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**TOWN OF NORTH HEMPSTEAD**

**TOWN BOARD MEETING**

Town Hall

220 Plandome Road

Manhasset, New York 11030

Tuesday, November 19, 2019 7:01 o'clock p.m.

**P R E S E N T :**

JUDI BOSWORTH, Supervisor

DINA M. De GIORGIO, Councilwoman

VERONICA A. LURVEY, Councilwoman

ANGELO FERRARA, Councilman

VIVIANA L. RUSSELL, Councilwoman

PETER ZUCKERMAN, Councilman

WAYNE H. WINK, Jr., Town Clerk

LEONARD KAPSALIS, ESQ., Town Attorney

NICHOLAS GUARIGLIA, Deputy Town Clerk

MICHAEL LEVINE, Planning

SUPERVISOR BOSWORTH: Good evening, everybody. I'd like to ask you to please rise for the Pledge.

(Pledge of Allegiance.)

SUPERVISOR BOSWORTH: And, Mr. Wink, if you could call the meeting to order.

MR. WINK: Town of North Hempstead Board Meeting, Tuesday, November 19th, 2019. Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Here.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Here.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Here.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Here.

MR. WINK: Councilwoman Seeman.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Here.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Here. So Councilwoman Seeman is a little under the weather. She will not be with us today. So following our Town Board procedure, we do open our meeting with 30 minutes of public comment on any matters not having to do with any items on the agenda. Mr. Wink, do you have any cards?

MR. WINK: We do indeed.

(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 items Nos. 16, 17, 18, 19, 40, 56 and 60 and we're going to call item 23 first and begin tonight's agenda.

MR. WINK: Item 23, a resolution of the Town Board of the Town of North Hempstead, New York, adopted November 19th, 2019, calling for a public hearing to be held on December 17, 2019, for the increase and improvement of facilities of the Great Neck Water Pollution Control District, pursuant to Section 202-b of the Town Law.

COUNCILWOMAN LURVEY: I offer the resolution to set the hearing date for December 17th, 2019.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: So before I say aye, I'd like to thank the Commissioners for being here. It's just a set date. I know you'll return when we are actually hearing this but we appreciate that you took the time to come down and I say, aye. Thank you.

COUNCILWOMAN LURVEY: And we look forward to seeing you next time.

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

**RESOLUTION NO. 543-2019**

**A RESOLUTION OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED ON NOVEMBER 19, 2019, CALLING FOR A PUBLIC HEARING TO BE HELD ON DECEMBER 17, 2019, FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE GREAT NECK WATER POLLUTION CONTROL DISTRICT, PURSUANT TO SECTION 202-b OF THE TOWN LAW.**

Recitals

**WHEREAS**, the Great Neck Water Pollution Control 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 pursuant to Section 202-b of the Town Law for the increase and improvement of facilities of the District, consisting of upgrades and improvements required to maximize the efficiency of the District's sewer collection system and the annexed Great Neck Village sewer collection system, all as further described in the map, plan and report prepared by Dvirka & Bartilucci, Engineers and Architects ("D&B"), engineers duly licensed by the State of New York, entitled "2020 Pump Station and Sewer System Improvements," at the aggregate estimated maximum cost of \$30,000,000, including any ancillary or related work necessary in connection therewith; and

**WHEREAS**, the District, acting as lead agency, has given due consideration to the impact that the increase and improvement of the facilities of the District may have on the environment and has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), constituting Article 8 of the Environmental Conservation Law;

**NOW, THEREFORE,**

**THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES** (by the favorable vote of a majority of all the members of said Town Board) **AS FOLLOWS:**

Section 1. A meeting of the Town Board of the Town shall be held at the Town Hall, 220 Plandome Road, Manhasset, New York, on the 17th day of December, 2019, at 7:30 o'clock P.M. (Prevailing Time) to consider the increase and improvement of facilities of the District, as described in the Recitals hereto, and to hear all persons interested in the subject thereof, concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law.

Section 2. The Town Clerk is hereby authorized and directed to publish, or cause to be published, at least once in "Great Neck Record," and "Newsday," hereby designated as the

official newspapers for such publication, and to post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of such public hearing certified by said Town Clerk, in substantially the form appearing in Exhibit A attached hereto, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

Section 3. The Town Clerk is further authorized and directed to mail or cause the District to mail, by first class mail to each owner of taxable real property in the District, a Notice of such public hearing, in substantially the form attached hereto as Exhibit A, not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

Section 4. This resolution shall take effect immediately.

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilwoman De Giorgio, Councilman Ferrara, Councilwoman Lurvey,  
Councilwoman Russell, Councilman Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilwoman Seeman

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 Calling For a Public Hearing with the original thereof filed in my office on the 19th day of November, 2019, and that 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 on this 19th day of November, 2019.

(SEAL)

---

Town Clerk



STATE OF NEW YORK )

: ss.

COUNTY OF NASSAU )

WAYNE H. WINK, JR., being duly sworn upon his oath deposes and says:

That he is and at all the 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, and that on the 6<sup>th</sup> day of December, 2019, he caused to be conspicuously posted and fastened up a certified copy of the Notice of Public Hearing, a true copy of which is annexed hereto and made a part hereof, on the sign board of said Town maintained pursuant to Section 30, subdivision 6, of the Town Law.

\_\_\_\_\_

Town Clerk

Subscribed and sworn to before me  
this \_\_\_\_ day of December, 2019.

\_\_\_\_\_  
Notary Public, State of New York

STATE OF NEW YORK )

: ss.

COUNTY OF NASSAU )

WAYNE H. WINK, JR., being duly sworn upon his oath deposes and says:

That he is and at all the times hereinafter mentioned he was the duly qualified and acting Town Clerk of the Town of North Hempstead, in the County of Nassau, State of New York, and that on the 6<sup>th</sup> day of December, 2019, he mailed or caused to be mailed, by first class mail, a copy of the Notice of Public Hearing to be held on December 17, 2019, to each owner of property benefited by the improvements referred to in said Notice as shown upon the assessment roll of said Town.

\_\_\_\_\_

Town Clerk

Subscribed and sworn to before me

this \_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public, State of New York

## Exhibit A

**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 December 17, 2019, at 7:00 o'clock P.M. (Prevailing Time), for the purpose of conducting a public hearing in relation to the increase and improvement of facilities of the Great Neck Water Pollution Control District, consisting of upgrades and improvements required to maximize the efficiency of the District's sewer collection system and the annexed Great Neck Village sewer collection system, at the aggregate estimated maximum cost of \$30,000,000, including any ancillary or related work necessary in connection therewith. 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: November 19, 2019  
North Hempstead, New York

Wayne H. Wink, Jr.  
Town Clerk

MR. WINK: Continuations: Item 1, a public hearing to consider the adoption of a local law amending Chapter 70 of the Town Code entitled "Zoning."

SUPERVISOR BOSWORTH: All right. So the attempt of this legislation is to ensure that residents are properly informed of items on the BZA and Town Board agendas. Our hope is that the changes ensure that all residents are aware of the new date of hearings that have been adjourned or continued, whether or not they were at the original hearing. I'm also going to ask our Commissioner of Planning, Michael Levine, to discuss the specific changes.

MR. LEVINE: All right. There are two substantive changes, although one of them appears in three places, the goal here is twofold; it's to bring consistency to the hearing process so that regardless of what type of land use action it is, the hearing process is consistent and the second is just to increase awareness. Because we were having a problem when hearings are adjourned or continued, so it means they're called into session, we start taking testimony. In some cases we don't even take testimony and it's resumed on another date. Under the present rules, legal notices are not sent out again. It was assumed that people that came for the first session would then be aware that it was moved to another date. But we found over time that that was not always the case. So the first Code change is that whenever a site plan application, variance or change of zone, so it's three types of land use actions, is adjourned or continued, a second round of legal notices will be sent out by the applicant to whoever received them the first time. Usually that's a 300-foot radius from the boundaries of the property in question. On some minor residential variances, it's just the adjoining neighbors. But in recognition of the fact that the -- the costs for certified mail are quite substantial on a large property, the second round of notices will only have to be regular mail, not certified mail. The second change is to institute for variance applications, a requirement that the subject property post a sign notice on the property, visible from the street or in the case of a corner property, both streets. That's already the rule for changes of zone and site plans so now we're simply extending it to variance hearings also so that there's consistency across the board. And then if there's no questions from the board, then we'll open it up to the public.

SUPERVISOR BOSWORTH: Are there any -- do you have any cards for this, Mr. Wink?

MR. WINK: No.

SUPERVISOR BOSWORTH: Are there any comments? Mr. O'Donald.

MR. O'DONALD: Michael O'Donald, 50 Nugent Street, North New Hype Park. I commend -- it's past due. Fifty years living here, sometimes you don't know and it causes more problems and causes more problems for the new neighbors or whoever is the developer. This is an enhancement to the Town and the residents of this Town deserve to make sure that everybody knows about it. Thank you.

SUPERVISOR BOSWORTH: Thank you. Are there any other comments?

SUPERVISOR BOSWORTH: Seeing none, I would like to close the public hearing, offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 544 - 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 amend the Town Code pursuant to the provisions of Article 9 of the New York State Constitution, the Town Law, and the Municipal Home Rule Law; and

**WHEREAS**, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend Chapter 70 of the Town Code entitled "Zoning" in order to amend the notice requirements for Board of Zoning Appeals applications, site plan applications, and change of zone applications, which have been adjourned with or without a date certain. The changes will require both applicants and the Town to fulfill additional notice requirements, including but not limited, to a requirement that all applicants to the Board of Zoning Appeals post a notice of a scheduled hearing at the site that is the subject of the application (the "Action"); and

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

**WHEREAS**, due notice was heretofore given of a public hearing to be held on the October 24, 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**, pursuant to General Municipal Law § 239-m, the Nassau County Planning Commission (the "Commission") was furnished with copies of the site plan and the Short Environmental Assessment Form (the "SEAF"); and

**WHEREAS**, by letter dated October 24, 2019, the Nassau County Planning Commission recommended local determination; and

**WHEREAS**, the Town Board has carefully considered the proposed Local Law during the seven-day period, conducted a public hearing on October 24, 2019, which hearing was continued to November 19, 2019, with respect to the Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

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

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

**WHEREAS**, the Board has reviewed the determination of the Planning Department, dated October 24, 2019, and the Negative Declaration indicating that the Action constitutes an “unlisted action” pursuant to Section 617.2(ak) of the SEQRA Regulations which will not result in any significant adverse impacts on the environment based upon the analysis set forth in the Short Form Environmental Assessment Form (the “SEAF”) Parts 1 and 2 (the “Determinations and Negative Declaration”) for the reasons stated in the SEAF; and

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

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

**NOW, THEREFORE, BE IT**

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

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

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

**RESOLVED** that Local Law No. 15 of 2019 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD  
LOCAL LAW NO. 15 OF 2019**

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

**Section 1. Legislative Intent.**

The Town Board finds that Chapter 70 of the Town Code lacks comprehensive and consistent regulations regarding notice requirement for adjourned site plan applications, change of zone applications, and Board of Zoning and Appeals applications. This results in individuals who could be potentially impacted by such applications being unaware of the new hearing dates. Accordingly, the Town Board finds it in the best interests of the Town and its residents to amend Chapter 70 of the Town Code to provide for new notice requirements for these applications which have been adjourned.

**Section 2.**



Section 70-219 of the Town Code of the Town of North Hempstead is hereby amended to read as follows:

For purposes of this section, "site" shall be defined as any lot or two or more contiguous lots or tracts of land owned and recorded as the property of the same person or entity, or controlled by the same person or entity, and being used or developed as one parcel or project, whether in one or more phases or under one or more building permits. For purposes of this section, unless otherwise specified, "residence district" shall include Residence Open Space, Residence AAA, Residence AA, Residence A, Residence B, Residence C, Residence D, Multiple Residence, Public Housing, Golden Age, Senior Residence District and the Planned Waterfront Residential Community Districts.

**A.** When site plan review required; procedure. No permit shall be issued for a site greater than 25,000 square feet in any zone other than Residence Open Space, Residence AAA, Residence AA, Residence A, Residence B, Residence C, Residence D, or Hospital District until a site plan, as specified in this section, has been approved by the Town Board, if any one or more of the following criteria are met:

[Amended 5-29-2007 by L.L. No. 5-2007; 10-16-2007 by L.L. No. 9-2007]

**(1)** The site upon which the work is proposed involves one or more of the following:

**(a)** The construction of a new building or structure or addition to an existing structure of greater than 750 square feet of floor area.

**(b)** The change in use of an existing building or buildings on a site in a manner which will:

**[1]** Increase the number of required off-street parking spaces for the site pursuant to § **70-103** of this chapter by more than 33%; or

**[2]** Add at least 10,000 square feet of retail; or

**[3]** Add at least 10,000 square feet of public assembly use at the site.

**(c)** The alteration of an existing single retail use greater than 20,000 square feet at the site so as to create three or more retail or public assembly uses.

**(d)** The alteration of an existing single retail space greater than 20,000 square feet to permit shared occupancy by more than two tenants.

**(e)** A change in access to the site or a change in the circulation within the site which affects at least 20% of the paved area.

**(2)** Where a permit application is subject to site plan review, the Commissioner of Buildings shall advise the applicant. Unless otherwise waived by the Commissioner of Buildings, the applicant shall obtain all necessary approvals from other boards or commissions prior to site plan submission. Thereafter an application for site plan review, in accordance with the requirements of this section as set forth hereafter, shall be submitted to the Building Department. Before the application is referred to the Town Board, the Commissioner of Buildings shall also refer the application and plans submitted to the Commissioner of Planning and Economic Development, who shall review the plans and provide any recommendations or comments to the Town Board. Following receipt of the reports from the Commissioner of Buildings and the Commissioner of Planning and Economic Development, the Town Board shall schedule a public hearing for site plan review. The

Commissioner of Planning and Economic Development shall notify the applicant of the date for the public hearing at which the Town Board will consider the site plan application, and the applicant shall provide notice of such hearing in accordance with Subsection **F**.

**B.** Town Board decision.

**(1)** Approval. Upon approval of the site plan, the Town Board shall direct the Commissioner of Planning and Economic Development to stamp and sign three sets of drawings which shall be distributed as follows: one set each to the Commissioner of Buildings and the applicant, and one set to remain with the Planning Department.

**(2)** Approval with modifications. The Town Board may conditionally approve the final site plan. A copy of the written statement containing the modifications required by the conditional approval will be prepared by the Commissioner of Planning and Economic Development and sent to the applicant. After adequate demonstration to the Commissioner of Planning and Economic Development that all conditions have been met and modifications, if any, to the site plan have been made, the Commissioner of Planning and Economic Development shall endorse his/her approval on a copy of the site plan and shall provide the applicant and the Town Board with a written statement of approval. Three sets of documents shall be distributed as in § **70-219B(1)** above.

[Amended 5-29-2007 by L.L. No. 5-2007]

**(3)** Disapproval. Upon disapproval of the site plan, the decision of the Town Board shall be filed with the Commissioner of Buildings, along with the Town Board's reasons for disapproval.

**C.** Fees and costs. Fees for site plan review shall be set according to the amounts indicated in the Town of North Hempstead Fee Schedule.

[Amended 4-11-2006 by L.L. No. 5-2006; 5-29-2007 by L.L. No. 5-2007]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**(b)** Finished floor elevations for each level.

**(c)** Building height elevation(s).

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

**(e)** Proposed finish materials for all exterior surfaces.

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

**(5)** Building perspective(s), which shall include the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**(a)** A full environmental assessment form in the format required by the State Environmental Quality Review Act.

**(b)** Traffic analysis, including capacity and level-of-service for the nearest signalized intersections.

**(c)** Water and sewer availability letters.

**(d)** Copies of any restrictive covenants existing on any portion of the site.

**(e)** Copies of all variances granted for the site.

**(f)** Copies of access permit application and curb cut approvals from the appropriate jurisdiction(s).

**(g)** Existing conditions survey.

**(h)** Photographs of all properties abutting the parcel and across from the parcel within 300 feet.

**(10)** Where applicable, a statement setting forth whether the proposed use conforms to, or deviates from, a community visioning or vision plan which has been adopted by the Town Board as a planning document for the Town. In the event that the proposed use deviates from such plan, the statement shall set forth how it deviates and the reasons why it should be approved despite this deviation.

**E.** Review standards. All site plan applications shall be reviewed for the following standards:

**(1)** Overall impact on the neighborhood, including compatibility of design considerations and adequacy of screening from residential properties.

**(2)** Adequacy of the design to avoid a negative impact on the health, safety, or general welfare of the public.

**(3)** Adequacy of the plan to mitigate the impact of traffic on surrounding streets caused by the proposed development and other known projects in accordance with standard review practices.

[Amended 5-29-2007 by L.L. No. 5-2007]

**(4)** Adequacy of drainage system to contain stormwater on site.

**(5)** Unless waived by the Superintendent of Highways, curb cuts shall conform to the following standards:

**(a)** Curb cuts on all business or industrial properties shall have a minimum length of 12 feet and a maximum length of 36 feet.

**(b)** Curb cuts on all business or industrial properties shall be a minimum of 15 feet from any property line and 25 feet from a corner.

**(c)** Curb cuts on all business or industrial properties shall have a minimum distance of 40 feet between curb cuts per site.

**(d)** The maximum number of curb cuts on all business or industrial properties shall be two on any street, per site.

**(e)** The Superintendent of Highways shall have the right to delete or relocate curb cuts if, in his opinion, the proposed location of curb cuts would create a hazardous condition.

[Amended 5-29-2007 by L.L. No. 5-2007]

**(6)** Compliance with a community visioning or vision plan which has been adopted by the Town Board as a planning document for the Town.

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

**F.** Notice.

**(1)** The Town Clerk shall publish notice of the public hearing for site plan review in the local newspapers at least 10 days before the date the site plan is to be reviewed by the Town Board. 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.

**[a] Where a site plan application is adjourned, the Town Clerk shall publish notice of the new hearing date in the local newspapers at least 10 days before the new hearing date on which the site plan is to be reviewed by the Town Board. 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.**

[Amended 5-29-2007 by L.L. No. 5-2007]

**(2)** Before the site plan application will be heard by the Town Board, the applicant must provide notice of the site plan hearing to property owners within a radius of 300 feet of the site, in the manner provided for in § **70-240** of this chapter for special permit applications and must file an affidavit as to the mailing of such notices as required by that section.

**[a] Where a site plan application is adjourned, the applicant must notice the new hearing date to each affected property owner within a radius of 300 feet of the site. Not less than 10 nor more than 20 days before the hearing, the applicant shall send notice, via first class mail, stating the nature of the application, and the date, time and place for the hearing on the site plan application. The applicant must file, with the Town Attorney, an affidavit as to the mailing of such notices not less than five days before the hearing.**

**(3)** Sign notice requirements for site plan applications.

**(a)** Sign notice shall be given by the property owner of the subject property by posting a sign stating the time, date and place of the public hearing to be held by the Town Board on the property which is the subject of an application for site plan review.

[Amended 5-29-2007 by L.L. No. 5-2007]

**(b)** The sign shall be posted at least 10 days prior to the date of the public hearing to be held by the Town Board.

**(c)** The sign shall be visible from adjacent rights-of-way, including waterways.

**(d)** If the subject property is on more than one right-of-way, a sign shall be posted facing each right-of-way.

**(e)** If the sign is destroyed or removed from the property, the owner of the subject property shall be responsible for replacing it.

[Amended 5-29-2007 by L.L. No. 5-2007]

(f) Five days prior to the public hearing, the owner of the subject property shall execute and submit to the Department of Planning an affidavit of proof of the posting of the public notice sign(s) according to this section. If the owner of the subject property fails to submit the affidavit, the public hearing will be postponed until after the affidavit has been supplied.

[Amended 5-29-2007 by L.L. No. 5-2007~~U~~]

[1] Editor's Note: This local law also repealed Subsection F(3)(g) and (h), which immediately followed this subsection.

G. No certificate of occupancy shall be issued until all site work authorized or required by the Town Board is completed and approved by the Commissioner of Buildings and any conditions imposed by the Town Board are complied with.

H. In cases where site plan review by the Town Board is required by Subsection A of this section and there has been an approved site plan within the prior five years, the following items shall be submitted to the Commissioner of Buildings:

(1) A signed and stamped copy of the original site plan which was previously heard and approved by the Town Board and a plan depicting the proposed changes to the original site plan.

(2) All principal and accessory buildings proposed by the applicant and all adjoining property within a radius of 300 feet from the boundary lines of the site.

(3) A perspective drawing of all proposed altered structures, including front and side elevations and the roof treatment.

(4) Plans and specifications, including the name of the professional engineer, land surveyor, architect or land planner who has prepared the documents.

(5) Fees for site plan review as set forth in § 70-219G.

(6) New or revised full environmental assessment form and traffic analysis as required by the Commissioner of Planning and Economic Development.

[Amended 5-29-2007 by L.L. No. 5-2007]

(7) New or revised zoning data analysis as required by the Commissioner of Buildings.

I. Minor modifications to an approved site plan not involving any additional structures which will not cause any material change to the overall layout, appearance or impact of a site and will not violate any specific condition imposed by the Town Board shall not require further Town Board approval if approved by both the Commissioner of Buildings and the Commissioner of Planning and Economic Development.

[Amended 5-29-2007 by L.L. No. 5-2007]

### **Section 3.**

Section 70-227 of the Town Code of the Town of North Hempstead is hereby amended to read as follows:

**A.** The Board of Zoning and Appeals shall establish rules as to the manner of filing appeals or applications for permits or variances in specific cases and may amend these rules as



needed. Copies of the procedures and requirements for the filing of applications shall be maintained by the Board and shall be made available to the public.

**B.** Fees and costs. Fees for all matters to be heard by the Board of Zoning and Appeals shall be set according to the amounts indicated in the Town of North Hempstead Fee Schedule.

**C.** Submission requirements.

**(1)** All applications to the Board of Zoning and Appeals shall be accompanied by the notice of disapproval issued by the Building Department, an application form with related attachments and five copies each of the following:

**(a)** For applications for new one- and two-family residential structures:

**(1)** Title page, which shall include the following:

**(a)** Key map showing clearly and accurately the location of the property in relation to the neighboring streets;

**(b)** Zoning/Site data analysis which shall include zoning district; permitted and proposed data for all zoning criteria, including, but not limited to, floor areas, lot coverage, building height, and a depiction of the required sky exposure plane;

**(c)** Name and address of the applicant, and the name and address of the owner of the site, if different from the applicant;

**(d)** Name(s) and contact information of the professional engineer, land surveyor, architect, landscape architect and/or land planner involved in preparing the plans;

**(e)** Area map of the subject property and all properties within a radius of 300 feet of any contiguous property owned by the applicant. The area map must be accurately drawn to scale and shall include the names of property owners, as well as section, block, and lot information for all properties within the three-hundred-foot radius;

**(2)** Survey of existing conditions, prepared by a New York State licensed land surveyor at a scale of one inch equals 40 feet or larger, showing at a minimum:

**(a)** The locations of all existing buildings, driveways, patios, fences and accessory structures;

**(b)** The locations of property lines with bearings and distances clearly marked;

**(c)** The locations of all monuments, stakes or other permanent boundary markers;

**(d)** Underground and overhead utilities;

**(e)** The locations of all easements, if applicable;

**(3)** Proposed site or plot plan, showing the location of all proposed buildings, accessory structures, driveways or other paved areas;

**(4)** Floor plans, fully dimensioned, of each level, which shall include, but not be limited to, basements, cellars, mezzanines and attics, and labeling of all interior spaces with their uses;

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

**[a]** Existing and proposed grades in Nassau County Vertical Datum;

**[b]** Finished floor elevations for each level;

**[c]** Building height elevation(s);

**[d]** Building/site section(s);

**[e]** Proposed finish materials for all exterior surfaces;

**[6]** Short environmental assessment form;

**[7]** Disclosure affidavit from applicant;

**(b)** For additions or alterations of one- and two-family residential structures or construction of fences, sheds or other accessory structures:

**[1]** Title page, which shall include the following:

**[a]** Key map showing clearly and accurately the location of the property in relation to the neighboring streets;

**[b]** Zoning/Site data analysis which shall include zoning district; permitted and proposed data for all zoning criteria, including, but not limited to, floor areas, lot coverage, building height, and a depiction of the required sky exposure plane;

**[c]** Name and address of the applicant, and the name and address of the owner of the site, if different from the applicant;

**[d]** Name(s) and contact information of the professional engineer, land surveyor, architect, landscape architect and/or land planner involved in preparing the plans.

**[2]** Survey or plot plan of existing conditions, prepared by a New York State licensed land surveyor at a scale of one inch equals 40 feet or larger, showing at a minimum the locations of all existing buildings, driveways, patios, fences and accessory structures;

**[3]** Proposed site plan, showing the location of all proposed buildings, fences, accessory structures, driveways or other paved areas;

**[4]** Floor plans, fully dimensioned, of each level, which shall include, but not be limited to, basements, cellars, mezzanines and attics, and labeling of all interior spaces with their uses;

**[5]** Building elevations, if applicable, which shall include the following:

**[a]** Existing and proposed grades;

**[b]** Finished floor elevations for each level;

**[c]** Building height elevation(s);

**[d]** Proposed finish materials for all exterior surfaces.

**[6]** Details or specifications of any fencing material, if applicable.

**(c)** For applications for new multiple residence, commercial or other nonresidential structures:

**[1]** Title page, which shall include the following:

**[a]** Key map showing clearly and accurately the location of the property in relation to the neighboring streets;

**[b]** Zoning/Site data analysis which shall include zoning district information; permitted and proposed data for all zoning criteria, including, but not limited to, floor areas by use, lot coverage, building height, parking; and the quantities of pervious and impervious surfaces. All zoning calculations shall be based on gross floor area as required in this chapter;

**[c]** Names of the appropriate water and sewer districts;

**[d]** Name and address of the applicant, and the name and address of the owner of the site, if different from the applicant. If the applicant or owner is a corporation or partnership, the names of all principals shall be included;

**[e]** Name(s) and contact information of the professional engineer, land surveyor, architect, landscape architect and/or land planner involved in preparing the plans;

**[f]** Area map of the subject site and all properties within a radius of 300 feet of any contiguous property owned by the applicant. The area map must be accurately drawn to scale and shall include all proposed principal and accessory buildings, the names of abutting property owners, as well as section, block, and lot information for all properties within the three-hundred-foot radius.

**[2]** Survey of existing conditions, prepared by a New York State licensed land surveyor at a scale of one inch equals 40 feet or larger, showing at a minimum:

**[a]** The locations of all existing buildings, driveways, patios, fences and accessory structures;

**[b]** The locations of property lines, with bearings and distances clearly marked;

**[c]** The locations of all monuments, stakes or other permanent boundary markers;

**[d]** Underground and overhead utilities;

**[e]** The locations of all easements, if applicable.

**[3]** Schematic site plan, which shall include the following:

**[a]** Location and arrangement of all buildings and structures;

**[b]** All proposed parking and loading facilities, access aisles, and all pavement markings, fully dimensioned;

**[c]** Adjacent roadways indicating traffic flow directions and showing vehicular access and circulation to and from the site, including intersections, road widths, pavement surfaces, dividers, traffic controls, and street lighting;

**[d]** Any proposed right-of-way improvements or road widening;

**[e]** ~~[Arrangement]~~ **Arrangement** of pedestrian traffic access and circulation, including, but not limited to, walkway structures, and handicapped accessibility;

**[f]** Location and type of equipment provided for storage and disposal of garbage and refuse; if the application is for a restaurant, delicatessen, retail grocery or other food-related use, the plan must show the location of the required interior refrigerated refuse locker.

