 3, Block E, Lots 190, 191, 192, 1052, 1061, 1063, 1067, 1069, 1072, 1078, 1081, 1094, 1101, 1102, 1104, 1105, 1107, 1108 and 1109.

Dated: Manhasset, New York
January 29, 2019

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

MR. WINK: Item 21, a resolution setting a date for a public hearing to consider the application of BP Products North America, Inc. for a special use permit pursuant to Chapter 29A of the Town Code for the premises located at 119 Powerhouse Road, Roslyn Heights and designated on the Nassau County Land and Tax Map as Section 7, Block 52, Lot 60.

COUNCILMAN ZUCKERMAN: I offer the resolution setting a hearing date for February 28th, 2019.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 34 - 2019

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF BP PRODUCTS NORTH AMERICA, INC. FOR A SPECIAL PERMIT PURSUANT TO CHAPTER 29A OF THE TOWN CODE FOR THE PREMISES LOCATED AT 119 POWERHOUSE ROAD, ROSLYN HEIGHTS AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 7, BLOCK 52, LOT 60.

WHEREAS, BP Products North America, Inc. (the “Applicant”) has applied for a permit (the “Underground Storage Permit”) pursuant to Section 29A-4 of the Town Code of the Town of North Hempstead (the “Town Code”) for the conversion of a 10,000 gallon double-walled fiberglass underground storage tank from regular grade gasoline to diesel fuel with partial piping replacement on real property located at 119 Powerhouse Road, Roslyn Heights, NY and designated on the Nassau County Land and Tax Map as Section 7, Block 52, Lot 60 (the “Application”); and

WHEREAS, Town Code §29A-8 requires the Board to schedule a public hearing before considering the Application.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 28th day of February, 2019, at the Town Hall Board Meeting Room, 220 Plandome Road, Manhasset, New York, at 7:00 p.m. to consider the Application for an Underground Storage Permit, at which public hearing all interested persons will be afforded an opportunity to be heard; and be it further

RESOLVED, that the Applicant, in accordance with Town Code 29A, shall serve notice of the Public Hearing on the Application for the Underground Storage Permit upon all owners of real property, as indicated on the latest completed assessment roll of Nassau County, within two

hundred (200) feet of the Premises, either personally or by certified or registered mail; and be it further

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

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on the 28th day of February, 2019 at 7:00 p.m. in Town Hall, 220 Plandome Road, Manhasset, New York, to consider the application of BP Products North America, Inc. pursuant to Section 29A-4 of the Code of the Town of North Hempstead for the conversion of a 10,000 gallon double-walled fiberglass underground storage tank from regular grade gasoline to diesel fuel with partial piping replacement, and to hear all interested persons concerning the same.

PLEASE TAKE FURTHER NOTICE that the real property that is the subject of this application is located at 119 Powerhouse Road, Roslyn Heights, New York and designated on the Nassau County Land and Tax Map as Section 7, Block 52, Lot 60.

Dated: Manhasset, New York
January 29, 2019

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

MR. WINK: Item 22, a resolution setting a date for a public hearing to consider the application of BP Products North America, Inc. for a special use permit for the premises located at 2399 Jericho Turnpike, New Hyde Park and designated on the Nassau County Land and Tax Map as Section 9, Block 536, Lots 2 4 and 59.

SUPERVISOR BOSWORTH: I offer the resolution and set the hearing date for February 28th, 2019.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 35 - 2019

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF BP PRODUCTS NORTH AMERICA, INC. FOR A SPECIAL USE PERMIT FOR THE PREMISES LOCATED AT 2399 JERICHO TURNPIKE, NEW HYDE PARK AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 536, LOT 24 AND 59.

WHEREAS, BP Products North America, Inc., (the "Applicant") has applied (the "Application") to the Town to reconfigure an existing gasoline service station to remove an existing kiosk and install an additional dispenser island on a 13,825 square foot property at the premises located at 2399 Jericho Turnpike, New Hyde Park, and designated on the Nassau County Land and Tax Map as Section 9, Block 536, Lots 24 and 59 (the "Premises"); 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) and 70-225 (the "Special Use Permit"); and

WHEREAS, this Board wishes to set a date for a public hearing for the Special Use Permit.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing shall be held on February 28, 2019 at 7:00 P.M. in the Town Board Room at Town Hall, 220 Plandome Road, Manhasset, New York to consider the Application for a Special Use Permit; and be it further

RESOLVED that the Department of Planning and Environmental Protection shall immediately notify the Applicant of the date and time of the hearing and the Applicant shall notify certain property owners of the date and time pursuant to Town Code § 70-240(C); and be it further

RESOLVED that the Town Clerk be and is hereby authorized and directed to publish a notice of hearing as required by Town Code §§ 70-240(A) and 70-203(P), 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 February 28, 2019, at 7:00 P.M. at Town Hall, 220 Plandome Road, Manhasset, New York, on the application for a Special Use Permit submitted by BP Products North America, Inc., to reconfigure an existing gasoline service station to remove an existing kiosk and install an additional dispenser island on a 13,825 square foot site.

PLEASE TAKE FURTHER NOTICE that the property which is the subject of this application is known 2399 Jericho Turnpike, New Hyde Park, and designated on the Nassau County Land and Tax Map as Section 9, Block 536, Lots 24 and 59.

Dated: Manhasset, New York
January 29, 2019

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Building Department Planning & Environ Protection

MR. WINK: Item 23, 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.

SUPERVISOR BOSWORTH: I offer the resolution and set the hearing date for February 28th, 2019.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 36 - 2019

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 28th day of February, 2019, 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 28th day of February 2019 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 2019 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	\$1,061,000.00
Service Award Program	\$180,000.00
Carle Place H. & L. & H. Co. No. 1	\$1,362,300.00
Service Award Program	\$154,000.00
Floral Park Centre Fire Co. No. 1	\$113,452.00
Service Award Program	\$50,000.00
Glenwood H. & L., E. & H. Co., Inc.	\$294,482.75
Service Award Program	\$57,855.00
Alert E., H., L. & H. Co. No. 1, Inc.	\$157,665.07
Service Award Program	\$12,220.00
Vigilant E. H. & L. Co., Inc.	\$378,965.00
Service Award	\$0.00
Port Washington Fire Dept., Inc.	\$1,517,806.00
Port Washington Fire Medics	\$234,005.00
Service Award Program	\$216,558.00
Roslyn Fire Companies	
Roslyn Highlands H. & L., E. & H. Co., Inc.	\$373,161.00
Rescue H. & L. Co. No. 1 of Roslyn, Inc.	\$381,790.00
Service Award Program	\$57,217.00

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, 2019 and expiring on December 31, 2019.

Dated: Manhasset, New York
January 29, 2019

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

Dated: Manhasset, New York
January 29, 2019

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

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller

MR. WINK: Item 24, a resolution authorizing the Town board to accept gifts to the Town pursuant to Town Law Section 64.

COUNCILMAN ZUCKERMAN: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 37 - 2019

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

WHEREAS, the Lakeville Estates Civic Association has generously offered One Thousand Five Hundred Sixty and 15/100 Dollars (\$1,560.15) to be used towards the purchase of an ADA-compliant table and umbrella for Clinton G. Martin Park; and

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

NOW, THEREFORE, BE IT

RESOLVED that this Board hereby gratefully accepts the Gift.

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller Town Clerk

MR. WINK: Item 25, a resolution authorizing the award of a bid for pool chemicals and repairs (TNH040-2019).

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 38 - 2019

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR POOL CHEMICALS AND REPAIRS (TNH040-2019).

WHEREAS, the Director of Purchasing (the "Director") has solicited bids for pool chemicals and repairs; and

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

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

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

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York
January 29, 2019

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

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller Purchasing

Exhibit A

Item #	Item description	Size	Price	Supplier	Supplier Contact	Supplier Price
T1H040-2019 Pool Chemicals Repairs and Maintenance RE-CAP						
1	Diatomaceous earth, John Mansville # DE648 or equal, now called aquascol *include brand you are bidding	25 lb. bag		AutoChem Corp. 296 W. Montauk Highway Hampton Bays, NY 11946 Jason Tortorella 631-283-7398 jort@autochemcorp.com	Blue Wave Pool Service 131 S. Smith Street Lindenhurst, NY 11757 Shiomu Elkarat 631-923-0417 BlueWavePoolServiceCorp@gmail.com	Commercial Clearwater P.O. Box 909 Plandome, NY 11030 Paul Robert Melnik 516-294-7985 Help@931pool.com
2	Sodium Bicarbonate, Powder	50 lb. container	\$39.50	Celkon	Celkon Epiminerals	\$42.00
3	Calcium Hypochlorite, granular unstabilized, 65% available chlorine	100 lb. container	\$210.00	Zappit		\$225.00
4	Sodium Hypochlorite, 15%, delivered	1 thousand gallon truckload	\$1.35 per gallon			NO BID
5	Muriatic Acid	15 gallon	\$38.50 per Carboy +\$9.00 deposit			NO BID
6	Oxalic Acid	50 lb. bag	NO BID			NO BID
7	Testing Tablets #1 Lamotte or equal *include brand you are bidding	1000 tablets	\$49.50	La Motte	La Motte	\$46.00
8	Testing Tablet # 3 Lamotte or equal *include brand you are bidding	1000 tablets	\$49.50	La Motte	La Motte	\$46.00
9	Testing Tablet Phenol red, Lamotte or equal *include brand you are bidding	1000 tablets	\$49.50	La Motte	La Motte	\$46.00
10	Testing Tablets, Calcium Hardness	1000 tablets	\$49.50			\$46.00

Item #	Item description	Size	Price	La Monte	Blue Wave Pool Service	Commercial Clearwater	Rushie Chemical Co, Inc	Twin County Swimming Pool
11	Pool Chemicals Repairs and Maintenance RE-CAP "Brand you are bidding"	1000 tablets	\$46.00	NO BID	311 S. Smith Street Lindenshurst, NY 11757	P.O. Box 909 Plandome, NY 11030	86 North Hackensack Ave. Kearny, NJ 07032	797 Conklin Street Farmingdale, NY 11735
12	Lamotte test kits, Model # PM 51NJ, or equivalent "Brand you are bidding"	Each	\$39.18	NO BID	Shlomi Elkavat 831-923-0417 BlueWaveServiceCorp@gmail.com	Paul Robert Mellink 516-294-7985 Help@1110ools.com	Susan K. Anthony 973-589-0700 Bids@kuehns.com	
13	Plastic test tubes for water testing	24 tubes	\$116.66	NO BID				
14	Tri-Sodium Phosphate	50 lb. container	NO BID	NO BID				
15	Calcium Chloride Flakes, 77%	50 lb. bag With 50 lb. bag minimum delivery	\$19.75	NO BID				
16	25 lb bags purifier	100 bags	NO BID	NO BID				
17	Sodium Thiosulfate	5 lb containers	3lbs - \$21.72 25lbs - \$95.00	NO BID				
18	3 1/8" calcium hypochlorite Tablets, Hydrated	55 lbs	NO BID	NO BID				
19	Pulsar Tablets (no substitutes)	100 lb container	\$480.00	NO BID				
20	Imerys Harbortite Aquagard Perflo Filler Media (no substitutes)	25 lb bag	NO BID	NO BID				
21	Chlorine Neutralizer	25 lb	\$95.00	NO BID				

