

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule of the State of New York, both as amended, a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 8th day of May, 2018, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Chapter 202 of the code of the Town of Hempstead to INCLUDE AND REPEAL "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

GARDEN CITY SOUTH SECTION 202-14 WELLINGTON ROAD SOUTH (TH 86/18) East Side - NO PARKING 7AM TO NOON EXCEPT SUNDAYS AND HOLIDAYS - starting from the south curblin of Cambridge Avenue south for a distance of 320 feet.

ALSO, to REPEAL from Chapter 202 "REGULATIONS AND RESTRICTIONS" to limit parking from the following locations:

GARDEN CITY SOUTH SECTION 202-14 WELLINGTON ROAD SOUTH (TH 555/83) East Side - NO PARKING 7 A.M. TO NOON EXCEPT SUNDAYS AND HOLIDAYS - from the south curblin of Cambridge Avenue south for a distance of 295 feet. (Adopted: 11/13/84)

ALL PERSONS INTERESTED shall have an opportunity to be heard on said proposal at the time and place aforesaid.

Dated: April 24, 2018
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

LAURA A. GILLEN
Supervisor

SYLVIA A. CABANA
Town Clerk

Item# 1
Case# 29916

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule of the State of New York, both as amended, a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 8th day of May, 2018, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Section 202-1 of the code of the Town of Hempstead to INCLUDE AND REPEAL "PARKING OR STANDING PROHIBITIONS" at the following locations:

OCEANSIDE BEDELL STREET (TH73/18) South Side - NO STOPPING HERE TO CORNER - from the east curbline of Rockville Centre Parkway east for a distance of 25 feet.

(NR) VALLEY STREAM CAMERON LANE (TH 66/18) West Side - NO STOPPING HERE TO CORNER - starting at the north curbline of Flower Road north for a distance of 30 feet.

CAMERON LANE (TH 66/18) East Side - NO STOPPING HERE TO CORNER - starting at the north curbline of Flower Road north for a distance of 53 feet.

ALSO, to REPEAL from Section 202-1 "PARKING OR STANDING PROHIBITIONS" from the following locations:

(NR) VALLEY STREAM CAMERON LANE (TH177/99) South Side - NO STOPPING HERE TO CORNER - starting at the west curbline of Flower Road, west for a distance of 30 feet.
(Adopted: 5/23/00)

ALL PERSONS INTERESTED shall have an opportunity to be heard on said proposal at the time and place aforesaid.

Dated: April 24, 2018
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

LAURA A. GILLEN
Supervisor

SYLVIA A. CABANA
Town Clerk

Item # 2

Case # 29917

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule of the State of New York, both as amended, a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 8th day of May, 2018, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Section 197-5 of the code of the Town of Hempstead to INCLUDE "ARTERIAL STOPS" at the following locations:

ROOSEVELT

JOHN STREET (TH 85/18) STOP - all traffic eastbound on Debevoise Avenue shall come to a full stop.

JOHN STREET (TH 85/18) STOP - all traffic westbound on Debevoise Avenue shall come to a full stop.

WANTAGH

JOHNSON PLACE (TH 90/18) STOP - all traffic traveling southbound on Hannington Avenue shall come to a full stop.

JOHNSON PLACE (TH 90/18) STOP - all traffic traveling northbound on Hannington Avenue shall come to a full stop.

ALL PERSONS INTERESTED shall have an opportunity to be heard on said proposal at the time and place aforesaid.

Dated: April 24, 2018
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

LAURA A. GILLEN
Supervisor

SYLVIA A. CABANA
Town Clerk

Item# 3

Case# 29918

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Section 202-48 of the code of the Town of Hempstead, entitled, "Handicapped Parking On Public Streets," a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 8th day of May, 2018, at 10:30 o'clock in the forenoon of that day, to consider the adoption of a resolution setting aside certain parking spaces for motor vehicles for the sole use of holders of special parking permits issued by the County of Nassau to physically handicapped persons at the following locations:

BELLMORE

BELLMORE AVENUE - east side, starting at a point 225 feet south of the south curblineline of Marle Place, south for a distance of 20 feet.
(TH-072-18)

ELMONT

EAGLE AVENUE - north side, starting at a point 123 feet east of the east curblineline of Meacham Avenue, east for a distance of 16 feet.
(TH-026/18)

KIRKMAN AVENUE - west side, starting at a point 10 feet south of a point opposite the south curblineline of "E" Street, then north for a distance of 18 feet.
(TH-063/18)

FRANKLIN SQUARE

THEODORA STREET - south side, starting at a point 200 feet east of the east curblineline of Scherer Boulevard, east for a distance of 200 feet.
(TH-058/18)

ALL PERSONS INTERESTED shall have an opportunity to be

Item # 4

Case# 21527

heard on said proposal at the time and place aforesaid.

Dated: Hempstead, New York
April 24, 2018

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

LAURA A. GILLEN
Supervisor

SYLVIA A. CABANA
Town Clerk

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 16 of the Town Law of the State of New York, as amended, a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, Hempstead, New York, on the 8th day of May, 2018, at 10:30 o'clock in the forenoon of that day, to consider the creation of a new Article VIIB of the Building Zone Ordinance of the Town Of Hempstead, to be entitled "GC Golf Course Coastal Residence District (GC)" and setting forth regulations pertaining to possible residential redevelopment of certain existing private golf course properties. The proposed amendment is on file in the office of the Town Clerk of the Town of Hempstead, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, Hempstead, New York, where same may be inspected during office hours.

ALL PERSONS INTERESTED in the subject matter will be given an opportunity to be heard with reference thereto at the time and place above-designated.