**[4]** Floor plans, fully dimensioned, of each level, which shall include, but not be limited to, basements, cellars, lobbies, mezzanines and attics, and labeling of all interior spaces with their uses; seating diagrams and emergency egress plans are required for all places of public assembly;

**[5]** Building elevations and sections, which shall include the following:

**[a]** Existing and proposed grades in Nassau County Vertical Datum;

**[b]** Finished floor elevations for each level;

**[c]** Building height elevation(s);

**[d]** Building/Site section(s) as required to adequately analyze the site development;

**[e]** Proposed finish materials for all exterior surfaces;

**[f]** Scale drawings indicating the design, color and material of all signs, accompanied by an explanation of the lighting mechanism.

**[6]** Perspective drawing(s) of all principal buildings;

**[7]** Schematic landscape, grading, drainage and lighting plans;

**[8]** Full environmental assessment form in the format required by the State Environmental Quality Review Act;

**[9]** Traffic analysis, including capacity and level-of-service for the nearest signalized intersection(s);

**[10]** Disclosure affidavit from applicant.

**(d)** For additions or alterations of multiple residence, commercial or other nonresidential structures or variances for nonresidential uses:

**[1]** Title page, which shall include the following:

**[a]** Key map showing clearly and accurately the location of the property in relation to the neighboring streets;

**[b]** Zoning/site data analysis which shall include zoning district information; permitted and proposed data for all zoning criteria, including, but not limited to, floor areas by use, lot coverage, building height, parking; and the quantities of pervious and impervious surfaces. All zoning calculations shall be based on gross floor area as required in this chapter;

**[c]** Names of the appropriate water and sewer districts;

**[d]** Name and address of the applicant, and the name and address of the owner of the site, if different from the applicant. If the applicant or owner is a corporation or partnership, the names of all principals shall be included;

**[e]** Name(s) and contact information of the professional engineer, land surveyor, architect, landscape architect and/or land planner involved in preparing the plans;

**[f]** Area map of the subject site and all properties within a radius of 300 feet of any contiguous property owned by the applicant. The area map must be accurately drawn to scale and shall include the names of property owners, as well as section, block, and lot information for all properties within the three-hundred-foot radius.

**[2]** Survey of existing conditions showing, at a minimum, the locations of all existing buildings, parking areas and access points;

**[3]** Schematic site plan, which shall include the following:

**[a]** Location and arrangement of all buildings and structures;

**[b]** All proposed parking and loading facilities, access aisles, and all pavement markings, fully dimensioned;

**[c]** Location and width of landscaped buffers, if applicable;

**[d]** Location and type of equipment provided for storage and disposal of garbage and refuse; if the application is for a restaurant, delicatessen, retail grocery or other food-related use, the plan must show the location of the required interior refrigerated refuse locker.

**[4]** Floor plans, fully dimensioned, of each level, which shall include, but not be limited to, basements, cellars, lobbies, and mezzanines, and labeling of all interior spaces with their uses; seating diagrams and emergency egress plans are required for all places of public assembly;

**[5]** Building elevations and sections, which shall include the following:

**[a]** Finished floor elevations for each level;

**[b]** Building height elevation(s);

**[c]** Proposed finish materials for all exterior surfaces;

**[d]** Scale drawings indicating the design, color and material of all signs, accompanied by an explanation of the lighting mechanism;

**[6]** Schematic landscape, grading, drainage and lighting plans, if applicable;

**[7]** Short environmental assessment form;

**[8]** Disclosure affidavit from applicant.

**(2)** All plans and accompanying documents shall be prepared by the appropriate professional(s) licensed in the State of New York and shall be prepared at a scale sufficient to clearly present the required information for review.

**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.

**(a) Where an application for a variance, appeal for determination, or conditional use permit is adjourned, the Secretary to the Board of Zoning and Appeals shall publish notice of the new hearing date in the local newspapers at least 10 days before the date of the new hearing. 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.

[Amended 1-29-2019 by L.L. No. 3-2019]

**(a) Where an application for a variance, appeal for determination, or conditional use permit is adjourned, the applicant must notice the new hearing date. For applications for additions and alterations to one-or two-family residential structures, notice may be provided to only the adjoining property owners, in the manner provided herein. For all other applications, notice must be provided to property owners within a radius of 300 feet of the site, in the manner provided herein. Not less than 10 nor more than 20 days before the hearing, the applicant shall send, via first-class 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. The applicant must file an affidavit as to the mailing of such notices in accordance with this sub-section with the Secretary to the Board of Zoning and Appeals not less than five days before the hearing.**

**(3) Sign notice requirements for Board of Zoning and Appeal applications.**

**(a) For all commercial applications, with the exception of applications for signs, and for all applications for new homes and for subdivisions, the following requirements shall apply:**

**(1) Sign notice shall be given by the property owner of the subject property by posting a sign stating the nature of the application, and the time, date, and place of the public hearing to be held by the Board of Zoning and Appeals on the property which is the subject of an application.**

**(2) The sign shall be posted at least 10 days prior to the date of the public hearing to be held by the Town Board.**

**(3) The sign shall be visible from adjacent rights-of-way, including waterways.**

**(4) If the subject property is on more than one right-of-way, a sign shall be posted facing each right-of-way.**

**(5) If the sign is destroyed or removed from the property, the owner of the subject property shall be responsible for replacing it.**

**(6) The sign shall be no less than 34' by 48' in size.**

**(7) Five days prior to the public hearing, the owner of the subject property shall execute and submit to the Department of Planning an affidavit of proof of the posting of the public notice sign(s) according to this section. If the owner of the subject property fails to submit the affidavit, the public hearing will be postponed until after the affidavit has been supplied.**

**(8) Section 227(D)(3)(a) shall apply to all Board of Zoning Appeals applications which have been adjourned.**

#### **Section 4.**

Section 70-238 of the Town Code of the Town of North Hempstead is hereby amended to read as follows:

**A.** Whenever an owner or owners of real property in any district or whenever the owners of more than 50% of the frontage in any district or part thereof affected by a proposed change of the ordinance or change of the Zoning Map shall present to the Town Board a petition duly signed and acknowledged, requesting an amendment, supplement, change, modification or repeal of the regulations prescribed for or of the Zoning Map including such district or part thereof, it shall be the duty of the Town Board to hold a public hearing thereon and cause notice thereof to be given in the manner prescribed in § **70-238A(1)** through **A(3)**. The aforesaid petition shall be accompanied by 10 copies of Items 1 through 4 below, to be filed in the Building Department, Permit Division:

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

**(a)** Key map at a minimum scale of one inch equals 1,000 feet, showing clearly and accurately the location of the property in relation to the neighboring streets;

**(b)** Zoning/Site data analysis clearly identifying any items in which the proposed development plan will not conform to the standards of the proposed zoning designation;

**(c)** Names of the appropriate water, sewer and school districts;

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

**(e)** Name(s) and contact information of the professional engineer, land surveyor, architect, landscape architect and/or land planner involved in preparing the plans;

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

**(g)** Names of all abutting streets and whether said streets are Town, county or state highways;

**(2)** Survey of existing conditions, prepared by a New York State licensed land surveyor at a scale of one inch equals 40 feet or larger, showing at a minimum:

**(a)** The locations of all existing buildings, driveways, patios, fences and accessory structures;

**(b)** The locations of property lines with bearings and distances clearly marked;

**(c)** The locations of all monuments, stakes or other permanent boundary markers;

**(d)** Underground and overhead utilities;

**(e)** The locations of all easements, if applicable;

**(3)** A schematic site plan which shall include the following:

**(a)** Location and arrangement of all principal buildings and structures;

**(b)** Location of proposed parking and loading facilities, access points and circulation aisles;

**(c)** Preliminary landscaping plan showing the locations and widths of all vegetated buffers;

**(d)** Any proposed right-of-way improvements or road widening;

**(4)** Building elevations and perspective drawings;

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

**(a)** Boundary description of the property to be rezoned;

**(b)** Affidavit of ownership or notarized owner's authorization form;

**(c)** Full environmental assessment form;

**(d)** Traffic analysis, including capacity and level-of-service for the nearest signalized intersections;

**(e)** Water and sewer availability letters;

**(f)** Copies of any restrictive covenants existing on any portion of the site;

**(g)** Photographs of all properties abutting the parcel and across from the parcel within 300 feet;

**(6)** A Phase I environmental audit prepared in accordance with the American Society of Testing and Materials (ASTM) standard practice for environmental site assessments for commercial real estate (ASTM E 1527, 2000) shall be required for all petitions to rezone commercial and industrial zoned and/or used properties to a residential use.

**B.** Hearing notice requirements.

**(1)** The Town Clerk shall publish notice of the public hearing for a change of zone in the local newspaper(s) of record 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.



**(a) Where a change of zone application is adjourned, the Town Clerk shall publish notice of the new hearing date in the local newspaper(s) of record 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 with the Town Attorney not less than seven days before the hearing. Not less than 10 days nor more than 20 days before the hearing, the applicant shall send, by registered or certified mail, a notice to each affected owner identifying the subject property, the proposed zoning designation and the date, time and place for the hearing.

**(a) Where a change of zone application is adjourned, the applicant must provide notice of the new hearing date 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 with the Town Attorney not less than seven days before the hearing. Not less than 10 days nor more than 20 days before the hearing, the applicant shall send, via first class mail, a notice to each affected owner identifying the subject property, the proposed zoning designation and the date, time and place for the hearing.**

**(3)** Sign notice requirements for rezoning applications:

**(a)** Sign notice shall be given by the property owner of the subject property by posting a sign stating the time, date and place of the public hearing;

**(b)** The sign shall be posted at least 10 days prior to the date of the public hearing;

**(c)** The sign shall be visible from adjacent rights-of-way, including waterways;

**(d)** If the subject property is on more than one right-of-way, a sign shall be posted facing each right-of-way;

**(e)** If a sign is destroyed or removed from the property, the owner of the subject property shall be responsible for replacing it;

**(f)** Five days prior to the public hearing, the owner of the subject property shall execute and submit to the Town Attorney an affidavit of proof of the posting of the public notice sign(s) according to this section. If the owner of the subject property fails to submit the affidavit, the public hearing will be postponed until after the affidavit has been supplied;

**C.** Fees and costs. Fees for a proposed rezoning of property shall be as stated in Article **XXIII**, § 70- 221.

**D.** No area of the Town shall henceforth be rezoned as Industrial B unless the Town Board shall make a specific finding that Industrial B zoning, to the exclusion of all other available zoning, is the only zoning which will enable the owner to realize a reasonable economic return on the property. Absent such a finding, all applications for Industrial B zoning shall be denied.

**E.** No area of the Town shall henceforth be rezoned as Golden Age Residence District unless the Town Board shall make a specific finding that Golden Age Residence zoning, to

the exclusion of all other available zoning, is the only zoning which will enable the owner to realize a reasonable economic return on the property. Absent such a finding, all applications for Golden Age Residence zoning shall be denied.

**Section 6. Severability.**

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 7. Effective Date.**

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

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

**NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on November 19, 2019 at the Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. 15 of 2019 was adopted. The Local Law amends Chapter 70 of the Town Code entitled "Zoning" to amend the notice requirements for Board of Zoning Appeals applications, site plan applications, and change of zone applications, which have been adjourned with or without a date certain. The changes will require both applicants and the Town to fulfill additional notice requirements, including but not limited, to a requirement that all applicants to the Board of Zoning Appeals post a notice of a scheduled hearing at the site that is the subject of the application.

DATED:     Manhasset, New York  
              November 19, 2019

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney    Town Clerk    Planning    Building

# NEWSDAY AFFIDAVIT OF PUBLICATION

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

RECORDED  
INDEXED  
OCT 16 2019  
SUFFOLK COUNTY

STATE OF NEW YORK)

Legal Notice No.

0021536438

: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:

Sunday

October 13, 2019

Nassau

**SWORN** to before me this

14 Day of October, 2019.



---

Jason A. Neknez  
Notary Public - State of New York  
No. 01NE6219108  
Qualified in Suffolk County  
My Commission Expires 03/22/2022



**Ad Content**

Legal Notice # 21536438

**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 24th day of October, 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 change the notice requirements for the Board of Zoning Appeals ("BZA") applications, site plan applications, and change of zone applications, which have been adjourned with or without a date certain. These notice requirements will apply both to the Town and to applicants and will require, among other things, BZA applicants to post a notice of a scheduled hearing at the site that is the subject of the application.

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

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

Dated: Manhasset, New York  
October 10, 2019

BY ORDER OF THE  
TOWN BOARD OF  
THE TOWN OF NORTH HEMP-  
STEAD

WAYNE H. WINK, JR.  
Town Clerk

**NEWSDAY PROOF**

Advertiser: TOWN OF NORTH HEMP TOWN CLERK  
Agency: TOWN OF NORTH HEMP TOWN CLERK  
Ad Number: 0021536438  
Start Date: 10/13/2019  
End Date: 10/13/2019  
Price: \$212.00  
Ordered By: Legaladv@newsday.com

Phone: 5168697625  
Contact: BRANDON  
Section: Legals  
Class: 11100  
Size: 1 x 53 Times: 1  
Date: 10/11/2019  
Zone(s): C-Nassau

Signature of Approval: \_\_\_\_\_ Date: \_\_\_\_\_

# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No. 0021547163

: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:

REC'D TNH TOWN CLERK  
NOV 29 '19 AM 11:07

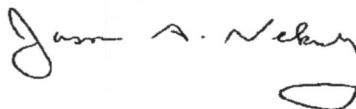
Monday November 25, 2019 Nassau

**SWORN** to before me this  
25 Day of November, 2019.



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Jason A. Neknez  
Notary Public - State of New York  
No. 01NE6219108  
Qualified in Suffolk County  
My Commission Expires 03/22/2022



**Ad Content**

Legal Notice # 21547163  
NOTICE OF ADOPTION  
PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on November 19, 2019 at the Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. 15 of 2019 was adopted. The Local Law amends Chapter 70 of the Town Code entitled "Zoning" to amend the notice requirements for Board of Zoning Appeals applications, site plan applications, and change of zone applications, which have been adjourned with or without a date certain. The changes will require both applicants and the Town to fulfill additional notice requirements, including but not limited, to a requirement that all applicants to the Board of Zoning Appeals post a notice of a scheduled hearing at the site that is the subject of the application.  
DATED: Manhasset, New York, November 19, 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 TOWN CLERK  
Agency: TOWN OF NORTH HEMP TOWN CLERK  
Ad Number: 0021547163  
Start Date: 11/25/2019  
End Date: 11/25/2019  
Price: \$168.00  
Ordered By: Legaladv@newsday.com

Phone: 5168697625  
Contact: P GARILLE  
Section: Legals  
Class: 11100  
Size: 1 x 42 Times: 1  
Date: 11/20/2019  
Zone(s): C-Nassau

Signature of Approval: \_\_\_\_\_ Date: \_\_\_\_\_

REC'D TNH TOWN CLERK  
NOV 29 '19 AM 11:07





MR. WINK: Item 2, a public hearing to consider the application of Autozone Parts, Inc. for a change of zone from "Residence-C" to "Business-A and Parking" for the premises located at 565 Old Country Road and 20 Longfellow Avenue, Westbury and designated on the Nassau County Land and Tax Map as Section 10, Block 60, Lots 210 and 220.

COUNCILWOMAN RUSSELL: This proposed action is a rezoning of a 15,000 square-foot, single-family home -- single-family lot to enable the construction of an additional 19 parking space in the lot in conjunction with the proposed 7,381 square-foot auto parts store. The applicant is here. Would you like to make a presentation?

MR. MIGATZ: For the applicant, Bruce W. Migatz, Albanese and Albanese, 1050 Franklin Avenue, Garden City, New York. Since the last hearing, which we had on October 10th, I had two meetings; one meeting was with three members of the Board of Directors of the Polish Quarters Neighborhood Association and then just last night I had a meeting with about 12 residents from the immediate vicinity. Some of them indicated they would be here tonight. I'd rather not paraphrase what was discussed so I would -- I would ask if they could come forward and say what they want to say and then we could respond, if that's acceptable.

MR. WINK: We have two cards currently on this item. I don't know if they reference the people you're referring to. Councilwoman do you want to --

COUNCILWOMAN RUSSELL: Yes, if you can please call the cards.

MR. WINK: George Carerra.

MR. CARERRA: I was present at the meeting yesterday.

MR. WINK: I'm going to ask you come up to the microphone and identify yourself, please.

MR. CARERRA: My name is George Carerra. I reside at 39 Emerson Court, just adjacent to Longfellow. I attended yesterday's meeting because I was unable to attend the first meeting due to a medical appointment. So I attended yesterday's meeting when I found out about it in the afternoon. So what you voted for a few minutes ago makes sense that the first notice that I was given I wasn't able to attend. Giving the public the second option to attend a meeting is great. So that was a great move. Appreciate that. So I'm just concerned with the current situation as it is on Longfellow and Old Country Road. You can't even make a right without waiting five, ten minutes. And definitely you can't make a left because it's so congested. There's a gas station there and a diner next door there. The businesses is businesses and that's what Old Country Road is. But how could they change the zoning from Residential to Commercial without seeing the danger that that change is going to impose due to the increase of traffic when Longfellow and Emerson Court, which is directly across from where they're going to be taking in deliveries, is where the kids get picked up to go to school? I don't have kids but I'm still concerned for them. I think they really need to look at the entire picture and see how that can work. For those who make it safe, no traffic signal. There's a stop sign. It's right next to the cemetery and Eisenhower Park. The line extends all the way to the police station, the ambulance station. That's how long that line gets from School Street, which is off the park and the cemetery, that line goes as far back to the satellite ambulance station on Old Country Road. So that very corner is where they would like to place it. And changing the zone without doing the proper analysis and seeing how they can make that safe is putting the cart before the horse. So once it's approved, who's going to figure out that they need a traffic signal? They need to protect the children that are there every school day getting picked up. At minimum it's six buses on that very corner where the truck -- where according to the drawing right here, the truck backs up to make the delivery. This is Longfellow here (indicating.) This is Old Country Road and this is where you're going to have to send someone to stay there between 3:00 and 6:00 to show you that you can't even make a left turn, a right maybe but never a left turn. So they should at least consider a

signal light or -- how is this going to impact because this is the Autozone. This is commercial. This is already now into the residential area and that's where the deliveries come in. This stop sign over here, the second stop sign, that's where the buses stop to pick up the kids. So I think that the permit application from the current owner of the property is not Autozone, it's the current owner. So should I -- can I do that as well, sell my house and rezone it commercial and sell it as well? I mean, because that's the residential back there. This is commercial and now they want to make residential commercial. So I think they need to factor in and consider all the safeties. There's not enough room. A tractor trailer can't even do it. I already when twice to the car dealer where those big huge trucks -- those blue trucks come to make a U-turn on our street and they're knocking down tree limbs and everything. It's inappropriate and I think now that I know that I can come here and voice my concern, I will probably do that when situations like that occur. But right now, I think it's unsafe and they should do a complete analysis of that entire corner before they extend this from 11 parking spot to 40 -- parking spots -- 40 parking spots is what they want.

MR. WINK: Mr. Carerra --

MR. CARERRA: What about snow blowing in the winter?

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

MR. CARERRA: Sorry?

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

MR. CARERRA: Okay. Thank you very much.

SUPERVISOR BOSWORTH: I just wanted to say --

MR. CARERRA: I appreciate it very much. Thank you very much for your consideration. Have a good holiday.

SUPERVISOR BOSWORTH: — I just wanted to say -- no, no, no, don't leave. I know Councilwoman Russell wants to say something. But I was glad to hear that you know that you can come here to voice concerns and that now that you know if there are concerns, you will come. That's why we have meetings.

MR. CARERRA: I appreciate that. I work for the City myself. I'm in the process of retiring due to a disability. I work for the City, the County of Queens as the Director of Facilities for the Public Library System for 25 years. So I'm home. And I'm home and often I'm seeing the buses so I'm getting used to that and seeing the neighborhood. The and buses is good but to have tractor trailers and putting these people in danger I think is no good.

SUPERVISOR BOSWORTH: Thank you.

MR. CARERRA: Have a good evening, everyone.

SUPERVISOR BOSWORTH: Thank you.

COUNCILWOMAN RUSSELL: Thank you.

MR. CARERRA: And thank you, Councilwoman.

COUNCILWOMAN RUSSELL: Thank you for coming. You're welcome.

MR. WINK: Laverne Washington.

MS. WASHINGTON: Good evening, everyone.

COUNCILWOMAN RUSSELL: Good evening.

MS. WASHINGTON: Good evening Councilwomen. Thank you for the opportunity to

stand up. I live at 41 Emerson Court. I've been a resident of this community for 21 years. For those of you who don't know, Emerson Court, Longfellow Avenue, Bryant Street, Whittier, Irving, that whole little area there, we are a community, very diverse community, and we live in an area that's really quiet and peaceful and we would like to keep it that way. And I had a meeting at my home last night and I want to say thank you to Mr. Bruce -- I can't think of his last name.

MR. MIGATZ: Migatz.

MS. WASHINGTON: Yes. Thank you for coming out on such short notice. Thank you, Vivian Russell, Councilwoman, for having representation there. I had 12 residents at my home last night. And all of them, after hearing what was being proposed, we found out recently that a lot of them didn't even know about the program, the project that they were proposing. After hearing about it and after discussing it, there was not one person, one resident in that neighborhood in my home that thought this was a good idea for the neighborhood. We couldn't find any benefit to any of us to have this kind of business in our neighborhood bringing in extra traffic, already in an area that's highly congested. I use Longfellow Avenue, as many of do that live right in that circle, to exit our neighborhood and to enter. And already it's just so much congestion, it's so hard to do that. We have the gas station there that brings in a lot of business, a lot of traffic on Old Country Road. There were other issues and concerns that was raised about knowing of other Autozones in other neighborhoods and some of the problems that they have are that people buying auto parts, usually, you know, going in for auto parts to buy their own auto parts, these people aren't mechanics. So now they buying the parts but they need someone to -- to put those parts on those vehicles. So they don't -- they might not allow them to do it on the premises of the Autozone but, you know, some of them -- they're there. The mechanics are soliciting business. You go around the corner, drive two blocks over and I'll put your windshield wipers on. I'll fix your mirror over here. So they're finding that that traffic that may not be allowed to -- the things that's not allowed to happen on the premises of Autozone, is happening right into their communities. I love my neighborhood. I -- my neighbors, we love where we live. And I'm just asking, I am so -- I'm such a -- I'm a no for this project. I see no value to any of us that this would come into our community. And rezoning, you're talking about 40 parking spaces. You're talking about additional traffic on top of the issues that we have already. A lot of the neighbors couldn't be here but there was a petition passed around and that we were asked to read and to sign. I have 18 signatures of the residents that -- from Emerson Court and Longfellow. The residents that would be directly impacted by this project and every one of them said no. There was not one positive thing that any of us could voice that we felt that this would bring any value. They talked about the beautiful landscaping that this project will bring. Well, how -- do you think we can appreciate beautiful landscaping when we can't even turn into where we live or leave out of where we live? Because now we have all of this additional traffic that's causing traffic jams and problems. George talked about the safety of the children in the neighborhood. Like, I would just ask that each one of you think about where you live and how you feel about home and if that place is a special place for you and a place you enjoy being in, how would you feel if a business like this was coming into your neighborhood, ready to rezone your neighborhood? It's just -- I just ask that you think about that before you rule on this. And thank you so much for hearing us. But I have the signatures and I'll give them to whoever I need to share them with.

COUNCILWOMAN RUSSELL: Mr. Wink.

MS. WASHINGTON: Okay. And I appreciate your time.

MR. WINK: Thank you.

COUNCILWOMAN RUSSELL: Do you have any more cards, Wayne?

MR. WINK: No.

COUNCILWOMAN RUSSELL: Is there anyone else wishing to be heard concerning this matter?

COUNCILWOMAN RUSSELL: Mr. Migatz, if you can address some of the concerns.

MR. MIGATZ: Thank you. I did address these concerns last night. With respect to Mr. Carerra -- Carerra -- am I pronouncing that correctly --

MR. CARERRA: Yes, sir.

MR. MIGATZ: -- concerns, I explained that this is just the first step in this process. That if this board changes the zone to permit the parking lot, that doesn't mean this is going to be built. We have to go for site plan review before this board again. And we have to go before Nassau County for a 239F review. We need a curb cut on Old Country Road. If Nassau County says no, it's dangerous, that's the end of the project. If this board, as part of site plan review, finds based upon expert testimony, that it's dangerous, that's the end of the project. This is just the first step. We have, through Bohler Engineering and Atlantic Traffic, designed what we feel is a safe design. We didn't just throw it together. And John -- John Harter from Atlantic Traffic testified last time, as did Eric Jeter from Bohler. They're here again. I don't think they have to repeat that. But this will be looked at again, as well as whether or not there's a need for a traffic signal at that intersection. So this is just -- this is just the first step in that process. Those safety concerns will be addressed. And the project may die on the vine at that point. With respect to Ms. Washington's concern, we did talk about the majority, in my opinion, the majority of the issues raised last night, had to do with we don't want an Autozone there because of the potential for traffic and because of the potential for people repairing cars in the parking lot. There was very little discussion about, if any, about how the parking lot's laid out, how the landscaping is laid out. They didn't focus on that. And I tried to say, this is a change of zone for a parking lot. Autozone is a permitted use. This is not to allow Autozone. Autozone can go into this store or some other -- some other store can be built for an Autozone or some other used parts -- not used parts, auto parts store and you would have the same problems about traffic, about people doing the repairs. That's not what this application is about. This application is about how to improve this corner for -- for everybody. So it's not about, we don't like Autozone. We don't want repairs being made. It's about whether or not to improve a building that has no -- has nine parking spaces for a 12,000 square-foot building. Is it best for the community to allow a new, smaller building go there with a bigger parking lot, not who's going to occupy it. We did -- I did submit to Councilwoman Russell, I don't know if she shared it with the board members. Did you share that Councilwoman about the repairs?

COUNCILWOMAN RUSSELL: No, I did not. But I will comment that Mr. Migatz did meet, as he stated, with the three members of the board from Poets Corner and the concerns that came out of that meeting was, again, people doing repairs in the parking lot, as well as security. And so they did send a letter stating that they will have someone patrolling the parking lot to make sure that no one's doing repairs, as well as installing security cameras in the parking lot.