Item #	Item description	Size	Price	Supplier	Address	Phone	Website	Price	Supplier	Address	Phone	Website
22	Chlorine Neutralizer	3 lb	\$11.72	Blue Wave Pool Service	131 S. Smith Street Lindenhurst, NY 11757	516-294-7985	Help@911pool.com	\$32.00	Kuehne Chemical Co, Inc	86 North Hackensack Ave Kearny, NJ 07032	973-589-0700	bids@kuehnecompany.com
23	Sodium Carbonate	50 lb bag	\$35.92	Autoclchem Corp.	296 W. Montauk Highway Hampton Bays, NY 11946	631-283-7398	info@autoclchemcorp.com	\$48.01	Commercial Clearwater	P.O. Box 909 Plandome, NY 11030	516-294-7985	Help@911pool.com
24	Pool Clarifier	1 Quart Bottle	\$12.00	Autoclchem Corp.	296 W. Montauk Highway Hampton Bays, NY 11946	631-283-7398	info@autoclchemcorp.com	\$6.00	Commercial Clearwater	P.O. Box 909 Plandome, NY 11030	516-294-7985	Help@911pool.com
25	Pulsar Acid Cleaner	1 Quart Bottle	\$32.00	Autoclchem Corp.	296 W. Montauk Highway Hampton Bays, NY 11946	631-283-7398	info@autoclchemcorp.com	\$12.13	Commercial Clearwater	P.O. Box 909 Plandome, NY 11030	516-294-7985	Help@911pool.com
26	Hourly Rate for Repairs During Regular Business Hours M-F, 8am-4pm		\$150 per hour	Blue Wave Pool Service	131 S. Smith Street Lindenhurst, NY 11757	516-294-7985	Help@911pool.com	\$194.00 per hour	Kuehne Chemical Co, Inc	86 North Hackensack Ave Kearny, NJ 07032	973-589-0700	bids@kuehnecompany.com
27	Labor Rate - After hours, Overtime and Holidays		\$225 per hour	Blue Wave Pool Service	131 S. Smith Street Lindenhurst, NY 11757	516-294-7985	Help@911pool.com	35%	Kuehne Chemical Co, Inc	86 North Hackensack Ave Kearny, NJ 07032	973-589-0700	bids@kuehnecompany.com
28	Parts - Bid as Percentage above Certified Cost		35%	Blue Wave Pool Service	131 S. Smith Street Lindenhurst, NY 11757	516-294-7985	Help@911pool.com	33%	Kuehne Chemical Co, Inc	86 North Hackensack Ave Kearny, NJ 07032	973-589-0700	bids@kuehnecompany.com
29	Equipment - Bid as Percentage above Certified Cost		35%	Blue Wave Pool Service	131 S. Smith Street Lindenhurst, NY 11757	516-294-7985	Help@911pool.com	33%	Kuehne Chemical Co, Inc	86 North Hackensack Ave Kearny, NJ 07032	973-589-0700	bids@kuehnecompany.com

Exhibit B

TNH040-2019 Pool Chemicals Repairs and Maintenance AWARD	
Winning Vendor	Items Won
AutoChem Corp. 296 W. Montauk Highway Hampton Bays, NY 11946 Jason Tortorella 631-283-7398 Info@autochemcorp.com	1-3,5,15,21
Blue Wave Pool Service 131 S. Smith Street Lindenhurst, NY 11757 Shlomi Elkarat 631-923-0417 BlueWaveserviceCorp@gmail.com	6-14,22-23
Commercial Clearwater P.O Box 909 Plandome, NY 11030 Paul Robert Meilink 516-294-7985 Help@911pools.com	7-11, 16-20,24-29
Twin County Swimming Pool 797 Conklin Street Farmingdale, NY 11735 631-249-1249 Karen@twincountypools.com	#4

MR. WINK: Item 26, a resolution authorizing the execution of an agreement with H2M Architects and Engineers for engineering services for the Hempstead Harbor Shoreline Trail, Phases III and IV, Port Washington, DPW Project No. 18-12.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 39 - 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH H2M ARCHITECTS AND ENGINEERS FOR ENGINEERING SERVICES FOR THE HEMPSTEAD HARBOR SHORELINE TRAIL, PHASES III AND IV, PORT WASHINGTON, DPW PROJECT NO. 18-12.

WHEREAS, the Commissioner of Public Works (the "Commissioner") for the Town of North Hempstead (the "Town") has recommended that this Board authorize the retention of an engineering consulting firm to provide professional engineering services for the Hempstead Harbor Shoreline Trial, Phases III and IV, Port Washington, DPW Project No. 18-12 (the "Services"); and

WHEREAS, following the review and analysis of proposals submitted for the Services, the Commissioner has recommended the retention of H2M Architects and Engineers, 538 Broad Hollow Road, 4th Floor East, Melville, NY 11747 to provide the Services in consideration of an amount not to exceed Twenty-Six Thousand Seven Hundred and 00/100 Dollars (\$26,700.00) (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

MR. WINK: Item 27, a resolution authorizing the execution of an agreement with Architectural Preservation Studio, DPC for engineering services for the rehabilitation of Schumacher House, Phase II, New Hyde Park, DPW Project No. 18-02.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 40 - 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ARCHITECTURAL PRESERVATION STUDIO, DPC FOR ENGINEERING SERVICES FOR THE REHABILITATION OF SCHUMACHER HOUSE, PHASE II, NEW HYDE PARK, DPW PROJECT NO. 18-02.

WHEREAS, the Commissioner of Public Works (the "Commissioner") for the Town of North Hempstead (the "Town") has recommended that this Board authorize the retention of an engineering consulting firm to provide professional engineering services for the Rehabilitation of Schumacher House, Phase II, New Hyde Park, DPW Project No. 18-02 (the "Services"); and

WHEREAS, following the review and analysis of proposals submitted for the Services, the Commissioner has recommended the retention of Architectural Preservation Studio, DPC, 594 Broadway, Suite 919, New York 10012 to provide the Services in consideration of an amount not to exceed One Hundred Fifty-One Thousand Seven Hundred Seventy-Six and 50/100 Dollars (\$151,776.50) (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

MR. WINK: Item 28, a resolution authorizing the execution of 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.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 41 - 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF 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, the Commissioner of Public Works (the “Commissioner”) for the Town of North Hempstead (the “Town”) has recommended that this Board authorize the retention of an engineering consulting firm to provide professional engineering services for the Replacement of the Roof at the Building of the Department of Public Works, New Hyde Park, DPW Project No. 18-09 (the “Services”); and

WHEREAS, following the review and analysis of proposals submitted for the Services, the Commissioner has recommended the retention of Cashin Associates, P.C., 1200 Veterans Memorial Highway, Hauppauge, New York 11788 to provide the Services in consideration of an amount not to exceed Eighty-Eight Thousand One Hundred Eighty-Four and 80/100 Dollars (\$88,184.80) (the “Agreement”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

MR. WINK: Item 29, a resolution authorizing the execution of an agreement with D&B Engineers and Architects, PC for engineering services related to the construction of a parking lot for the North Hempstead "Yes We Can" Community Center, New Cassel, DPW Project No. 18-11.

COUNCILWOMAN RUSSELL: I'd like to offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: No.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 42 - 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH D&B ENGINEERS AND ARCHITECTS, PC FOR ENGINEERING SERVICES RELATED TO THE CONSTRUCTION OF A PARKING LOT FOR THE NORTH HEMPSTEAD "YES WE CAN" COMMUNITY CENTER, NEW CASSEL, DPW PROJECT NO. 18-11.

WHEREAS, the Commissioner of Public Works (the "Commissioner") for the Town of North Hempstead (the "Town") has recommended that this Board authorize the retention of an engineering consulting firm to provide professional engineering services for the Construction of a Parking Lot for the North Hempstead "Yes We Can" Community Center, New Cassel, DPW Project No. 18-11 (the "Services"); and

WHEREAS, following the review and analysis of proposals submitted for the Services, the Commissioner has recommended the retention of D&B Engineers and Architects, PC, 330 Crossways Park Drive, Woodbury, NY 11797 to provide the Services in consideration of an amount not to exceed Eighteen Thousand Five Hundred and 00/100 Dollars (\$18,500.00) (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,
Supervisor Bosworth

Nays: Councilperson De Giorgio

Absent: Councilperson Ferrara

MR. WINK: Item 31, a resolution authorizing the execution of an agreement with J. Anthony Enterprises, Inc., for the use of Port Washington Public Parking District Lot 10.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 43 - 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH J. ANTHONY ENTERPRISES, INC. FOR THE USE OF PORT WASHINGTON PUBLIC PARKING DISTRICT LOT 10.

WHEREAS, J. Anthony Enterprises, Inc., 175 Engineers Road, Hauppauge, NY 11788 (the "Contractor") has requested that the Town, on behalf of the Port Washington Public Parking District (the "District"), allow it to use up to ten (10) spaces in District Parking Lot 10 for the staging of equipment for the installation of streetscape improvements on Main Street in Port Washington under contract with the Town of North Hempstead in consideration of a fee of Twenty and 00/100 Dollars (\$20.00) per day for the period commencing March 15, 2019 and ending June 15, 2019 (the "License"); and

WHEREAS, the Town Department of Public Safety has recommended granting the License; and

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

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller Parks

MR. WINK: Item 32, a resolution authorizing the execution of an agreement with Eastern Environmental related to drainage improvements at Hutchinson Court, Great Neck, DPW Project 19-02.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 44 - 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH EASTERN ENVIRONMENTAL RELATED TO DRAINAGE IMPROVEMENTS AT HUTCHINSON COURT, GREAT NECK, DPW PROJECT 19-02.

WHEREAS, the Department of Public Works (the "Department") requires the services of a company to perform three (3) soil borings at Hutchinson Court, Great Neck, NY (the "Services"); and

WHEREAS, the Commissioner of the Department (the "Commissioner") has recommended the retention of Eastern Environmental Solutions, Inc., 258 Line Road, Manorville, NY 11949 to provide the Services in consideration of an amount not to exceed Three Thousand Two Hundred Twenty-Five and 00/100 Dollars (\$3,225.00) (the "Agreement"); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller

MR. WINK: Item 33, a resolution authorizing the execution of an agreement with Walden Environmental Engineering to provide consulting services related to compliance with fuel storage tank requirements.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 45 - 2019

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

WHEREAS, the Commissioner of Public Works (the “Commissioner”) for the Town of North Hempstead (the “Town”) has recommended that this Board authorize the retention of an engineering consulting firm to provide professional services related to the Town underground storage tanks and compliance activities; to operate as the Town’s Class A/B Operator for the 2019 calendar year and to provide assistance with other miscellaneous tank compliance issues including additional training, coordination with the County of Nassau Department of Health and UST/AST system inspections and repairs (the “Services”); and

WHEREAS, the Commissioner has recommended the retention of Walden Engineering, PLLC, 16 Spring Street, #1, Oyster Bay, New York 11771 (the “Consultant”) to provide the Services in consideration of an amount not to exceed Nineteen Thousand Three Hundred Twenty and 00/100 Dollars (\$19,320.00) (the “Agreement”); and

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

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney DPW Comptroller

MR. WINK: Item 34, a resolution ratifying the execution of an agreement with 3RD Track Constructors for the use of Charles J. Fuschillo Park.

COUNCILWOMAN RUSSELL: I'd like to offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: John, did you want to speak.

COUNCILWOMAN RUSSELL: Oh, I'm sorry.

MALE VOICE: That's okay.

MR. WINK: Madam Supervisor, do you want to vote?

MR. WINK: Okay. Do you want to speak?