Dated: April 24, 2018
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

LAURA A. GILLEN
Supervisor

SYLVIA A. CABANA
Town Clerk

Item #

5

Case #

29919

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held in the Nathan L. H. Bennett Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Village and Town of Hempstead, New York, on Tuesday, the 8th day of May, 2018, at 10:30 o'clock in the forenoon of that day, to consider the adoption of the Town of Hempstead's proposed 2018 Capital Plan and the 2018-2022 Multi-Year Capital Improvement Plan for the General Fund, the Town Outside Village Fund and the Town-Operated Special Districts.

A copy of the proposed capital plan and plan is on file in the Office of the Town Clerk of the Town of Hempstead, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, where the same may be inspected during office hours, and on the Town of Hempstead's website.

ALL PERSONS INTERESTED shall have an opportunity to be heard on said proposal at the time and place aforesaid.

Dated: April 24, 2018
Hempstead, New York

LAURA A. GILLEN
Supervisor

BY ORDER OF THE TOWN BOARD
TOWN OF HEMPSTEAD, NEW YORK.

SYLVIA A. CABANA
Town Clerk

Item #

6

Case #

29920

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to the provisions of of the Building Zone Ordinance of the Town of Hempstead, that a public hearing will be held by the Town Board of said Town on May 8, 2018 at 10:30 o'clock in the forenoon of that day in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, for the purpose of considering the application of JAS USA INC. to include premises, existing and extend premises into the GSS District to maintain an existing repair bays and snack shop, installation of a 24'x 54' canopy over the existing pump islands with lighting, vacuum station, air station, dumpsters enclosure and various other site improvements including paving, curbing, landscaping and the relocation of an existing curb cut along Chester Street located in Uniondale, New York:

An irregular parcel of property located on the s/e/c/ of Front St. & Chester St. w/frontage of 122.27' and 132.11' on Chester St. situated in Uniondale, Town of Hempstead, County of Nassau, State of New York.

The above mentioned petition & maps which accompanies it are on file with the undersigned and may be viewed during office hours.

Any person interested in the subject matter will be given an opportunity to be heard with reference thereto at the time and place above designated.

BY ORDER OF THE TOWN BOARD, TOWN OF HEMPSTEAD, N.Y.

LAURA A. GILLEN
Supervisor

SYLVIA A. CABANA
Town Clerk

Dated: April 24, 2018
Hempstead, N.Y.

Item # 7

Case # 4562

DECISION OF NASSAU
LAND DEVELOPERS, LLC
UNIONDALE

Item # 8

Case # 19953

DECISION OF BOLLA EM
REALTY, LLC
WESTBURY

Item # 9

Case # 13120

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution

And moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING PERMISSION GRANTED TO NASSAU COUNTY LEGISLATOR KEVAN M. ABRAHAMS TO USE TOWN OF HEMPSTEAD PARKING FIELD U-1, UNIONDALE, NEW YORK FOR THE PURPOSE OF HOSTING NUMC'S MAMMOGRAPHY VAN ON APRIL 19, 2018.

WHEREAS, Kevan M. Abrahams, Nassau County Legislator, 1550 Franklin Avenue, Mineola, New York 11501 (the "Nassau County Legislator") had requested to use Town of Hempstead Parking Field U-1, Uniondale, New York for the purpose of hosting NUMC's Mammography Van on April 19, 2018; and

WHEREAS, this Town Board deemed it to be in the public interest to have granted said permission.

NOW, THEREFORE, BE IT

RESOLVED, that permission granted to the Nassau County Legislator to use Town of Hempstead Parking Field U-1, Uniondale, New York for the purpose of hosting NUMC's Mammography Van on April 19, 2018 is hereby ratified and confirmed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

10

Case #

20915

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution

And moved its adoption:

RESOLUTION GRANTING PERMISSION TO THE CHAMBER OF COMMERCE OF THE BELLMORES TO USE TOWN OF HEMPSTEAD PARKING FIELD B-2, BELLMORE, NEW YORK FOR THE PURPOSE OF HOLDING THE FRIDAY NIGHT CAR SHOW ON MAY 4, MAY 11, MAY 18, MAY 25, JUNE 1, JUNE 8, JUNE 15, JUNE 22, JUNE 29, JULY 6, JULY 13, JULY 20, JULY 27, AUGUST 3, AUGUST 10, AUGUST 17, AUGUST 24, AUGUST 31, SEPTEMBER 7, SEPTEMBER 14, SEPTEMBER 21, SEPTEMBER 28, AND OCTOBER 5, 2018.

WHEREAS, the Chamber of Commerce of the Bellmores, c/o Jim Spohrer, Car Show Chairperson, 2700 Pettit Avenue, Bellmore, New York 11710 has requested to use Town of Hempstead Parking Field B-2, Bellmore, New York for the purpose of holding the Friday Night Car Show on May 4, May 11, May 18, May 25, June 1, June 8, June 15, June 22, June 29, July 6, July 13, July 20, July 27, August 3, August 10, August 17, August 24, August 31, September 7, September 14, September 21, September 28, and October 5, 2018 (the "Car Show"); and

WHEREAS, this Town Board deems it to be in the public interest to grant said permission.