MR. MIGATZ: But Autozone is -- is nationwide. I discussed this with Mr. Smith, who is the real estate development manager. He's here tonight again. They don't experience that problem in the suburbs. In inner cities, they do experience that problem where people hang out in the parking lots and they say, let me fix your car for you. In all their stores in suburbs they don't have that problem. They don't normally have security cameras in the parking lots. But because this was raised and it's a big issue, they agreed and they'll put it in writing, they agreed to install security cameras in the parking lot that will be monitored at the cashier's

desk to police the parking lot to enforce no repairs in the parking lot. In addition, the Autozone employees are in the parking lot quite frequently. I explained this last evening. A customer comes in, I need a headlight for my car. You know, what -- what car do you have? What year is it? I'm not sure. What's the vin number? I don't know. They go in the parking lot, they take off the vin number. They look up the right car. So they're quite often in the parking lot for things of that nature. So they -- they can -- they can police it. Not everybody in this community is against this. Ms. Washington's neighbor at 43 Emerson sent in a signed consent form. The two people who are most affected by the proposed parking lot, the one that lives north of it and who lives directly across the street from it, consented to this application. They're the ones most affected by it. So not everybody in the community is against this. And I think the ones who are most affected are for it. In exercising their zoning powers, the local authorities must act for the benefit of the community as a whole following a calm and deliberate consideration of the alternatives and not because of the whims of either an articulate minority or even a majority of the community. Those are not my words. I'm not that eloquent. It's the words of the Court of Appeals of the New York State -- New York State's highest court. It is a zoning case Udell versus Hass, which I cited in a memo of law. So this board should look at the alternatives. We have a building that is prior nonconforming; 12,000 square feet, nine parking spaces, maybe 11 if you count the ones that nobody uses on one side of the building. One of the objects of zoning is to eliminate nonconforming buildings, to bring them into conformity. That's what this project is proposing to do for the better of the community. What are the alternatives that the court says you must look at? Well, if you deny this application, Autozone, or any other retail store or many stores, could go into that existing building as of right. Retail to retail, 12,000 square feet, nine -- maybe 11 parking spaces. What kind of traffic is that going to generate compared to a 7,000 square-foot Autozone store? I'd like to have John Harter address that from Atlantic Traffic. John.

MR. HARTER: Good evening. I was at the prior hearing. John Harter, principal of Atlantic Traffic Design Engineers. So as Mr. Migatz explained, the current use is about 12,000 square feet. Autozone is doing the right thing in that they are improving the access significantly. There are two access points on both frontages and in the proposed condition they would have a single access on each frontage and would eliminate what's on Longfellow is over 120 foot curb line opening that's very undesirable from a traffic perspective. And if the site were reoccupied as a -- you know, I looked at ITE and some other estimates for just over a 12,000 square foot building if it were a shopping center broken up into different tenants, you know, that would have a significant increase in traffic over Autozone. The Saturday would be about 120 trips. ITE indicates in a peak hour, Autozone is 85. If it were a pharmacy without a drive-thru, about 12,000 square feet that would result in about 135 trips compared to 85 by an Autozone. And additionally, if you were to -- if one of these uses were to go in the current situation, the parking would spill out beyond what is available on the site into the neighborhood potentially. So Autozone in this case, I feel is a lower generator on the -- in terms of intensity for retail uses and is better in terms of fixing the access, creating the proper parking for the site so that it doesn't spill over and a lower generator, as I described compared to other uses. Thank you.

MR. MIGATZ: In addition to that, we would subdivide that residential lot that now has one house into two houses. Another alternative if you could --

COUNCILWOMAN RUSSELL: I'm sorry. Can you just go back to the statement you just made about subdividing.

MR. MIGATZ: Well, if you're going to not rezone a 15,000 square-foot residential property and you leave that residential, it has one house on it now. It has enough lot area for three

houses but just enough frontage for two houses. So you could put two houses there with -- which would also add to the traffic. Another alternative possible, if you can find somebody to tear down this building and build a smaller building, whether or not that's going to yield an economic return for them to do that. We did a -- we did a sketch site zone. You could build a new 4,500 square-foot building and have the minimum number of 12 parking spaces as of right. But you put retail stores in a 4,500 square-foot building with 12 parking spaces, you're going to have overflow traffic. Overflow parking, I mean, on the side streets. That's what Autozone wants to prevent. That's why they want to build a bigger parking lot. They want to be good neighbors. They don't want to build a smaller store, have the minimum number of parking spaces and have neighbors calling up and complaining that people are parking in front of my house on a Saturday afternoon. But that's an alternative. And, of course, the third alternative is it goes vacant. Nobody wants to occupy the current building because it only has nine parking spaces, maybe eleven. The economics don't work to tear it down and build a 4,500 square-foot building. So it goes -- it stays vacant and it becomes an eyesore to the community. I don't, you know, I don't see any other than those three alternatives. So as the Court of Appeals says, this board after calm and deliberate consideration of the alternatives, and not because of the whims of either an articulate minority or majority, you have to make that decision. It's a tough decision but it's your decision. We think -- we think what we are proposing is best for the community as a whole. Yes, not everybody's going to be happy with it. You know, 31 houses are within the 300 foot radius. You know, two people came to speak tonight. Two people came to speak at the last meeting. We -- we think this is the best thing for the community. You have a tough decision to weigh the alternatives. I'm glad it's your decision and not mine. We'll respect your decision but we think what we're proposing is the better thing for the community at large and we hope you agree.

COUNCILWOMAN RUSSELL: So I do have a question with regard -- can you just turn to the -- the drawing of the entrance on Longfellow. Yes.

MALE VOICE: This one right here.

COUNCILWOMAN RUSSELL: Yes. Okay. The tractor trailers that are proposed to make deliveries, they would enter in off of Old Country Road and exit out of Old Country Road or would they be entering and exiting on Longfellow?

MR. JEETER: In and out of Old Country Road. They would be maneuvering in through here moving out here. Backing up, off loading here and then coming back down through here.

MR. MIGATZ: Just let the record reflect back through here is back through Old Country Road.

MR. JEETER: Thank you.

COUNCILWOMAN RUSSELL: Right. But there would be no -- when you said nosing out, that means they would be coming out onto Longfellow and back into the loading dock?

MR. JEETER: It's really just depending on the driver's -- the driver's maneuverability. But I think that -- I think that when we ran the truck, the nose would come out right where the existing cut is. So, you know, the -- you have here -- the existing parking actually comes out to this dark gray line along Longfellow.

MR. WINK: Mr. Migatz, could you ask this gentleman to identify himself for the record.

MR. JETER: Sure.

MR. WINK: Thanks.

MR. MIGATZ: Sorry.

MR. JETER: It's no problem. Eric Jeter, Project Manager with Bohler Engineering, 2929 North Expressway, Hauppauge.

MR. WINK: Thanks.

MR. JETER: My apologies.

MR. CARERRA: May I say something? The -- with the Longfellow connection --

MR. WINK: I'm going to ask you to come up to the microphone, Mr. Carerra.

MR. MIGATZ: Can we just have Mr. Jeter finish his testimony.

COUNCILWOMAN RUSSELL: Yeah, let him finish and then you can ask your question.

MR. JETER: Yes. So we would be entering from Old Country Road using the parking area here, as well as the road onto Longfellow for maneuvering to off load and then leaving out on Old Country Road. So the trucks wouldn't drive up Longfellow or down -- north on Longfellow or down south on Longfellow.

COUNCILWOMAN RUSSELL: You had a question, Mr. Carerra?

MR. CARERRA: Yes. But it's on the other drawing actually. If I may. Do you have the one with the zone that shows the circle on Emerson Court that you showed us yesterday by chance?

MR. MIGATZ: That's the radius map.

MR. CARERRA: Just to show you exactly where the two -- the school pickups are for high school, the junior high school and the public school. It's in that same -- where that tractor's going to be working.

MR. MIGATZ: I don't think so.

MR. CARERRA: So this is Emerson Court. This -- this is where -- this is the existing lot. This is where he wants to backup. From here to here is the school pickup for the kids in this entire neighborhood, from here -- this is Emerson Court, it's a cul-de-sac, from junior high school, high school and the public school is here. And look at this street. Barely you can even get your car down that lane.

MR. JETER: That right.

COUNCILWOMAN RUSSELL: Does it go to Emerson on Longfellow or is on Emerson On Longfellow or on Emerson? The bus pickup.

MR. CARERRA: The bus pickup is right here.

COUNCILWOMAN RUSSELL: It's on Longfellow.

MR. CARERRA: It's on Longfellow. Over here there's a bus every morning. This is where starts. So he starts from picking up public school. Over here is high school and junior high school and that's Emerson Court. The street is not that narrow. You barely can fit two cars there.

MR. JETER: All right. So the parking is restricted along -- so the parking is currently restricted along --

MR. CARERRA: That's right.

MR. JETER: -- up to here and then also here? Is it also restricted here?

MR. CARERRA: No, no.

MR. JETER: So you can park on the street here. Can you park on the street through Emerson Court?

MR. CARERRA: Yes, you could. Because this is all no parking over here at all right now.

MR. JETER: No parking on both sides.

MR. CARERRA: Right.

MR. JETER: Well, not both sides.

MR. CARERRA: Both sides.

MR. JETER: Because he's got his parking there.

MR. CARERRA: Yes, his parking lot for his home but there's no vehicles allowed there. There's a sign that says, from here to the corner, there's no parking on both sides.

MR. JETER: Right. So on the -- he actually backs out into Longfellow for his parking. Correct.

MR. CARERRA: I guess, yeah. His parking is right here.

MR. JETER: So our concern is if we're just developing the south lot here --

MR. CARERRA: Right.

MR. JETER: -- the one that is zoned commercial, the excess parking will be found on Emerson Court and this section of Longfellow, where it's legal to park for anybody in there.

MR. MIGATZ: I think you could better explain to Mr. Carerra what do you mean by -- by nosing out. You are not blocking the whole street.

MR. JETER: Right. We're not blocking the street. We're just putting the nose of the truck onto the driveway.

MR. MIGATZ: So backing --

MR. CARERRA: I'm perfectly fine. All I'm saying is we need to consider safety. You gonna zone it and then consider safety. You should consider safety before rezoning. Is someone going to take a look at that area between 3:00 and 6:00 in the evening.

MR. JETER: Yeah.

MR. CARERRA: And when the kids are being dropped off, it's no less.

MR. JETER: It's busy along every --

MR. CARERRA: It's a business. It's going to end up winning. I know that but they need to factor that in in the process. That's all I'm saying.

MR. JETER: Yeah. No, absolutely. Ultimately along Old Country Road every single corner is busy and every single corner has a, you know, a vibrant commercial presence. So if we went down to the exact corner to the east, we have Checkers.

MR. CARERRA: You make an excellent point.

MR. JETER: And then if we go to the next corner, we have --

MR. CARERRA: Because there are so many other blocks on Old Country Road that would be more appropriate for the Autozone than that little tiny strip of residential street there. There's so much more on Old Country Road that is more appropriate for that. Really.

MR. JETER: And what I would say about the property is, you know, we've done several iterations with the commercially zoned property and as we say, we can shoehorn on, you



know, something that's 5,500, 6,000 square feet without using that back lot. It's just the issue of how many -- how many true users they'll be parking compared to how many -- what the minimum parking is. And so, again, Autozone's concern is that parking will end up on Longfellow on both sides of Emerson Court for whoever ends up going into that -- that prime corner section. You know, we also looked at, you know, other users that will end up, you know, wanting to lease that property or redevelop that property and ultimately someone would, as Bruce was saying, you have two options. You either have high occupancy, so office spaces, call centers, people where you have a lot of employees that are there from nine to five, or eight to five.

MR. MIGATZ: Eric, if you could address your comments to the board.

MR. JETER: Sorry.

MS. WASHINGTON: Or a small little bakery or a beauty store. It could be anything. It doesn't have to be something that's going to bring that amount of traffic.

COUNCILWOMAN RUSSELL: Ms. Washington, if you're going to speak, you have to come to the mic.

MS. WASHINGTON: It doesn't necessarily mean that whatever's going to occupy that space is gonna be a business that's gonna bring in the amount of traffic you're talking about. You're talking about a business that's going to be open seven days a week. Seven days a week.

MR. JETER: 7-Eleven is open seven days a week, 24 hours a day.

MS. WASHINGTON: Yeah, well it doesn't have to be a 7-Eleven. I'd rather we cross that bridge when we get to it. Right now we're talking about Autozone.

MR. JETER: But they have that right. The owner has that right.

MS. WASHINGTON: I understand that. But you're talking about something different. You're talking about rezoning with the house is on the back part of that.

MR. JETER: Right.

MS. WASHINGTON: And you're talking about a lot of traffic. If you're going to make 40 parking spaces, you anticipate that there's going to be some volume of business there.

MR. JETER: Absolutely.

MS. WASHINGTON: That we don't want in our community. And I have the signatures and I apologize for a lot of my neighbors couldn't make it this evening. A lot of them wasn't informed and it ran that this date was taking place. They didn't know about it last time. I have the signatures. You all can have conversations with each and every one of them. I was surprised at the amount of residents that knew nothing about it. They're here. I have the signatures.

MR. MIGATZ: Can I see what that petition says?

MS. WASHINGTON: And from what I understand there are other signatures.

MR. JETER: The point that I had was we have -- we have either an overabundance of offsite parking or we have from people who are working in the building from eight to five or we have an abundance of traffic that's going to be coming to this -- this corner the same as the next corner, the same as the next corner. It's the demand. And in order for somebody to ever come in and demolish a 12,000 square-foot building they are expecting to make a return, you know.

MS. WASHINGTON: They may not demolish it at all. They may just --

MR. JETER: That's right. They could --

MS. WASHINGTON: They could fix it up and they may not be granted an 11 or 9 parking spaces that are available now they may not be enough for the new business that may come there.

MR. JETER: Right. It could be. But there could also be an extra need for 30 more stalls and they're going to park their cars on Emerson Court.

MS. WASHINGTON: That won't happen.

MR. JETER: I hope so.

COUNCILWOMAN RUSSELL: Commissioner Levine, the way that the site is currently situated, if another commercial space went into that space with the exact same footprint as it is now, would they have to come before this board and/or the BZA?

MR. LEVINE: They would come in front of this board to build a new or expanded building, 750 square feet of gross floor area. That's the trigger. If the site is 25,000 square feet or more. So I don't remember offhand if you're above or below that threshold. They would need Zoning Board if the number of gross square feet exceeds the amount of parking that they're able to supply. And, of course, we run different ratios for different uses. So if it's a retail use, it's one parking space for 300 square feet of gross floor area ratio. If the parking is insufficient then they're in front of the Zoning Board for the parking variance.

COUNCILWOMAN RUSSELL: So currently it's nonconforming.

COMMISSIONER LEVINE: The current building I believe is nonconforming, right.

COUNCILWOMAN RUSSELL: So they would have to then go before the BZA.

COMMISSIONER LEVINE: To change the use to a different classification they would. You are grandfathered if you stay within the same use classification and the interruption in the use, abandonment it's called, is under 12 months. So you can continue a conforming use. You can change brand names. You can even change store types within the same use category. But when you change to a difference occupancy classification, the parking is recalculated.

COUNCILWOMAN RUSSELL: So if they kept it exactly the same, they would not have to come before any board?

COMMISSIONER LEVINE: Presumably, yes. I'm going to qualify that because we have to look at the specifics. But conceptually yes.

COUNCILWOMAN RUSSELL: Okay.

MR. JETER: Yeah, there is the possibility that an underutilized building now will be 100 percent utilized. So that rather than, you know, the bottom 6,000 square feet being, you know, rarely frequented by furniture shoppers, now you'll have 12,000 square feet being fully utilized for any use within -- within the zoning code -- section.

MR. MIGATZ: The -- I read that petition. The petition is against Autozone. It's against having an Autozone. It's not against having a parking lot.

MS. WASHINGTON: No, it's against stop the rezoning.

MR. MIGATZ: They don't want -- they don't want Autozone. Autozone can go in there as of right now. This is not about keeping out a use that they feel is undesirable. It's about trying to -- this is my bad side, my arm. You should take a picture of this side.

MR. MIGATZ: This is about the -- one of the key objects of zoning, Commissioner Levine will, I'm sure he will agree with me, is to eliminate nonconforming buildings. This is what

this project is about. In order to do so, we are seeking to have a parking district. A parking district is typically used as a buffer between a business zone and a residential zone. That's typically where you find parking district zones. And that is -- I can cite many examples throughout the Town. I'm sure you know about them. You've approved plenty of site plans that have a parking district in between a residence zone and a business zone. That's what we're seeking to do. It's not going to be a detriment to the community. The neighbor who lives next to the proposed parking lot consented to it. And whether we eliminate or not, you're going to have traffic -- there's traffic -- it's a mess. You heard Mr. Washington speak last time. You heard Mr. Carerra speak. It's an existing bad problem. It's not going to go away by itself.

MS. WASHINGTON: And it's not going to get any better by bringing in additional traffic.

MR. MIGATZ: Well, we think this is going to be better. And this is going to put it more to side. What do you think is better for the community at large and not the vocal minority.

MS. WASHINGTON: It's the people who live in the community. We are the ones who live here.

MR. WINK: Yeah. Please address, yeah, we'll take copies of that but please address your comments to the board, not to —

COUNCILWOMAN RUSSELL: Can I see that, Wayne, please.

MR. WINK: Sure.

MS. WASHINGTON: And you did speak about -- he spoke about 43 Emerson Court, which is my direct neighbor, who I did speak to and he did agree with it initially but he said that he had not been to any of the hearings and he didn't actually hear -- know all of the details of the plan. So he didn't realize that they were rezoning the house behind the location for parking - - for that much parking space. He said, I signed it. I wish I didn't sign it and that is what he said to me -- so.

MR. MIGATZ: I would have to move to strike as hearsay.

MS. WASHINGTON: Okay. I'm just sharing.

MR. MIGATZ: The person is not here. He signed the consent forms.

MS. WASHINGTON: I'm just sharing.

COUNCILWOMAN RUSSELL: See if the board members want to see this.

COUNCILWOMAN RUSSELL: It's all the same. Oh, but it's multiple -- multiple pages of signatures. While the board is looking at this, is there anyone else wishing to be heard on this?

COUNCILWOMAN RUSSELL: Commissioner Levine, can you give us your opinion.

MR. LEVINE: Okay. So I'll partially repeat what I said at the last meeting. We agree, it's not in dispute that an auto parts store is allowed on Old Country Road and appropriate for Old Country Road on property that fronting on Old Country Road. The question here is whether to extend the business to property that's fronting only on Longfellow. And the question last time, you do need a justification for that and when the reason for it is to build a parking lot that's almost double what's required under the zoning, it was a hard argument to make we thought. So as we're looking at this, as we're hearing all the comments pro and con, I could support a rezoning of just the strip of land between the current zoning boundary and the current property line. That would enable the use of the full property fronting on Old Country Road is commercial. What I can't recommend is extending that to include the -- the sole residential lot, the one with the house on it now. I just don't see that the case has been

made to extend the business zone that far back.

MR. MIGATZ: May I ask a question?

COUNCILWOMAN RUSSELL: Sure.

MR. MIGATZ: Just looking — would you support zoning a portion of the residential lot to parking district to provide some extra parking to try to prevent overflow parking going onto the residential streets?

MR. LEVINE: If — well, first of all, there's definitely situations in other communities of the Town, we've had chronic parking shortages and we would be looking for a solution to that problem. But I think you're proposing a solution to a problem that we're not having.

I would not want to diminish the residential lot below the number -- it's viable on its own. Because right now, as you said, there's enough lot area for three houses. There's enough frontage for two. If we start chipping away at that, you still want to leave a viable residential lot. I'm not sure if you would do that if you start, again, chipping away at that.

MR. MIGATZ: Well, what if --I think we can but, I mean, you have enough frontage. You have 150 foot frontage -- 150 or 100?

MR. JETER: On the back lot it's 100.

MR. MIGATZ: Yeah, but we have a 100-foot frontage. You can make a 50 -- a 50 by 150 lot for one residential house. That's what you have there now. You have one house there now. So you could cut that lot in half and you would still have one house conforming to Code and you would be able to provide some extra parking for the Autozone store.

MR. LEVINE: Okay. So the next question then would you still have a second curb cut on Longfellow?

MR. MIGATZ: They gave -- they need a second curb cut on Longfellow. But as explained, you know, right now traffic can go up and down Longfellow for the building that's there. So we're not adding a curb cut to Longfellow. There is a curb cut on Longfellow. We're not adding it.

MR. LEVINE: All right. Because obviously I'm not going to give you a definitive yes or no before I see how it's laid out.

MR. MIGATZ: We wouldn't expect you to.

MR. LEVINE: Right. So I would recommend to the board not to advance this plan as it is. Now if you want to re-draw and re-submit, by my criteria right now, I'm only speaking for myself, the remaining residential lot would have to be viable. There would have to be sufficient vegetative buffers between the expanded commercial zone and where the residential zone boundary would end up. I would ask that any curb cut on Longfellow be channelized so that traffic can only be oriented towards Old Country Road not northward into the community. So, I mean, as you know, I've been working here for years, I'm always open to other ideas or other ways of rethinking this. That's what I'd ask you to consider. It's still important to us that the trucks are able to remain on Old Country Road within the parking lot. Now if I'm interpreting your traffic engineer correctly, the K turn that would have to be performed on -- on the lot is such, the cab may extend a little bit into Longfellow but not enough to block any travel lanes.

MR. MIGATZ: We can give you an Auto-Cad drawing on that.

MR. LEVINE: Right. That's what I heard and, of course, we would hold you to do that. So, you know, those are our criteria. If that can be accomplished, yes, I imagine we're open to looking at alternate plans but, yeah, as drawn, I can't -- I can't see going forward with this

layout.

MR. MIGATZ: I respect that. I would ask the board, as I know you've done in other cases, continue this. Allow us an opportunity to submit a revised plan to Commissioner Levine rather than starting from square one. Continue this. We'll give you a revised plan. And we can meet with the community again on the revised plan after we show it to Commissioner Levine and see if we can't have some compromise.

COUNCILWOMAN RUSSELL: I think that's a good route to go. I do have a question regarding the residential property. The house as it's situated now, is it occupied or is that vacant?

MR. MIGATZ: Occupied.

COUNCILWOMAN RUSSELL: It is occupied. And so with what Commissioner Levine has suggested, would that house be able to stay intact? Is there enough side yard on that property so that it would be able to stay intact if you were to re-draw this and take a portion of that land?

MR. MIGATZ: That house is -- is not in very good condition. It's very small. I think the owner -- I'd have to speak to the owner. I would think to make that viable, perhaps a new house would have to be built there or if the house could be preserved, we'd have to look at that. But it's a very old house, very small and in very poor condition.

COUNCILWOMAN RUSSELL: Are there any other comments?

COMMISSIONER RUSSELL: Anything from the board?

SUPERVISOR BOSWORTH: So, you know, one of the things that we always have to be concerned about is when you have a residential area adjacent to a commercial area. And so the concern becomes -- and Mr. Levine touched on it a bit -- that as you chip away and you're -- because you're asking for a change of zone from Residence C to Business A, as you chip away into that residential zone, it makes it more commercial than residential. And so I can understand the concerns of those residents that are living right there. You know, the concern about seeing the commercial part kind of start extending into the residential part. So that's just something that -- that is a concern.

MR. MIGATZ: I understand their concerns. But we're not rezoning -- we're going to rezone a parking lot. No buildings can be built in that parking district zone and it's fully landscaped. It's screened. We can give as much -- more screening. In site plan review, we gave you a preliminary landscape plan. The site plan review, Commissioner Levine is going to pick that apart and he's going to tell us what to plant there, you know. So it can be screened so that you don't know the parking lot is even there.

SUPERVISOR BOSWORTH: So, you know, I think the suggestion of re-looking at it

COUNCILWOMAN RUSSELL: Yes.

SUPERVISOR BOSWORTH: — meeting with the community, meeting with Mr. Levine is a good one.

COUNCILWOMAN RUSSELL: Yeah. I think it's a fair compromise and I know it's the goal of the Planning Department is always to eliminate some of these nonconforming buildings and uses but not at the detriment of the community and having an unwarranted encroachment into a residential community.

MR. MIGATZ: Understood.

COUNCILWOMAN RUSSELL: So I think this is a good compromise. You can go back to the drawing board. I will recommend to the board that we continue the hearing and then

you can go back to the drawing board and come back to us with something that would be more amenable.

MR. MIGATZ: But continue, I presume, without date?

COUNCILWOMAN RUSSELL: Without date.

MR. MIGATZ: We will re-notify everybody once the date is set.

COUNCILWOMAN RUSSELL: Yes.

MR. MIGATZ: Thank you very much.

COUNCILWOMAN RUSSELL: You're welcome.

MR. MIGATZ: And I'm in favor of your next local law.

MR. WINK: Okay. On the motion to continue without date, Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

COUNCILWOMAN RUSSELL: Thank you.

MR. WINK: Public hearings. Item 3, a public hearing to consider the adoption of a local law establishing Chapter 4A of the Town Code entitled, "Balloons."

SUPERVISOR BOSWORTH: So this legislation prohibits the intentional release of balloons within the Town of North Hempstead. It's part of a continuing effort to improve the quality of life for our residents and to protect our environment, including wildlife and marine animals. Is there anybody who has a comment about this?

MR. WINK: We have one card, Jordan Christiansen.

MS. CHRISTIANSEN: Hello, Supervisor and Councilmembers.

SUPERVISOR BOSWORTH: Good evening.

MS. CHRISTIANSEN: Thanks for the opportunity to speak today. I'll be brief. So I know that balloons seem like a very small thing but they actually create a huge outsized problem for our oceans, our beaches and our wildlife. So we really want to thank you for bringing forward this resolution today and urge you to pass it. So both on the north shore and the south shore, as well as globally, balloons are always in the top ten items we find during beach cleanups. The balloons that we release intentionally, whether it's for a memorial or a celebration can make their way hundreds of miles out into the ocean where they end up as microplastics or they can end up, you know, in the belly of the whale, dolphin, seals, turtles, which is not what we want ultimately. So I just want to add that I'm sure you guys know this,

the Town of Hempstead recently passed a similar law after a huge balloon release in Lido Beach and I want to thank you for proactively preventing the same sort of pollution that we're going to see on the north shore. So thanks again.

SUPERVISOR BOSWORTH: Thank you for your comments. Are there any other comments?

SUPERVISOR BOSWORTH: So, Mr. Gaffney, no balloons for your birthday. 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: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: I vote aye but I also want to comment that I have two balloons in my house now because we could not release them. But I will once the helium goes out. But I vote 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. 545 - 2019**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW ESTABLISHING CHAPTER 4A OF THE TOWN CODE ENTITLED "BALLOONS."**

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

**WHEREAS**, a proposed Local Law has been prepared, pursuant to enabling legislation, to establish Chapter 4A of the Town Code entitled "Balloons" to prohibit the intentional release of balloons in the Town in order to reduce the negative impact of balloons on the environment (the "Action"); 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 19th day of November 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 November 19, 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. 16 of 2019 be and it hereby is adopted, which Local Law reads as follows:

**A LOCAL LAW ESTABLISHING CHAPTER 4A OF THE TOWN CODE ENTITLED "BALLOONS".**

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

**Section 1. Legislative Intent.**

It is the purpose and intent of the Town Board to establish Chapter 4A of the Code of the Town of North Hempstead entitled "Balloons" to prohibit the intentional release of balloons in order to reduce the negative impact that balloons have on the environment and improve the quality of life for residents, wildlife and marine animals.