MR. VISCUSI: I'm John Viscusi, Carle Place -- president of Carle Place Little League. And I want to thank Councilwoman Russell, Commissioner Weber, and the Town of North Hempstead that came out to Fuschillo Park to go over the parameters of that little area that they're talking about. As you know, Carle Place Little League as our main field. And it's of utmost concern to me. I do know that they have started the process already. They've taken down the fencing. They've backfilled the land. And I'm a little concerned with, which I'll state to the gentleman, Mark, at the project manager tomorrow, Mr. Gaffney, about my concerns about that because they're basically using that concrete temporary divider as a retaining wall for the dirt from the train station for the construction. It's temporary but there's a lot of -- there's a lot of dirt that's there. And now there's a -- a container construction material container that's on the -- on the premises now. I'm just concerned, like I was saying. I was under the impression that they were going to put up some sort of like a construction fencing, not what they have there right now, which is a little -- a little concerning for me because it's a little, just some jagged edges on it. There's, you know, some metal exposed. So I will have a conversation with the project manager tomorrow when I meet him.

COUNCILWOMAN RUSSELL: So we'll make sure that -- that -- especially if there's a safety concern, that we discuss that with them as well. And, Victor Thomas, I don't know if you want to come up, Victor. We've been working with the 3TC contractors with regards to this project.

MR. THOMAS: I'll just say that they'll do pretty much anything we tell them to do at this point. So they're very happy to have the property. If there's additional fencing, it's additional protection, they'll do pretty much anything within reason.

SUPERVISOR BOSWORTH: Okay. And, of course, we'll make sure anything -- as the

Councilwoman said, anything that smacks of any kind of safety --

MR. THOMAS: Absolutely. They're -- they're working with us and any --any concerns that our common sense determines like protective barriers or padding or anything that -- that is of an issue, they'll put up immediately.

MR. VISCUSI: I also wanted to add that I have been advocating on behalf of the Carle Place residents and somewhat the Town, to have 3TC do something with the land that backs up to the park, whether it might be vegetation, screening, a natural barrier, a dirt barrier or the sound retention underneath the platform so that we could have a little more peace seeing that the train tracks are not coming closer to the park. It's been, I know we've talked about it ad nauseam about the -- the issue of the noise. They do not want to put a sound wall up on the park property -- or they only want to take care of the residential area, which is totally, you know, fine, but I was kind of advocating for it, which I don't know if we're going to get it but I'm going to keep pressing.

COUNCILWOMAN RUSSELL: Well, we think that it is, you know, we are also advocating for that as well. We have the same issue in New Cassel around Bunky Reid Park and it did wait to -- we did just put in new fencing there and we want to make sure that that's protecting, not just from noise but, also, from the gravel and debris as well.

MR. VISCUSI: Thank you so much.

COUNCILWOMAN RUSSELL: Thank you.

SUPERVISOR BOSWORTH: Now, I will vote, Aye.

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

RESOLUTION NO. 46 - 2019

A RESOLUTION RATIFYING THE EXECUTION OF AN AGREEMENT WITH 3RD TRACK CONSTRUCTORS FOR THE USE OF CHARLES J. FUSCHILLO PARK.

WHEREAS, the Town owns certain real property known as Charles J. Fuschillo Park, located on Carle Road and Westbury Avenue in Carle Place, New York (the "Park"); and

WHEREAS, 3rd Track Constructors, 900 Merchants Concourse, Westbury, NY 11590 (the "Contractor"), is a consortium of construction firms working on the Long Island Rail Road's Third Track Project and on the construction of the new Carle Place Train Station (the "Project"); and

WHEREAS, the Contractor has requested the use of a portion of the Park for the storage of equipment and materials for use on, and for deliveries and access to, the Project (the "Use") for the period commencing January 17, 2019 and ending April 30, 2020 (the "License") in consideration of an amount not to exceed Twenty Five Thousand and 00/100 Dollars (\$25,000.00) and the installation of topsoil, seed, fencing and trees to restore the area upon termination of the Use; and

WHEREAS, the Town Departments of Parks and Recreation and Public Works have recommended granting the License; and

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

NOW, THEREFORE, BE IT

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

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

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller Parks

MR. WINK: Item 35, a resolution authorizing the execution of agreements for performers, instructors, equipment and other services for seasonal cultural events organized by the Town of North Hempstead Department of Parks and Recreation for the 2019 calendar year.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 47 - 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENTS FOR PERFORMERS, INSTRUCTORS, EQUIPMENT AND OTHER SERVICES FOR SEASONAL CULTURAL EVENTS ORGANIZED BY THE TOWN OF NORTH HEMPSTEAD DEPARTMENT OF PARKS AND RECREATION FOR THE 2019 CALENDAR YEAR.

WHEREAS, the Town of North Hempstead (the "Town") wishes to provide performances, including concerts, special events, movies, and other forms of entertainment at the Town's parks and facilities for the 2019 calendar year through the Department of Parks and Recreation (the "Services"); and

WHEREAS, the aggregate cost of the Services shall not exceed One Hundred Fifty-Four Thousand and 00/100 Dollars (\$154,000.00), and

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

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

NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is hereby authorized to enter into the agreements, in a form acceptable to the Office of the Town Attorney, or issue the purchase orders, for an aggregate amount not to exceed One Hundred Fifty-Four Thousand and 00/100 Dollars (\$154,000.00) as more specifically set forth in the agreements or purchase orders,; and be it further

RESOLVED that the Office of the Town Attorney is authorized and directed to review the agreements and negotiate the terms, if any, and take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs upon receipt of fully executed agreements or purchase orders, as the case may be, and duly executed and certified claims therefor.

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller Parks

MR. WINK: Item 36, a resolution authorizing the execution of an agreement with the Great Neck Center For The Visual And Performing Arts d/b/a The Gold Coast Arts Center to sponsor the 2019 Gold Coast International Film Festival.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: No.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 48 - 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE GREAT NECK CENTER FOR THE VISUAL AND PERFORMING ARTS D/B/A THE GOLD COAST ARTS CENTER TO SPONSOR THE 2019 GOLD COAST INTERNATIONAL FILM FESTIVAL.

WHEREAS, the Great Neck Center for the Visual and Performing Arts, Inc. d/b/a the Gold Coast Arts Center, 113 Middle Neck Road, Great Neck Plaza, New York 11021 (“Gold Coast”), has requested that the Town of North Hempstead (the “Town”) co-sponsor the 2019 Annual Gold Coast International Film Festival (the “Event”), through the provision of funds in an amount not to exceed Seventy-Five Thousand and 00/100 Dollars (\$75,000.00) (the “Town Sponsorship”); and

WHEREAS, this Board wishes to authorize the Town to enter into an agreement to provide the Town Sponsorship in exchange for recognition as a co-sponsor of the Event and the right to exercise oversight over the operation of the Event in partnership with Gold Coast (the “Agreement”).

NOW, THEREFORE, BE IT

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

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

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

RESOLVED that the Office of the Town Comptroller be and hereby is authorized to pay the costs of the Agreement upon receipt of an executed Agreement and certified claims therefor.

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,
Supervisor Bosworth

Nays: Councilperson De Giorgio

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller

MR. WINK: Item 37, a resolution authorizing the execution of an agreement with AAA New York to conduct its Carfit Program at Clinton G. Martin Park, New Hyde Park.

COUNCILMAN ZUCKERMAN: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 49 - 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH AAA NEW YORK TO CONDUCT ITS CARFIT PROGRAM AT CLINTON G. MARTIN PARK, NEW HYDE PARK.

WHEREAS, AAA New York (“AAA”) has asked the Town to co-sponsor its “CarFit” vehicle safety program at Clinton G. Martin Park (the “Park”) to be held on various dates in 2019 (the “Events”); and

WHEREAS, the Town owns and operates the Park for the use and enjoyment of Town residents; and

WHEREAS, this Board wishes to co-sponsor the Events by granting a license to AAA to host the Events at the Park (the “License”).

NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to grant the License to, and execute an agreement with, AAA for the License (the “Agreement”), a copy of which will 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 negotiate and supervise the execution of the Agreement and to take such further action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller DOSA

MR. WINK: Item 38, a resolution authorizing the execution of agreements with Rebuilding Together Long Island and the Rehabilitation Institute for minor home repair services in connection with Project Independence.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 50 - 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENTS WITH REBUILDING TOGETHER LONG ISLAND AND THE REHABILITATION INSTITUTE FOR MINOR HOME REPAIR SERVICES IN CONNECTION WITH PROJECT INDEPENDENCE.

WHEREAS, the Town's Department of Services for the Aging ("DOSA") desires to contract with organizations to make repairs and accessibility improvements to homes as well as provide assistance with minor household repairs and accessibility repairs for seniors aged 60 and older participating in the Project Independence program (the "Services"); and

WHEREAS, the Commissioner of DOSA has recommended that this Board execute agreements for the Services with Rebuilding Together Long Island, Inc., 208 Route 109, Farmingdale, NY 11735 in consideration of an amount not to exceed Ten Thousand and 00/100 Dollars (\$10,000.00) and The Rehabilitation Institute, 123 Frost Street, Suite B, Westbury, New York 11590 in consideration of an amount not to exceed Five Thousand and 00/100 Dollars (\$5,000.00), each for a term beginning January 1, 2019 and terminating December 31, 2019 (the "Agreements"); and

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

NOW, THEREFORE, BE IT

RESOLVED that the Agreements are hereby authorized, which Agreements shall be on file in the Office of the Town Clerk; and be it further

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

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and oversee the execution of the 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
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller DOSA

MR. WINK: Item 39, a resolution authorizing the execution of a professional services agreement with Sound Actuarial Consulting LLC to provide certain services relating to compliance with governmental Accounting Standards Board statement No. 75 and further authorizing the Town to enter into various intermunicipal agreements to make the services available to various commissioner-operated special districts and agencies.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 51 - 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH SOUND ACTUARIAL CONSULTING LLC TO PROVIDE CERTAIN SERVICES RELATING TO COMPLIANCE WITH GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENT NO. 75 AND FURTHER AUTHORIZING THE TOWN TO ENTER INTO VARIOUS INTERMUNICIPAL AGREEMENTS TO MAKE THE SERVICES AVAILABLE TO VARIOUS COMMISSIONER-OPERATED SPECIAL DISTRICTS AND AGENCIES.

WHEREAS, in 2015 the Governmental Accounting Standards Board (“GASB”) issued Statement No. 75 which profiles the liability measurement and disclosure requirements for “other post-employment benefits”, consisting of medical, dental, vision and other healthcare-related benefits provided to retired or terminated employees and their dependents and beneficiaries (“OPEB”); and

WHEREAS, the GASB standards for OPEB plan accounting require public sector employers, such as the Town of North Hempstead (the “Town”) and the Town of North Hempstead Solid Waste Management Authority (the “Authority”), to report the cost of retiree OPEB Benefits based on an actuarially derived “Annual Required Contribution” (“ARC”); and

WHEREAS, the Town desires to retain an actuarial firm to determine the OPEB liability of the Town, the Authority, the Town Community Development Agency (the “Agency”), and the following Commissioner-Operated Special Districts (the “Districts” and, together with the Agency and the Authority, the “discretely reported component units”, or “DRCU’s”), in order to comply with GASB Statement No. 75 (the “Services”):

Belgrave Water Pollution Control District
Carle Place Water District
Garden City Park Water District
Glenwood Water District
Great Neck Park District
Great Neck Water Pollution Control District

Manhasset Park District
 Port Washington Police Department
 Port Washington Water District
 Port Washington Water Pollution Control District
 Roslyn Water District
 Westbury Water District; and

WHEREAS, the Town Comptroller (the “Comptroller”) has recommended that the Town Board authorize the execution of a professional services agreement with Sound Actuarial Consulting LLC, 403 E. Main Street, Port Jefferson, NY 11777 (the “Consultant”) to perform the Services, in an amount not to exceed Sixty-One Thousand Seven Hundred Fifty and 00/100 Dollars (\$61,750.00) (the “2018 Contract Amount”) for the Services as they apply to calendar year 2018 (the “Agreement”), to be paid by the Town and the DRCU’s as follows:

Town and Authority	\$12,000.00
Belgrave Water Pollution Control District	\$3,500.00
Carle Place Water District	\$3,500.00
Community Development Agency	\$3,500.00
Garden City Park Water District	\$3,500.00
Glenwood Water District	\$3,000.00
Great Neck Park District	\$4,500.00
Great Neck Water Pollution Control District	\$3,500.00
Manhasset Park District	\$3,500.00
Port Washington Police Department	\$7,250.00
Port Washington Water District	\$3,500.00
Port Washington Water Pollution Control District	\$3,500.00
Roslyn Water District	\$3,500.00
Westbury Water District	\$3,500.00

; and

WHEREAS, the DRCU’s will be billed directly for the amounts listed above assigned to each DRCU; and

WHEREAS, the Town Board wishes to accept the Comptroller’s recommendation and authorize execution of the Agreement; and

WHEREAS, the Comptroller has also requested that this board authorize the execution of intermunicipal agreements (the “IMAs”) with the DRCU’s reflecting the agreement described in this resolution; and

WHEREAS, the Town Board wishes to authorize the execution of the IMAs pursuant to Article 9, Section 1 of the New York State Constitution and Article 5-G of the General Municipal Law.

NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is hereby authorized and directed to execute the Agreement and the IMAs, on terms and conditions more specifically set forth in documents which shall be on file in the office of the Town Clerk, and to take all necessary action 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 the terms and conditions and supervise the execution of the Agreement and the IMAs; and be it further

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller

MR. WINK: Item 40, a resolution authorizing the use of an agreement between the County of Suffolk and More Consulting Corp. for roof repairs and service.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 52 - 2019

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE COUNTY OF SUFFOLK AND MORE CONSULTING CORP. FOR ROOF REPAIRS AND SERVICE.

WHEREAS, the Town of North Hempstead (the "Town") requires the services of a contractor to provide roof repairs and service (the "Services"); and

WHEREAS, the County of Suffolk awarded contract RRS-010819 entitled "Roof Repairs and Service" (the "Agreement") to More Consulting Corp., 19 Old Dock Road, Yaphank, NY 11980 (the "Contractor"); and

WHEREAS, under New York General Municipal Law§103(16), the Town is authorized to contract for services 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.

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor 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
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Admin Services Comptroller

MR. WINK: Item 41, a resolution authorizing the use of an agreement between the County of Suffolk and Commercial Instrumentation Services for refrigeration repairs and service.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 53-2019

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE COUNTY OF SUFFOLK AND COMMERCIAL INSTRUMENTATION SVC FOR REFRIGERATION REPAIRS AND SERVICE.

WHEREAS, the Town of North Hempstead (the “Town”) requires the services of a contractor for refrigeration repairs and service (the “Services”); and

WHEREAS, the County of Suffolk awarded contract #RR-010116 entitled “Refrigeration Repairs and Services” (the “Agreement”) to Commercial Instrumentation SVC, 681 Grand Blvd., Suite 7, Deer Park, NY 11729 (the “Contractor”); and

WHEREAS, under New York General Municipal Law §103(16), the Town is authorized to contract for services 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.

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor 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
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilwoman De Giorgio, Councilwoman Russell, Councilwoman Seeman,
Councilman Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Admin Services Comptroller

MR. WINK: Item 42, a resolution authorizing the execution of an amendment to an agreement with G&M Earth Moving Inc. for improvements to the sanitary sewer system at North Hempstead Beach Park, Port Washington, Phase 1, DPW Project No. 16-12.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 54 - 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH G&M EARTH MOVING INC. FOR IMPROVEMENTS TO THE SANITARY SEWER SYSTEM AT NORTH HEMPSTEAD BEACH PARK, PORT WASHINGTON, PHASE 1, DPW PROJECT NO. 16-12.

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with G&M Earth Moving, Inc., 1345 Ellsworth Street, Holbrook, New York 11741 (the "Contractor"), to provide Improvements to the Sanitary Sewer System at North Hempstead Beach Park, DPW Project No. 16-12 (Phase I), (the "Original Agreement"); and

WHEREAS, the Commissioner of Public Works (the "Commissioner") has recommended that the Town amend the Original Agreement to reflect the relocation of two (2) sections of water main piping which are in direct conflict with the proposed sanitary sewer piping, thereby increasing the contract amount by Forty-Three Thousand Eight Hundred Fifty-Eight and 19/100 Dollars (\$43,858.19) (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 a duly executed Amendment and certified claims therefor.

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller DPW

MR. WINK: Item 44, a resolution amending Resolution 736-2017, adopted December 19, 2017, authorizing the execution of agreements with Rebuilding Together Long Island and the Rehabilitation Institute for minor repair services in connection with Project Independence.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 55 - 2019

A RESOLUTION AMENDING RESOLUTION 736-2017, ADOPTED DECEMBER 19, 2017, AUTHORIZING THE EXECUTION OF AGREEMENTS WITH REBUILDING TOGETHER LONG ISLAND AND THE REHABILITATION INSTITUTE FOR MINOR HOME REPAIR SERVICES IN CONNECTION WITH PROJECT INDEPENDENCE.

WHEREAS, pursuant to Resolution No. 736-2017, duly adopted on December 19, 2017 (the "Resolution"), the Town Board authorized the execution of agreements with Rebuilding Together Long Island, Inc., 208 Route 109, Farmingdale, NY 11735 (RTLTI) in consideration of an amount not to exceed Ten Thousand and 00/100 Dollars (\$10,000.00) and with The Rehabilitation Institute, 123 Frost Street, Suite B, Westbury, New York 11590 ("TRI") in consideration of an amount not to exceed Five Thousand and 00/100 Dollars (\$5,000.00) to make repairs and accessibility improvements to homes as well as provide assistance with minor household repairs and accessibility repairs for seniors ages 60 and older participating in the Project Independence, each for a term beginning January 1, 2018 and terminating December 31, 2018 (the "Services"); and

WHEREAS, the actual cost of performing the Services during 2018 decreased by Five Hundred and 00/100 Dollars (\$500.00) for RTLTI and increased by Five Hundred and 00/100 Dollars (\$500.00) for TRI such that the cost of the Services to RTLTI, Inc. was Nine Thousand Five Hundred and 00/100 Dollars (\$9,500.00) and the cost of the Services to TRI was Five Thousand Five Hundred and 00/100 Dollars (\$5,500.00); and

WHEREAS, the Commissioner of the Department of Services for the Aging has requested that the Resolution be amended to reflect the actual amounts of consideration for the cost of the Services (the "Amendment"); and

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

NOW, THEREFORE, BE IT

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller DOSA

MR. WINK: Item 45, a resolution authorizing the execution of an amendment to an agreement with Wright Risk Management for Workers' Compensation third party administration services.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 56 - 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH WRIGHT RISK MANAGEMENT FOR WORKERS COMPENSATION THIRD PARTY ADMINISTRATIVE SERVICES.

WHEREAS, pursuant to a resolution duly adopted by the Town Board, the Town entered into a professional services agreement with Wright Risk Management Company LLC, 333 Earle Ovington Blvd., #505, Uniondale, NY 11553 (the "Consultant") for workers compensation third-party administrative services (the "Original Agreement"); and

WHEREAS, the Original Agreement expired as of December 31, 2015 but was extended for three (3) additional years commencing January 1, 2016 and terminating December 31, 2018, with the option for the Town to extend for up to two (2) additional years (the "First Amendment"); and

WHEREAS, the Commissioner of Human Resources has recommended that the Town exercise the option to extend the agreement for an additional one (1) year term retroactively commencing on January 1, 2019 and terminating December 31, 2019 in consideration of an amount not to exceed Fifty-Eight Thousand and 00/100 Dollars (\$58,000.00) with a provision for cancellation of the Agreement upon a thirty (30) day notification (collectively the "Second Amendment"); and

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

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor be and hereby is authorized and directed to execute, on behalf of the Town, the Second Amendment, all as more particularly set forth in a copy of the Second 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 Second Amendment 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 Second Amendment and certified claims therefor.

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller DPW

MR. WINK: Item 46, a resolution authorizing the execution of an amendment to an agreement with PGA Mechanical for HVAC maintenance at the Highway Department Sign Shop Unit.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 57 - 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH PGA MECHANICAL FOR HVAC MAINTENANCE AT THE HIGHWAY DEPARTMENT SIGN SHOP UNIT.

WHEREAS, pursuant to a resolution duly adopted by this Board, the Town entered into an agreement with PGA Mechanical Contractors Inc., 104 Marshall Avenue, Floral Park, NY 11001 (the "Contractor"), to provide HVAC maintenance for the sign shops unit (the "Original Agreement"); and

WHEREAS, the Director of Purchasing (the "Director") has recommended that the Town amend the Original Agreement to include an hourly repair rate as indicated in Exhibit A of the Original Agreement (the "Amendment"); and

WHEREAS, Contractor has provided Services, outside the scope of routine maintenance in the amount of Eleven Thousand Twenty-Eight and 00/100 Dollars (\$11,028.00) (the "Additional Services");

WHEREAS, the Town Board finds it in the best interests of the Town to authorize the Amendment and to further authorize payment for the Additional Services.

NOW, THEREFORE, BE IT

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

RESOLVED that the payment in the amount shown in this resolution for Additional Services is hereby 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 and the Additional Services upon receipt of a duly executed Amendment and certified claims therefor.

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller

MR. WINK: Item 47, a resolution authorizing the execution of an amendment to an agreement with Carousel Industries for telephone maintenance services.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 58 - 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH CAROUSEL INDUSTRIES FOR TELEPHONE MAINTENANCE SERVICES.

WHEREAS, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Carousel Industries of North America, Inc., P.O. Box 842084, Boston, Massachusetts 02284, (the "Contractor"), to provide telephone maintenance services (the "Original Agreement"); and

WHEREAS, the Original Agreement expired as of November 18, 2018 but provided the option to extend the term of the agreement for up to two (2) additional one (1) year terms; and

WHEREAS, the Director of Purchasing (the "Director") has recommended that the Town exercise the option to extend the agreement for an additional one (1) year term retroactively commencing on November 19, 2018 and terminating on December 31, 2019 in consideration of an amount not to exceed Sixteen Thousand Nine Hundred Ninety-Two and 87/100 Dollars (\$16,992.87) (collectively 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 a duly executed Amendment and certified claims therefor.