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to the Chamber of Commerce of the Bellmores, c/o Jim Spohrer, Car Show Chairperson, 2700 Pettit Avenue, Bellmore, New York 11710 to use Town of Hempstead Parking Field B-2, Bellmore, New York for the purpose of holding the Car Show on May 4, May 11, May 18, May 25, June 1, June 8, June 15, June 22, June 29, July 6, July 13, July 20, July 27, August 3, August 10, August 17, August 24, August 31, September 7, September 14, September 21, September 28, and October 5, 2018; and be it further

RESOLVED, that in conducting this activity the Chamber of Commerce of the Bellmores shall comply with all the provisions of the Code of the Town of Hempstead.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

10

Case #

20915

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution

And moved its adoption:

RESOLUTION GRANTING PERMISSION TO THE FREEPORT MERRICK ROTARY CLUB TO USE TOWN OF HEMPSTEAD PARKING FIELD M-5, MERRICK, NEW YORK FOR THE PURPOSE OF HOLDING A FESTIVAL MAY 24, 2018 THROUGH MAY 28, 2018.

WHEREAS, the Freeport Merrick Rotary Club, c/o RMB Drafting Services, Inc., 308 East Meadow Avenue, East Meadow, New York 11554 has requested to use Town of Hempstead Parking Field M-5, Merrick, New York for the purpose of holding a Festival May 24, 2018 through May 28, 2018 (the "Festival"); and

WHEREAS, this Town Board deems it to be in the public interest to grant said permission.

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to the Freeport Merrick Rotary Club, c/o RMB Drafting Services, Inc., 308 East Meadow Avenue, East Meadow, New York 11554 to use Town of Hempstead Parking Field M-5, Merrick, New York for the purpose of holding a Festival and be it further

RESOLVED, that in conducting this activity, the Freeport Merrick Rotary Club shall comply with all the provisions of the Code of the Town of Hempstead (the "Town Code"); and be it further

RESOLVED, that the grant of permission herein is subject to and conditioned upon the applicant's compliance with all the provisions of the Town Code, (including if amusement rides are to be used at the Festival, the additional procedure described in section 105-3(D) of said code and the issuance, by the Board of Zoning Appeals, of the special permit described in section 272(F)(2) of the Hempstead Town Building Zone Ordinance (the "Special Permit")); and be it further

Item #

10

Case #

20915

RESOLVED, that failure of the applicant herein to comply with all the provisions of the Town Code, (including,if applicable, the failure to obtain the Special Permit in advance of the Festival, shall render this approval null and void; and be it further

RESOLVED, that subject to the issuance of the Special Permit, amusement rides will be set up after 7:00 p.m. on May 23, 2018 and removed by 6:00 a.m. on May 29, 2018.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE NORTH SIDE OF ARTHUR STREET, 158 FEET WEST OF MADISON STREET. SEC 54, BLOCK 434, AND LOT (S) 89-90, A/K/A 663 ARTHUR STREET, BALDWIN, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 663 Arthur Street, Baldwin; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA M3 Development Group, 68 South Service Road, Suite 100, Melville, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on February 21, 2018, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA M3 Development Group, to rip and remove one (1) sixteen inch by sixteen inch (16" x 16") by twenty five foot (25') high chimney and removal of eight (8) yards of debris, have two (2) seventeen inch by ninety six inch (17" x 96") exterior holes boarded, one (1) twenty four inch by ninety six inch (24" x 96") exterior hole boarded and install two (2) lock and hasps, located at 663 Arthur Street, Baldwin;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$747.74, the cost associated with the emergency services provided at 663 Arthur Street, Baldwin, New York

WHEREAS, an additional charge of \$250.00 will be assessed in accordance with §90-9 of the Code of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$997.74 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 11

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, DETERMINED TO BE UNFIT FOR HUMAN OCCUPANCY, LOCATED ON THE SOUTH SIDE OF PACIFIC STREET, 401 FEET WEST OF MILBURN AVENUE. SEC 54, BLOCK 395, AND LOT (S) 50, A/K/A 958 PACIFIC STREET, BALDWIN, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 958 Pacific Street, Baldwin, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was deemed to be unfit for human occupancy in Accordance with §101.2.7.4.3 of the New York Property Maintenance Code; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA M3 Development Group, 68 South Service Road, Suite 100, Melville, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on March 2, 2018, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA M3 Development Group, to have three (3) forty inch by eighty inch (40" x 80") doors secured with one half inch (1/2") four (4) ply plywood and one (1) thirty two inch by eighty inch (32" x 80") door secured with one half inch (1/2") four (4) ply plywood, located at 958 Pacific Street, Baldwin;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$277.34, the cost associated with the emergency services provided at 958 Pacific Street, Baldwin, New York

WHEREAS, an additional charge of \$250.00 will be assessed in accordance with §90-9 of the Code of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$527.34 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 11

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, DETERMINED TO BE UNFIT FOR HUMAN OCCUPANCY, LOCATED ON THE SOUTH SIDE OF WALLACE AVENUE, 220 FEET EAST OF GRAND AVENUE. SEC 36, BLOCK 438, AND LOT (S) 437-439, A/K/A 810 WALLACE AVENUE, BALDWIN, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 810 Wallace Avenue, Baldwin, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was deemed to be unfit for human occupancy in Accordance with §101.2.7.4.3 of the New York Property Maintenance Code; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA M3 Development Group, 68 South Service Road, Suite 100, Melville, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on February 27, 2018, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA M3 Development Group, to open and re-secure one (1) door for tenants, located at 810 Wallace Avenue, Baldwin;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$180.00, the cost associated with the emergency services provided at 810 Wallace Avenue, Baldwin, New York

WHEREAS, an additional charge of \$250.00 will be assessed in accordance with §90-9 of the Code of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$430.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 11