**Section 2.**

**Chapter 4A of the Town Code entitled "Balloons" is hereby established to read as follows:**

**Chapter 4A****Balloons****§ 4A-1 Purpose.**

**The purpose of this chapter is to prohibit the intentional release of helium, latex, mylar and/or lighter-than-air balloons in order to reduce the negative impact that balloons have on the environment and improve the quality of life for residents, wildlife and marine animals.**

**Balloons waste natural resources, litter communities, pollute waterways and are harmful to the wildlife. Balloon ribbon is also hazardous to marine animals and wildlife.**

**The Town of North Hempstead believes all efforts need to be made to prevent further damage to the environment by requiring the proper disposal of balloons and prohibiting the intentional release of balloons.**

**§ 4A-2 Definitions.**

**Unless otherwise expressly provided, for the purpose of this chapter, the following words have the meanings herein indicated:**

**BALLOON**

**A flexible nonporous bag made from materials such as rubber, latex, Mylar, polychloroprene or nylon fabric that can be inflated or filled with a gas, such as helium, hydrogen, nitrous oxide, oxygen, air or water, and then sealed at the neck, usually as a toy or decoration.**

**§ 4A-3 Restriction on Intentional Release of Balloons.**

**A. No person, not for profit organization, firm, corporation, municipality or other entity shall intentionally or knowingly release, organize the release of, condone the release of, or intentionally cause to be released into the atmosphere, any balloon within the Town of North Hempstead.**

**B. No person, not for profit organization, firm, corporation, municipality or other entity shall dispose of any balloon, except in public receptacles or in authorized private receptacles within the Town of North Hempstead.**

**§ 4A-4 Exceptions.**

**The restrictions contained in § 4A-3 shall not apply to:**

**A. Balloons that are being used for the purpose of carrying scientific instrumentation during the performance of an experiment or testing procedure or by a**

person on behalf of a governmental agency or pursuant to a governmental contract for scientific or meteorological purposes;

B. Hot air balloons that are recovered after launching; and

C. Balloons released indoors, except that such balloons must be disposed of in accordance with § 4A-3.

#### §4A-5 Notification of Restrictions

Any business organization, including, but not limited to, any individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint-stock association, or other entity of any kind who or which sells or offers for sale helium or lighter-than-air gas balloons to any person within the Town of North Hempstead for compensation shall disclose, in writing, the restrictions set forth in § 4A-3 of this chapter by conspicuously posting a statement of these restrictions at each point of sale (all capital letters not less than two inches in height on a contrasting background). The statement shall read as follows:

IT IS UNLAWFUL TO RELEASE HELIUM OR LIGHTER-THAN-AIR BALLOONS IN THE TOWN OF NORTH HEMPSTEAD.

#### §4A-6 Penalties for offenses.

Any person, not for profit organization, firm, corporation, municipality or other entity committing an offense against any provision of this chapter shall, upon conviction thereof, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding \$500 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. Each day's continued violation shall constitute a separate offense.

#### § 4A-7 Severability.

If any clause, sentence, section, paragraph or provision of this chapter shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this chapter which shall remain in full force and shall be deemed severable.

#### **Section 3.**

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

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

**NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on November 19, 2019 at the Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. 16 of 2019 was adopted. The Local Law establishes Chapter 4A of the Town Code entitled "Balloons" to prohibit the intentional release of balloons in the Town in order to reduce the negative impact of balloons on the environment.

Dated: Manhasset, New York  
November 19, 2019

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Town Clerk

# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021543923

: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:

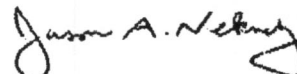
Saturday      November 09, 2019      Nassau

**SWORN** to before me this  
12 Day of November, 2019.



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Jason A. Neknez  
Notary Public - State of New York  
No. 01NE6219108  
Qualified in Suffolk County  
My Commission Expires 03/22/2022



**Ad Content**

Legal Notice # 21543923

**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 19th day of November, 2019, at 7:00 P.M., to consider the adoption of a Local Law establishing Chapter 4A of the Town Code entitled "Balloons" which would prohibit the intentional release of balloons within the Town in order to reduce the negative impact on the environment.

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

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

Dated: Manhasset, New York  
October 24, 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 TOWN CLERK  
Agency: TOWN OF NORTH HEMP TOWN CLERK  
Ad Number: 0021543923  
Start Date: 11/09/2019  
End Date: 11/09/2019  
Price: \$176.00  
Ordered By: Legaladv@newsday.com

Phone: 5168697625  
Contact: Brandon K Gimpelman  
Section: Legals  
Class: 11100  
Size: 2 x 22 Times: 1  
Date: 11/12/2019  
Zone(s): C-Nassau

Signature of Approval: \_\_\_\_\_

Date: \_\_\_\_\_

11/12/2019 10:10 AM  
C-NASSAU





# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021547164

: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:

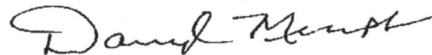
REC'D TNH TOWN CLERK  
NOV 29 '19 AM 11:07

Monday

November 25, 2019

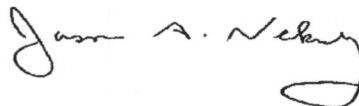
Nassau

**SWORN** to before me this  
25 Day of November, 2019.



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Jason A. Neknez  
Notary Public - State of New York  
No. 01NE6219108  
Qualified in Suffolk County  
My Commission Expires 03/22/2022





**Ad Content**

Legal Notice # 21547164  
NOTICE OF ADOPTION  
PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on November 19, 2019 at the Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. 16 of 2019 was adopted. The Local Law establishes Chapter 4A of the Town Code entitled "Balloons" to prohibit the intentional release of balloons in the Town in order to reduce the negative impact of balloons on the environment.  
Dated: Manhasset, New York November 19, 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 TOWN CLERK  
Agency: TOWN OF NORTH HEMP TOWN CLERK  
Ad Number: 0021547164  
Start Date: 11/25/2019  
End Date: 11/25/2019  
Price: \$116.00  
Ordered By: Legaladv@newsday.com

Phone: 5168697625  
Contact: P GARILLE  
Section: Legals  
Class: 11100  
Size: 1 x 29 Times: 1  
Date: 11/20/2019  
Zone(s): C-Nassau

Signature of Approval: \_\_\_\_\_ Date: \_\_\_\_\_

REC'D TNH TOWN CLERK  
NOV 29 '19 AM 11:07

MR. WINK: Item 4, a public hearing to consider the adoption of a local law amending the Uniform Traffic Code of the Town of North Hempstead.

SUPERVISOR BOSWORTH: So this legislation prohibits the covering or coating of automobile license plates in any manner that would prevent a recorded or photographic image of the plate. The Town uses license plate recorders for parking enforcement and this law will enable our code enforcement to write tickets to those who violate it. Are there any comments?

MR. WINK: We have one card from Pete Gaffney.

MR. GAFFNEY: You'll hear my balloon story on the side. Just -- this is a no brainer. Okay. Just please approve it. I mean, this is -- anybody who covers their plate -- it's plain and simple. This is a no brainer. I'm surprised that there's no legislation that people can't even sell this stuff. I mean, I see it all the time out there. Thank you. Please approve it.

SUPERVISOR BOSWORTH: Thank you. Are there any other comments?

MR. WINK: No other cards.

SUPERVISOR BOSWORTH: Okay. The board -- so 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: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 546 - 2019**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF NORTH HEMPSTEAD.**

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

**WHEREAS**, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend Chapter 65 of the Town code entitled the "Uniform Traffic Code" to prohibit the covering or coating of automobile license plates in any manner which conceals or obscures such plates or would distort a recorded or photographic image of the plate (the "Action"); 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 19th day of November 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 November 19, 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. 17 of 2019 be and it hereby is adopted, which

Local Law reads as follows:

**TOWN CODE OF NORTH HEMPSTEAD  
LOCAL LAW NO. 17 OF 2019**

**A LOCAL LAW AMENDING CHAPTER 65 OF THE TOWN CODE,  
ENTITLED "VEHICLES AND TRAFFIC"**

**Section 1. Legislative Intent**

The Town Board of the Town of North Hempstead hereby finds that it is in the best interest of the Town of North Hempstead to make amendments to Chapter 65 entitled "Vehicles and Traffic" in order to establish new regulations and amend existing regulations addressing the alteration of license plates.

**Section 2.**

Chapter 65 of the Town Code is hereby amended as follows:

Chapter 65 Vehicles and Traffic

§ 65-1. Uniform Traffic Code adopted.

The various laws, ordinances, regulations and resolutions of the Town of North Hempstead, regarding vehicles and traffic, shall be known collectively as the "Uniform Traffic Code of the Town of North Hempstead" or the "Uniform Traffic Code"<sup>[1]</sup> when the context is clear. The Uniform Traffic Code, as published by General Code Publishers Corp. and as presented to the Town Board on September 17, 1996, is hereby adopted. Law enforcement officers shall cite violations by reference to sections of the Uniform Traffic Code.

[1] Editor's Note: The Uniform Traffic Code is published as a separate volume.

§ 65-2. Prior legislation.

The Uniform Traffic Code shall not effect the repeal of any existing law, ordinance, regulation or resolution of the Town of North Hempstead regarding vehicles and traffic (hereafter "prior legislation"). In the event of any inconsistency between the Uniform Traffic Code and any such prior legislation, the provisions of the Uniform Traffic Code, as published, shall govern. Any such prior legislation that inadvertently was not included in the published version of the Uniform Traffic Code shall continue in full force and effect.

§ 65-3. Copy of Uniform Traffic Code on file.

A copy of the Uniform Traffic Code, in loose-leaf form, shall be certified by the Town Clerk of the Town of North Hempstead by impressing thereon the Seal of the Town of North Hempstead, and such certified copy shall remain on file in the office of said Town Clerk to be made available to persons desiring to examine the same during all times while said Code is in effect.

§ 65-4. Amendments to Uniform Traffic Code.

Any and all additions, deletions, amendments or supplements to any of the local laws, ordinances and resolutions known collectively as the "Uniform Traffic Code" or any new local laws, ordinances or resolutions, when acted or adopted in such form as to indicate the intention of the Town Board to be a part thereof, shall be deemed to be incorporated in such Code so that reference to the Uniform Traffic Code shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Uniform Traffic Code shall be enacted or adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code, as amendments and supplements thereto.

§ 65-5. Uniform Traffic Code book to be kept up-to-date.

It shall be the duty of the Town Clerk, or someone authorized and directed by the Town Clerk, to keep up-to-date the certified copy of the book containing the Uniform Traffic Code required to be filed in the office of the Town Clerk for the use of the public. All changes in said Code and all local laws, ordinances and resolutions adopted by the Town Board subsequent to the enactment of this local law in such form as to indicate the intention of said Town Board to be a part of said Code shall, when finally enacted or adopted, be included therein by temporary attachment of a copy of such changes or local laws, ordinances or resolutions until such changes or local laws, ordinances or resolutions are printed as supplements to said Code book, at which time supplements shall be inserted therein.

§ 65-6. Sale of Uniform Traffic Code book; supplementation.

Copies of the Code book containing the Uniform Traffic Code may be purchased from the Town Clerk of the Town of North Hempstead upon the payment of a fee to be set by resolution of the Town Board, which may also arrange by resolution for procedures for the periodic supplementation thereof.

#### § 65-7. License Plates

A. It shall be unlawful for license plates to be kept in a condition that is not easily readable. License plates shall not knowingly or otherwise be covered by glass or any plastic material, coated with any artificial or synthetic material or substance that conceals or obscures such license plates or that distorts a recorded or photographic image of such license plate.

B. License plates shall not be obstructed by any part of the vehicle or by anything carried thereon, except for a receiver-transmitter issued by a publicly owned tolling facility in connection with electronic toll collection when such receiver-transmitter is affixed to the exterior of a vehicle in accordance with mounting instructions provided by the tolling facility.

C. It shall be unlawful for any person, firm, partnership, association, limited liability company or corporation to sell, offer for sale or distribute any artificial or synthetic material or substance for the purpose of application to a license plate that will, upon application to a license plate, distort a recorded or photographic image of such license plate.

§ [65-7] 65-8. Penalties for offenses.

Any person who, without authorization from the Town Clerk, changes or amends, by additions or deletions, any part or portion of the Uniform Traffic Code or who alters or tampers with such Code in any manner whatsoever which will cause the legislation of the

Town of North Hempstead to be misrepresented thereby, or who violates any other provisions of this local law, shall, upon conviction thereof, be subject to a fine of not more than \$250 for each.

**Section 3.**

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 4.**

This Local Law shall be effective upon filing with the Secretary of State.

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

**NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on November 19, 2019 at the Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. 17 of 2019 was adopted. The Local Law amends Chapter 65 of the Town code entitled the "Uniform Traffic Code" to prohibit the covering or coating of automobile license plates in any manner which conceals or obscures such plates or would distort a recorded or photographic image of the plate.

Dated: Manhasset, New York  
November 19, 2019

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney Town Clerk

# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021543925


: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:

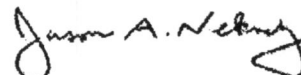
Saturday      November 09, 2019      Nassau

**SWORN** to before me this  
12 Day of November, 2019.



---

Jason A. Neknez  
Notary Public - State of New York  
No. 01NE6219108  
Qualified in Suffolk County  
My Commission Expires 03/22/2022











# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021547165

: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:

REC'D TNH TOWN CLERK  
NOV 29 '19 AM 11:06

Monday

November 25, 2019

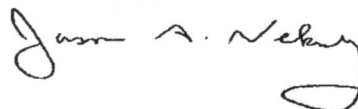
Nassau

**SWORN** to before me this  
25 Day of November, 2019.



---

Jason A. Neknez  
Notary Public – State of New York  
No. 01NE6219108  
Qualified in Suffolk County  
My Commission Expires 03/22/2022



**Ad Content**

Legal Notice # 21547165  
NOTICE OF ADOPTION  
PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on November 19, 2019 at the Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. 17 of 2019 was adopted. The Local Law amends Chapter 65 of the Town code entitled the "Uniform Traffic Code" to prohibit the covering or coating of automobile license plates in any manner which conceals or obscures such plates or would distort a recorded or photographic image of the plate.  
Dated: Manhasset, New York November 19, 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 TOWN CLERK  
Agency: TOWN OF NORTH HEMP TOWN CLERK  
Ad Number: 0021547165  
Start Date: 11/25/2019  
End Date: 11/25/2019  
Price: \$128.00  
Ordered By: Legaladv@newsday.com

Phone: 5168697625  
Contact: P. GARILLE  
Section: Legals  
Class: 11100  
Size: 1 x 32 Times: 1  
Date: 11/20/2019  
Zone(s): C-Nassau

Signature of Approval: \_\_\_\_\_

Date: \_\_\_\_\_

REC'D TNH TOWN CLERK  
NOV 29 '19 AM 11:06

MR. WINK: Item 5, a public hearing to consider the adoption of an ordinance affecting Park Avenue in New Cassel, New York.

COUNCILWOMAN RUSSELL: This adoption of this ordinance will establish a reserve parking space on the south side of Park Avenue east of Sylvester Street in New Cassel. 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: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 547 - 2019**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING PARK AVENUE IN NEW CASSEL, NEW YORK.**

**WHEREAS**, the Town Board (the "Board") of the Town of North Hempstead has held a public hearing to consider enacting an ordinance (the "Ordinance"), pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space at the south side of Park Avenue, New Cassel, New York, from a point 25 feet east of the east curb line of Sylvester Street, east, for a distance of 20 feet; and

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

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that the ordinance establishing a reserved parking space at the south side of Park Avenue, New Cassel, New York, from a point 25 feet east of the east curb line of Sylvester Street, east, for a distance of 20 feet, pursuant to section 1660 of the Vehicle and Traffic Law of the State of New York is adopted by this Board, the Ordinance being more particularly described in the Notice of Adoption (the "Notice"); and be it further

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

**NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that the Town Board of the Town of North Hempstead at a regular public meeting of the Board held on the 19th day of November, 2019 at 7:00 P.M. at Town Hall, 220 Plandome Road, Manhasset, New York, duly adopted an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

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

**AN ORDINANCE ESTABLISHING A RESERVED PARKING SPACE AT THE SOUTH SIDE OF PARK AVENUE, NEW CASSEL, NEW YORK.**

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

“112” A reserved parking space is established on the south side of Park Avenue, New Cassel, New York from a point 25 feet east of the east curb line of Sylvester Street, east, for a distance of 20 feet.

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

Dated: Manhasset, New York  
November 19, 2019



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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller      Traffic Safety      Public Safety



# Affidavit of Publication

County of Nassau                      SS  
State of New York,

**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 at a regularly scheduled meeting of the Board on November 19, 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 at the south side of Park Avenue, New Cassel, New York from a point 25 feet east of the east curb line of Sylvester Street, east, 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  
October 10, 2019

**BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD**  
WAYNE H. WINK, JR.  
Town Clerk  
11-6-2019-1T-#208842-WBY

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:                      November 6, 2019  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Linda Baccoli  
Sworn to me this 6 day of  
November-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

MR. WINK: Item 6, a public hearing to consider the adoption of an ordinance affecting Koch Place in Carle Place, New York.

COUNCILWOMAN RUSSELL: The adoption of this ordinance will establish a full stop southbound on Koch Place at its intersection with Westbury Avenue in Carle Place. Is there anyone here wishing to be heard?

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 34 - 2019  
CARLE PLACE, NEW YORK**

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

PROPOSAL:

ADOPT:

1. KOCH PLACE – WESTBURY AVENUE – FULL STOP

All traffic southbound on Koch Place shall come to a Full Stop at its intersection with Westbury Avenue.

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: November 19, 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,

LEGAL NOTICE
NOTICE OF HEARING
PLEASE TAKE NOTICE
that a public hearing will be
held by the Town Board of
the Town of North Hemp-
stead in the Town Hall, 220
Plandome Road, Manhasset
New York, on the 19th day
of November, 2019, at 7:00
o'clock in the evening for the
purpose of considering the
adoption of the following or-
dinance:

CARLE PLACE, NEW YORK

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

PROPOSAL:

ADOPT:

1. KOCH PLACE - WEST-
BURY AVENUE - FULL
STOP

All traffic southbound on
Koch Place shall come to a
Full Stop at its intersection
with Westbury Avenue.

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: October 10, 2019
Manhasset, New York

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

11-6-2019-1T-#208843-WBY

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: November 6, 2019

Linda Baccoli

Sworn to me this 6 day of
November-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

MR. WINK: Item 7, a public hearing to consider the adoption of an ordinance affecting Sicardi Place in Carle Place, New York.

COUNCILWOMAN RUSSELL: This is a similar resolution to the previous one. It will establish a full stop sign on the southbound on Sicardi Place at its intersection with Westbury Avenue. Is there anyone wishing to be heard?

COUNCILWOMAN RUSSELL: No. I do want to note that there are several streets, not only in North Hempstead, but in other municipalities that come onto highly trafficked streets and it is a real hazard. Many of you know, my husband was in a serious motorcycle accident for this very same reason. So it actually started making me look at things a little bit differently and noticing when there's not stop signs. And so you will probably see more of these coming up as we identify them in North Hempstead. So I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 35 - 2019  
CARLE PLACE, NEW YORK**

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

PROPOSAL:

ADOPT:

**1. SICARDI PLACE – WESTBURY AVENUE – FULL STOP**

All traffic southbound on Sicardi Place shall come to a Full Stop at its intersection with Westbury Avenue.

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: November 19, 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:                      November 6, 2019  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Linda Baccoli*

Sworn to me this 6 day of  
November-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 19th day of November, 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. **SICARDI PLACE - WESTBURY AVENUE - FULL STOP**  
All traffic southbound on Sicardi Place shall come to a Full Stop at its intersection with Westbury Avenue.  
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: October 10, 2019  
Manhasset, New York  
**BY ORDER OF THE TOWN BOARD OF THE TOWN OF**  
**NORTH HEMPSTEAD**  
**WAYNE H. WINK, JR.**  
**TOWN CLERK**  
11-6-2019-1T-#208844-WBY

MR. WINK: Item 8, a public hearing to consider the rescission and adoption of an ordinance affecting Cherry Lane in Carle Place, New York.

COUNCILWOMAN RUSSELL: This rescission and adoption of this ordinance will modify the presently posted school zone on Cherry Lane in Carle Place from Roslyn Avenue to Magnolia Street and from Asbury Avenue to Westbury Avenue. I'd like to thank Mr. Gaffney for bringing this to our attention. This is where there are two schools; the Carle Place Middle School and High School, as well as the Cherry Lane School. And because there are two schools that are adjacent to one another we're able to establish two separate speed zones where we're able to reduce the speed limit in that area. So thank you, Mr. Gaffney, for bringing that to our attention. Would you like to come up --

MR. WINK: Mr. Gaffney.

MR. GAFFNEY: This is something we've been working on. Again, Pete Gaffney, Harvard Street, Westbury, Carle Place. This something the Councilwoman and I have been working on for a long time. I just want to thank you and I also thank the attorney's office for coming up with the legal mumbo jumbo that we need to do to have it done the right way. I mean, you know, right at that intersection there's a bridge that -- along the Northern State Parkway, there's a five portion intersection over there and there's been so many accidents. One last year in November was so bad the car pushed up on somebody's property, engulfed in flames. The woman was seriously burned. Taken to the burn unit over at Winthrop Hospital and -- and barely made it. Okay, you know, so just thank God. There's been so many of those accidents that are over there. And the amount of traffic now, it's become a cut thru because now we have the mall down on Old Country Road and everybody just wants to bypass the area. So just thank you for doing this. I really appreciate it.

COUNCILWOMAN RUSSELL: Well, thank you. This is why he was so deserving of the commendation that he received.

MR. WINK: That's right.

COUNCILWOMAN RUSSELL: I'd like to offer the resolution and move for its adoption. Close the public hearing, offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 36 - 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. 16-1997

Adopted June 10, 1997

**CHERRY LANE - EAST SIDE – SCHOOL SPEED LIMIT 20 M.P.H. –**

No person shall drive a vehicle in excess of 20 miles per hour during school days between the hours of 7:00 A.M. and 6:00 P.M., northbound (on Cherry Lane), from a point opposite the north curblineline of Roslyn Avenue (to Magnolia Street).

2. T.O. 16-1997

Adopted June 10, 1997

**CHERRY LANE – WEST SIDE – SCHOOL SPEED LIMIT 20 M.P.H. -**

No person shall drive a vehicle in excess of 20 miles per hour during school days between the hours of 7:00 A.M. and 6:00 P.M., southbound on Cherry Lane, from a point opposite the north curblineline of Magnolia Street (to Roslyn Avenue).

ADOPT:

1. **CHERRY LANE – EAST SIDE – SCHOOL SPEED LIMIT 20 MPH -**

No person shall drive a vehicle in excess of 20 miles per hour during school days between the hours of 7:00 A.M. and 6:00 P.M., northbound on Cherry Lane, from the north curblineline of Westbury Avenue, to a point 45 feet south of a point opposite the south curblineline of Asbury Avenue.

2. **CHERRY LANE – WEST SIDE – SCHOOL SPEED LIMIT 20 MPH –**

No person shall drive a vehicle in excess of 20 miles per hour during school days between the hours of 7:00 A.M. and 6:00 P.M., southbound on Cherry Lane, from the south curblineline of Asbury Avenue to the north curblineline of Westbury Avenue.

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: November 19, 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: November 6, 2019  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Linda Baccoli*

Sworn to me this 6 day of November-2019

*[Signature]*

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

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 19th day of November, 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. 16-1997  
Adopted June 10, 1997  
**CERRY LANE - EAST SIDE - SCHOOL SPEED LIMIT 20 M.P.H. -**  
No person shall drive a vehicle in excess of 20 miles per hour during school days between the hours of 7:00 A.M. and 6:00 P.M., northbound (on Cherry Lane), from a point opposite the north curbline of Roslyn Avenue (to Magnolia Street).  
2. T.O. 16-1997  
Adopted June 10, 1997  
**CERRY LANE - WEST SIDE - SCHOOL SPEED LIMIT 20 M.P.H. -**  
No person shall drive a vehicle in excess of 20 miles per hour during school days between the hours of 7:00 A.M. and 6:00 P.M., southbound on Cherry Lane, from a point opposite the north curbline of Magnolia Street (to Roslyn Avenue).  
**ADOPT:**  
1. **CERRY LANE - EAST SIDE - SCHOOL SPEED LIMIT 20 MPH -**  
No person shall drive a vehicle in excess of 20 miles per hour during school days between the hours of 7:00 A.M. and 6:00 P.M., northbound on Cherry Lane, from the north curbline of Westbury Avenue, to a point 45 feet south of a point opposite the south curbline of Asbury Avenue.  
2. **CERRY LANE - WEST SIDE - SCHOOL SPEED LIMIT 20 MPH -**  
No person shall drive a vehicle in excess of 20 miles per hour during school days between the hours of 7:00 A.M. and 6:00 P.M., southbound on Cherry Lane, from the south curbline of Asbury Avenue to the north curbline of Westbury Avenue.  
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: October 10, 2019  
Manhasset, New York

BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD  
AYNE H. WINK, JR.  
TOWN CLERK  
2019-IT-#208845-WBY



MR. WINK: Item 9, a public hearing to consider the adoption of ordinances affecting Westbury Avenue in Carle Place, New York.

COUNCILWOMAN RUSSELL: The adoption of these ordinances will establish no parking at certain times, restrictions on the north and south sides of Westbury Avenue between Jamaica Boulevard and Carle Road in Carle Place. Again, another one of Mr. Gaffney's suggestions with regard to the street sweeping on Westbury Avenue. We've been working with Nassau County to make sure that Westbury Avenue gets swept on a regular basis. In order for them to do that we have now put in some parking restrictions to allow them to do their sweeping. Mr. Gaffney, come up.

MR. GAFFNEY: Again, thank you very much for doing this. Again, it's something we've been working on for several months. Just so you know, Westbury Avenue hasn't been cleaned in over five-and-a-half years in its entirety. When they go to do the striping of the parking, it's still not right. When they go to do the striping of the actual parking stripe lines, if there's a car parked there, they skip it and they go over to an empty spot. So then you have this dead spot. It's one of the worst roads in all of Nassau County and I keep on seeing this beautification going on in all these various communities and we have this road and it's an absolute joke. So this is going to go a long way because, I mean, in the summertime actually on -- we had weeds growing out of the road that were two feet high. It's just a joke. Anyway, thank you very much.

COUNCILWOMAN RUSSELL: Thank you. Anyone else wishing to be heard?

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

MR. GAFFNEY: Excuse me. I'm sorry. There's one thing I just failed to mention. I'm just curious why the no parking signs are -- some of the streets it says 5:00 a.m. and some of the other ones say 6:00 a.m. I'm just curious about that. Wouldn't it be the same thing?

COUNCILWOMAN RUSSELL: It should be uniform. I'll look into it.

MR. GAFFNEY: Okay. Because 5:00 a.m. makes sense. Just because you do have some 24-hour businesses and early risers at the drug store.

COUNCILWOMAN RUSSELL: And so I believe with this ordinance, it does make them uniform but --

MR. GAFFNEY: Well, the one I read online it said some of the streets were 5:00 a.m. and some of them were 6:00 a.m. That's all.

COUNCILWOMAN RUSSELL: I'll get back to you.

MR. GAFFNEY: Thanks.