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller

MR. WINK: Item 48, a resolution authorizing the purchase of software maintenance and technical support services for various applications for the Department of Information Technology and Telecommunications.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 59 - 2019

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

WHEREAS, the Department of Information Technology and Telecommunications (the “Department”) requires software maintenance and technical support for the Town’s Tax Application (the “Tax Application Support”); and software maintenance and technical support for the Town’s Financial Management System Logos (the “Financial System Support”); and

WHEREAS, the Director of Purchasing has recommended that the Town purchase the Tax Application Support from Harris Govern, PO Box 74007259, Chicago, IL 60674 for a term of one (1) year in consideration of an amount not to exceed Twenty-Seven Thousand Eight Hundred Ninety-Three and 77/100 Dollars (\$27,893.77) (the “Tax Application Support Purchase”); and

WHEREAS, the Director of Purchasing has recommended that the Town purchase the Financial System Support from Tyler Technologies, Inc., PO Box 203556, Dallas, TX 75320 for a term of one (1) year in consideration of an amount not to exceed Forty-Six Thousand Twelve and 62/100 Dollars (\$46,012.62) (the “Financial System Support Purchase”); and

WHEREAS, this Board finds it to be in the best interest of the Town to authorize the Tax Application Support Purchase and the Financial System Support 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
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller

MR. WINK: Item 49, a resolution authorizing the purchase of record storage services for the Office of the Town Clerk from Iron Mountain.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 60 - 2019

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, 2019 and ending December 31, 2019 (the "Services"); and

WHEREAS, the Office has retained Iron Mountain Inc. (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 Four Thousand and 00/100 Dollars (\$4,000.00) (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 actions of the Office in using the Contractor to provide the Services be and hereby are ratified; and be it further

RESOLVED that the Purchase 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
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller Parks

MR. WINK: Item 50, a resolution establishing a new property address for the premises identified on the Nassau County Land and Tax Map as Section 2, Block D, Lots 943, 944, 945 as 64 Sandy Hollow Road, Port Washington, New York, 108 Irma Avenue, Port Washington, New York and 106 Irma Avenue, Port Washington, New York respectively.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 61 - 2019

A RESOLUTION ESTABLISHING A NEW PROPERTY ADDRESS FOR THE PREMISES IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 2, BLOCK D, LOTS 943, 944, 945 AS 64 SANDY HOLLOW ROAD, PORT WASHINGTON, NEW YORK, 108 IRMA AVENUE, PORT WASHINGTON, NEW YORK AND 106 IRMA AVENUE, PORT WASHINGTON, NEW YORK RESPECTIVELY.

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

WHEREAS, Evergreen PW II LLC (the "Applicant") is the owner of real property designated on the Nassau County Land and Tax Map as Section 5, Block D, Lots 943, 944 and 945 (the "Premises"); and

WHEREAS, the Applicant has requested that the Premises be assigned a street address; and

WHEREAS, the Town has determined that, in the interest of promoting the health, safety and general welfare of Town residents, the Premises should be assigned the following street addresses: As to Lot 943, 64 Sandy Hollow Road, Port Washington, New York; as to Lot 944, 108 Irma Avenue, Port Washington, New York 11050; and as to Lot 945, 106 Irma Avenue, Port Washington, New York 11050 (the "Address Designation"); and

WHEREAS, the Port Washington Post Office has approved the Address Designation; and

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

NOW, THEREFORE, BE IT

RESOLVED that subject to receipt of the Determination, the Town Board of the Town of North Hempstead hereby authorizes and directs that the Premises be assigned the following street addresses: As to Lot 943, 64 Sandy Hollow Road, Port Washington, New York; as to Lot 944, 108 Irma Avenue, Port Washington, New York 11050; and as to Lot 945, 106 Irma Avenue, Port Washington, New York 11050; and be it further

RESOLVED that the Town Board authorizes and directs that all necessary action be taken by the Town Department of Building Safety, Inspection and Enforcement to effectuate the foregoing; and be it further

RESOLVED that the Town Board authorizes and directs the Town Clerk to notify the Nassau County Clerk, the Nassau County Engineer, the Applicant and the post-office department of the United States where the premises is located, within ten days following receipt of the Determination of the Nassau County Fire Marshall as set forth above, to advise them of the Address Designation.

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Receiver of Taxes Planning Building DPW

MR. WINK: Item 51, a resolution establishing a new property address for the premises identified on the Nassau County Land and Tax Map as Section 11, Block 45, Lots 17, 18 and part of 19 as 220 Sheridan Street, Westbury, New York.

COUNCILWOMAN RUSSELL: I'd like to offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 62 - 2019

A RESOLUTION ESTABLISHING A NEW PROPERTY ADDRESS FOR THE PREMISES IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 11, BLOCK 45, LOTS 17, 18 AND PART OF 19 AS 220 SHERIDAN STREET, WESTBURY, NEW YORK

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

WHEREAS, the Town of North Hempstead Community Development Agency (the "Applicant") is the owner of real property designated on the Nassau County Land and Tax Map as Section 11, Block 45, Lots 17, 18 and Part of 19 (the "Premises"); and

WHEREAS, the Applicant has requested that the Premises be assigned a street address; and

WHEREAS, the Town has determined that, in the interest of promoting the health, safety and general welfare of Town residents, the Premises should be assigned the following street address: 220 Sheridan Street, Westbury, New York 11590 (the "Address Designation"); and

WHEREAS, the Westbury Post Office has approved the Address Designation; and

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

NOW, THEREFORE, BE IT

RESOLVED that subject to receipt of the Determination, the Town Board of the Town of North Hempstead hereby authorizes and directs that the Premises be assigned the following street address: 220 Sheridan Street, Westbury, New York 11590; and be it further

RESOLVED that the Town Board authorizes and directs that all necessary action be taken by the Town Department of Building Safety, Inspection and Enforcement to effectuate the foregoing; and be it further

RESOLVED that the Town Board authorizes and directs the Town Clerk to notify the Nassau County Clerk, the Nassau County Engineer, the Applicant and the post-office department of the United States where the premises is located, within ten days following receipt of the Determination of the Nassau County Fire Marshall as set forth above, to advise them of the Address Designation.

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Receiver of Taxes Planning Building DPW

MR. WINK: Item 52, a resolution changing the property address known as 876 Brush Hollow Road, Westbury, New York and identified on the Nassau County Land and Tax Map as Section 11, Block 167, Lot 32 to 1A Third Street, Westbury, New York.

COUNCILWOMAN RUSSELL: I'd like to offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 63 - 2019

A RESOLUTION CHANGING THE PROPERTY ADDRESS KNOW AS 876 BRUSH HOLLOW ROAD, WESTBURY, NEW YORK AND IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 11, BLOCK 167, LOT 32 TO 1A THIRD STREET, WESTBURY, NEW YORK.

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

WHEREAS, The Town of North Hempstead Community Development Agency (the "Applicant") is the owner of real property located at 876 Brush Hollow Road, Westbury, New York, designated on the Nassau County Land and Tax Map as Section 11, Block 167, Lot 32 (the "Original Street Address"); and

WHEREAS, the Applicant has requested that the Original Street Address for the premises be changed to 1A Third Street, Westbury, New York ("Address Re-designation"); and

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

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

NOW, THEREFORE, BE IT

RESOLVED that subject to the Determination of the Nassau County Fire Marshal, the Town Board hereby authorizes and directs that the real property located at 876 Brush Hollow Road, Westbury, New York and designated on the Nassau County Land and Tax Map as Section 11, Block 167, Lot 32 be re-designated as 1A Third Street, Westbury, New York; and be it further

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

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Receiver of Taxes Planning Building DPW

MR. WINK: Item 53, a resolution establishing a new property address for the premises identified on the Nassau County Land and Tax Map as Section 11, Block 45, Lot 79 (formerly 20, 21 and part of 19) as 218 Sheridan Street, Westbury, New York.

COUNCILWOMAN RUSSELL: I'd like to offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 64 - 2019

A RESOLUTION ESTABLISHING A NEW PROPERTY ADDRESS FOR THE PREMISES IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 11, BLOCK 45, LOT 79 (FORMERLY 20, 21 AND PART OF 19) AS 218 SHERIDAN STREET, WESTBURY, NEW YORK.

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

WHEREAS, the Town of North Hempstead Community Development Agency (the "Applicant") is the owner of real property designated on the Nassau County Land and Tax Map as Section 11, Block 45, Lot 79 (the "Premises"); and

WHEREAS, the Applicant has requested that the Premises be assigned a street address; and

WHEREAS, the Town has determined that, in the interest of promoting the health, safety and general welfare of Town residents, the Premises should be assigned the following street address: 218 Sheridan Street, Westbury, New York 11590 (the "Address Designation"); and

WHEREAS, the Westbury Post Office has approved the Address Designation; and

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

NOW, THEREFORE, BE IT

RESOLVED that subject to receipt of the Determination, the Town Board of the Town of North Hempstead hereby authorizes and directs that the Premises be assigned the following street address: 218 Sheridan Street, Westbury, New York 11590; and be it further

RESOLVED that the Town Board authorizes and directs that all necessary action be taken by the Town Department of Building Safety, Inspection and Enforcement to effectuate the foregoing; and be it further

RESOLVED that the Town Board authorizes and directs the Town Clerk to notify the Nassau County Clerk, the Nassau County Engineer, the Applicant and the post-office department of the United States where the premises is located, within ten days following receipt of the Determination of the Nassau County Fire Marshall as set forth above, to advise them of the Address Designation.

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Receiver of Taxes Planning Building DPW

MR. WINK: Item 54, a resolution authorizing the appointment of professionals for various Commissioner operated special districts.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: No.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 65 - 2019

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, 1010 Northern Blvd., Suite 400 Avenue, Great Neck, NY 11021 to provide the District with legal counsel for the year 2019; and

WHEREAS, the Board of Commissioners of the Westbury Water District (the "District") has advised the Town Board of its desire to appoint John L. Molloy, Jr., 346 Maple Avenue, Westbury, NY 11590; Sapienza & Frank, 5550 Merrick Road, Suite 301, Massapequa, New York 11758; and The Scher Law Firm, 1 Old Country Road, Suite 385, Carle Place, New York 11514 to provide the District with legal counsel for the year 2019; and

WHEREAS, the Board of Commissioners of the Carle Place Water District (the "District") has advised the Town Board of its desire to appoint The LiRo Group, 235 E. Jericho Turnpike, Mineola, NY 11501 and H2M Architects & Engineers, 538 Broad Hollow Road, 4th Floor East, Melville, NY 11747 to provide the District with engineering services and Bee Ready Fishbein Hatter & Donovan, LLP, 170 Old Country Road, Suite 200, Mineola, NY 11501 to provide the district with legal services for the year 2019; and

WHEREAS, the Board of Commissioners of the Manhasset-Lakeville Water District (the "District") has advised the Town Board of its desire to appoint H2M Architects and Engineers, P.C. at 538 Broad Hollow Road, Melville, NY 11747 to provide the District with engineering services and McLaughlin & Stern, LLP at 1010 Northern Blvd., Suite 400, Great Neck, NY 11021 to provide the district with legal counsel for the year 2019; and

WHEREAS, the Board of Commissioners of the Port Washington Water District (the "District") has advised the Town Board of its desire to appoint Bee Ready Fishbein Hatter & Donovan, LLP, 170 Old Country Road, Suite 200, Mineola, NY 11501 to provide the District with legal services and D&B Engineers & Architects, P.C., 330 Crossways Park Drive, Woodbury, NY 11797 to provide the district with engineering services for the year 2019; and

WHEREAS, the Board of Commissioners of the Glenwood Garbage District (the "District") has advised the Town Board of its desire to appoint the Law Office of Robert J. Spence, 5 Dixon Court, Sea Cliff, NY 11579 to provide the District with legal services for the year 2019; and

WHEREAS, the Board of Commissioners of the Great Neck Water Pollution Control District (the "District") has advised the Town Board of its desire to appoint Carman, Callahan and Ingham, 266 Main Street, Farmingdale, NY 11735 and Littler Mendelson, P.C., 900 Third Avenue, 8th Floor, New York, NY 10022 to provide legal counsel to the District and D&B Engineers and Architects, P.C., 330 Crossways Park Drive, Woodbury, NY 11797; Power Engineers, Inc., 3940 Glenbrook Drive, Hailey, ID 83333; Camp Dresser, McKee & Smith, 60 Crossway Park West, Suite 340, Woodbury, NY 11797; Gannett Fleming Engineers P.C., 100 Crossways Park West, Suite 300, Woodbury NY 11797; Paulus, Sokowski and Sartor, LLC, 67B Mountain Boulevard Extension, Warren, NJ 07059; and Cameron Engineering & Associates, 177 Crossways Park Drive, Woodbury, NY 11797 to provide engineering services to the District for the year 2019; and

WHEREAS, the Board of Commissioners of the Belgrave Water Pollution Control District (the "District") has advised the Town Board of its desire to appoint McLaughlin & Stern, LLP, 1010 Northern Blvd., Suite 400 Avenue, Great Neck, NY 11021 to provide the District with

legal counsel and D&B Engineers and Architects, P.C., 330 Crossways Park Drive, Woodbury, NY 11797 to provide the District with engineering services for the year 2019; 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 appointment of Professionals to provide the Districts with services for the year 2019; and be it further

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,
Supervisor Bosworth

Nays: Councilperson De Giorgio

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller

MR. WINK: Item 55, a resolution amending the Town of North Hempstead fee schedule.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 66 - 2019

A RESOLUTION AMENDING THE TOWN OF NORTH HEMPSTEAD FEE SCHEDULE.