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH TWO CAR DETACHED GARAGE, LOCATED ON THE EAST SIDE OF EASTERN PARKWAY, 43 FEET NORTH OF WASHINGTON PLACE. SEC 54, BLOCK 360, AND LOT (S) 1195, A/K/A 3103 EASTERN PARKWAY, BALDWIN, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 3103 Eastern Parkway, Baldwin; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA M3 Development Group, 68 South Service Road, Suite 100, Melville, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on March 1, 2018, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA M3 Development Group, to open and re-secure for inspection and install two (2) locks, located at 3103 Eastern Parkway, Baldwin;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$180.00, the cost associated with the emergency services provided at 3103 Eastern Parkway, Baldwin, New York

WHEREAS, an additional charge of \$250.00 will be assessed in accordance with §90-9 of the Code of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$430.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed:

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 11

Case # 6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, DETERMINED TO BE UNFIT FOR HUMAN OCCUPANCY, LOCATED ON THE WEST SIDE OF SEMTON BOULEVARD, 115 FEET SOUTH OF HEMPSTEAD TURNPIKE. SEC 35, BLOCK 179, AND LOT (S) 69-70, A/K/A 18 SEMTON BOULEVARD, FRANKLIN SQUARE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 18 Semton Boulevard, Franklin Square, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was deemed to be unfit for human occupancy in Accordance with §101.2.7.4.3 of the New York Property Maintenance Code; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA M3 Development Group, 68 South Service Road, Suite 100, Melville, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on March 5, 2018, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA M3 Development Group, to install two (2) lock and hasps, located at 18 Semton Boulevard, Franklin Square;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$180.00, the cost associated with the emergency services provided at 18 Semton Boulevard, Franklin Square, New York

WHEREAS, an additional charge of \$250.00 will be assessed in accordance with §90-9 of the Code of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$430.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 11

Case # 6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE, LOCATED ON THE NORTH SIDE OF 3RD AVENUE, 106 FEET WEST OF NEWBRIDGE ROAD. SEC 50, BLOCK 410, AND LOT (S) 11-13, A/K/A 2457 3RD AVENUE, EAST MEADOW, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 2457 3rd Avenue, East Meadow, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA M3 Development Group, 68 South Service Road, Suite 100, Melville, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on February 22, 2018, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA M3 Development Group, to have one (1) thirty eight inch by eighty one inch (38" x 81") door secured with one half inch (1/2") four (4) ply plywood and one (1) thirty three inch by eighty one inch (33" x 81") door secured with one half inch (1/2") four (4) ply plywood, located at 2457 3rd Avenue, East Meadow;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$180.00, the cost associated with the emergency services provided at 2457 3rd Avenue, East Meadow, New York

WHEREAS, an additional charge of \$250.00 will be assessed in accordance with §90-9 of the Code of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$430.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 11

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE, LOCATED ON THE NORTH SIDE OF WINDMILL LANE, 92 FEET EAST OF WINDMILL LANE. SEC 46, BLOCK 390, AND LOT (S) 26, A/K/A 17 WINDMILL LANE, LEVITTOWN, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 17 Windmill Lane, Levittown; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA M3 Development Group, 68 South Service Road, Suite 100, Melville, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on March 3, 2018, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA M3 Development Group, to have one (1) forty one inch by eighty one inch (41" x 81") door secured with one half inch (1/2") four (4) ply plywood and one (1) thirty six inch by eighty inch (36" x 80") door secured with one half inch (1/2") four (4) ply plywood, located at 17 Windmill Lane, Levittown;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$180.00, the cost associated with the emergency services provided at 17 Windmill Lane, Levittown, New York

WHEREAS, an additional charge of \$250.00 will be assessed in accordance with §90-9 of the Code of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$430.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 11

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH BASEMENT GARAGE, LOCATED ON THE WEST SIDE OF BAY DRIVE, 819 FEET SOUTH OF HARBOR ROAD. SEC 62, BLOCK 194; AND LOT (S) 61, A/K/A 2896 BAY DRIVE, MERRICK, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 2896 Bay Drive, Merrick; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA M3 Development Group, 68 South Service Road, Suite 100, Melville, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on February 21, 2018, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA M3 Development Group, to have one (1) seventy three inch by eighty three inch (73" x 83") door secured with one half inch (1/2") four (4) ply plywood and one (1) thirty eight inch by eighty three inch (38" x 83") door secured with one half inch (1/2") four (4) ply plywood, located at 2896 Bay Drive, Merrick;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$204.70, the cost associated with the emergency services provided at 2896 Bay Drive, Merrick, New York

WHEREAS, an additional charge of \$250.00 will be assessed in accordance with §90-9 of the Code of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$454.70 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 11

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING, LOCATED ON THE SOUTH SIDE OF BENNETT AVENUE, 100 FEET EAST OF STEVENS STREET. SEC 55, BLOCK 309, AND LOT (S) 1200-1201 & 1249, A/K/A 58 BENNETT AVENUE, ROOSEVELT, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 58 Bennett Avenue, Roosevelt; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA M3 Development Group, 68 South Service Road, Suite 100, Melville, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on February 26, 2018, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA M3 Development Group, to re-secure one (1) existing board and have one (1) thirty nine inch by eighty four inch (39" x 84") door secured with one half inch (1/2") four (4) ply plywood, located at 58 Bennett Avenue, Roosevelt;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$180.00, the cost associated with the emergency services provided at 58 Bennett Avenue, Roosevelt, New York

WHEREAS, an additional charge of \$250.00 will be assessed in accordance with §90-9 of the Code of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$430.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 11