**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. 37 - 2019  
CARLE PLACE, NEW YORK**

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

PROPOSAL:

ADOPT:

1. WESTBURY AVENUE – NORTH SIDE – NO PARKING 5 A.M. TO 9 A.M. – FIRST MONDAY OF THE MONTH, INCLUDING HOLIDAYS, FOR TOWN SERVICES

From a point 200 feet east of the east curblineline of Jamaica Boulevard, east to a point 60 feet west of the west curblineline of Silver Lake Boulevard.

2. WESTBURY AVENUE – NORTH SIDE – NO PARKING 5 A.M. TO 9 A.M. – FIRST MONDAY OF THE MONTH, INCLUDING HOLIDAYS, FOR TOWN SERVICES

From a point 130 feet east of the east curblineline of Silver Lake Boulevard, east for a distance of 175 feet.

3. WESTBURY AVENUE – NORTH SIDE – NO PARKING 5 A.M. TO 9 A.M. – FIRST MONDAY OF THE MONTH, INCLUDING HOLIDAYS, FOR TOWN SERVICES

From a point 33 feet east of the east curblineline of Rushmore Avenue, east to a point 160 west of the west curblineline of Cherry Lane.

4. WESTBURY AVENUE – NORTH SIDE – NO PARKING 5 A.M. TO 9 A.M. – FIRST MONDAY OF THE MONTH, INCLUDING HOLIDAYS, FOR TOWN SERVICES

From a point 50 feet west of the west curblineline of Cherry Lane, west for a distance of 90 feet.

5. WESTBURY AVENUE – NORTH SIDE – NO PARKING 6 A.M. TO 9 A.M. – FIRST MONDAY OF THE MONTH, INCLUDING HOLIDAYS, FOR TOWN SERVICES

From a point 168 feet west of the west curblineline of Stonehinge Lane, west to a point 30 feet east of the east curblineline of Cherry Lane.

6. WESTBURY AVENUE – NORTH SIDE – NO PARKING 6 A.M. TO 9 A.M. – FIRST MONDAY OF THE MONTH, INCLUDING HOLIDAYS, FOR TOWN SERVICES

From a point 30 feet west of the west curblineline of Stonehinge Lane, west for a distance of 99 feet.

7. WESTBURY AVENUE – NORTH SIDE – NO PARKING 6 A.M. TO 9 A.M. – FIRST MONDAY OF THE MONTH, INCLUDING HOLIDAYS, FOR TOWN SERVICES

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

8. WESTBURY AVENUE – NORTH SIDE – NO PARKING 6 A.M. TO 9 A.M. – FIRST MONDAY OF THE MONTH, INCLUDING HOLIDAYS, FOR TOWN SERVICES

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

9. WESTBURY AVENUE – NORTH SIDE – NO PARKING 6 A.M. TO 9 A.M. – FIRST MONDAY OF THE MONTH, INCLUDING HOLIDAYS, FOR TOWN SERVICES

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

10. WESTBURY AVENUE – SOUTH SIDE – NO PARKING 5 A.M. TO 9 A.M. – FIRST TUESDAY OF THE MONTH, INCLUDING HOLIDAYS, FOR TOWN SERVICES

From a point 125 feet east of the east curbline of Jamaica Boulevard, east to a point 60 feet west of the west curbline of Silver Lake Boulevard.

11. WESTBURY AVENUE – SOUTH SIDE – NO PARKING 5 A.M. TO 9 A.M. – FIRST TUESDAY OF THE MONTH, INCLUDING HOLIDAYS, FOR TOWN SERVICES

From a point 40 feet east of the east curbline of Silver Lake Boulevard, east to a point 110 feet west of the west curbline of Rushmore Avenue.

12. WESTBURY AVENUE – SOUTH SIDE – NO PARKING 5 A.M. TO 9 A.M. – FIRST TUESDAY OF THE MONTH, INCLUDING HOLIDAYS, FOR TOWN SERVICES

From a point 30 feet east of the east curbline of Rushmore Avenue, east for a distance of 200 feet.

13. WESTBURY AVENUE – SOUTH SIDE – NO PARKING 5 A.M. TO 9 A.M. – FIRST TUESDAY OF THE MONTH, INCLUDING HOLIDAYS, FOR TOWN SERVICES

From a point 300 feet east of the east curbline of Rushmore Avenue, east to a point 60 feet west of the west curbline of Cherry Lane.

14. WESTBURY AVENUE – SOUTH SIDE – NO PARKING 6 A.M. TO 9 A.M. – FIRST TUESDAY OF THE MONTH, INCLUDING HOLIDAYS, FOR TOWN SERVICES

From a point 71 feet east of the east curbline of Cherry Lane, east to a point 32 feet west of the west curbline of Stonehinge Lane.

15. WESTBURY AVENUE – SOUTH SIDE – NO PARKING 6 A.M. TO 9 A.M. – FIRST TUESDAY OF THE MONTH, INCLUDING HOLIDAYS, FOR TOWN SERVICES

From a point 16 feet east of the east curbline of Stonehinge Lane, east, for a distance of 460 feet.

16. WESTBURY AVENUE – SOUTH SIDE – NO PARKING 6 A.M. TO 9 A.M. – FIRST TUESDAY OF THE MONTH, INCLUDING HOLIDAYS, FOR TOWN SERVICES

From a point 512 feet east of the east curbline of Stonehinge Lane, east for a distance of 129 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: November 19, 2019  
Manhasset, New York

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









MR. WINK: Item 10, a public hearing to consider the adoption of an ordinance affecting Armstrong Road in Garden City Park, New York.

COUNCILMAN FERRARA: The adoption of this ordinance will establish a full stop northbound and southbound on Armstrong Road at its intersection with Jackson Avenue in Garden City Park. And I want to thank Mr. Gaffney.

COUNCILMAN FERRARA: Is there anyone wishing to be heard?

COUNCILMAN FERRARA: 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: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 38 - 2019  
GARDEN CITY PARK, NEW YORK**

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

PROPOSAL:

ADOPT:

1. ARMSTRONG ROAD – JACKSON AVENUE - FULL STOP

All traffic northbound on Armstrong Road shall come to a Full Stop at its intersection with Jackson Avenue.

2. ARMSTRONG ROAD – JACKSON AVENUE – FULL STOP

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

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

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

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

Dated: November 19, 2019  
Manhasset, New York

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



# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021543936

: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:

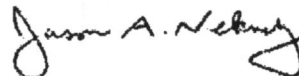
Saturday      November 09, 2019      Nassau

**SWORN** to before me this  
12 Day of November, 2019.



---

Jason A. Neknez  
Notary Public – State of New York  
No. 01NE6219108  
Qualified in Suffolk County  
My Commission Expires 03/22/2022





MR. WINK: Item 11, a public hearing to consider the adoption of an ordinance affecting North Bayles Parking Field (Area #2) in Port Washington, New York.

COUNCILWOMAN DE GIORGIO: The adoption of this ordinance will establish a full stop eastbound at the northern most driveway of North Bayles Parking Field Area No. 2 at its intersection with North Bayles Avenue and a full stop eastbound at the southern most driveway with North Bayles Park Field Area No. 2 at its intersection with North Bayles Avenue in Port Washington. And I want to thank Tom McDonough for bring this to the attention of me, No. 11 and 12. Is there anybody here wishing to be heard on this?

MR. WINK: We have a number of cards.

COUNCILWOMAN DE GIORGIO: Oh, we do.

MR. WINK: Sorry. Anna Barbieri.

MS. BARBIERI: Good evening. I just wanted to voice my support for this ordinance. I live across the street from the parking lot and I constantly see people zooming in and out and because we have a lot of children walking to school in the neighborhood, I just want to make sure it's safe for them and nobody gets hit by a car. And also, personally, I feel like it's a safety issue for me as well when I back out of my driveway.

COUNCILWOMAN DE GIORGIO: You know, clearly we agree with you. So people did raise that concern about pedestrian safety and I did ask Tom McDonough to look into it and we painted -- I think they painted a line to more clearly show where the cars are supposed to stop, you know, before they go out into the curb cut and I think the stop sign will further emphasize the fact that they need to not just drive right out of the parking lot. So thank you.

MS. BARBIERI: All right. Thank you.

COUNCILWOMAN DE GIORGIO: You're welcome. You have another card, Mr. Wink?

MR. WINK: Claire Kabot.

MS. KABOT: I'm Claire Kabot. I'm a neighbor of Anna's and this summer Christina Demeo and I and another neighbor met with Shawn Brown and his staff. He was very helpful. He heard all our concerns for the lot and the -- the street and surrounding area. So what -- a couple of things we discussed that I know is part of a capital plan right, to replace that whole lot eventually, I think.

COUNCILWOMAN DE GIORGIO: There is.

MS. KABOT: There is. So even before that's done, we just got better drainage, there's like a huge puddle right behind me on the bottom, like as you cross -- the problem bringing children --

COUNCILWOMAN DE GIORGIO: There is.

MS. KABOT: So drainage and we discussed painting lines in the lot itself because it's quite dangerous. People are, you know, pulling out to Dunkin Donuts and out and entering. We just got that as well as lighting and resurfacing and one of the bigger concerns was whether we could close one of the entrances and so that there would just be a one-way entrance on North Bayles and a one-way exit on Herbert. So I didn't know if that was going to be a traffic study as part of the bigger capital plan.

COUNCILWOMAN DE GIORGIO: So typically when we redid the lot behind Frank's Pizza,

MS. KABOT: Yeah.

COUNCILWOMAN DE GIORGIO: so usually the Town engages an engineer and the

engineer looks at the traffic patterns, flow, ingress, egress, safety. And those are all things that will be considered when they redesign the lot and drainage as well.

MS. KABOT: Okay. And what is the time line?

COUNCILWOMAN DE GIORGIO: I don't know but the Councilwoman Elect is sitting in the audience so I hope she's paying attention to all the things that she's going to have to deal with in lot 2. But maybe Shawn Brown might know when -- when that's going to be sent out for an RFP.

MR. BROWN: I'm Shawn Brown, Commissioner for Public Safety. Right now the Town is engaging a company to do a survey --

COUNCILWOMAN DE GIORGIO: Right.

MR. BROWN: -- of lot 2 and once that's done we'll move forward and hopefully redevelop the lot.

COUNCILWOMAN DE GIORGIO: So what's the time line?

MR. BROWN: Well, we have to get the survey back. So we don't have the survey yet. So hopefully --

SUPERVISOR BOSWORTH: They did the survey though?

MR. BROWN: No. It hasn't been completed. So once it's completed, we'll regroup with DPW and move forward.

COUNCILWOMAN DE GIORGIO: But I agree the lot needs attention.

MS. KABOT: Great.

COUNCILWOMAN DE GIORGIO: So I'm sure it will be much nicer. When we did the lot behind Frank's Pizza, it's night and day better. The drainage is better. Everything is better.

MS. KABOT: I agree.

COUNCILWOMAN DE GIORGIO: So, yeah, you're right. So thank you for coming down.

MS. KABOT: Sure. Lots of children.

COUNCILWOMAN DE GIORGIO: Yes. Do you have any other cards?

MR. WINK: Yes, we do. Douglas Browsky.

MR. BROWSKY: How are you?

COUNCILWOMAN DE GIORGIO: Good.

MR. BROWSKY: I recently moved to the area. I'm just in support of Clare's proposal for the stop signs. The block does get everybody trying to make the turn. Everybody's trying to miss the light by Port Boulevard. So they're flying up there 35, 40 miles an hour. There's no speed -- speed limit signs. I mean I'd love to get a no right turn on Port Boulevard. At certain hours in the morning whether or not that's possible, I don't know. I know it's not even on the table for this meeting.

COUNCILWOMAN DE GIORGIO: And no right turn onto --

MR. BROWSKY: Onto Port.

COUNCILWOMAN DE GIORGIO: Oh.

MR. BROWSKY: Going up to North Bayles.

COUNCILWOMAN DE GIORGIO: Oh, coming up -- okay.

MR. BROWSKY: And then from the parking lot a no left turn going towards Delaware if you're going north.

COUNCILWOMAN DE GIORGIO: Okay.

MR. BROWSKY: So -- I mean, it's just an issue. And the street is heavily populated with young children.

COUNCILWOMAN DE GIORGIO: Yeah. I know, it's -- there's a lot of activity going on over there.

MR. BROWSKY: That's all. Thanks for hearing us.

COUNCILWOMAN DE GIORGIO: Thank you.

SUPERVISOR BOSWORTH: Welcome to Port Washington.

MR. WINK: Patricia Schmidt.

MS. BECHTOLD: Hi. I'm not Patricia Schmidt but I have her paperwork. I'm Amanda Bechtold. I'm just here to say for the record, I'm in agreement with my neighbors. I've lived there for 37 years and I watched that lot go down and it needs attention in all the ways they've spoken about -- so just for the record.

MR. LEVINE: Are you submitting that?

MS. BECHTOLD: I can if you'd like.

MR. WINK: If you want to submit on behalf of Ms. Schmidt, that's fine.

MS. BECHTOLD: This is on behalf of me. And this is on behalf of Ms. Schmidt. Okay.

MR. WINK: Okay. All right.

MS. BECHTOLD: Thank you.

COUNCILWOMAN DE GIORGIO: Thank you.

MR. WINK: I have no additional cards.

COUNCILWOMAN DE GIORGIO: Is there anyone else wishing to be heard?

COUNCILWOMAN DE GIORGIO: 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: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 39 - 2019  
PORT WASHINGTON, NEW YORK**

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

PROPOSAL:

ADOPT:

1. NORTH BAYLES PARKING FIELD (Area #2) – NORTH BAYLES AVENUE – FULL STOP – All traffic egressing the southernmost driveway of North Bayles Parking Field (Area #2) eastbound, shall come to a Full Stop at its intersection with North Bayles Avenue (opposite the Port Washington Diner Parking Lot Egress).

2. NORTH BAYLES PARKING FIELD (Area #2) – NORTH BAYLES AVENUE – FULL STOP – All traffic egressing the northernmost driveway of North Bayles Parking Field (Area #2) eastbound, shall come to a Full Stop at its intersection with North Bayles Avenue.

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

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

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

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

Dated: November 19, 2019  
Manhasset, New York

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



# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021543947

: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:

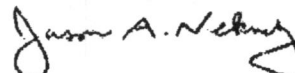
Saturday      November 09, 2019      Nassau

**SWORN** to before me this  
12 Day of November, 2019.



---

Jason A. Neknez  
Notary Public - State of New York  
No. 01NE6219108  
Qualified in Suffolk County  
My Commission Expires 03/22/2022



**Ad Content**

Legal Notice # 21543947

**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 19th day of November, 2019, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**PORT WASHINGTON, NEW YORK**

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

**ADOPT:**

1. NORTH BAYLES PARKING FIELD (Area #2) - NORTH BAYLES AVENUE - FULL STOP - All traffic egressing the southernmost driveway of North Bayles Parking Field (Area #2) eastbound, shall come to a Full Stop at its intersection with North Bayles Avenue (opposite the Port Washington Diner Parking Lot Egress).

2. NORTH BAYLES PARKING FIELD (Area #2) - NORTH BAYLES AVENUE - FULL STOP - All traffic egressing the northernmost driveway of North Bayles Parking Field (Area #2) eastbound, shall come to a Full Stop at its intersection with North Bayles Avenue.

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: October 24, 2019  
Manhasset, New York

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

**NEWSDAY PROOF**

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Phone: 5168697625  
Contact: Brandon K Gimpelman  
Section: Legals  
Class: 11100  
Size: 2 x 39 Times: 1  
Date: 11/12/2019  
Zone(s): C-Nassau

Signature of Approval: \_\_\_\_\_

Date: \_\_\_\_\_

MR. WINK: Item 12, a public hearing to consider the adoption of an ordinance affecting Shore Road Parking Field (Area #6) in Port Washington, New York.

COUNCILWOMAN DE GIORGIO: The adoption of this ordinance will establish a full stop eastbound on Shore Road parking field area #6, driveway egress at intersection with Shore Road and a full stop northbound on Shore Road parking field area #6, parcel A at its intersection with Shore Road parking field area #6, driveway egress in Port Washington. Do you have any cards, Mr. Wink?

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

COUNCILWOMAN DE GIORGIO: Would anyone like to be heard on this item?

COUNCILWOMAN DE GIORGIO: Seeing no one, I offer to close the public hearing, offer to close the public hearing and adopt the resolution.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 40 - 2019  
PORT WASHINGTON, NEW YORK**

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

PROPOSAL:

ADOPT:

1. SHORE ROAD PARKING FIELD (Area #6) DRIVEWAY EGRESS – SHORE ROAD – FULL STOP – All traffic eastbound on Shore Road Parking Field (Area #6) Driveway Egress shall come to a FULL STOP at Shore Road.
2. SHORE ROAD PARKING FIELD (Area #6) PARCEL A – SHORE ROAD PARKING FIELD (Area #6) DRIVEWAY EGRESS – FULL STOP – All vehicles exiting in a northerly direction from Shore Road Parking Field (Area #6) Parcel A onto Shore Road Parking Field (Area #6) Driveway Egress, shall come to a FULL STOP at Shore Road Parking Field (Area #6) Driveway Egress.

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

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

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

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

Dated: November 19, 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 7<sup>th</sup> day of November, 2019, he posted the attached Notice of Hearing to consider the adoption of an ordinance to establish a Full Stop eastbound on Shore Road Parking Field (Area #6) Driveway Egress, at its intersection with Shore Road, and a Full Stop northbound on Shore Road Parking Field (Area #6) Parcel A, at its intersection with Shore Road Parking Field (Area #6) Driveway Egress, in Port Washington, at the following locations:

Town Clerk Bulletin Board

Port Washington Post Office

Pole at the corner of Shore Rd. and Main St.

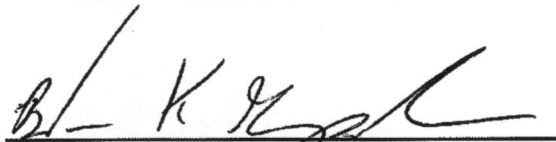
Pole at the Shore Rd. entrance to Lot 6

Pole on Shore Rd. 100 feet north of Main St.

  
Henry Krukowski

Sworn to me this

12<sup>th</sup> day of November, 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 TOWN CLERK  
200 PLANDOME ROAD  
MANHASSET, NY 11030-2326

STATE OF NEW YORK)

Legal Notice No.

0021543953


: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:

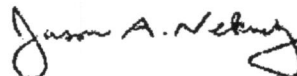
Saturday      November 09, 2019      Nassau

**SWORN** to before me this  
12 Day of November, 2019.



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Jason A. Neknez  
Notary Public – State of New York  
No. 01NE6219108  
Qualified in Suffolk County  
My Commission Expires 03/22/2022



**Ad Content**

Legal Notice # 21543953

**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 19th day of November, 2019, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

PORT WASHINGTON, NEW YORK

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

**PROPOSAL:**

**ADOPT:**

1. SHORE ROAD PARKING FIELD (Area #6) DRIVEWAY EGRESS - SHORE ROAD - FULL STOP - All traffic eastbound on Shore Road Parking Field (Area #6) Driveway Egress shall come to a FULL STOP at Shore Road.

2. SHORE ROAD PARKING FIELD (Area #6) PARCEL A - SHORE ROAD PARKING FIELD (Area #6) DRIVEWAY EGRESS - FULL STOP - All vehicles exiting in a northerly direction from Shore Road Parking Field (Area #6) Parcel A onto Shore Road Parking Field (Area #6) Driveway Egress, shall come to a FULL STOP at Shore Road Parking Field (Area #6) Driveway Egress.

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: October 24, 2019

Manhasset, New York

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 TOWN CLERK  
Agency: TOWN OF NORTH HEMP TOWN CLERK  
Ad Number: 0021543953  
Start Date: 11/09/2019  
End Date: 11/09/2019  
Price: \$312.00  
Ordered By: Legaladv@newsday.com

Phone: 5168697625  
Contact: Brandon K Gimpelman  
Section: Legals  
Class: 11100  
Size: 2 x 39 Times: 1  
Date: 11/12/2019  
Zone(s): C-Nassau

Signature of Approval: \_\_\_\_\_

Date: \_\_\_\_\_

MR. WINK: Item 13, a public hearing to consider the adoption of an ordinance affecting Allenwood Road in Great Neck, New York.

COUNCILWOMAN LURVEY: The adoption of this ordinance will establish a do not block the box restriction on the south side of Allenwood Road, west of Plymouth Road in Great Neck. Is anybody here to be heard on this?

MR. WINK: We have one card on this, Mehran Doustan.

MR. DOUSTAN: Yes. Thank you. My name is Mehran Doustann and I live at 132 Allenwood Road in Great Neck. There are multiple issues right now because 132 Allenwood is right next to Allenwood Park. And the issue is when parents are dropping off their kids, they tend to rather than park in a parking lot or on the street, they stop in front of my driveway and, also, in front of the park door, which is right next to my driveway. This causes two issues. Number one, if I need to get out of my driveway, I can't because there's an unattended car in front of my driveway and the second issue is Allenwood Road is very thin and when the cars are parked there, it causes a safety issue because the other kids that are trying to go to the park or parents that are trying to go to the park need to maneuver around the cars that are unattended while they're in front of my house or Allenwood Park. So -- all right.

COUNCILWOMAN LURVEY: So thank you. Thank you. So this -- this will hopefully make it easier for drivers to know where they should not be parking, as well as provide for ease of enforcement also, as well. So I would like to close the public hearing, offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 41 - 2019  
GREAT NECK, NEW YORK**

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

PROPOSAL:

ADOPT:

**1. ALLENWOOD ROAD – SOUTH SIDE – DO NOT BLOCK THE BOX -**

All traffic eastbound on Allenwood Road shall not enter the grid and block the ingress and egress driveway of the property located at 132 Allenwood Road, approximately 20 feet west, of the point opposite the west curblineline of Plymouth Road.

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

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

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

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

Dated: November 19, 2019  
Manhasset, New York

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



# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021543957

: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:

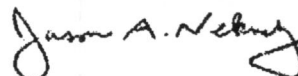
Saturday      November 09, 2019      Nassau

**SWORN** to before me this  
12 Day of November, 2019.



---

Jason A. Neknez  
Notary Public – State of New York  
No. 01NE6219108  
Qualified in Suffolk County  
My Commission Expires 03/22/2022



**Ad Content**

Legal Notice # 21543957

**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 19th day of November, 2019, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**GREAT NECK, NEW YORK**

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

**PROPOSAL:**

**ADOPT:**  
1. ALLENWOOD ROAD - SOUTH SIDE - DO NOT BLOCK THE BOX -

All traffic eastbound on Allenwood Road shall not enter the grid and block the ingress and egress driveway of the property located at 132 Allenwood Road, approximately 20 feet west, of the point opposite the west curbline of Plymouth Road.

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: October 24, 2019

Manhasset, New York

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 TOWN CLERK  
Agency: TOWN OF NORTH HEMP TOWN CLERK  
Ad Number: 0021543957  
Start Date: 11/09/2019  
End Date: 11/09/2019  
Price: \$280.00  
Ordered By: Legaladv@newsday.com

Phone: 5168697625  
Contact: Brandon K Gimpelman  
Section: Legals  
Class: 11100  
Size: 2 x 35 Times: 1  
Date: 11/12/2019  
Zone(s): C-Nassau

Signature of Approval: \_\_\_\_\_ Date: \_\_\_\_\_

MR. WINK: Item 14, a public hearing to consider the adoption of an ordinance affecting Barwick Street in Floral Park Centre, New York.

SUPERVISOR BOSWORTH: So the Floral Park Center Civic Association had requested the establishment of a no left turn restriction from the Kiddie Academy egress driveway onto Barwick Street. This will hopefully ease the congestion and flow of vehicles onto Barwick Street in Floral Park Center. Are there representatives from the civic association here?

MR. WINK: Yes, we have a card from Lea Pierno and Joseph McKee. You can flip a coin for who goes first.

MR. MC KEE: I'm sorry.

MR. WINK: No, I'm kidding.

MS. PIERNO: I have a little thing but everything in here is what you just said. The residents of Floral Park Center feel very strongly about having this no left turn sign installed. The traffic flowing in and out of the parking lot greatly affects the residents of Barwick Street and the entire center every single day that the academy is open for business. And in their original variance it states that their business should not negatively affect the community and residents yet for over two years the traffic has done nothing but affect our lives.

SUPERVISOR BOSWORTH: So hopefully this will be a big help.

MR. MC KEE: Hello. My name is Joseph McKee. I live on Barwick Street. And Kiddie Academy has been around for about two years, just over two years now and it's nearing its full occupancy load of 150 students with no bus service. So every child is dropped off by an individual -- an individual car coming down Barwick Street with the only exit out of the parking lot is onto Barwick Street. The school is located on the corner of Barwick and Jericho Turnpike so there's no left turn sign. It would increase safety to pedestrians that are on Barwick Street if the flow of traffic would go right onto Jericho Turnpike. My 13 year old daughter is very interested so she'll be able to maybe ride her bike on our street if there's less cars on the street. We appreciate you addressing the audience and we wish Ms. Seeman the best.

SUPERVISOR BOSWORTH: Thank you.

MR. MC KEE: I have actually pictures of the last two restaurants that have a similar, you know, left turn or right turn.

SUPERVISOR BOSWORTH: I know Councilwoman Seeman was very insistent that this be worked on and be done and so working together with the community we made it happen.

MS. PIERNO: Thank you so much.

MR. MC KEE: Thank you.

SUPERVISOR BOSWORTH: Or we're about to make it happen. Are there any other comments?

MR. WINK: No.

SUPERVISOR BOSWORTH: 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: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.



MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye. Thank you.

**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. 42 - 2019  
FLORAL PARK CENTRE, NEW YORK**

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

PROPOSAL:

ADOPT:

1. BARWICK STREET – EAST SIDE – NO LEFT TURN

All traffic exiting eastbound from Kiddie Academy Egress Driveway, located approximately 140 feet north of the north curblineline of Jericho Turnpike, shall be prohibited from making a Left Turn onto Barwick Street, northbound.

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: November 19, 2019  
Manhasset, New York

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



# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021543974

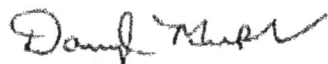
:SS.:

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:

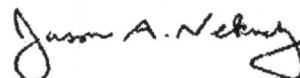
Saturday      November 09, 2019      Nassau

**SWORN** to before me this  
12 Day of November, 2019.



---

Jason A. Neknez  
Notary Public - State of New York  
No. 01NE6219108  
Qualified in Suffolk County  
My Commission Expires 03/22/2022





MR. WINK: Resolutions. Item 15, a resolution setting a date for a public hearing to consider the application of BDG Jane Street, LLC for site plan review for the premises located at 71 Jane Street, Roslyn Heights and designated on the Nassau County Land and Tax Map as Section 7, Block 65, Lots 15-43.

COUNCILMAN ZUCKERMAN: I'd like to offer the resolution setting the tentative hearing date of December 17th, 2019.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 548 - 2019**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF BDG JANE STREET, LLC FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 71 JANE STREET, ROSLYN HEIGHTS AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 7, BLOCK 65, LOTS 15-43.**

**WHEREAS**, BDG Jane Street, LLC (the "Applicant") has applied (the "Application") to the Town to construct a 98,326 s.f. self-storage facility on a 1.32 acre site at the premises located at 71 Jane Street, Roslyn Heights, New York and designated on the Nassau County Land and Tax Map as Section 7, Block 65, Lots 15-43 (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 December 17, 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 the 17th day of December, 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 submitted by BDG Jane Street, LLC to construct a 98,326 s.f. self-storage facility on a 1.32 acre site.