WHEREAS, the Town Board of the Town of North Hempstead (the "Board") has heretofore established a schedule of fees for use by the Office of the Town Clerk (the "Schedule"); and

WHEREAS, the Board wishes to amend the Schedule to establish a fee for a commercial landscaping license pursuant to Chapter 38A of the Town Code, as follows:

Commercial Landscaping License: \$100.00

; and

WHEREAS, the Board wishes to amend the Schedule to state the fees for solid waste licenses pursuant to Chapter 46 of the Town Code, as follows:

Type I License: \$600.00 for one vehicle, \$250.00 for each additional vehicle, \$35.00 for each compactor or open box

Type II License: \$135.00 for one vehicle, \$50.00 for each additional vehicle

Type III License: \$125.00 for one vehicle, \$100.00 for each additional vehicle

Type IV License: No Fee

Type IR License: \$300.00 for one vehicle, \$100.00 for each additional vehicle

Type V License: \$2,500.00

WHEREAS, the amendments shown in this Resolution shall be known as the "Amendments"; and

WHEREAS, the Town Board desires to authorize the Amendments.

NOW, THEREFORE, BE IT

RESOLVED that the Amendments are hereby authorized and established, and that said Amendments shall take effect immediately.

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

MR. WINK: Item 56, a resolution ratifying the actions of the Town in applying to the New York State Civil Service Commission for a waiver pursuant to Section 211 of the New York State Retirement and Social Security Law.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 67 - 2019

A RESOLUTION RATIFYING THE ACTIONS OF THE TOWN IN APPLYING TO THE NEW YORK STATE CIVIL SERVICE COMMISSION FOR A WAIVER PURSUANT TO SECTION 211 OF THE NEW YORK STATE RETIREMENT AND SOCIAL SECURITY LAW.

WHEREAS, Jill Weber Greenfield (“Ms. Weber”) has served with distinction as the Commissioner of the Department of Parks and Recreation (“Commissioner of Parks”) since her appointment to that position by the Town Board (the “Board”) in January 2015; and

WHEREAS, Ms. Weber is a retiree for purposes of the New York State Pension system; and

WHEREAS, due to Ms. Weber’s qualifications and experience, the Board believes that Ms. Weber is uniquely qualified to fill the position of Commissioner of Parks and that her continued leadership of that department is indispensable and vital to the Town; and

WHEREAS, the Board wishes to ratify the Town’s submission of a Section 211 application to the New York State Civil Service Commission with respect to Ms. Weber’s continued future employment with the Town.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies the Town’s submission of a Section 211 application to the New York State Civil Service Commission with respect to Jill Weber’s continued future employment with the Town of North Hempstead as the Commissioner of Parks.

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney HR Parks Department Comptroller

MR. WINK: Item 57, a resolution amending the Town of North Hempstead investment policy.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 68 - 2019

A RESOLUTION AMENDING THE TOWN OF NORTH HEMPSTEAD INVESTMENT POLICY.

WHEREAS, the Town Board (the “Board”) of the Town of North Hempstead (the “Town”) has heretofore adopted, and authorized amendments to, the Investment Policy of the Town of North Hempstead (the “Investment Policy”); and

WHEREAS, the Town Comptroller (the “Comptroller”) has requested authorization to further amend the Investment Policy in order to reduce the margin percentage to be observed in providing sufficient letters of credit for collateralization of Town deposits from 102% to 100% of the Town’s deposits (the “Amendment”); and

WHEREAS, the Board wishes to authorize the Amendment.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board does hereby authorize the Amendment; and be it further

RESOLVED that the Comptroller shall annually provide a copy of the Investment Policy, as amended by the Amendment, to the Office of the Town Clerk and to each designated depository institution.

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

MR. WINK: Item 58, a resolution making certain determinations pursuant to the State Environmental Quality Review Act with regard to the proposed Beacon Hill Bluffs Stabilization Project, Port Washington, New York and the financing of the project by the issuance of bonds of the Town.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 69 - 2019

A RESOLUTION MAKING CERTAIN DETERMINATIONS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT WITH REGARD THE PROPOSED BEACON HILL BLUFFS STABILIZATION PROJECT, PORT WASHINGTON, NEW YORK AND THE FINANCING OF THE PROJECT BY THE ISSUANCE OF BONDS OF THE TOWN.

WHEREAS, the Town of North Hempstead (the “Town”) is contemplating completing a project to stabilize the bluffs at Beacon Hill, Port Washington and finance the cost thereof with bonds of the Town in the amount of \$7,500,000.00 (the “Project”); and

WHEREAS, it is required that a “lead agency” be established to review the Project pursuant to the State Environmental Quality Review Act (“SEQRA”) and its implementing regulations (the “SEQRA Regulations”); and

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

WHEREAS, the Board has reviewed the determination of the Planning Department and the Environmental Assessment Form dated December 18, 2018, indicating that the Project constitutes an “Type 1 Action” pursuant to the SEQRA Regulations which will not result in any significant adverse impacts on the environment based upon the analysis set forth in the Environmental Assessment Form for the reasons stated in the Environmental Assessment Form (the “Recommendation”); and

WHEREAS, the Town Board wishes to make certain determinations pursuant to SEQRA and the SEQRA Regulations consistent with the foregoing.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board declares itself "lead agency" under the SEQRA Regulations for the Project; and be it further

RESOLVED that this Board hereby adopts the foregoing Recommendation; and be it further

RESOLVED that the Board hereby determines that the Project is a Type I Action under the SEQRA Regulations which will not result in any significant adverse impact on the environment, based upon the analysis set forth in the Environmental Assessment Forms associated with such Project and upon the testimony and reports adduced at this meeting; and be it further

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller

MR. WINK: Item 59, a bond resolution of the Town of North Hempstead, New York, adopted December 18, 2018, authorizing improvements to the Bluffs at Beacon Hill, stating the estimated maximum cost thereof is \$7,500,000, appropriating said amount for such purpose and authorizing the issuance of bonds of the Town in the principal amount of not to exceed \$7,500,000 to finance said appropriation.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 70-2019

BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED DECEMBER 18, 2018, AUTHORIZING IMPROVEMENTS TO THE BLUFFS AT BEACON HILL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,500,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$7,500,000 TO FINANCE SAID APPROPRIATION.

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

Section 1. The Town of North Hempstead, in the County of Nassau, New York (herein called the "Town"), is hereby authorized to construct improvements to the bluffs at Beacon Hill. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$7,500,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds of the Town in the principal amount of \$7,500,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of not to exceed \$7,500,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The period of probable usefulness applicable to the object(s) or purpose(s) for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law, is fifteen (15) years.

Section 4. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

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

Section 6. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall

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

Section 7. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and the powers and duties relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 8. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

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

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

Section 9. This bond resolution is subject to a permissive referendum and the Town Clerk of said Town of North Hempstead is hereby authorized and directed to cause to be published, in full, within ten (10) days after the adoption of this resolution, in "Newsday" and "Port Washington News," which are hereby designated the official newspapers of the Town for such publication, and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF NORTH HEMPSTEAD, NEW YORK

PLEASE TAKE NOTICE that on January 29, 2019, the Town Board of the Town of North Hempstead, in the County of Nassau, New York, adopted a bond resolution entitled:

“Bond Resolution of the Town of North Hempstead, New York, adopted January 29, 2019, authorizing improvements to the bluffs at Beacon Hill, stating the estimated maximum cost thereof is \$7,500,000, appropriating said amount for such purpose and authorizing the issuance of bonds of the Town in the principal amount of not to exceed \$7,500,000 to finance said appropriation,”

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the construction of improvements to the bluffs at Beacon Hill; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$7,500,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds of the Town in the principal amount of \$7,500,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds of the Town in the principal amount of not to exceed \$7,500,000, pursuant to the Local Finance Law of the State of New York (the “Law”), to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$7,500,000 bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, and the renewals thereof, and other related powers; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: January 29, 2019

Wayne H. Wink, Jr., Town Clerk

Section 10. The Town Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspaper(s) referred to in Section 9 hereof, and hereby designated the official newspaper(s) for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES: Councilwoman De Giorgio, Councilwoman Russell, Councilwoman Seeman, Councilman Zuckerman, Supervisor Bosworth

NOES: None

CERTIFICATE

I, WAYNE H. WINK, JR., 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 said Town of North Hempstead duly called and held on January 29, 2019, 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 29th day of January, 2019.

(SEAL)


Town Clerk

STATE OF NEW YORK)

:ss:

COUNTY OF NASSAU)

WAYNE H. WINK, JR., being duly sworn, deposes and says:

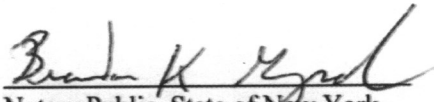
That he is and at all times hereinafter mentioned he was the duly elected, qualified and acting
 Town Clerk of the Town of North Hempstead, in the County of Nassau, State of New York;
 That on January 29, 2019, he has caused to be conspicuously posted and fastened up a Notice
 setting forth an abstract of the bond resolution duly adopted by the Town Board on January 29,
 2019, a copy of which is annexed hereto and made a part hereof, on the sign board of the Town
 maintained pursuant to the Town Law.



Wayne H. Wink, Jr.
 Town Clerk

Subscribed and sworn to before me

this 31st day of January, 2019.



Brandon K Gimpelman
 Notary Public, State of New York

Brandon K Gimpelman
 Notary Public, State of New York
 No. 01GI6371819
 Qualified in Nassau County
 Commission expires March 5, 2022

(NOTICE AND SUMMARY OF BOND RESOLUTION FOR PUBLICATION UPON EXPIRATION OF PERIOD OF PERMISSIVE REFERENDUM)

NOTICE

The resolution, a summary of which is published herewith, has been adopted on January 29, 2019, and an abstract thereof has been published and posted as required by law and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of North Hempstead, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of the notice, or such obligations were authorized in violation of the provisions of the constitution.

Wayne H. Wink, Jr.
Town Clerk

BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED DECEMBER 18, 2018, AUTHORIZING IMPROVEMENTS TO THE BLUFFS AT BEACON HILL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,500,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$7,500,000 TO FINANCE SAID APPROPRIATION

The object(s) or purpose(s) for which the bonds are authorized is the construction of improvements to the bluffs at Beacon Hill.

The maximum amount of obligations authorized to be issued is \$7,500,000.

The period of probable usefulness of the bonds is fifteen (15) years.

A complete copy of the Bond Resolution summarized above shall be available for public inspection during normal business hours at the office of the Town Clerk, Town Hall, 200 Plandome Road, Manhasset, New York.