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE WEST SIDE OF DITMAS AVENUE, 65 FEET SOUTH OF COLERIDGE ROAD. SEC 50, BLOCK 452, AND LOT (S) 3, A/K/A 926 DITMAS AVENUE, UNIONDALE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 926 Ditmas Avenue, Uniondale; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA M3 Development Group, 68 South Service Road, Suite 100, Melville, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on March 1, 2018, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA M3 Development Group, to open and re-secure one (1) door for inspection and have one (1) forty eight inch by seventy one inch (48" x 71") door secured with one half inch (1/2") four (4) ply plywood, located at 926 Ditmas Avenue, Uniondale;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$180.00, the cost associated with the emergency services provided at 926 Ditmas Avenue, Uniondale, New York

WHEREAS, an additional charge of \$250.00 will be assessed in accordance with §90-9 of the Code of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$430.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

11

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE NORTH SIDE OF SMITH STREET, 240 FEET WEST OF NEW STREET. SEC 50, BLOCK 362, AND LOT (S) 8, A/K/A 879 SMITH STREET, UNIONDALE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 879 Smith Street, Uniondale; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA M3 Development Group, 68 South Service Road, Suite 100, Melville, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on March 5, 2018, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA M3 Development Group, to have sixty two feet (62') of six foot (6') high fence installed with one and five eighth inch (1 5/8") poles and number nine (9) gauge wire top and bottom, located at 879 Smith Street, Uniondale;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$868.00, the cost associated with the emergency services provided at 879 Smith Street, Uniondale, New York

WHEREAS, an additional charge of \$250.00 will be assessed in accordance with §90-9 of the Code of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$1,118.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 11

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE, LOCATED ON THE SOUTH SIDE OF MELVIN AVENUE, 805 FEET WEST OF JANOS LANE. SEC 35, BLOCK 514, AND LOT (S) 4, A/K/A 26 MELVIN AVENUE, WEST HEMPSTEAD, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 26 Melvin Avenue, West Hempstead; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA M3 Development Group, 68 South Service Road, Suite 100, Melville, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on February 24, 2018, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA M3 Development Group, to install two (2) lock and hasps, located at 26 Melvin Avenue, West Hempstead;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$180.00, the cost associated with the emergency services provided at 26 Melvin Avenue, West Hempstead, New York

WHEREAS, an additional charge of \$250.00 will be assessed in accordance with §90-9 of the Code of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$430.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

11

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE SOUTH SIDE OF SCANEATELES AVENUE, 102 FEET EAST OF MAHOPAC ROAD. SEC 35, BLOCK 415, AND LOT (S) 881, A/K/A 11 SCANEATELES AVENUE, WEST HEMPSTEAD, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 11 Scaneateles Avenue, West Hempstead; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA M3 Development Group, 68 South Service Road, Suite 100, Melville, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on March 3, 2018, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA M3 Development Group, to have one (1) forty one inch by eighty two inch (41" x 82") door framed and built with two inch by three inch by eight foot (2" x 3" x 8') studs and one half inch (1/2") four (4) ply plywood, have one (1) one foot by three inch (1' x 3") exterior hole boarded and install two (2) lock and hasps, located at 11 Scaneateles Avenue, West Hempstead;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$265.68, the cost associated with the emergency services provided at 11 Scaneateles Avenue, West Hempstead, New York

WHEREAS, an additional charge of \$250.00 will be assessed in accordance with §90-9 of the Code of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$515.68 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

11

6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY HIGH RANCH WOOD FRAME ONE FAMILY DWELLING WITH TWO CAR BASEMENT GARAGE, LOCATED ON THE EAST SIDE OF WOODMERE BOULEVARD, 62 FEET NORTH OF BROADWAY. SEC 39, BLOCK 225, AND LOT (S) 246, A/K/A 8 WOODMERE BOULEVARD, WOODMERE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 8 Woodmere Boulevard, Woodmere, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA M3 Development Group, 68 South Service Road, Suite 100, Melville, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on February 27, 2018, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA M3 Development Group, to have one (1) forty inch by eighty one inch (40" x 81") door secured with one half inch (1/2") four (4) ply plywood and one (1) thirty six inch by thirty six inch (36" x 36") window boarded with one half inch (1/2") four (4) ply plywood, located at 8 Woodmere Boulevard, Woodmere;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$180.00, the cost associated with the emergency services provided at 8 Woodmere Boulevard, Woodmere, New York

WHEREAS, an additional charge of \$250.00 will be assessed in accordance with §90-9 of the Code of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$430.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 11
c. 6542

ADOPTED:

offered the following resolution and moved

its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE GRANTING OF THE APPLICATION OF LADY BRUINS BASKETBALL FOR A PARADE PERMIT FOR A PARADE HELD IN BALDWIN, NEW YORK, ON APRIL 28, 2018.

WHEREAS, Dr. Shari Camhi of Baldwin, New York, Superintendent of Schools, New York has filed an application with the Town Clerk of the Town of Hempstead, for a Parade Permit for a Parade to be held in Baldwin, New York, on April 28, 2018 from 9:00 AM to 10:00 AM and

WHEREAS, the said application meets the requirements of section 117-3 of the Hempstead Town Code ("the Code") and has been positively reviewed by the Nassau County Police Department; and

WHEREAS, the Town Clerk has advised the Town Board that the application appears to meet the requirements of section 117-4 of the Code, entitled *Standards for Issuance*;

NOW, THEREFORE, BE IT

RESOLVED, that the GRANTING of the aforesaid application of Dr. Shari Camhi, Superintendent of Schools, be and the same is hereby RATIFIED AND CONFIRMED, subject to all the provisions of Chapter 117 entitled Parades, Code of the Town of Hempstead

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 12
Case # 25843

CASE NO. 25843

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved
its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE GRANTING
OF THE APPLICATION OF GARDEN CITY SOUTH LITTLE
LEAGUE FOR A PARADE PERMIT FOR A PARADE HELD IN
FRANKLIN SQUARE, NEW YORK, ON APRIL 21, 2018.