**PLEASE TAKE FURTHER NOTICE** that the property which is the subject of this application is located at 71 Jane Street, Roslyn Heights, New York and designated on the Nassau County Land and Tax Map as Section 7, Block 65, Lots 15-43.

Dated:           Manhasset, New York  
                    November 19, 2019

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

Dated:           Manhasset, New York  
                    November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes:           Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
                    Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays:           None

Absent:         Councilperson Seeman

cc:           Town Attorney        Planning        Building



MR. WINK: Item 20, a resolution setting a date for a public hearing to consider the adoption of an ordinance affecting Shelter Rock Road in Manhasset, New York.

COUNCILWOMAN LURVEY: I offer the resolution and set the hearing date for December 17th, 2019.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

**RESOLUTION NO. 549 - 2019**

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

**WHEREAS**, a recommendation has been made for the adoption of an ordinance affecting Shelter Rock Road, Manhasset, 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 17th day of December, 2019, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**PROPOSAL:**

**ADOPT:**

1. SHELTER ROCK ROAD – WEST SIDE – 35 MPH – From the south curblin of Northern Boulevard, south, for a distance of 775 feet.
2. SHELTER ROCK ROAD – EAST SIDE – 35 MPH – From a point 775 feet south of the south curblin of Northern Boulevard, north, to the south curblin of Northern Boulevard.
3. SHELTER ROCK ROAD – WEST SIDE – 35 MPH– From a point opposite the south curblin of Old Shelter Rock Road, south for a distance of 1350 feet.
4. SHELTER ROCK ROAD – EAST SIDE – 35 MPH TOWN SPEED LIMIT – From a point 1300 feet south of the south curblin of Old Shelter Rock Road, north to the south curblin of Old Shelter Rock 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: November 19, 2019  
Manhasset, New York

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey, Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays:           None

Absent:         Councilperson Seeman

cc:           Town Attorney      Public Safety      Comptroller      Traffic Safety

MR. WINK: Item 21, a resolution setting a date for a public hearing to consider the adoption of an ordinance affecting Hillside Avenue in Manhasset, New York.

COUNCILWOMAN LURVEY: I offer the resolution and set the hearing date for December 17th, 2019.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

**RESOLUTION NO. 550 - 2019**

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

**RESOLVED** that a public hearing be held by the Town Board of the Town of North Hempstead on the 17th day of December, 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. 19-2017

Adopted July 18, 2017

HILLSIDE AVENUE – NORTH SIDE – 90 MINUTE PARKING 7:00 A.M. TO 7:00 P.M., Except Saturdays, Sundays and Holidays -

From the west curblineline of Travers Street, west for a distance of 30 feet.

ADOPT:

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

From the west curblineline of Travers Street, west for a distance of 30 feet.

2. HILLSIDE AVENUE – NORTH SIDE - 90 MINUTE PARKING 7:00 A.M. TO 7:00 P.M., Except Saturdays, Sundays and Holidays -

From a point 30 feet west of the west curblineline of Travers Street, west for a distance of 30 feet.

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

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

Dated: November 19, 2019  
Manhasset, New York

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey, Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Public Safety      Comptroller      Traffic Safety

MR. WINK: Item 22, a resolution setting a date for a public hearing to consider the adoption of an ordinance affecting Garden Avenue in Carle Place, New York.

COUNCILWOMAN RUSSELL: I'd like to offer the resolution setting a public hearing date of December 17th.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 551 - 2019**

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

**WHEREAS**, a recommendation has been made for the rescission and adoption of an ordinance affecting Garden Avenue, Carle Place, 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 17th day of December, 2019, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

PROPOSAL:

ADOPT:

1. GARDEN AVENUE – SOUTH SIDE - TWO HOUR PARKING 8:00 A.M. TO 5:00 P.M., EXCEPT SATURDAYS, SUNDAYS & HOLIDAYS – Starting from the east curblineline of Cherry Lane, east for a distance of 90 feet.

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

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

Dated: November 19, 2019  
Manhasset, New York

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey, Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman



MR. WINK: Item 24, a resolution authorizing the Town Board to accept gifts to the Town pursuant to Town Law Section 64.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 552 - 2019**

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

**WHEREAS**, Regal Westbury IMAX and RPX has generously donated four (4) large bags of popcorn to be used by the youth members of the Town of North Hempstead's "Yes We Can" Community Center for Halloween; and

**WHEREAS**, the Kyra Franchetti Foundation has generously offered a gift of \$1,100 to be used towards the replacement of wood and installation of a plaque on a commemorative bench at Mary Jane Davies Green as well as the installation of another plaque on a commemorative bench at Blumenfeld Park; and

**WHEREAS**, the Milhaven Family has generously offered a gift of \$1,100 to be used towards the purchase of a commemorative bench at the Town Dock; and

**WHEREAS**, Capital One Bank has generously offered as a gift candy goodie bags and pizza to be used at the Town of North Hempstead's "Yes We Can" Community Center for the Halloween event; and

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

**NOW, THEREFORE, BE IT**

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller      Town Clerk

MR. WINK: Item 25, a resolution authorizing supplemental budget appropriations pursuant to Town Law Section 112.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 553 - 2019**

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

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

**WHEREAS**, the Office of the Comptroller has requested that the Town Board authorize supplemental appropriations in year 2019 (the “Supplemental Appropriations”) as follows:

- (1) \$1,100.00 to be recorded to revenue line A.2701 with the offsetting expense for these appropriations to be recorded to expense code A.05.7111.4743, to be used towards the replacement of wood and installation of a plaque on a commemorative bench at Mary Jane Davies Green and the installation of another plaque on a commemorative bench at Blumenfeld Park;
  - (2) \$1,100.00 to be recorded to revenue line A.2705 to be recorded to expense code A.05.7184.4743, to be used towards the purchase of a commemorative bench at Town Dock;
- and

**WHEREAS**, the Board wishes to authorize the Supplemental Appropriations.

**NOW, THEREFORE, BE IT**

**RESOLVED** that this Board hereby authorizes the Supplemental Appropriations in year 2019 as requested by Comptroller; and be it further

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller      Town Clerk

MR. WINK: Item 26, a resolution authorizing the award of a bid for pool improvements at Harbor Hills Park, Great Neck, DPW Project No. 18-03.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 554 - 2019**

**A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR POOL IMPROVEMENTS AT HARBOR HILLS PARK, GREAT NECK, DPW PROJECT NO. 18-03.**

**WHEREAS**, the Town Clerk solicited bids for Pool Improvements at Harbor Hills Park, Great Neck, NY, DPW Project No. 18-03 (the "Project"); and

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

<b>Bidder</b>	<b>Price</b>
<p>Bensin Contracting, Inc. 652 Union Avenue Holtsville, NY 11742</p>	<p>Total Gross Bid: \$1,133,000 Add Alt. No. G-1: \$22,400 Add Alt. No. A-1: \$7,900 Add Alt No. A-2: \$31,000</p>
<p>Philip Ross Industries, Inc. 88 Duryea Road, Suite 204 Melville, NY 11747</p>	<p>Total Gross Bid: \$861,000 Add Alt. No. G-1: \$57,000 Add Alt. No. A-1: \$9,500 Add Alt No. A-2: \$32,000</p>

**WHEREAS**, after a review of the bids, the Commissioner of the Town's Department of Public Works (the "Commissioner") has recommended that the contract for the Project be awarded to Philip Ross Industries, Inc. (the "Contractor") as the lowest responsible bidder at its bid price of Nine Hundred Fifty-Nine Thousand Five Hundred and 00/100 Dollars (\$959,500.00), inclusive of the Contractor's Total Gross Bid, Add Alternate G-1, Add Alternate A-1, and Add Alternate A-2; and

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

**NOW, THEREFORE, BE IT**



**RESOLVED** that a Contract for the Project is hereby awarded to the Contractor, as the lowest responsible bidder, at its bid price of Nine Hundred Fifty-Nine Thousand Five Hundred and 00/100 Dollars (\$959,500.00), as more particularly set forth in an agreement which will be filed in the Office of the Town Clerk (the "Award"); and be it further

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

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

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller      DPW

MR. WINK: Item 27, a resolution authorizing the award of a bid for pool improvements at Martin "Bunky" Reid Park, New Cassel, DPW Project No. 18-01.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 555 - 2019**

**A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR POOL IMPROVEMENTS AT MARTIN "BUNKY" REID PARK, NEW CASSEL, DPW PROJECT NO. 18-01.**

**WHEREAS**, the Town Clerk solicited bids for Pool Improvements at Martin "Bunky" Reid Park, New Cassel, NY, DPW Project No. 18-01 (the "Project"); and

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

Bidder	Price
Aquatics Dynamics, Inc. 5507-10 Nesconset Highway #280 Mount Sinai, NY 11766	Total Gross Bid: \$394,900 Add Alt. No. 1.: \$5,000
Bensin Contracting, Inc. 652 Union Avenue Holtsville, NY 11742	Total Gross Bid: \$560,000 Add Alt. No. 1.: \$10,100
Philip Ross Industries 88 Duryea Road, Suite 204 Melville, NY 11747	Total Gross Bid: \$449,500 Add Alt. No. 1.: \$7,000
Seaford Avenue Corp. 21 Brooklyn Avenue Massapequa, NY 11758	Total Gross Bid: \$639,454 Add Alt. No. 1.: \$15,000

**WHEREAS**, after a review of the bids, the Commissioner of the Town's Department of Public Works (the "Commissioner") has recommended that the contract for the Project be awarded to Aquatics Dynamics, Inc., 5507-10 Nesconset Highway #280, Mount Sinai, NY

11766 (the "Contractor") as the lowest responsible bidder at its bid price of Three Hundred Ninety-Nine Thousand Nine Hundred and 00/100 Dollars (\$399,900.00), inclusive of the Contractor's Total Gross Bid and Add Alternate 1; and

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that a Contract for the Project is hereby awarded to the Contractor, as the lowest responsible bidder, at its bid price of Three Hundred Ninety-Nine Thousand Nine Hundred and 00/100 Dollars (\$399,900.00), as more particularly set forth in an agreement which will be filed in the Office of the Town Clerk (the "Award"); and be it further

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

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

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller      DPW

MR. WINK: Item 28, a resolution authorizing the award of a request for proposals for feral cat spaying and neutering (TNH222R-2019).

SUPERVISOR BOSWORTH: So this voucher program will supplement out current trap neuter return programs to enable residents who trap feral cats on their own to obtain a voucher for spaying and neuter services, vaccinations and treatment for fleas, ticks, mice and worms at the Port Washington Animal Hospital. The Town will continue to provide the spay neuter clinic and trapping services. It's our hope that this extra layer of services assists our residents who care so deeply about our cats. I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 556 - 2019**

**A RESOLUTION AUTHORIZING THE AWARD OF A REQUEST FOR PROPOSALS FOR FERAL CAT SPAYING & NEUTERING (TNH222R-2019).**

**WHEREAS**, the Town of North Hempstead (the "Town") requires the services of a company to spay and neuter feral cats ("the Services"); and

**WHEREAS**, the Director of Purchasing (the "Director") has issued a Request for Proposals (the "RFP") for the Services, in accordance with the Town's Procurement Policy; and

**WHEREAS**, after reviewing and scoring the proposals submitted in response to the RFP, a Town review committee has recommended that the Town enter into a professional services agreement with the Port Animal Hospital, LLC 16 Willowdale Avenue, Port Washington, New York 11050 (the "Contractor") to provide the Services for a term of two (2) years in consideration of an amount not to exceed Eighty and 00/100 (\$80.00) per feline (the "Award") (collectively the "Agreement"); and

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

**NOW, THEREFORE, BE IT**

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

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

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

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

Dated: Manhasset, New York  
November 19, 2019

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

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller      Purchasing

MR. WINK: Item 29, a resolution authorizing the execution of an agreement with the Nassau County Girl Scouts for STEM activities for the after school program at the North Hempstead "Yes We Can" Community Center, New Cassel.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 557 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE NASSAU COUNTY GIRL SCOUTS FOR STEM ACTIVITIES FOR THE AFTER SCHOOL PROGRAM AT THE NORTH HEMPSTEAD "YES WE CAN" COMMUNITY CENTER, NEW CASSEL.**

**WHEREAS**, the Town of North Hempstead's (the "Town") Department of Parks and Recreation (the "Department") desires to provide activities in the areas of science, technology, engineering and mathematics ("STEM") for young girls of the community as part of the after school program held at the North Hempstead "Yes We Can" Community Center in New Cassel (the "Services"); and

**WHEREAS**, the Commissioner of the Department has recommended that the Town enter into a professional services agreement with the Girl Scouts of Nassau County, 110 Ring Road, Garden City, New York 11530 (the "Contractor") to provide the Services for a term beginning December 3, 2019 and ending June 23, 2020 in consideration of an amount of Fifteen and 00/100 Dollars (\$15.00) per child registered in the program (the "Agreement"); and

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

**NOW, THEREFORE, BE IT**

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

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

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

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Admin Services      Comptroller

MR. WINK: Item 30, a resolution authorizing the execution of an agreement with Capital One Bank for volunteers at the after school program at the North Hempstead "Yes We Can" Community Center, New Cassel.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 558 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CAPITAL ONE BANK FOR VOLUNTEERS AT THE AFTER SCHOOL PROGRAM AT THE NORTH HEMPSTEAD "YES WE CAN" COMMUNITY CENTER, NEW CASSEL.**

**WHEREAS**, Capital One Bank ("Capital One") has generously offered to allow its staff to volunteer at the Town of North Hempstead "Yes We Can" (YWC) Community Center in New Cassel to assist children in the after school program with their homework (the "Services"); and

**WHEREAS**, the Town Board desires to accept the offer of volunteers and to authorize the Supervisor to execute an agreement with Capital One for the Services (the "Agreement").

**NOW, THEREFORE, BE IT**

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

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

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney Admin Services Comptroller

MR. WINK: Item 31, a resolution authorizing the execution of an agreement with Education and Assistance Corporation, Inc. (EAC) for respite care 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: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 559 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH EDUCATION AND ASSISTANCE CORPORATION, INC. (EAC) FOR RESPITE CARE IN CONNECTION WITH PROJECT INDEPENDENCE.**

**WHEREAS**, the Town of North Hempstead's ("Town") Department of Services for the Aging ("DOSA") requires trained volunteer companions to offer non-medical support and friendship to seniors aged 60 and older participating in the Town's Project Independence program (the "Services"); and

**WHEREAS**, the Commissioner of DOSA (the "Commissioner") has recommended that this Board execute an agreement with Education and Assistance Corporation, Inc. 50 Clinton Street, Hempstead, New York 11550 to provide the Services for an amount not to exceed Nineteen Thousand Five Hundred and 00/100 Dollars (\$19,500.00) for a term beginning January 1, 2020 and terminating December 31, 2020 (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 is hereby authorized, which Agreement 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 Agreement 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 Agreement, and to take such other action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller      DOSA



MR. WINK: Item 32, a resolution authorizing the execution of an agreement with North Shore Child and Family Guidance Center for Grandparenting Respite 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: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 560 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH NORTH SHORE CHILD AND FAMILY GUIDANCE CENTER FOR GRANDPARENTING RESPITE SERVICES IN CONNECTION WITH PROJECT INDEPENDENCE.**

**WHEREAS**, the Town of North Hempstead's (the "Town") Department of Services for the Aging ("DOSA") requires an organization to provide support and non-medical respite services to seniors aged 60 and older, who have responsibility for the care of their grandchildren, participating in the Project Independence program (the "Services"); and

**WHEREAS**, the Commissioner of DOSA has recommended that this Board authorize the execution of an agreement with North Shore Child and Family Guidance Center, 480 Old Westbury Road, Roslyn Heights, New York to provide the Services in consideration of an amount not to exceed Nineteen Thousand Five Hundred and 00/100 Dollars (\$19,500.00) for a term beginning January 1, 2020 and ending on December 31, 2020 (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 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 to take such other action as may be necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller      DOSA

MR. WINK: Item 33, a resolution authorizing the execution of an agreement with Rebuilding Together Long Island 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: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 561 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH REBUILDING TOGETHER LONG ISLAND IN CONNECTION WITH PROJECT INDEPENDENCE.**

**WHEREAS**, the Town of North Hempstead's (the "Town") Department of Services for the Aging ("DOSA") desires to contract with an organization 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 an agreement for the Services with Rebuilding Together Long Island, Inc., 208 Route 109, Farmingdale, NY 11735 in consideration of an amount not to exceed Nineteen Thousand Five Hundred Dollars and 00/100 Dollars (\$19,500.00) for a term beginning January 1, 2020 and terminating December 31, 2020 (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 is hereby authorized, which Agreement 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 Agreement 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 Agreement and certified claims therefore.

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller      DOSA

MR. WINK: Item 34, a resolution authorizing the execution of a sublease agreement with the Great Neck Social Center, Inc. for office and program space used 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: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 562 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A SUBLEASE AGREEMENT WITH THE GREAT NECK SOCIAL CENTER, INC. FOR OFFICE AND PROGRAM SPACE USED IN CONNECTION WITH PROJECT INDEPENDENCE.**

**WHEREAS**, the Town of North Hempstead's (the "Town") Department of Services for the Aging ("DOSA") requires the use of a space in connection with its Project Independence program for the Great Neck region; and

**WHEREAS**, the Commissioner of DOSA has recommended that the Town enter into a sub-lease agreement (the "Sub-Lease Agreement") with the Great Neck Social Center, Inc. (the "Sub-Landlord") for use of a space in its facility located at 80 Grace Avenue, Great Neck, New York 11021 commencing January 1, 2020 and terminating December 31, 2020 in consideration of rental payments in the amount of One Thousand Three Hundred Thirty-Three and 33/100 Dollars (\$1,333.33) per month for a total amount not to exceed Sixteen Thousand and 00/100 Dollars (\$16,000.00); and

**WHEREAS**, the Sub-Lease Agreement is effectively a one (1) year renewal, on the same terms and conditions, of a sub-lease agreement for the same premises between the Town and the Sub-Landlord effective for calendar years 2014, 2015, 2016, 2017, 2018 and 2019; and

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board determines that the Proposed Action is a Type II action under Section 617.5(c)(26) of the implementing regulations for the State Environmental Quality Review Act and that no further environmental review is necessary; and be it further



**RESOLVED** that the Supervisor be and hereby is authorized and directed to execute the Sub-Lease Agreement on behalf of the Town, as more specifically set forth in documents which shall be on file in the Office of the Town Clerk; and be it further

**RESOLVED** that the Office of the Town Attorney be and hereby is authorized and directed to supervise the execution of the Sub-Lease Agreement, and to take any and all other action reasonably necessary to effectuate the foregoing; and be it further

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller      DOSA

MR. WINK: Item 35, a resolution authorizing the Town Board to make an application to the County of Nassau for approval of recreational and youth service programs within the Town of North Hempstead for the 2019 calendar year and to authorize the execution of agreements with the County of Nassau, the Village of Westbury, the Village of New Hyde Park and various youth services agencies in connection therewith.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 563 - 2019**

**A RESOLUTION AUTHORIZING THE TOWN BOARD TO MAKE AN APPLICATION TO THE COUNTY OF NASSAU FOR APPROVAL OF RECREATIONAL AND YOUTH SERVICE PROGRAMS WITHIN THE TOWN OF NORTH HEMPSTEAD FOR THE 2019 CALENDAR YEAR AND TO AUTHORIZE THE EXECUTION OF AGREEMENTS WITH THE COUNTY OF NASSAU, THE VILLAGE OF WESTBURY, THE VILLAGE OF NEW HYDE PARK AND VARIOUS YOUTH SERVICES AGENCIES IN CONNECTION THEREWITH.**

**WHEREAS**, the Town of North Hempstead (the "Town") has heretofore appropriated funds for recreational and youth service programs; and

**WHEREAS**, the Port Washington Community Action Council, Inc., the Port Washington Youth Council, Inc., the Manhasset-Great Neck Youth Council, Inc., the Herricks Youth Council, Inc., the Village of New Hyde Park, the Village of Westbury and the Town have created programs for Town youth; and

**WHEREAS**, the Town intends to file an application with the County of Nassau for partial funding for these programs; and

**WHEREAS**, the following sums represent the estimated costs of such programs for 2019 and the approximate amount for which the Town will be reimbursed by the County of Nassau:

<b>Youth Program</b>	<b>2019 Town Contract Amount</b>	<b>2019 County Reimbursement</b>
Port Washington Community Action Council, Inc.	\$8,436	\$3,411
Port Washington Youth Council, Inc.	\$19,026	\$3,411
Manhasset Great Neck Youth Council, Inc.	\$8,472	\$3,410
Herricks Youth Council, Inc.	\$16,994	\$3,410
Village of New Hyde Park	\$2,000	\$2,000
Village of Westbury	\$1,549	\$1,549
Town of North Hempstead Youth and Human Resources	\$59,800	\$8,411

Town of North Hempstead Department of Parks and Recreation	\$626,784	\$23,684
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; and

**WHEREAS**, the Department of Parks and Recreation has requested that the Town be authorized to enter into agreements with the Port Washington Community Action Council, Inc., the Port Washington Youth Council, Inc., the Manhasset-Great Neck Youth Council, Inc., the Herricks Youth Council, Inc., the Village of New Hyde Park, and the Village of Westbury to operate programs for youth within the Town in the amounts indicated in the chart above (the “Agreements”); and

**WHEREAS**, this Board finds it to be in the best interests of the Town to continue to support the recreation and youth service programs enumerated above.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town be and hereby is authorized to enter into the Agreements with the above-referenced organizations to provide youth services within the Town in the amounts as written above; and be it further

**RESOLVED** that the Town be and hereby is authorized to file applications with the County of Nassau for funding for the above-referenced programs, to enter into an agreement with the County of Nassau for the receipt of such funding and to take any other actions and execute any other documentation necessary to effectuate the foregoing; and be it further

**RESOLVED** that the Office of the Town Attorney is hereby authorized to supervise the negotiation and execution of the above-referenced agreements and any grant applications and other agreements necessary to receive funding for the above-referenced programs from the County of Nassau; and be it further

**RESOLVED** that the Supervisor be and he hereby is authorized and directed to execute the above-referenced agreements and any grant applications and agreements

referenced in this resolution on behalf of the Town, copies of which will be on file in the office of the Town Clerk; 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 and duly executed and certified claims therefor.

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller      Parks & Rec.

MR. WINK: Item 36, a resolution authorizing the execution of an agreement with LND Studio for the Arts, LLC for dance classes at the North Hempstead "Yes We Can" Community Center, New Cassel.

COUNCILWOMAN RUSSELL: I'd like to offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 564 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH LND STUDIO FOR THE ARTS, LLC FOR DANCE CLASSES AT THE NORTH HEMPSTEAD "YES WE CAN" COMMUNITY CENTER, NEW CASSEL.**

**WHEREAS**, the Town of North Hempstead's (the "Town") Department of Parks and Recreation (the "Department") desires to provide afterschool dance classes for children ages three (3) to eighteen (18) and Saturday dance classes for the general public at the "Yes We Can" Community Center (the "Services"); and

**WHEREAS**, the Commissioner of the Department has recommended that the Town enter into a professional services agreement with LND Studio for the Arts, LLC, 348 Post Avenue, Westbury, NY 11590 (the "Contractor") to provide the Services for a term beginning October 1, 2019 and ending June 30, 2020 (the "Agreement"); and

**WHEREAS**, the afterschool lessons will be free and the Contractor will charge a fee for Saturday classes directly to the participant; and

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

**NOW, THEREFORE, BE IT**

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

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

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

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller      Parks & Rec.



MR. WINK: Item 37, a resolution authorizing the execution of an agreement with the Cornell Cooperative Extension for health and nutrition programs at the North Hempstead "Yes We Can" Community Center, New Cassel.

COUNCILWOMAN RUSSELL: I'd like to offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 565 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE CORNELL COOPERATIVE EXTENSION FOR HEALTH AND NUTRITION PROGRAMS AT THE NORTH HEMPSTEAD "YES WE CAN" COMMUNITY CENTER, NEW CASSEL.**

**WHEREAS**, the Town of North Hempstead's (the "Town") Department of Parks and Recreation (the "Department") desires to offer residents of the Town health and nutrition programs at the "Yes We Can" Community Center (the "Services"); and

**WHEREAS**, the Commissioner of the Department (the "Commissioner") has recommended that the Town enter into an agreement with the Cornell Cooperative Extension of Suffolk County, 423 Griffing Avenue, Suite 100, Riverhead, New York 11901 to provide the Services at no cost to the Town (the "Agreement"); and

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

**NOW, THEREFORE, BE IT**

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

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

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Admin Services      Comptroller

MR. WINK: Item 38, a resolution authorizing the execution of an agreement with the Unified New Cassel Community Revitalization Corp. to sponsor a summer camp.

COUNCILWOMAN RUSSELL: I'd like to offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 566 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE UNIFIED NEW CASSEL COMMUNITY REVITALIZATION CORP. TO SPONSOR A SUMMER CAMP.**

**WHEREAS**, the Town of North Hempstead (the "Town") has appropriated funds for assistance to youth organizations; and

**WHEREAS**, the Commissioner of the Department of Community Services (the "Commissioner") has recommended entering into an agreement (the "Agreement") with the Unified New Cassel Community Revitalization Corp., 211 Garden Street, Westbury, NY 11590 to sponsor a community summer camp for the youth of New Cassel in the summer of 2020 (the "Services"); and

**WHEREAS**, the Town shall pay an amount not to exceed Ten Thousand and 00/100 Dollars (\$10,000.00) for such Services; and

**WHEREAS**, the Town Board deems it to be in the best interests of the residents of the Town to continue to provide the Services.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town be and hereby is authorized to enter into the Agreement to provide the Services within the Town in the amount and duration as shown above; and be it further

**RESOLVED** that the Office of the Town Attorney is hereby authorized to supervise the negotiation and execution of the Agreement, and be it further

**RESOLVED** that the Supervisor be and he hereby is authorized and directed to execute such Agreement on behalf of this Board, copies of which will be on file in the office of the Town Clerk.

Dated: Manhasset, New York  
November 19, 2019

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

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller      Community Services

MR. WINK: Item 39, a resolution authorizing the execution of an agreement with Family Service League for youth education and recreation services through the Kornreich Early Learning Center.

COUNCILMAN FERRARA: I'd like to offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

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

**RESOLUTION NO. 567 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH FAMILY SERVICE LEAGUE FOR YOUTH EDUCATION AND RECREATION SERVICES THROUGH THE KORNREICH EARLY LEARNING CENTER.**

**WHEREAS**, Family Service League, Inc., 790 Park Avenue, Huntington, New York (the "Center"), provides early education services to disadvantaged children through the Kornreich Early Learning Center; and

**WHEREAS**, the Center has requested that the Town of North Hempstead (the "Town") sponsor the Center for a term beginning on January 1, 2020 and terminating on December 31, 2020 by providing the sum of Five Thousand and 00/100 Dollars (\$5,000.00) (the "Sponsorship Funds") (collectively the "Agreement"); and

**WHEREAS**, the Town Board finds that the Center organized various recreational activities and field trips that are open to residents of the Town, and is deserving of the sponsorship of the Town in accordance with New York General Municipal Law.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Supervisor be and hereby is authorized, on behalf of the Town, to execute the Agreement to sponsor the Center and provide the Center with the Sponsorship Funds 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 is hereby authorized to supervise the negotiation and execution of the Agreement, a copy of which shall be on file with the Town Clerk, and to take such further action as may be necessary to effectuate the foregoing; and be it further

**RESOLVED** that the Town Comptroller is hereby authorized and directed to pay the Sponsorship Funds to the Center, upon receipt of a fully-executed Agreement and certified claims therefor.



