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

RESOLUTION NO. 22 - 2022

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 15A OF THE TOWN CODE ENTITLED "ELECTION DISTRICTS."

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 15A of the Town Code entitled "Election Districts" to extend the time to make appropriate revisions of the boundaries of the wards so that they shall contain a substantially equal number of inhabitants; and

WHEREAS, the time shall be extended for an additional six months, such that the time to make revisions of the boundaries of the wards shall be extended to twelve months from the publication of the results of the 2020 federal census; and

WHEREAS, this extension of additional time to make revisions to the boundaries of the wards shall only be applied to the results of the 2020 federal census results; 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 January 20, 2022, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board has carefully considered the proposed Local Law during the seven-day period, conducted a public hearing on January 20, 2022, with respect to the Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

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

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

NOW, THEREFORE, BE IT

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

RESOLVED that Local Law No. 1 of 2022 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 1 OF 2022**

**A LOCAL LAW AMENDING CHAPTER 15A OF THE
TOWN CODE ENTITLED "ELECTION DISTRICTS".**

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 amend Chapter 15A of the Code of the Town of North Hempstead entitled "Election Districts" to extend the time to make appropriate revisions of the boundaries of the wards so that they shall contain a substantially equal number of inhabitants from six months to twelve months after the publication of the results of the 2020 federal census. This

change will be exclusively for the publication of the 2020 federal census and because of the extenuating circumstances related to the Coronavirus pandemic.

Section 2.

Chapter 15A of the Town Code is hereby amended as follows:

§ 15A-1. Amendment to Town Law.

Subdivision 1 of § 85 of the Town Law is hereby amended in its application to the Town of North Hempstead, New York, to read as follows: **§ 85. Ward system for election of Councilmen.** Whenever a proposition shall have been adopted in the town for the establishment of the ward system and the election thereafter of one Councilman from each ward, the Town Board shall divide the town into four wards and fix the boundaries thereof, unless a proposition shall have been adopted to increase the number of councilmen from four to six, in which instance, the Town Board shall divide the Town into six wards and fix the boundaries thereof. The division shall be made so that the number of inhabitants in each ward, based upon the last regular federal census, shall be substantially equal, with wards composed of convenient and contiguous territory in as compact form as practicable. No election district heretofore or hereinafter created under the Election Law shall contain parts of two or more wards. The Town Board shall make appropriate revisions of the boundaries of the wards so that they shall contain a substantially equal number of inhabitants not later than six months after the publication of the results of a regular federal census which indicates that the districts do not contain a substantially equal number of inhabitants; **except that with regards to the 2020 federal census results, the time to make appropriate revisions of the boundaries of the wards so that they shall contain a substantially equal number of inhabitants shall be extended to twelve months after the publication of the results of the 2020 federal census. This extension of time to twelve months shall only apply to the results of the 2020 federal census.** When the Town Board shall have finally determined the boundaries of the wards, it shall cause a map of the town to be prepared, showing, in detail, the location of each ward and the boundaries thereof. The original map so made shall be filed in the office of the Town Clerk, and copies thereof shall be filed in the offices of the County Clerk and the Board of Elections of Nassau County. The ward system shall be deemed established after such filing is complete. After a ward system shall have been so established, the term of office of every town councilman shall terminate on the 31st day of December next succeeding the first biennial town election held not less than 120 days after the establishment of such ward system, and, at such biennial town election, one resident elector from each odd-numbered ward shall be elected as councilman therefrom for a term of two years, and one resident elector from each even-numbered ward shall be elected as councilman therefrom for a term of four years, each such term to begin on the first day of January next succeeding such election, and thereafter at each biennial town election there shall be elected successors to the Town Councilmen whose terms are expiring for terms of four years each to begin on the first day of January next succeeding such election.

§ 15A-2. Severability.

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

§ 15A-3. Title; when effective.

This chapter shall be known as "A Local Law to Amend the Town Law in Relation to the Ward System for the Election of Councilmen in the Town of North Hempstead" and shall be immediately effective upon filing with the Secretary of State.

Section 3.

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

; and be it further

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on January 20, 2022 at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No.1 of 2022 was adopted. The Local Law amends Chapter 15A of the Town Code entitled "Election Districts" to extend the time period to make appropriate revisions of the boundaries of the wards so that they shall contain a substantially equal number of inhabitants. The time shall be extended for an additional six months, such that the time to make revisions of the boundaries of the wards for the results of the 2020 federal census shall be extended to twelve months from the publication of the results of the 2020 federal census.

Dated: Manhasset, New York

January 20, 2022

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

**RAGINI SRIVASTAVA
TOWN CLERK**

Dated: Manhasset, New York

January 20, 2022

The vote on the foregoing resolution was recorded as follows:

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

Nays:

cc: Town Attorney Town Clerk