WHEREAS, Dianne Schnoor of Garden City, New York, Recording
Secretary of the Garden City South Little League, New York has filed an
application with the Town Clerk of the Town of Hempstead, for a Parade Permit
for a Parade to be held in Franklin Square, New York, on April 21, 2018 from
12:00 PM to 1:00 PM and

WHEREAS, the said application meets the requirements of section 117-3 of
the Hempstead Town Code ("the Code") and has been positively reviewed by the
Nassau County Police Department; and

WHEREAS, the Town Clerk has advised the Town Board that the
application appears to meet the requirements of section 117-4 of the Code, entitled
Standards for Issuance;

NOW, THEREFORE, BE IT

RESOLVED, that the GRANTING of the aforesaid application of Dianne
Schnoor, Recording Secretary of the Garden City South Little League, be and the
same is hereby RATIFIED AND CONFIRMED, subject to all the provisions of
Chapter 117 entitled Parades, Code of the Town of Hempstead .

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

12

Case #

25843

CASE NO. 25843

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved
its adoption:

**RESOLUTION GRANTING OF THE APPLICATION OF OUR LADY
OF GOOD COUNSEL SOCIETY FOR A PARADE PERMIT FOR A
PARADE HELD IN INWOOD, NEW YORK, ON MAY 19, 2018.**

WHEREAS, Frank Sarro of Cedarhurst, New York, President of the Our Lady of Good Counsel Society, New York has filed an application with the Town Clerk of the Town of Hempstead, for a Parade Permit for a Parade to be held in Inwood, New York, on May 19, 2018 from 11:00 AM to 3:00 PM and

WHEREAS, the said application meets the requirements of section 117-3 of the Hempstead Town Code ("the Code") and has been positively reviewed by the Nassau County Police Department; and

WHEREAS, the Town Clerk has advised the Town Board that the application appears to meet the requirements of section 117-4 of the Code, entitled *Standards for Issuance*;

NOW, THEREFORE, BE IT

RESOLVED, that the of the aforesaid application of Frank Sarro, President of the Our Lady of Good Counsel Society, be and the same is hereby GRANTED, subject to all the provisions of Chapter 117 entitled Parades, Code of the Town of Hempstead

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

12

Case #

25843

ADOPTED:

offered the following resolution and moved
its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE GRANTING OF THE APPLICATION OF FRIENDS OF NASSAU COUNTY RECREATION INC FOR A PARADE PERMIT FOR A K-RUN HELD IN UNIONDALE, WESTBURY, EAST MEADOW, NEW YORK, ON MAY 06, 2018.

WHEREAS, Jason Lipset of East Meadow, New York, Chairman of the Friends of Nassau County Recreation Inc, New York has filed an application with the Town Clerk of the Town of Hempstead, for a Parade Permit for a K-Run to be held in Uniondale, Westbury, East Meadow, New York, on May 06, 2018 from 8:00 AM to 2:00 PM and

WHEREAS, the said application meets the requirements of section 117-3 of the Hempstead Town Code ("the Code") and has been positively reviewed by the Nassau County Police Department; and

WHEREAS, the Town Clerk has advised the Town Board that the application appears to meet the requirements of section 117-4 of the Code, entitled *Standards for Issuance*;

NOW, THEREFORE, BE IT

RESOLVED, that the GRANTING of the aforesaid application of Jason Lipset, Chairman of the Friends of Nassau County Recreation Inc, be and the same is hereby RATIFIED AND CONFIRMED, subject to all the provisions of Chapter 117 entitled Parades, Code of the Town of Hempstead

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 12
Case # 25843

ADOPTED:

offered the following resolution and moved
its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE GRANTING OF THE APPLICATION OF WEST HEMPSTEAD LITTLE LEAGUE FOR A PARADE PERMIT FOR A PARADE HELD IN WEST HEMPSTEAD, NEW YORK, ON APRIL 21, 2018. RAIN DATE: APRIL 27, 2018.

WHEREAS, George Digiovani of W Hempstead, New York, Vice President of the West Hempstead Little League, New York has filed an application with the Town Clerk of the Town of Hempstead, for a Parade Permit for a Parade to be held in West Hempstead, New York, on April 21, 2018, Rain Date: April 27, 2018, from 9:45 AM to 11:00 AM and

WHEREAS, the said application meets the requirements of section 117-3 of the Hempstead Town Code ("the Code") and has been positively reviewed by the Nassau County Police Department; and

WHEREAS, the Town Clerk has advised the Town Board that the application appears to meet the requirements of section 117-4 of the Code, entitled *Standards for Issuance*;

NOW, THEREFORE, BE IT

RESOLVED, that the GRANTING of the aforesaid application of George Digiovani, Vice President of the West Hempstead Little League, be and the same is hereby RATIFIED AND CONFIRMED, subject to all the provisions of Chapter 117 entitled Parades, Code of the Town of Hempstead

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 12

Case # 25843

CASE NO.

RESOLUTION NO.