Dated: January 29, 2019
Manhasset, New York

CERTIFICATE OF CLERK

I, WAYNE H. WINK, JR., Town Clerk of the Town of North Hempstead, in the County of Nassau, State of New York, HEREBY CERTIFY as follows:

That a resolution of the Town Board of the Town of North Hempstead, in the County of Nassau, State of New York, entitled:

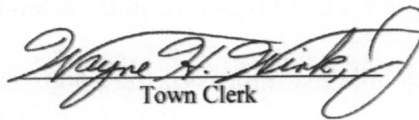
“Bond Resolution of the Town of North Hempstead, New York, adopted January 29, 2019, authorizing improvements to the bluffs at Beacon Hill, stating the estimated maximum cost thereof is \$7,500,000, appropriating said amount for such purpose and authorizing the issuance of bonds of the Town in the principal amount of not to exceed \$7,500,000 to finance said appropriation,”

was adopted January 29, 2019, and that the notice setting forth the date of adoption of the resolution and containing an abstract of said resolution which concisely stated the purpose and effect thereof, was duly posted and published as required by law.

That no petition signed and acknowledged by the electors of the Town protesting against said resolution and requesting that said resolution be submitted to the electors of the Town for their approval or disapproval has been filed with the Town Clerk within thirty days after the date of the adoption thereof, or at any other time since said adoption.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 4th day of March, 2019.

(SEAL)


Town Clerk

NEWSDAY AFFIDAVIT OF PUBLICATION

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

2019 FEB -7 PM 12:46
TOWN OF NORTH HEMP
CLERK OFFICE
MANHASSET, NY 11030

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

Legal Notice No. 0021463539

Darryl Murphy of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Monday February 04, 2019 Nassau

SWORN to before me this
4 Day of February, 2019.



CHRISTOPHER LAWSON
Notary Public – State of New York
No. 01LA6348406
Qualified in Suffolk County
My Commission Expires September 26, 2020



Ad Content

Legal Notice # 21463539

TOWN OF NORTH HEMPSTEAD, NEW YORK
PLEASE TAKE NOTICE that on January 29, 2019 the Town Board of the Town of North Hempstead, in the County of Nassau, New York, adopted a bond resolution entitled: "Bond Resolution of the Town of North Hempstead, New York, adopted January 29, 2019, authorizing improvements to the bluffs at Beacon Hill, stating the estimated maximum cost thereof is \$7,500,000, appropriating said amount for such purpose and authorizing the issuance of bonds of the Town in the principal amount of not to exceed \$7,500,000 to finance said appropriation."

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the construction of improvements to the bluffs at Beacon Hill; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$7,500,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds of the Town in the principal amount of \$7,500,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds of the Town in the principal amount of not to exceed \$7,500,000, pursuant to the Local Finance Law of the State of New York (the "Law"), to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$7,500,000 bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, and the renewals thereof, and other related powers; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: January 29, 2019

Wayne H. Wink, Jr.
Town Clerk

NEWSDAY PROOF

Advertiser: TOWN OF NORTH HEMP CLERK OFFICE
Agency: TOWN OF NORTH HEMP CLERK OFFICE
Ad Number: 0021463539
Start Date: 02/04/2019
End Date: 02/04/2019
Price: \$436.00
Ordered By: Legaladv@newsday.com

Phone: 5168697625
Contact: Paul Garille
Section: Legals
Class: 11100
Size: 2 x 54 Times: 1
Date: 1/30/2019
Zone(s): C-Nassau

Signature of Approval: _____ Date: _____

LEGAL NOTICE

TOWN OF NORTH HEMPSTEAD, NEW YORK
PLEASE TAKE NOTICE that on January 29, 2019 the Town Board of the Town of North Hempstead, in the County of Nassau, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of North Hempstead, New York, adopted January 29, 2019, authorizing improvements to the bluffs at Beacon Hill, stating the estimated maximum cost thereof is \$7,500,000, appropriating said amount for such purpose and authorizing the issuance of bonds of the Town in the principal amount of not to exceed \$7,500,000 to finance said appropriation."

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the construction of improvements to the bluffs at Beacon Hill; STATING the estimated maximum cost thereof, including preliminary costs

and costs incidental thereto and the financing thereof, is \$7,500,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds of the Town in the principal amount of \$7,500,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds of the Town in the principal amount of not to exceed \$7,500,000, pursuant to the Local Finance Law of the State of New York (the "Law"), to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$7,500,000 bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes, issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, and the renewals thereof, and other related powers; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: January 29, 2019
Wayne H. Wink, Jr.
Town Clerk
2-6-2019-1T-#198615-PORT

Affidavit of Publication

County of Nassau SS
State of New York,

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

1 weeks, viz: February 6, 2019

Linda Baccoli

Sworn to me this 6 day of February-2019

Shari M. Egnasko
Notary Public

Shari M. Egnasko
Notary Public, State of New York
No. 01EG6119807
Qualified in Nassau County
Commission Expires Dec. 6, 2020

RECORDED
INDEXED
FEB 11 AM 11:52

NEWSDAY AFFIDAVIT OF PUBLICATION

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

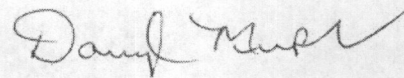
STATE OF NEW YORK)
:SS.:
COUNTY OF SUFFOLK)

Legal Notice No. 0021472452

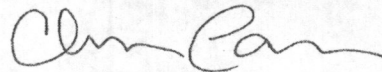
Darryl Murphy of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Thursday March 07, 2019 Nassau

SWORN to before me this
7 Day of March, 2019.



CHRISTOPHER LAWSON
Notary Public – State of New York
No. 01LA6348406
Qualified in Suffolk County
My Commission Expires September 26, 2020



RECEIVED
OFFICE OF THE TOWN CLERK
2019 MAR 11 AM 10:36
TOWN OF NORTH HEMP
CLERK
MANHASSET, N.Y. 11030

Ad Content

Legal Notice # 21472452
NOTICE

The resolution, a summary of which is published herewith, has been adopted on January 29, 2019, and an abstract thereof has been published and posted as required by law and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of North Hempstead, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of the notice, or such obligations were authorized in violation of the provisions of the constitution.

Wayne H. Wink, Jr.

Town Clerk

BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED DECEMBER 18, 2018, AUTHORIZING IMPROVEMENTS TO THE BLUFFS AT BEACON HILL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,500,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$7,500,000 TO FINANCE SAID APPROPRIATION

The object(s) or purpose(s) for which the bonds are authorized is the construction of improvements to the bluffs at Beacon Hill.

The maximum amount of obligations authorized to be issued is \$7,500,000.

The period of probable usefulness of the bonds is fifteen (15) years.

A complete copy of the Bond Resolution summarized above shall be available for public inspection during normal business hours at the office of the Town Clerk, Town Hall, 200 Plandome Road, Manhasset, New York.

Dated: January 29, 2019
Manhasset, New York

RECEIVED
OFFICE OF THE TOWN CLERK
2019 MAR 11 AM 10:36
TOWN OF NORTH HEMPSTEAD
MANHASSET, N.Y. 11030

NEWSDAY PROOF

Advertiser: TOWN OF NORTH HEMP CLERK OFFICE
Agency: TOWN OF NORTH HEMP CLERK OFFICE
Ad Number: 0021472452
Start Date: 03/07/2019
End Date: 03/07/2019
Price: \$352.00
Ordered By: Legaladv@newsday.com

Phone: 5168697625
Contact: Paul Garille
Section: Legals
Class: 11100
Size: 2 x 44 Times: 1
Date: 3/4/2019
Zone(s): C-Nassau

Signature of Approval: _____

Date: _____

**LEGAL NOTICE
NOTICE**

The resolution, a summary of which is published herewith, has been adopted on January 29, 2019, and an abstract thereof has been published and posted as required by law and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of North Hempstead, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of the notice, or such obligations were authorized in violation of the provisions of the constitution.

Wayne H. Wink, Jr.
Town Clerk

BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED DECEMBER 18, 2018, AUTHORIZING IMPROVEMENTS TO THE BLUFFS AT BEACON HILL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,500,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED

\$7,500,000 TO FINANCE SAID APPROPRIATION

The object(s) or purpose(s) for which the bonds are authorized is the construction of improvements to the bluffs at Beacon Hill.

The maximum amount of obligations authorized to be issued is \$7,500,000.

The period of probable usefulness of the bonds is fifteen (15) years.

A complete copy of the Bond Resolution summarized above shall be available for public inspection during normal business hours at the office of the Town Clerk, Town Hall, 200 Plandome Road, Manhasset, New York.

Dated: January 29, 2019
Manhasset, New York
3-13-2019-1T-200870-PORT

Affidavit of Publication

County of Nassau SS
State of New York,

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

1 weeks, viz: March 13, 2019

Linda Baccoli

Sworn to me this 13 day of
March-2019

Shari M. Egnasko

Notary Public

Shari M. Egnasko
Notary Public, State of New York
No. 01EG6119807
Qualified in Nassau County
Commission Expires Dec. 6, 2020

RECEIVED
FILED BY THE TOWN CLERK
2019 MAR 18 PM 12:01
TOWN OF NORTH HEMPSTEAD
MANHASSET, N.Y. 11030

MR. WINK: Item 60, a resolution authorizing the payment of claims against the Town of North Hempstead and authorizing the Comptroller or Deputy Comptroller to pay the costs thereof.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 71 - 2019

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

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

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

NOW, THEREFORE, BE IT

RESOLVED that the settlement and payment of the following claims, in the 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>
Alfonso Piscitelli v. ToNH	TD-18-0125	\$1,600.00
John Newman v. ToNH	TD-18-0042	\$648.00

; and be it further

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Noes: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller

MR. WINK: Item 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.

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

MR. WINK: Councilwoman DeGiorgio.

MR. KELLY: Just before you proceed, there's a revised employee reso before you that should replace -- replace the one that was given to you previously.

SUPERVISOR BOSWORTH: Yes.

COUNCILWOMAN DE GIORGIO: Do you offer the amended resolution?

SUPERVISOR BOSWORTH: Yes, I'm offering the amended resolution. Thank you.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Okay. Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 72 - 2019

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

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

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

NOW, THEREFORE, BE IT

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

ALL APPOINTMENTS PENDING COMPLETION OF PAPERWORK AND CIVIL SERVICE APPROVAL

SEE EXHIBIT A ATTACHED

; and be it further

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

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

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

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

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

Dated: Manhasset, New York
January 29, 2019

The vote of the foregoing resolution was recorded as follows:

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

Noes: None

Absent: Councilperson Ferrara

Exhibit A

2/1/2019 2:28 PM

HUMAN RESOURCES DEPARTMENT



Please prepare a resolution effectuating the following appointments and/or changes for the 01/29/19 Town Board Meeting
 From: Bob Weitzner, Commissioner of Human Resources
 To: Supervisor Judi Bosworth
 ALL APPOINTMENTS PENDING COMPLETION OF PAPERWORK & CIVIL SERVICE APPROVAL. ALL CHANGES WILL TAKE PLACE NO EARLIER THAN THE PAY PERIOD BEGINNING 02/09/19
 UNLESS OTHERWISE NOTED. ALL SEASONAL EMPLOYMENT COMMENCES 09/01/2019 AND ENDS 09/30/2019.
 ***An X in the Relationship Disclosure Form ("RDF") column signifies that the prospective hire has completed and filed the RDF with the HR department.