Dated: Manhasset, New York  
November 19, 2019

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

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller      Community Services

MR. WINK: Item 41, a resolution authorizing the execution of an intermunicipal agreement with the Incorporated Village of Port Washington North for the storage of road salt.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 568 -2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERMUNICIPAL AGREEMENT WITH THE INCORPORATED VILLAGE OF PORT WASHINGTON NORTH FOR THE STORAGE OF ROAD SALT.**

**WHEREAS**, pursuant to Article 8, Sections 1 and 2-a of the New York State Constitution, as effectuated by General Municipal Law §§ 119-n and 119-o, municipal corporations are empowered to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis; and

**WHEREAS**, the Incorporated Village of Port Washington North (the "Village") has asked that the Town enter into an Agreement whereby the Town will store, distribute and monitor (the "Services") salt and sand purchased by the Village ("Property") in a designated Town owned and operated storage facility, and the Village would agree to pay for the Services in accordance with rates the Town may establish, currently an annual fee of One Thousand and 00/100 Dollars (\$1,000.00) per year beginning with a term of one (1) year commencing November 1, 2019 (the "Agreement"); and

**WHEREAS**, the Board wishes to authorize and direct the Supervisor to execute the Agreement on behalf of the Town.

**NOW THEREFORE, BE IT**

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

**RESOLVED** that the Office of the Town Attorney be and is hereby authorized and directed to negotiate the terms and conditions, and supervise the execution, of the Agreement.

**RESOLVED** that the Comptroller be and hereby is authorized to accept reimbursement from the Village for the Services in accordance with the foregoing.

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilwoman De Giorgio, Councilman Ferrara, Councilwoman Lurvey,  
Councilwoman Russell, Councilman Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilwoman Seeman

cc: Town Attorney Comptroller

MR. WINK: Item 42, a resolution authorizing the execution of an intermunicipal agreement with the Roslyn Union Free School District for fuel management.

COUNCILMAN ZUCKERMAN: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 569 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERMUNICIPAL AGREEMENT WITH THE ROSLYN UNION FREE SCHOOL DISTRICT FOR FUEL MANAGEMENT.**

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

**WHEREAS**, the Roslyn Union Free School District (the “District”) is a school district duly organized under the laws of the State of New York and providing education to residents of the Town; and

**WHEREAS**, the District has indicated a need to purchase fuel for its vehicles to be used in serving Town residents; and

**WHEREAS**, the Town has a fuel management system which enables it to track the dispensation and use of fuel (“Fuel”) within its vehicular fleet (the “System”) utilizing equipment (the “Equipment”) manufactured, sold and installed by EJ Ward, Inc. (the “Equipment Manufacturer”); and

**WHEREAS**, the Town wishes to enter into a intermunicipal agreement with the District, whereby the District would purchase from the Equipment Manufacturer and install on their vehicles (the “District Vehicles”) the Equipment, have District Vehicles utilize fuel from the Town’s fueling facilities, and receive monthly reports from the Town showing the fuel consumption and mileage of each District Vehicle (the “Services”); and

**WHEREAS**, as consideration for the Services, the District would pay the Town the cost of the Fuel utilized by their vehicles (the “Fuel Cost”), and an administrative fee equal to 5 percent of the Fuel Cost (together, the “Contract Amount”); and

**WHEREAS**, the Town Board (the "Board") wishes to authorize and direct the Supervisor or the Deputy Supervisor, or their designees, as the case may be, to execute an intermunicipal agreement with the District on behalf of the Town for the Services as consideration for payment of the Contract Amount (the "Intermunicipal Agreement").

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Supervisor or the Deputy Supervisor, is hereby authorized to execute the Intermunicipal Agreement on behalf of the Town, which will be on file with the Office of the Town Clerk, and to execute such documents and take such related action as may be necessary to effectuate the foregoing; and be it further

**RESOLVED** that the Office of the Town Attorney be and is hereby authorized and directed to negotiate the terms and conditions and supervise the execution of the Intermunicipal Agreement and related documents, if any; and be it further

**RESOLVED** that the Comptroller or Deputy Comptroller be and hereby is authorized and directed to accept funds payable to the Town under the Intermunicipal Agreement and to take such related action as may be necessary to effectuate the foregoing.

Dated:           Manhasset, New York  
                    November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes:           Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
                    Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays:           None

Absent:         Councilperson Seeman

cc:           Town Attorney       Comptroller       OIC

MR. WINK: Item 43, a resolution authorizing the execution of an agreement with Tate Grossman Kelly & Iaccarino, LLP for legal services.

SUPERVISOR BOSWORTH: So the Town rejoined the federal litigation against manufacturers and distributors of opioids. I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 570 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH TATE GROSSMAN KELLY & IACCARINO, LLP FOR LEGAL SERVICES.**

**WHEREAS**, the Office of the Town Attorney requires special counsel services to represent the Town in litigation against manufacturers and distributors of opioids (the “Services”); and

**WHEREAS**, the Town Attorney has recommended that the Town enter into an agreement with the Law Offices of Tate Grossman Kelly & Iaccarino, LLP, 1248 Montauk Highway, West Islip, NY 11795 (“Counsel”) to provide the Services in consideration of a contingency fee of twenty-five percent (25%) of all gross amounts recovered (the “Agreement”); and

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

**NOW, THEREFORE, BE IT**

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

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

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

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller

MR. WINK: Item 44, a resolution authorizing the execution of an agreement with the Community Chest of Port Washington, NY, Inc., to co-sponsor a Thanksgiving Day Run.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 571 - 2019**

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

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

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

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

**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.

**RESOLVED** that the Town Comptroller is hereby authorized and directed to pay the costs of the Agreement upon receipt of a fully-executed Agreement and certified claims therefor.

Dated: Manhasset, New York

November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller

MR. WINK: Item 45, a resolution authorizing the execution of an agreement with Bernice Sims for speaker services in support of the Town of North Hempstead's civil rights historical initiative.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 572 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BERNICE SIMS FOR SPEAKER SERVICES IN SUPPORT OF THE TOWN OF NORTH HEMPSTEAD'S CIVIL RIGHTS HISTORICAL INITIATIVE.**

**WHEREAS**, the Town of North Hempstead (the "Town") is committed to the documentation and preservation of stories related to the African American struggle to gain equal rights as citizens in the 20th Century and has produced a documentary entitled "Defining Moments: The Civil Rights Movement in North Hempstead"; and

**WHEREAS**, the Town is in need of an individual to assist in the promotion of the film through speaking engagements (the "Services"); and

**WHEREAS**, the Director of Communications has recommended that the Town enter into an agreement with Bernice Sims to provide the Services for an amount not to exceed One Thousand and 00/100 Dollars (\$1,000.00) payable at a rate of One Hundred Fifty and 00/100 Dollars (\$150.00) per speaking engagement (the "Agreement"); and

**WHEREAS**, this Board wishes to authorize the Town to execute 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 is hereby authorized and directed to negotiate and supervise the execution of the agreements and be it further

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller      Purchasing



MR. WINK: Item 46, a resolution authorizing the execution of an agreement with Nassau BOCES for cooperative purchasing of passenger cars, vans and trucks.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 573 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH NASSAU BOCES FOR COOPERATIVE PURCHASING OF PASSENGER CARS, VAN AND TRUCKS.**

**WHEREAS**, the Town of North Hempstead (the "Town") wishes to participate in a Cooperative Bidding Program (the "Program") conducted by the Board of Cooperative Educational Services of Nassau County ("Nassau BOCES") for the purchase of various commodities and/or services as authorized by and in accordance with the Educational Law and General Municipal Law § 119-o; and

**WHEREAS**, the Town wishes to participate in the joint cooperative bid for passenger cars, vans, and trucks; and

**WHEREAS**, the Town is a municipality within the meaning of General Municipal Law § 119-n and eligible to participate in the Nassau BOCES Program in the area mentioned above; and

**WHEREAS**, the Town acknowledges receipt of the Program description inclusive of Nassau BOCES standard bid packet and general conditions relating to the Program; and

**WHEREAS**, with respect to all activities conducted by the Program, the Town wishes to delegate to Nassau BOCES the responsibility for drafting of bid specifications, advertising for bids, accepting and opening bids, tabulating bids, awarding the bids, and reporting the results to the Town; and

**WHEREAS**, the Board wishes to authorize and direct the Supervisor or Deputy Supervisor, or their designees, as the case may be, to execute any documentation necessary to participate in the Program on behalf of the Town.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town hereby appoints Nassau BOCES as its representative and agent in all matters related to the Program, including but not limited to, responsibility for

drafting of specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the Town and making recommendations thereon; and be it further

**RESOLVED**, that the Town hereby authorizes Nassau BOCES to place all legal advertisements for any required cooperative bidding in Newsday, which is designated as the official newspaper for the Program; and be it further

**RESOLVED**, that Nassau BOCES is hereby authorized to award cooperative bids on behalf of the Town to the bidder deemed to be the lowest responsible bidder meeting the bid specifications and otherwise complying with Article 5-A of the General Municipal Law of the State of New York relating to public bids and contracts and to enter into contracts for the purchase of the commodities and/or services as authorized herein; and be it further

**RESOLVED**, that the Town hereby authorizes its Director of Purchasing or his/her designee on behalf of the Town to participate in cooperative bidding conducted by Nassau BOCES and if requested to furnish Nassau BOCES an estimated minimum number of units that will be purchased and such other documents and information that may be reasonably necessary or useful in conducting the Program; and be it further

**RESOLVED**, that the Town's participation in the Program shall be for a term of one (1) year as authorized by General Municipal Law §119 0.2.j; and be it further

**RESOLVED**, that the Town agrees to pay Nassau BOCES a fee of \$450.00 per bid participated in, as established and/or assessed, by Nassau BOCES to act as the lead agent for the Program; and be it further

**RESOLVED**, that the Supervisor or Deputy Supervisor, or their designees, as the case may be, is hereby authorized to execute on behalf of the Town any agreements and documents necessary to participate in the Program, and to take such related action as may be necessary to effectuate the foregoing; and be it further

**RESOLVED**, that the Office of the Town Attorney be and is hereby authorized and directed to negotiate the terms and conditions of such documents; and be it further

**RESOLVED**, that the Comptroller be and hereby is authorized and directed to pay the fee for Program participation upon receipt of duly executed agreements and certified claims therefor.

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Admin Services      Comptroller

MR. WINK: Item 47, a resolution authorizing the use of an agreement between the County of Suffolk and Extermitech Pest Control Co., Inc. for extermination services.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 574 - 2019**

**A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE COUNTY OF SUFFOLK AND EXTERMITECH PEST CONTROL CO., INC. FOR EXTERMINATION SERVICES.**

**WHEREAS**, the Town of North Hempstead (the "Town") requires extermination services (the "Services"); and

**WHEREAS**, the County of Suffolk awarded contract #EDPW-060116 entitled "Exterminating - DPW" (the "Agreement") to Extermitech Pest Control Co, Inc., 33 East Main Street, East Islip, NY 11730 (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

November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Admin Services      Comptroller

MR. WINK: Item 48, a resolution authorizing an amendment to an agreement with Galvin Brothers, Inc./Madhue Contracting, Inc. for Hempstead Harbor Shoreline Trail, 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: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 575 - 2019**

**A RESOLUTION AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH GALVIN BROTHERS, INC./MADHUE CONTRACTING, INC. FOR HEMPSTEAD HARBOR SHORELINE TRAIL, DPW PROJECT NO. 18-12.**

**WHEREAS**, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Galvin Brothers, Inc./Madhue Contracting, Inc. as a joint venture, 149 Steamboat Road, Great Neck, NY 11024 (the "Contractor"), for Hempstead Harbor Shoreline Trail, Phases III & IV, Port Washington, NY, DPW Project No. 18-12 (the "Agreement"); and

**WHEREAS**, the Commissioner of the Department of Public Works (the "Commissioner") has recommended that the Town amend the Original Agreement to include the installation of a steel collar to prevent blockage of an existing manhole grate; the installation of railings and double swing gates along the trail (the "Additional Services") while decreasing the contract quantities for landscaping thereby ultimately decreasing the contract amount by Forty and 84/100 Dollars (\$40.84) (the "Amendment"); and

**WHEREAS**, the Commissioner has informed this Board that the Additional Services to be authorized by the Amendment is unforeseen work and does not materially change the character or scope of the project; and

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

**NOW, THEREFORE, BE IT**

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

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

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

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney DPW Comptroller

MR. WINK: Item 49, a resolution authorizing the execution of an amendment to an agreement with Fleetwash Inc. for washing of vehicles (TNH131R-2016).

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 576 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH FLEETWASH INC. FOR WASHING OF VEHICLES (TNH131R-2016).**

**WHEREAS**, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Fleetwash Inc., 273 Passaic Avenue, Fairfield, New Jersey 07004 (the "Contractor") for vehicle washing services for Town vehicles (the "Original Agreement"); and

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

**WHEREAS**, the Director of Purchasing (the "Director") has recommended that the Town exercise the first Option to extend the term of the Original Agreement for a period of one (1) year such that the Agreement shall terminate on November 19, 2020 (the "Amendment"); and

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

**NOW, THEREFORE, BE IT**

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

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

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

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

Dated: Manhasset, New York

November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney Purchasing

MR. WINK: Item 50, a resolution authorizing the execution of an amendment to an agreement with Cunningham Duct Cleaning for air duct, boiler and chimney cleaning (TNH-49-2016).

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 577 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH CUNNINGHAM DUCT CLEANING FOR AIR DUCT, BOILER & CHIMNEY CLEANING (TNH049-2016).**

**WHEREAS**, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Cunningham Duct Cleaning Co. Inc., 869 Sylvan Avenue, Bayport, New York 11705 (the "Contractor"), to provide air duct, boiler and chimney cleaning services (the "Original Agreement"); and

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

**WHEREAS**, the Director of Purchasing (the "Director") has recommended that the Town exercise the Option to extend the term of the Original Agreement for a period of one (1) year such that the Agreement shall terminate on November 14, 2020 (the "Amendment"); and

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

**NOW, THEREFORE, BE IT**

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

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

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

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller



MR. WINK: Item 51, a resolution authorizing the execution of amendments to agreements with multiple vendors for manhole casting and covers (TNH050R-2017).

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 578 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENTS TO AGREEMENTS WITH MULTIPLE VENDORS FOR MANHOLE CASTING AND COVERS (TNH050R-2017).**

**WHEREAS**, pursuant to a resolution duly adopted by the Board, the Town entered into agreements with multiple vendors for manhole castings and covers (the “Original Agreements”); and

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

**WHEREAS**, the Director of Purchasing (the “Director”), has recommended that the Town exercise the Option to extend the term of the Original Agreements for a period of one (1) year to begin on December 20, 2019 and to terminate on December 19, 2020 (the “Amendments”); and

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

**NOW, THEREFORE, BE IT**

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

**RESOLVED** the Supervisor is authorized and directed to execute, on behalf of the Town, the Amendments, all as more particularly set forth in copies of the Amendments, 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 Amendments; and be it further

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney

MR. WINK: Item 52, a resolution authorizing the execution of an amendments to agreements with multiple vendors for parts and services for snow plows, snow blowers, sander hydraulic systems and sanders/salt spreaders (TNH-54-2016).

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 579 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENTS TO AGREEMENTS WITH MULTIPLE VENDORS FOR PARTS AND SERVICES FOR SNOW PLOWS, SNOW BLOWERS, SANDER HYDRAULIC SYSTEMS & SANDERS/SALT SPREADERS (TNH054-2016).**

**WHEREAS**, pursuant to a resolution duly adopted by the Board, the Town of North Hempstead (the “Town”) entered into agreements with multiple vendors for snow plows and snow plow parts to be used Town wide (the “Original Agreements”); and

**WHEREAS**, the Original Agreements contained an option to renew for up to two (2) additional one (1) year periods with the same terms and conditions, including price (the “Extensions”); and

**WHEREAS**, the Director of Purchasing (the “Director”), has recommended that the Town exercise the first Extension to amend the term of the Original Agreements for a period of one (1) year to begin on December 13, 2019 and to terminate on December 14, 2020 (the “Amendments”); and

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

**NOW, THEREFORE, BE IT**

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

**RESOLVED** the Supervisor is authorized and directed to execute, on behalf of the Town, the Amendments, all as more particularly set forth in copies of the Amendments, 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 Amendments; and be it further

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney

MR. WINK: Item 53, a resolution authorizing the execution of an amendment to an agreement with Devo & Associates, LLC for hardware and software upgrades for the Port Washington Public Parking District.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 580 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH DEVO & ASSOCIATES, LLC FOR HARDWARE AND SOFTWARE UPGRADES FOR THE PORT WASHINGTON PUBLIC PARKING DISTRICT.**

**WHEREAS**, the Town of North Hempstead (the “Town”) previously entered into an agreement with Devo & Associates, LLC (“Devo”) to provide parking meters and software licenses for the Port Washington Public Parking District (the “Agreement”); and

**WHEREAS**, the Director of Purchasing has recommended that the Town amend the Agreement with Devo to: (A) incorporate a one-time hardware and software upgrade to the Town’s parking meters to facilitate integration with the Town’s new parking enforcement application, Passport, in consideration of an amount not to exceed Six Thousand Two Hundred Six and 00/100 Dollars (\$6,206.00); and (B) include a monthly fee of Fifty-Seven and 00/100 Dollars (\$57.00) per meter for up to six meters, for a total cost of Three Hundred Forty-Two and 00/100 Dollars (\$342.00) per month for airtime costs, for a term to expire on July 31, 2022 (collectively the “Amendment”); and

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

**NOW, THEREFORE, BE IT**

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

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



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

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller      Parking District

MR. WINK: Item 54, a resolution authorizing the execution of amendments to intermunicipal agreements with the Village of Port Washington North and the Port Washington Union Free School District and the execution of an agreement with the Village of Manorhaven with regard to the Safe Routes to School Grant Program.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 581 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENTS TO INTERMUNICIPAL AGREEMENTS WITH THE VILLAGE OF PORT WASHINGTON NORTH AND THE PORT WASHINGTON UNION FREE SCHOOL DISTRICT AND THE EXECUTION OF AN AGREEMENT WITH THE VILLAGE OF MANORHAVEN WITH REGARD TO THE SAFE ROUTES TO SCHOOL GRANT PROGRAM.**

**WHEREAS**, pursuant to Article 8, Sections 1 and 2-a of the New York State Constitution, as effectuated by General Municipal Law §119-o, municipal corporations and districts of the State are empowered to enter into agreements for the performance of their respective functions, powers and duties on a cooperative or contract basis; and

**WHEREAS**, the State of New York awarded the Town a grant (the “Grant”) under the Safe Routes to School Program to design and construct certain improvements on municipally-controlled roads and property to enhance the safety of routes taken by children when travelling to school (the “Project”); and

**WHEREAS**, implementation of work funded by the Grant would require the Town to perform work on rights-of-way and property of the County of Nassau (the “County”), the Incorporated Village of Port Washington North (the “Village of Port Washington North”), the Incorporated Village of Manorhaven (the “Village of Manorhaven”) and the Port Washington Union Free School District (the “District”); and

**WHEREAS**, the Town of North Hempstead (the “Town”) previously entered into intermunicipal agreements for the Project with the Village of Port Washington North and the District (the “Original Agreements”); and

**WHEREAS**, staff of the Town have recommended that the Board authorize the Town to amend the Original Agreements to extend the term of the Original Agreements such that the Original Agreements shall terminate on June 30, 2025 (the “Amendments”); and

**WHEREAS**, the Town also desires to enter into an intermunicipal agreement with the Village of Manorhaven for the Project (the “New Agreement”); and

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Amendments and New Agreement are hereby authorized; and be it further

**RESOLVED** that the Supervisor be and hereby is authorized and directed to, execute the Amendments and New Agreement on behalf of the Town and to take such further action as may be necessary to effectuate the provisions of this resolution; and be it further

**RESOLVED** that the Town Attorney be and hereby is authorized and directed to supervise the negotiation and execution of the Amendments and New Agreement, and to take such further action as may be necessary to effectuate the provisions of this resolution.

Dated:           Manhasset, New York  
                    November 19, 2019

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

Ayes:           Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
                    Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays:           None

Absent:         Councilperson Seeman

cc:            Town Attorney        Comptroller

MR. WINK: Item 55, a resolution authorizing the execution of an amendment to an agreement with Samantha Wilder on behalf of the Manhasset Bay Protection Committee.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 582 - 2019**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH SAMANTHA WILDER ON BEHALF OF THE MANHASSET BAY PROTECTION COMMITTEE.**

**WHEREAS**, pursuant to a resolution, duly adopted by this Board, the Town, on behalf of and as fiscal agent for the Manhasset Bay Protection Committee (the "Committee"), entered into a professional services agreement with Samantha Wilder (the "Contractor") to provide assistance with a water quality monitoring program and to maintain the Seabin (the "Original Agreement"); and

**WHEREAS**, the Commissioner of the Department of Planning and Environmental Protection (the "Commissioner") has recommended that the Town amend the Original Agreement to extend the term of the Original Agreement such that the term of the Original Agreement shall expire on May 31, 2020 (the "Amendment"); and

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

**NOW, THEREFORE, BE IT**

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

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

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

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

Dated:           Manhasset, New York

November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney            Comptroller            Purchasing

MR. WINK: Item 57, a resolution authorizing the purchase of software maintenance and technical support services for the Department of Information Technology and Telecommunications.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 583 - 2019**

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

**WHEREAS**, the Department of Public Safety, Division of Parking Enforcement requires continuation of software maintenance and technical support for the Town's parking permit and license plate reading software (the "Gtechna Services"); and

**WHEREAS**, the Commissioner of the Department of Information Technology and Telecommunications has recommended that the Town purchase the Gtechna Services from Gtechna USA Corporation, 33 Cornelia Street, Plattsburg, New York 12901 for a year in consideration of an amount not to exceed Thirty Three Thousand Three Hundred Ninety and 00/100 Dollars (\$33,390.00) (the "Purchase"); and

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

**NOW, THEREFORE, BE IT**

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

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney Comptroller

MR. WINK: Item 58, a resolution authorizing the purchase of software from GTECHNA for parking system integration for the Port Washington Public Parking District.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 584 - 2019**

**A RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE FROM GTECHNA FOR PARKING SYSTEM INTEGRATION FOR THE PORT WASHINGTON PUBLIC PARKING DISTRICT.**

**WHEREAS**, the Department of Public Safety, Division of Parking Enforcement requires software to integrate the Town's new Passport Pay by Phone system with its existing license plate reader software and maintenance thereof (the "Services"); and

**WHEREAS**, the Commissioner of the Department of Information Technology and Telecommunications has recommended that the Town purchase the Services from Gtechna USA Corporation, 33 Cornelia Street, Plattsburg, New York 12901 in consideration of an amount not to exceed Three Thousand Nine Hundred Fifty and 00/100 Dollars (\$3,950.00) for the integration and first year maintenance and an amount not to exceed Eight Hundred One and 00/100 Dollars (\$801.00) for maintenance in the second year (the "Purchase"); and

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

**NOW, THEREFORE, BE IT**

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

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney Comptroller

MR. WINK: Item 59, a resolution authorizing payment to 3D Industrial for emergency repair of the sewer injection pit a Harbor Links Golf Course, Port Washington.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 585 - 2019**

**A RESOLUTION AUTHORIZING PAYMENT TO 3D INDUSTRIAL FOR EMERGENCY REPAIR OF THE SEWER INJECTION PIT AT HARBOR LINKS GOLF COURSE, PORT WASHINGTON.**

**WHEREAS**, the Town of North Hempstead Department of Parks and Recreation (the "Department") required the emergency repair of the sewer injection pit at Harbor Links Golf Course in Port Washington (the "Services"); and

**WHEREAS**, the Department retained 3D Industrial Sales and Service, Inc. 110 Swalm Street Unit B, Westbury, NY 11590 (the "Contractor") to provide the Services; and

**WHEREAS**, it has been recommended that the Town Board ratify the Department's actions in using the Contractor to provide the Services and to further authorize payment for the Services in an amount not to exceed Twenty-Four Thousand Eight Hundred Ninety-Five and 00/100 Dollars (\$24,895.00) (the "Payment"); and

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

**NOW, THEREFORE, BE IT**

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

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

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller      Department of Parks and Recreation

MR. WINK: Item 61, a resolution authorizing the Town Board to suspend parking meter regulations from December 9, 2019 through and including January 1, 2020 on certain roads in Port Washington.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 586 - 2019**

**A RESOLUTION AUTHORIZING THE TOWN BOARD TO SUSPEND PARKING METER REGULATIONS FROM DECEMBER 9, 2019 THROUGH AND INCLUDING JANUARY 1, 2020, ON CERTAIN ROADS IN PORT WASHINGTON.**

**WHEREAS**, the Town of North Hempstead recognizes the importance of local businesses as essential to a thriving and vibrant community and desires to support local merchants and the contributions they make to the Town; and

**WHEREAS**, the Town Board, acting in its capacity as the Board of Commissioners of the Port Washington Public Parking District (the "District"), finds it in the best interests of the Town to suspend the Town of North Hempstead Uniform Traffic Code as such code relates to metered parking in the District from December 9, 2019 through and including January 1, 2020, on the following roads: (1) Port Washington Boulevard, (2) Main Street, (3) Irma Avenue, (4) S. Maryland Avenue, and (5) Carlton Avenue.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the parking meter regulations contained in the Town of North Hempstead Uniform Traffic Code as such code relates to metered parking in the District are hereby suspended from December 9, 2019 through and including January 1, 2020 on the following roads: (1) Port Washington Boulevard, (2) Main Street, (3) Irma Avenue, (4) S. Maryland Avenue, and (5) Carlton Avenue.

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Town Clerk      PWPPD



MR. WINK: Item 62, a resolution amending the Town of North Hempstead fee schedule.

SUPERVISOR BOSWORTH: So this will establish a ten percent reduction of the landscaping license fee, \$100 to \$90 for a three-year license for those who can show proof of purchase for five or more landscape gardening equipment powered by electrical battery motors. And I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 587 - 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 reduced fee for a commercial landscaping license pursuant to Chapter 38A of the Town Code for any applicant who can provide receipts showing that five or more pieces of landscape gardening equipment powered by electric or battery motors have been purchased, as follows:

Commercial Landscaping License (reduced fee): \$90.00

(the "Amendment"); and

**WHEREAS**, the Town Board desires to authorize the Amendment.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Amendment be and hereby is authorized and established, and that said Amendment shall take effect immediately.

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

MR. WINK: Item 63, a resolution establishing new property addresses for the premises identified on the Nassau County Land and Tax Map as Section 7, Block 259, Lots 4 and 5 as 363, 365, 371, 373, 377, 383, 385 and 393 Willis Avenue, Roslyn Heights, New York.