ADOPTED:

its adoption:

offered the following and moved for

RESOLUTION GRANTING THE APPLICATION OF BROOKLYN SCHUETZEN CORPS TO CONDUCT AN INDOOR SHOOTING RANGE AT THE PLATTDUETSCHER PARK RESTAURANT, 1132 HEMPSTEAD TURNPIKE, FRANKLIN SQUARE, NEW YORK

WHEREAS, Edward Nusser, President of the Brooklyn Schuetzen Corps, Franklin Square, New York, has Filed an application with the Town Clerk of the Town of Hempstead, to conduct an indoor shooting range at the Plattduetsche Park Restaurant, 1132 Hempstead Turnpike, Franklin Square, NY, for the period January 1 – December 31, 2018.

WHEREAS, the Public Safety Bureau of the Nassau County Police Department has made an inspection to determine compliance with the provisions of the Explosives Ordinance of the Town of Hempstead and has given its approval;

NOW, THEREFORE, BE IT

RESOLVED, that the aforesaid application of Edward Nusser, President of the Brooklyn Schuetzen Corps, be and the same is hereby GRANTED, subject to all the provisions of the Explosives Ordinance of the Town of Hempstead.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

13

Case #

511

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and
moved its adoption:

RESOLUTION AMENDING RESOLUTION No. 839-2011 TO NAME AN
ADDITIONAL BANK AS AN OFFICIAL DEPOSITORY OF THE TOWN OF
HEMPSTEAD

WHEREAS, pursuant to Section 64 of the Town Law, as amended, the Town Board shall designate by written resolution the banks and trust companies in which Town offices shall deposit monies coming into their hands by virtue of their offices; and

WHEREAS, pursuant to Resolution No. 839-2011 nineteen banks are named as official depositories of the Town of Hempstead upon which the Supervisor, Town Clerk and the Receiver of Taxes shall deposit all monies coming into their hands by virtue of their offices; and

WHEREAS, pursuant to Resolution Nos. 1256-2012, 121-2013, 83-2015 and 569-2018 this Town Board amended said Resolution 839-2011 to add additional banks as official depositories of the Town of Hempstead; and

WHEREAS, Resolution No. 839-2011, as amended, remains in full force and effect;

NOW, THEREFORE, BE IT

RESOLVED, that Resolution No. 839-2011, as amended by Resolutions 1256-2012, 121-2013, 83-2015 and 569-2018, is further amended to include Habib American Bank with corporate offices at 99 Madison Avenue, New York, NY 10016 as an official depository of the Town of Hempstead; and be it further

RESOLVED, that the amount to be deposited in any official depository of the Town of Hempstead shall not exceed the amount of securitization as required by section 10 of the General Municipal Law of the State of New York; and be it further

RESOLVED, in all other respects Resolutions 839-2011, 1256-2012, 121-2013, 83-2015 and 569-2018 shall remain in full force and effect.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 14

Case # 2

CASE NO.

RESOLUTION NO.

Adopted:

Councilperson
adoption as follows:

offered the following resolution and moved its

RESOLUTION AUTHORIZING THE DIRECTOR OF
HUMAN RESOURCES TO EXECUTE AN AGREEMENT
WITH LABOR EDUCATION AND COMMUNITY SERVICES
AGENCY, INC.

WHEREAS, the Town currently provides an Employee Assistance Program for its employees; and

WHEREAS, it is desired that this Employee Assistance Program be supplemented to provide greater assistance to Town of Hempstead employees; and

WHEREAS, Labor Education and Community Services Agency, Inc. has submitted a proposed contract to the Town of Hempstead Department of Human Resources outlining certain services to be provided to Town of Hempstead employees; and

WHEREAS, it is the recommendation of the Department of Human Resources and it is in the best interest of the Town that this agreement be accepted.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of Human Resources is hereby authorized to execute the agreement with Labor Education and Community Services Agency, Inc. 390 Rebro Drive, Hauppauge, New York to provide an Employee Assistance Program for the period of six months from April 1, 2018 through September 30, 2018, and that payment for such program be made to Labor Education and Community Services Agency, Inc. in the amount of \$26,000.00 to be paid in two installments of \$13,000.00 from undistributed General Fund, Fees and Services Account No. 010-012-9000-4151.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

15

Case #

27868

LABOR EDUCATION & COMMUNITY SERVICE AGENCY, INC.
EMPLOYEE ASSISTANCE PROGRAM
390 Rabro Drive
Hauppauge, New York 11788
(631) 851-1295
(631) 851-1299

SERVICE AGREEMENT
BETWEEN:

LECSA

EMPLOYEE ASSISTANCE PROGRAM

AND

Town of Hempstead

April 1, 2018 – September 30, 2018

INTRODUCTION

The Labor Education & Community Services Agency, Inc. (LECSA) proposes to conduct an Employee Assistance Program for the **Town of Hempstead**. The staff at LECSA-EAP regards each employee who calls and/or walks through our doors as an individual, to be treated with respect and dignity.

LECSA provides...

- Assessment and short-term counseling for employees and management as well as referrals to outside providers.
- Training for management on how to make referrals to the EAP program. This involves training in how to speak with employees to facilitate a productive exchange and prevent counterproductive behavior.

LECSA'S OBLIGATION TO YOU

We will implement this contract on **April 1, 2018**. In the event that this contract is ever not renewed by the **Town of Hempstead** we will stand by you for 30 days to make sure your employees' treatment is never undermined.

We are not affiliated with any hospitals, insurance companies or treatment centers. This gives us the ability to manage our program independently. We will be available to the employees as well as their family members.

DELIVERY OF SERVICE

At LECSA, a counselor takes on many roles:

- Providing evaluation, assessment and short term counseling to employees and their family members.
- Linking individuals with existing resources such as therapists, alcohol/other drug treatment programs, self-help groups, financial counseling agencies, and legal services.
- Providing referrals to Social Service agencies for those employees in immediate need.
- Providing guidance regarding how to approach an individual about his/her substance use and getting the individual into the proper treatment program.
- Education about appropriate behaviors to prevent problems from developing in the work environment.