Type	RDF SIGNED	Fr/To	Department #	Department Name	Budget Code	Employee Name	FT / PT / Seasonal	Employee Title	Employee Rate	Grade/Step	Effective Date
Title, Grade, Step & Salary Change		From 971000 To 311000		Highway	D.07.5225.1200 DA.07.5117.1000	Marcello Veltri	PT FT	Laborer 1 PT Laborer 1	\$13.00/hr \$44,842 ann/\$21.56/hr	Gr 9/St 1.0	
New Hire	x	From 930000 To 930000		Parks & Rec/Tully - LG	A.05.7181.1200	Brian O'Regan	PT	Lifeguard 1	\$15.00/hr		
New Hire	x	From 930000 To 823400		Parks & Rec/Tully - LG	A.05.7181.1200	Madeline Kelly	PT	Lifeguard 1	\$15.25/hr		
Seasonal to PT w/ Loc Chg		From 930000 To 882000		Parks & Rec/Whitney	A.05.7185.1200	Nicholas Goerke	Seasonal	Lifeguard 1	\$15.00/hr		
Seasonal to PT w/ Loc Chg		From 930000 To 982000		Parks & Rec/CGM	SP.154.1200	Daniel Koppinger	Seasonal	Lifeguard 1	\$15.00/hr		
PT w/ Loc Chg		From 930000 To 930000		Parks & Rec/Tully - LG	A.05.7181.1200	Matthew Novella	PT	Lifeguard 1	\$15.50/hr		
PT w/ Loc Chg		From 931000 To 930000		Parks & Rec/Minhaven	A.05.7181.1200	Carmel Kuta	PT	Lifeguard 1	\$15.25/hr		
Title, Grade, Step & Salary Change		From 123600 To 133300		Parks & Rec	A.05.7112.1000	Daniel Rivera	FT	Mtc Mechanic Trn	\$51,477 ann/\$24.75/hr	Gr 12/St 4.0	
Title, Grade, Step & Salary Change		From 133300 To 915500		Parks & rec/TresWeCan	A.05.7141.1000	Donald Smallwood III	FT	Maintenance Mechanic	\$51,819 ann/\$24.91/hr \$52,848 ann/\$25.41/hr	Gr 13/St 3.0 Gr 13/St 4.0	
Title, Grade, Step & Salary Change		From 415000 To 415000		Administrative Services	SM.017.1200	Matthew Matta	PT	Labor Supervisor I	\$55,891 ann/\$26.87/hr	Gr 17/St 1.0	
New Hire	X	From 415000 To 415000		Public Works	SM.017.1000	Vito Errico	FT	Laborer 1	\$44,842 ann/\$21.56/hr	Gr 9/St 1.0	
Title, Grade, Step & Salary Change		From 415000 To 127600		DPW Sidewalks	SM.017.1000	Corey Falls	FT	Laborer 1	\$44,842 ann/\$21.56/hr	Gr 9/St 1.0	
Title, Grade, Step, Salary & Location Change		From 127600 To 211000		Town Attorney Buildings	A.11.1410.1000 B.33.3622.1000	Megan Curran	FT	Equipment Operator II Labor Supervisor I Sec. Comm of Public Safety Clerk Laborer	\$58,710 ann/\$28.23 hr \$59,039 ann/\$28.38/hr \$43,735 ann/\$1643.65 bi/wk \$45,988 ann/\$1768.80 bi/wk	Gr 15/St 6.0 Gr 17/St 6.0 Gr 10/St 1.0	

2/1/2019 2:28 PM

HUMAN RESOURCES DEPARTMENT



Type	RF/ SIGNED	Fr/To	Department #	Department Name	Budget Code	Employee Name	PT / PT / Seasonal	Employee Title	Employee Rate	Grade/Step	Effective Date
Title, Grade, Step, Salary & Location Change		From 915000 To 211000	915000	Community Services Buildings	A.02.7310.1200 B.33.3622.1000	Ryan Smith	PT	Recreation Aide Clerk Laborer	\$15.00/hr \$45,988/\$1768.80 bi/wk	Gr 10/St 1.0	
Salary Change		From 922110 To 121800	922110	Supervisor/Finance	A.10.1341.1200	Caroline Sigler	PT	Laborer 1 PT	\$15.00/hr		
Title, Grade, Step & Salary Change		From 121800 To 943000	121800	Comptroller	A.03.1315.1000	Christina Erker	FT	Asst Payroll Supervisor	\$58,131 ann/\$2235.80 bi/wk	Gr 15/St 5.5	
Title, Grade, Step & Salary Change		From 943000 To 125600	943000	Receiver of Taxes	A.09.1330.1200	Lynnda Del Balso	PT	Payroll Supervisor Laborer 1 PT	\$61,462 ann/\$2363.90 bi/wk \$23.00/hr	Gr 20/St 1.0	
New Hire	x	From 943000 To 943000	943000	Receiver of Taxes	A.09.1330.1200	Yucca Coutinho	PT	Community Liaison Aide	\$41,612 ann/\$1600.46 bi/wk	Gr 6/St 1.0	
New Hire	x	From 947000 To 947000	947000	Receiver of Taxes	A.09.1330.1200	Fallon Beckerman	PT	Clerk Typist PT	\$21.00/hr		
New Hire	x	From 947000 To 947000	947000	Receiver of Taxes	A.09.1330.1200	Achsh Mem Abraham	PT	Laborer 1 PT	\$21.00/hr		
Retirement		From 127100 To 311000	127100	Supervisor	A.10.1270.1000	Aline Khatchaourian	FT	Administrative Intern	\$15.00/hr		1/13/2019
Retirement		From 311000 To 415000	311000	Highway	DA.07.5117.1000	Philip Villa	FT	Deputy Supervisor	\$92,720 ann/\$3566.15 bi/wk	Gr 17/St 18.5	12/15/2018
Retirement		From 415000 To 415000	415000	Public Works	SM.017.1000	Craig Campbell	FT	Equipment Operator 3	\$81,784 ann/\$39.32 bi/wk	Gr 17/St 32.5	12/29/2018
Retirement		From 415000 To 121800	415000	Public Works	SM.017.1000	Charles Pegusky	FT	Equipment Operator 3	\$89,909 ann/\$42.74/hr	Gr 17/St 35.0	12/29/2018
Retirement		From 121800 To 311000	121800	Comptroller	A.03.1315.1000	Patricia Pargament	FT	Laborer 2	\$73,019 ann/\$35.11/hr	Gr 11/St 35.0	12/29/2018
Retirement		From 311000 To 943000	311000	Highway Tax Office	DA.07.5117.1000	Burnis Johnson	FT	Payroll Supervisor	\$77,067 ann/\$2964.10 bi/wk	Gr 20/St 12.0	
Retirement		From 943000 To 128200	943000	Tax Office	A.09.1330.1200	Monica Seidman	PT	Maintenance Mason Clerk 1	\$74,582 ann/\$35.86/hr \$28.00/hr	Gr 16/St 12.0	1/11/2019
Resignation		From 128200 To 211000	128200	Town Board	A.12.1010.1000	Sabereh Samet	FT	Exec Asst to Town Board	\$58,575 ann/\$252.88 bi/wk		12/31/2018
Resignation		From 211000 To 933300	211000	Buildings	B.33.3622.1000	Jeffrey Cheslowitz	FT	Clerk Laborer	\$47,832 ann/\$1839.70 bi/wk	Gr 10/St 3.0	1/11/2019
Resignation		From 933300 To	933300	Parks & Rec/YWCCC	A.05.7141.1200	Lauren Vacchio	PT	Rec. Aide	\$15.00/hr		11/19/2018

MR. WINK: Item 62, a resolution approving the action of the Flower Hill Hose Company, No. 1, Port Washington, New York in electing to membership John Bouratoglou.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 73 - 2019

A RESOLUTION APPROVING THE ACTION OF THE FLOWER HILL HOSE COMPANY, NO. 1, PORT WASHINGTON, NEW YORK, IN ELECTING TO MEMBERSHIP JOHN BOURATOGLOU.

WHEREAS, the Flower Hill Hose Company, No. 1, Port Washington, New York, has advised of electing to membership John Bouratoglou.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Flower Hill Hose Company, No. 1, 12 Haven Avenue, Port Washington, New York, 11050 in electing to membership John Bouratoglou., 168-01 12th Ave., Apt. 9D, Whitestone, NY, 11352, be and the same hereby is approved and the Town Clerk directed to record the names in the Minutes of the Town Board.

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Noes: None

Absent: Councilperson Ferrara

cc: Flower Hill Hose Co., No. 1 Town Attorney Comptroller

MR. WINK: Item 63, a resolution approving the action of the Atlantic Hook and Ladder Company, No. 1, Inc., Port Washington, New York, in removing from membership Matias Franko and Brenden Vintimilla.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 74 - 2019

A RESOLUTION APPROVING THE ACTION OF THE ATLANTIC HOOK & LADDER COMPANY, NO. 1, INC., PORT WASHINGTON, NEW YORK IN REMOVING FROM MEMBERSHIP MATIAS FRANKO AND BRENDEN VINTIMILLA.

WHEREAS, the Atlantic Hook & Ladder Company, No. 1, Inc., 25 Carlton Ave, Port

Washington, New York, 11050 has advised of removing Matias Franko and Brenden Vintimilla

NOW, THEREFORE, BE IT

RESOLVED that the action of the Atlantic Hook & Ladder Company, No. 1, Inc., 25 Carlton Avenue, Port Washington, New York, 11050 in removing from membership Matias Franko and Brenden Vintimilla, be and the same hereby is approved and the Town Clerk directed to record their names in the Minutes of the Town Board.

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Noes: None

Absent: Councilperson Ferrara

cc: Alert Engine, Hook, Ladder and Hose Co. Town Attorney Comptroller

MR. WINK: Added starters. Item 64, a resolution authorizing the execution of an agreement with the Port Washington Adult Activities Center.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

RESOLUTION NO. 75 - 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE PORT WASHINGTON ADULT ACTIVITY CENTER.

WHEREAS, the Town wants to provide recreational, nutritional, transportation, and supportive services for older people (60 years of age and older) pursuant to General Municipal Law § 95-a; and

WHEREAS, the Port Washington Senior Citizens, Inc. (the "Contractor"), a non-profit corporation within the Town, has entered into an agreement to provide the services for calendar year 2019; and

WHEREAS, the Town has previously provided a director for the Port Washington Adult Activity Center (the "Center"), a Town-owned facility, at which the Contractor holds its programs; and

WHEREAS, the Town's executive director has left her employment with the Town; and

WHEREAS, the Contractor has agreed to hire a new Center director to work with the Contractor in performing services for the Town's senior population; and

WHEREAS, the Town desired to contribute funding in the amount of Sixty Thousand and 00/100 Dollars (\$60,000.00), payable Five Thousand and 00/100 Dollars (\$5,000.00) per month, for the employment of a new Center director by the Contractor; and

WHEREAS, the Town Board desires to authorize the execution of an agreement with the Contractor to provide the funding for the employment of a new Center director for calendar year 2019 (the "Agreement").

NOW, THEREFORE, BE IT

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

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

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

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

Dated: Manhasset, New York
January 29, 2019

The vote on the foregoing resolution was recorded as follows:

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

Noes: None

Absent: Councilperson Ferrara

cc: Town Attorney Comptroller

SUPERVISOR BOSWORTH: I move to adjourn.

MR. WINK: Councilwoman DeGiorgio

COUNCILWOMAN DE GIORGIO: Aye

MR. WINK: Councilwoman Russell

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

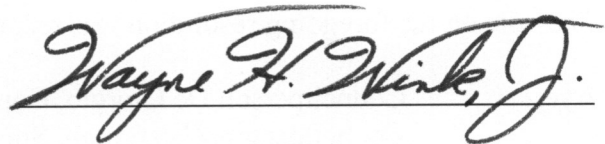
COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

(At 9:07 p.m., the proceedings were concluded.)

Compiled from Stenographer's Transcript, MGR Reporting, File Name 012919tnhtb.doc

A handwritten signature in cursive script that reads "Wayne H. Wink, J.". The signature is written in black ink and is positioned above a horizontal line.

Town Clerk