COUNCILMAN ZUCKERMAN: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 588 - 2019**

**A RESOLUTION ESTABLISHING NEW PROPERTY ADDRESSES FOR THE PREMISES IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 7, BLOCK 259, LOTS 4 AND 5 AS 363, 365, 371, 373, 377, 383, 385 AND 393 WILLIS AVENUE, ROSLYN HEIGHTS, 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**, RH 361, LLC, (the “Applicant”) is the owner of real property designated on the Nassau County Land and Tax Map as Section 7, Block 259, Lots 4 & 5 having the address 361-393 Willis Avenue, Roslyn Heights New York; and

**WHEREAS**, the Applicant has requested that the Premises be assigned new street address necessary for fire-fighting emergency response; 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

As to lots 4 & 5: 363 Willis Avenue, Roslyn Heights, New York 11577  
365 Willis Avenue, Roslyn Heights, New York 11577  
371 Willis Avenue, Roslyn Heights, New York 11577  
373 Willis Avenue, Roslyn Heights, New York 11577  
377 Willis Avenue, Roslyn Heights, New York 11577  
383 Willis Avenue, Roslyn Heights, New York 11577  
385 Willis Avenue, Roslyn Heights, New York 11577  
393 Willis Avenue, Roslyn Heights, New York 11577

(the “Address Designations”); and

**WHEREAS**, the Roslyn Heights Post Office has approved the Address Designations; 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 Designations.

**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 the Address Designations; 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 Designations.

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Receiver of Taxes      Planning      Building  
DPW

MR. WINK: Item 64, 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: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 589 - 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 accordance with the proposed amendments set forth in the amended Investment Policy annexed hereto as Schedule A (the "Amended Investment Policy"); and

**WHEREAS**, the Board wishes to authorize the amendments and adopt the Amended Investment Policy.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board does hereby authorize the amendments and adopt the Amended Investment Policy, a copy of which shall be filed in the offices of the Town Clerk and Comptroller; and be it further

**RESOLVED** that the Comptroller shall annually provide a copy of the Amended Investment Policy to each designated depository institution.

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney Comptroller

Schedule A

Town of North Hempstead  
Investment Policy



# TOWN OF North Hempstead

Investment Policy  
November 19, 2019



**Town of North Hempstead  
Investment Policy****I. SCOPE**

This investment policy applies to all moneys and other financial resources available for deposit and investment by the Town of North Hempstead on its own behalf or on behalf of any other entity or individual.

**II. OBJECTIVES**

The primary objectives of the investment activities of the Town of North Hempstead, in the county of Nassau, state of New York (the "Town"), are in priority order,

- o To conform with all applicable federal, State and other legal requirements (legality);
- o To adequately safeguard principal (safety);
- o To provide sufficient liquidity to meet all operating requirements (liquidity) ; and
- o To obtain a reasonable rate of return (yield).

**III. DELEGATION OF AUTHORITY**

The responsibility of the Town Board for administration of the investment program is delegated to the Town Supervisor, Town Clerk and Receiver of Taxes who shall establish written procedures for the operation of the investment program consistent with these investment policies. Such procedures shall include internal controls to provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept, and other relevant information, including dates of sale or other dispositions and amounts realized. In addition, the internal control procedures shall describe the responsibilities and levels of authority for key individuals involved in the investment program. Wherever in this Policy authority is delegated to the Town Supervisor, Town Clerk or Receiver of Taxes, each such officer may, in writing, delegate all or a portion of their respective powers and duties to their respective deputies and staff.

**Town of North Hempstead  
Investment Policy**

**IV. PRUDENCE**

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town to govern effectively.

Investments shall be made with prudence, diligence, skill, judgment and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

**V. DIVERSIFICATION**

It is the policy of the Town to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

The Town Board shall establish appropriate limits for the amount of investments which can be made with each financial institution or dealer, and shall evaluate this listing at least annually.

As financial conditions change, subject to due consideration for safeguarding investments, the objective of obtaining higher yields may, from time to time, dictate a reduction in diversification of deposits and investments.

**VI. INTERNAL CONTROLS**

It is the policy of the Town for all moneys collected by any officer or employee of the Town to transfer those funds to the Town Supervisor, immediately, within the time period specified in law, with the exception of School/Library District, Nassau County and Nassau County Special District taxes.

Town Comptroller, Town Clerk, and the Receiver of Taxes, are responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded

**Town of North  
Hempstead  
Investment Policy**

against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization properly recorded, and managed in compliance with applicable laws and regulations.

**VII. DESIGNATION OF DEPOSITORIES**

The banks and trust companies that are authorized for the deposit of moneys, and the maximum amount which may be kept on deposit at any time, are:

<u>Depository Name</u>		<u>Maximum Amount</u>
Bridgehampton National Bank	\$	250,000,000
Capital One Bank	\$	10,000,000
Empire National Bank	\$	50,000,000
First National Bank of Long Island	\$	10,000,000
Flushing Bank	\$	250,000,000
J.P.Morgan Chase	\$	500,000,000
Signature Bank	\$	40,000,000
Sterling National Bank	\$	250,000,000
TD Bank	\$	250,000,000
Wells Fargo Bank	\$	500,000,000

Each year a resolution establishing the list of designated depositories for Town funds is approved by the Town Board.

**VIII. SECURING DEPOSITS AND INVESTMENTS**

In order to ensure that in the event of a bank or trust company failure or other events of default the amount of deposits and investments in excess of FDIC insurance will not be lost in the event of a bank or trust company failure or other events of default, all deposits and investments in a bank or trust company, including demand deposits, certificates of deposit and special time deposits (hereinafter, collectively, "deposits") made by officers of the Town that are in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured by:

I

**Town of North Hempstead  
Investment Policy**

1. A pledge of "eligible securities" with an aggregate "market value" (as provided by the General Municipal Law Section 10) that is at least equal to 102 percent of the aggregate amount of deposits by the officers. See Schedule A of this policy for a listing of "eligible securities."
2. An "irrevocable letter of credit" issued in favor of the Town by a Federal Home Loan Bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of 100 percent of the aggregate amount of deposits and agreed-upon interest, if any.
3. Pursuant to General Municipal Law Section 10 (and any amendments thereto), banks and trust companies may arrange for the redeposit of Town capital project funds in one or more banking institutions, as defined pursuant to section 9-r of the banking law, for the account of the Town, through a deposit placement program that meets all of the following conditions:
  - A. On or after the date that local government's funds are received, the designated bank or trust company (i) arranges for the redeposit of such funds into deposit accounts in one or more banking institutions, and (ii) serves as custodian for the local government with respect to the funds redeposited into such accounts.
  - B. The Town's funds deposited in a designated bank or trust company in accordance with this subparagraph and held in the designated bank or trust company in excess of the amount insured by the FDIC coverage, pending redeposit of the funds, pursuant to this subparagraph, shall be secured in accordance with the Town's Investment Policy. this
  - C. The full amount of the Town's funds redeposited by the designated bank or trust company into deposit accounts in banking institutions pursuant to this subparagraph (plus accrued interest, if any) shall be insured by the FDIC.
  - D. At the same time that the money of the local government is redeposited pursuant to this subparagraph, the selected depository receives an amount of deposits from customers of other financial

**Town of North Hempstead  
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institutions pursuant to the deposit placement program that are at least equal to the amount of the Town's funds redeposited by the designated bank or trust company.

- E. Town funds may be redeposited in savings and/or demand deposit accounts placed through a depository institution that has a main or branch office in this state and that contractually agrees to place funds in federally insured depository institutions through the Insured Cash Sweep service, or ICS.

**IX. COLLATERALIZATION AND SAFEKEEPING**

Eligible securities used for collateralizing deposits made by officers of the Town shall be held by (the depository or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities (or the pro rata portion of a pool of eligible securities) are being pledged to secure such deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities (or pro rata portion of a pool of eligible securities) may be sold, presented for payment, substituted or released and the events which will enable the Town to exercise its rights against the pledged securities.

In the event that the pledged securities are not registered or inscribed in the name of the Town, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town or the custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a federal reserve bank or other book-entry operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the government in the securities as set forth in the security agreement.

The custodial agreement shall provide that pledged securities (or the pro rata portion of a pool of eligible securities) will be held by the bank or trust company as agent of, and custodian for, the Town, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The

**Town of North Hempstead  
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agreement shall also describe how the custodian shall confirm the receipt, substitution, or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral when a change in the rating of a security causes ineligibility. The security and custodial agreements shall also include all other provisions necessary to provide the Town with a perfected security interest in the eligible securities and to otherwise secure the Town's interest in the collateral, and may contain other provisions that the Town Board deems necessary.

**X. PERMITTED INVESTMENTS**

As provided by General Municipal Law Section 11, the Town Board authorizes the Town Supervisor, Deputy Town Supervisor, Town Comptroller, Town Clerk, and the Receiver of Taxes or other officer having custody of money to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts in or certificates of deposit issued by a bank or trust company located and authorized to do business in the State of New York; secured in the same manner prescribed by General Municipal Law, Section 10.
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the full faith and credit of the United States of America;
- Obligations of the State of New York;
- With approval of the State Comptroller, obligations issued pursuant to Local Finance Law Section 24.00 or 25.00 (i.e., Tax Anticipation Notes and Revenue Anticipation Notes) by any municipality, school district or district corporation in the State of New York other than the Town;
- Obligation of this Town, but only with any moneys in a reserve fund established pursuant to General Municipal Law Section 6-c,6-d,6-e,6-f, 6-g,6-h,6-j,6-k,6-l,6-m or 6-n.

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All investment obligations shall be payable or redeemable at the option of the Town within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event at the option of the Town within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the moneys were obtained, and shall be secured as provided in Sections VIII and IX herein.

Except as may otherwise be provided in a contract with bondholders or noteholders, any moneys of the Town authorized to be invested may be commingled for investment purposes, provided that any investment of commingled moneys shall be payable or redeemable at the option of the Town within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law Section 11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested.

Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date of which the principal amount can be recovered through demand by the holder.

**XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS**

All financial institutions and dealers with which the Town transacts business shall be creditworthy, and have an appropriate level of experience, capitalization, size and other factors that make the financial institution or the dealer capable and qualified to transact business with the Town. The Town Supervisor, Town Clerk, and the Receiver of Taxes shall evaluate the financial position and maintain a listing of proposed depositories, trading partners, and custodians. Recent Reports of Condition and Income (call reports) shall be obtained for proposed banks, and security dealers that are not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers.

The Town shall maintain a list of institutions and dealers approved for investment purposes, and establish appropriate limits to the amounts of investments that can be made with each financial institution or dealer.

**Town of North Hempstead  
Investment Policy**

**XII. PURCHASE OF INVESTMENTS**

The Town Supervisor, Town Clerk and the Receiver of Taxes, having custody of money as authorized by the Town Board, is authorized to contract for the purchase of investments:

1. Directly, from an authorized trading partner pursuant to a contract authorized by the Town Board
2. By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to Article 5-G of General Municipal Law and in accordance with Article 3-A of the General Municipal Law and the specific program has been authorized by the Town Board.

All purchased obligations, unless registered or inscribed in the name of the Town, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town by the bank or trust company.

Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law Section 10(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of, and custodian for, the Town will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to secure the Town's perfected interest in the securities, and the agreement may also contain other provisions that the governing board deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide the Town with a perfected interest in the securities.

The Town Supervisor, Town Clerk, and the Receiver of Taxes can direct the bank or trust company to register and hold the evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit, or



**Town of North Hempstead  
Investment Policy**

arrange for their deposit with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show, at all times, the ownership of such evidences of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a written custodial agreement as set forth in General Municipal Law Section 10(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominees with respect to such evidences of investments.

**XIII. COURIER SERVICE**

The Town Supervisor, Town Clerk, and the Receiver of Taxes, may, subject to the approval of the governing board by resolution, enter into a contract with a courier service for the purpose of causing the deposit of public funds with a bank or trust company. The courier service shall be required to obtain a surety bond for the full amount entrusted to the courier, payable to the Town and executed by an insurance company authorized to do business in the State of New York, with a claims-paying ability that is rated in the highest rating category by at least two nationally recognized statistical rating organizations, to insure against any loss of public deposits entrusted to the courier service for deposit or failure to deposit the full amount entrusted to the courier service.

The Town may agree with the depository bank or trust company that the bank or trust company will reimburse all or part of, but not more than, the actual cost incurred by the Town in transporting items for deposit through a courier service. Any such reimbursement agreement shall apply only to a specified deposit transaction, and may be subject to such terms, conditions and limitations as the bank or trust company deems necessary to ensure sound banking practices, including, but limited to, any terms, conditions or limitations that may be required by the banking department or other federal or State of authority.

**XIV. ANNUAL REVIEW AND AMENDMENTS**

The Town shall review this investment policy annually, and it shall have the power to amend this policy at any time.

**Town of North Hempstead Investment  
Policy**

**XV. DEFINITIONS**

The terms "public funds," "public deposits," "bank," "trust company," "eligible securities," "eligible surety bond," and "eligible letter of credit" shall have the same meanings as set forth in General Municipal Law Section 10.

**Investment Policy**

December 18, 2018

**Appendix A - Schedule of Eligible Securities**

"Eligible Securities" for Collateral	For purposes of determining aggregate "market value," eligible securities shall be valued at these percentages of "market value":
i. Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government-sponsored corporation.	100%
ii. Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by municipal corporation, school district or district corporation of this State or obligations of any public benefit corporation which under a specific State statute may be accepted as security deposit of public moneys.	100%
Obligations issued by states (other than the State of New York) of the United States rated in one of " the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2 <sup>nd</sup> highest; 80% for 3 <sup>rd</sup> highest
Obligation of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2 <sup>nd</sup> highest; 80% for 3 <sup>rd</sup> highest

MR. WINK: Item 65, 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: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 590 - 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:

Claimant	File No.	Amount
Judith Raskin & Richard Raskin v. ToNH	T-5871-I	\$50,000
Jesse Hunter v. ToNH et al.	TI-16-0040	\$6,000

; and be it further

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

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Town Attorney      Comptroller

MR. WINK: Item 66, 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: We have one card. My apologies.

SUPERVISOR BOSWORTH: Sure.

MR. WINK: Tom McDonough.

MR. MC DONOUGH: Good evening. Again, thank you very much. Tom McDonough. I'm the president of CSEA Unit 7555. I see that we have a resignation from Mr. Phong on the -- on the agenda and we're hiring him back as a part-time laborer, which will automatically put him working out of title the minute as he starts working as traffic consultant for us. I'd like to have a commitment from you and this board that we are going to hire another full-time traffic consultant.

SUPERVISOR BOSWORTH: We are absolutely going to be hiring another full-time person. We are very grateful that Phong is willing to do this so that there's a transition as we're looking at resumes and you absolutely have my commitment. I mean, you see half of our agenda is -- is all these different traffic --

MR. MC DONOUGH: I know. Believe me, I know. That's that's why I'm here to have a full-time person.

SUPERVISOR BOSWORTH: Without a question but I hope you understand that the purpose of this is to make sure that until we have that that he is with us so that there's some continuity until we have somebody that is there full time that there's absolutely a commitment to have a full-time person.

MR. MC DONOUGH: Thank you.

SUPERVISOR BOSWORTH: So I offer the resolution and move for its adoption.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: No.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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 591 - 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 EXHIBITS A AND B ATTACHED**

;and be it further

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

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

**RESOLVED** that the term of appointment and employment of any person to an exempt



position shall be at the pleasure of the Town Board; and be it further

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

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

Dated: Manhasset, New York  
November 19, 2019

The vote of the foregoing resolution was recorded as follows:

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

Nays: Councilperson De Giorgio

Absent: Councilperson Seeman

Exhibit A



**HUMAN RESOURCES DEPARTMENT**

11/19/2019 3:53 PM

Please prepare a resolution effectuating the following appointments and/or changes for the 11/19/19 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 11/30/19.  
 UNLESS OTHERWISE NOTED. ALL SEASONAL EMPLOYMENT COMMENCES 05/01/2019 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	300018	Highway	DA.07.5222.1000	Gary Krasinski	FT	Equipment Operator 1	\$51,819 ann/\$24.91/hr	Gr 13/St 3.0	
Title, Grade, Step & Salary Change		To						Equipment Operator 2	\$52,928 ann/\$25.45/hr	Gr 15/St 1.0	
Title, Grade, Step & Salary Change		From	311000	Highway	DA.07.5117.1000	Brian McManus	FT	Equipment Operator 1	\$51,819 ann/\$24.91/hr	Gr 13/St 3.0	
Title, Grade, Step & Salary Change		To						Equipment Operator 2	\$52,928 ann/\$25.45/hr	Gr 15/St 1.0	
New Hire	X	From	311000	Highway	DA.07.5117.1000	Enrico Vicari	FT	Laborer 1	\$44,842 ann/\$21.56/hr	Gr 9/St 1.0	
Salary Change		To							\$87,462 ann/\$42.05/hr	Gr 17/St 29.0	
Salary Change		From	415000	Sidewalks	SM.017.1000	Joseph Furino	FT	Equipment Operator 3	\$88,126 ann/\$42.37/hr	Gr 17/St 30.5	
Salary Change		To									
New Hire	X	From	311000	Highway	DA.07.5117.1000	Jonathan Staller	FT	Laborer 1	\$44,842 ann/\$21.56/hr	Gr 9/St 1.0	
Title, Grade, Step & Salary Change		From						Laborer 2	\$52,500 ann/\$25.24/hr	Gr 11/St 6.5	
Title, Grade, Step & Salary Change		To	311000	Highway	DA.07.5117.1000	Antonio Cavezza	FT	Labor Supervisor 1	\$55,891 ann/\$26.87/hr	Gr 17/St 1.0	
Title, Grade, Step & Salary Change		From	120600	Admin Services	A.01.1622.1000	Paul Castagliola	FT	Maintenance Electrician	\$90,428 ann/\$43.48/hr	Gr 19/St 22.0	
Title, Grade, Step & Salary Change		To						Building Maint. Supervisor	\$91,908 ann/\$44.19/hr	Gr 25/St 2.5	
Salary Change		From	122000	Human Resources	A.04.1310.1000	Virginia Smith	FT	Clerk/Typist II	\$49,772 ann/\$19.14.30 bi/wk	Gr 13/St 1.0	
Salary Change		To							\$51,308 ann/\$19.973.40 bi/wk	Gr 13/St 2.5	
Salary Change		From							\$15.00/hr		
Salary Change		To	903100	311 Call Center	A.30.1480.1200	Louna Leger	PT	Attendant/311 Call Rep	\$16.00/hr		
New Hire		From									
PT to FT, Title, Grade, Step & Salary Change		To	211500	Town Clerk	B.13.4020.1000	Julie Bergin	FT	Clerk Laborer	\$45,988 ann/\$1768.80 bi/wk	Gr 10/St 1.0	
PT to FT, Title, Grade, Step & Salary Change		From	950000	Town Clerk	A.13.1410.1200		PT	Attendant	\$18.00/hr		
PT to FT, Title, Grade, Step & Salary Change		To	128800	Town Clerk	A.26.1460.1000	Rachel Nabavian	FT	Clerk Laborer	\$45,988 ann/\$1768.80 bi/wk	Gr 10/St 1.0	
PT to FT, Title, Grade, Step & Salary Change		From									
NEW HIRE	X	From	930000	Parks & Rec/Tully	A.05.7181.1200	Elisabetta Veltri	PT	Attendant	\$12.00/hr		
Seasonal to PT		To	823400	Parks & Rec/Whitney	A.05.7185.1200	John Kenny	Seasonal	Lifeguard 1	\$15.25/hr		

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**HUMAN RESOURCES DEPARTMENT**



Type	RF/ SIGNED	Fr/To	Department #	Department Name	Budget Code	Employee Name	FT / PT / Seasonal	Employee Title	Employee Rate	Grade/Step	Effective Date
w/loc Chg	X	From To	930000	Parks & Rec/ Tully	A.05.7181.1200		PT				
Location Change		From To	123600	PAR - Trades Crew	A.05.7112.1000	Luigi Masiello	FT	Laborer 1	\$46,618 ann/\$22.41/hr	Gr 9/ St 3.0	
Location Change		From To	311000	Highway	DA.07.5117.1000		FT				
Location Change		From To	123000	PAR - Tully Outdoor M.	A.05.7181.1000	Travis Sandy	FT	Laborer 1	\$54,620 ann/\$26.26/hr	Gr 9/ St 12.0	
Location Change		From To	311000	Highway	DA.07.5117.1000						
NEW HIRE	X	From To	903100	311 Call Center	A.30.1480.1200	Jade Ortiz	PT	Attendant/311 Call Rep	\$15.00/hr		
NEW HIRE	X	From To	903100	311 Call Center	A.30.1480.1200	Chesly Saint Preux	PT	Attendant/311 Call Rep	\$15.00/hr		
PT w/Location & Salary Change	X	From To	933300	Parks & Rec/YesWeCan	A.05.7141.1200		PT	Attendant	\$12.50/hr		
PT w/Location & Salary Change	X	From To	903100	311 Call Center	A.30.1480.1200	Kendra Etienne	PT	Attendant/311 Call Rep	\$15.00/hr		
PT w/Location & Salary Change	X	From To	933300	Parks & Rec/YesWeCan	A.05.7141.1200		PT	Attendant	\$12.25/hr		
PT w/Location & Salary Change	X	From To	903100	311 Call Center	A.30.1480.1200	Talissa Paris	PT	Attendant/311 Call Rep	\$15.00/hr		
New Hire		From To	926100	Public Works	A.07.1440.1200	Phong Ngo	PT	Laborer 1	\$30/hr.		
Resignation		From To	903100	311 Call Center	A.30.1480.1200	Nicole Martinez	PT	Attendant/311 Call Rep	\$16.00/hr		11/1/2019
Resignation		From To	306000	Highway	DA.07.5223.1000	Phong Ngo	FT	Traffic Engineer 1	\$66,126 ann/\$2543.30 bi/wk	Gr 21/ St 2.0	
Resignation		From To	955000	Planning	B.31.8020.1200	Rosemarie Dunn	PT	Clerk Typist	\$28.00/hr		6/11/2019
Resignation		From To	915500	Admin Services	SM.017.1200	Cory Monroe	PT	Laborer 1	\$13.00/hr		11/6/2019

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MR. WINK: Item 67, a resolution approving the action of the Flower Hill Hose Company Number 1, Port Washington, New York in electing to membership Daniel Garcia.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 592 - 2019**

**A RESOLUTION APPROVING THE ACTION OF THE FLOWER HILL HOSE COMPANY NUMBER 1, PORT WASHINGTON, NEW YORK IN ELECTING TO MEMBERSHIP DANIEL GARCIA.**

**WHEREAS**, the Flower Hill Hose Company Number 1, 12 Haven Ave., Port Washington, New York, 11050 has advised of electing Daniel Garcia to membership

**NOW, THEREFORE, BE IT**

**RESOLVED** that the action of the Flower Hill Hose Company Number 1, 12 Haven Ave, Port Washington, New York, 11050 in adding Daniel Garcia, 69 Graywood Rd., Port Washington, NY, 11050, to membership, be and the same hereby is approved and the Town Clerk directed to record the name in the Minutes of the Town Board.

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Flower Hill Co.1      Town Attorney      Comptroller

MR. WINK: Item 68, a resolution approving the action of the Fire-Medic Co., No. 1, Port Washington, New York, in adding Latoya Khemkaran, Anton Livshin and Olivia Nicole Maus to membership and removing Gretchen Boeskool, Arie Hafeez, Paul Faulk, Kan Chou, Alexa Postiglione and Michael Schornstein from membership.

MR. WINK: I'll be here all week.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: 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. 593 - 2019**

**A RESOLUTION APPROVING THE ACTION OF THE FIRE-MEDIC CO., NO. 1, PORT WASHINGTON, NEW YORK, IN ADDING LATOYA KHEMKARAN, ANTON LIVSHIN AND OLIVIA NICOLE MAUS TO MEMBERSHIP AND REMOVING GRETCHEN BOESKOOL, ARIF HAFEEZ, PAUL FAULK, KAN CHOU, ALEXA POSTIGLIONE AND MICHAEL SCHORNSTEIN FROM MEMBERSHIP.**

**WHEREAS**, the Fire-Medic Co. No. 1, Port Washington, New York, has advised of adding to membership Latoya Khemkaran, Anton Livshin and Olivia Nicole Maus and removing Gretchen Boeskool, Arif Hafeez, Paul Faulk, Kan Chou, Alexa Postiglione and Michael Schornstein;

**NOW, THEREFORE, BE IT**

**RESOLVED** that the action of the Fire-Medic Co. No. 1, 65 Harbor Rd, Port Washington, NY 11050 in adding to membership Latoya Khemkaran, 111 Cedar Street, Valley Stream, NY, 11580, Anton Livshin, 64 Davis Rd., Port Washington, NY, 11050, and Olivia Nicole Maus, 13 Guilford Rd., Port Washington, NY, 11050 and removing Gretchen Boeskool, Arif Hafeez, Paul Faulk, Kan Chou, Alexa Postiglione and Michael Schornstein, be, and the same hereby is approved and the Town Clerk directed to record their names in the Minutes of the Town Board.

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

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

MR. WINK: Added starters. Item 69, a resolution approving the action of the Albert Engine Hook & Ladder & Hose Co. #1, Great Neck, New York in adding to membership Ariel Missaghieh and Elliot Paimany and removing James Kessler.

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

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.



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

**RESOLUTION NO. 594 - 2019**

**A RESOLUTION APPROVING THE ACTION OF THE ALERT ENGINE HOOK & LADDER & HOSE CO. #1, GREAT NECK, NEW YORK IN ADDING TO MEMBERSHIP ARIEL MISSAGHIEH AND ELLIOT PAIMANY AND REMOVING JAMES KESSLER.**

**WHEREAS**, the Alert Engine Hook & Ladder & Hose Co. #1, 555 Middle Neck Road, Great Neck, NY 11023 has advised of adding Ariel Missaghieh and Elliot Paimany to membership and removing James Kessler

**NOW, THEREFORE, BE IT**

**RESOLVED** that the action of the Alert Engine Hook & Ladder & Hose Co. #1, 555 Middle Neck Road, Great Neck, NY 11023 in adding Ariel Missaghieh, 444 Middle Neck Rd., 3J, Great Neck, NY, 11023, and Elliot Paimany, 26 Hillcrest Drive, Great Neck, NY, 11021, to membership, and removing James Kessler, be and the same hereby is approved and the Town Clerk directed to record the names in the Minutes of the Town Board.

Dated: Manhasset, New York  
November 19, 2019

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Absent: Councilperson Seeman

cc: Alert Engine Hook & Ladder & Hose Co. #1      Town Attorney      Comptroller

SUPERVISOR BOSWORTH: I move to adjourn.

MR. WINK: Councilwoman DeGiorgio.

COUNCILWOMAN DE GIORGIO: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.


MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye. (At 8:55 a.m., the proceedings were concluded.)

Compiled from Stenographer's Transcript, MGR Reporting, File Name 1119TNHTB.doc

A handwritten signature in cursive script, reading "Wayne H. Wink, J.", written over a horizontal line.

Town Clerk