Our counselors are available, if needed, 24 hours a day, seven days a week. Any time a call is not answered by our staff (after hours or on weekends) our live answering service will answer the call. In an emergency, the service is able to get in touch with one of our counselors who will return the call as soon as possible.

We provide a monthly mental health topic article which is sent to a contact person for distribution to the employees and to be posted conspicuously where employees can read it. The newsletter covers a variety of subjects and members are encouraged to call our office if they would like more information on the monthly subject matter.

HOW TO GET HELP:

Call our office directly. Calling the EAP is a positive first step. Your courage and commitment will pay dividends in time. We can explore your options and decide how the EAP can help with issues in your personal life as well as on the job. Family members are also covered by the LECSA-EAP contract.

Whether an employee's needs can be met with just a few sessions or they will require long term treatment will be determined soon after the first call is placed. If an employee would like to come to our office, an appointment will be scheduled as soon as schedules permit. If it is determined at that time that resolution to the problem is possible in 2-3 sessions, the employee will continue to come to our offices. At times a direct referral to an outside provider may be preferable or clinically indicated. This is a decision that is made jointly by our trained staff and the employee.

Our clinicians are licensed social workers with specialty certifications in DOT, SAP requirements, experiential therapy, addictions, and employee assistance.

We will refer only to providers with whom we have established relationships and who participate in the employee's insurance plan. LECSA-EAP only works with providers who are licensed by the State of New York and will be chosen from our list of private practitioners, local mental health clinics, other licensed treatment programs as well as support groups. Before we refer an employee to any practitioner, LECSA has obtained the practitioner's credentials, specialties, training background and malpractice insurance verification. We determine their certifications/specialties, hours of operation and what insurances they accept. We closely monitor this list, edit it often and continually add new providers to it.

MANDATED/ADMINISTRATIVE REFERRALS

If an employee is referred to LECSA-EAP as the result of a positive drug test special productive confrontational approaches are needed. In such cases our clinicians will make full use of their knowledge in the dynamics of substance use. In addition, we have qualified substance abuse professionals (SAP) on staff, as required by the D.O.T.

We also handle other kinds of administrative referrals due to problematic behavior in the workplace, excessive use of sick time, etc.

For DWI cases our assessment specialists are authorized by the NY State Office of Alcoholism and Substance Abuse Services (OASAS) to perform DMV evaluations and referrals.

CONFIDENTIALITY

Your employees are guaranteed to receive confidential services. Our licensed clinical staff members strictly adhere to the Health Information Portability Privacy Act (HIPPA) guidelines, and Federal Confidentiality laws (CFR-42) We act in accordance with town and government regulations to ensure that the privacy of each individual is respected. In order for LECSA to release any confidential information about one of our clients the identified individual must sign consent to release information form which authorizes us to share only the designated specific information with third parties. In cases of extreme emergency (suicidal, homicidal intent) and whenever child abuse is disclosed a signed consent is not required to notify the appropriate authorities.

CRISIS OR CATASTROPHE

We have a track record in working in the aftermath of a crisis. When traumatic events occur we are there with the appropriate support necessary to help employees cope with catastrophic events. We can work with both individuals and entire work units to help resolve anger, fear, blame, shame and guilt. We understand what psychological responses to expect.

OUTREACH TO EMPLOYEES

We will provide orientation for all employees to inform them about their EAP program benefits. We also recommend regular meetings with the Organization Coordinating Committee to assure that your program is running effectively. We will assist the Coordinating Committee with preparation of

written policies/procedures and the development of community resources.

REPORTS

We will provide yearly statistical reports with complete confidentiality (i.e., no employee is identified). If requested, we will provide quarterly statistical reporting.

SECURITY

LECSA will ensure that our personnel comply with all appropriate operational and lawful requirements.

All our employees shall possess for the term of this agreement the necessary qualifications, permits and licenses in order to perform the services required including malpractice and liability insurance.

Please note: any combination of 5 of the following workshops are available under this contract.

- **Employee Orientation**
- **Stress Management**
- **Anger Management**
- **Supervisory Training**
- **Sexual Harassment**

Summary of LECSA-EAP Services

Assessment / Evaluation
DOT, SAP Cases, DWI Cases

Short-Term Treatment

Referrals for Long-Term Treatment

Chemical Dependency Intervention

Case Management Services

Social Service Information

Supervisory Help

Monthly Mental Health Topic Articles

Crisis Intervention

Orientations

Coordinating Committee Assistance

Workshops

Statistical Reports

COST OF CONTRACT

The contract will be in effect for six months and the cost for all services for all employees, full-time, part-time, and seasonal will be \$26,000.00.

Payments shall be made in two installments of \$ 13,000.00.

The annual fee covers all clinical services, referrals, management consultation, DOT mandated-activities, training, workshops, and record keeping, out-reach materials and advice.

INDEMNITY CLAUSE

Lecsa shall defend, indemnify the Town, its agents, servants and employees from any and all damages or claims whatsoever, occasioned by or caused to any person, partnership, association or corporation, or occasioned by or caused to any property arising out of its performance pursuant to the terms of this agreement provided, however, that any liability arising out of or in connection with this agreement was not caused by or resulting from the negligence of the Town.

LECSA shall take and assume all responsibility for its actions taken pursuant to this Agreement and take all reasonable precautions for the prevention of injuries to persons and property; LECSA shall bear all losses and LECSA and its surety or insurance company shall assume the defense of and indemnify and save harmless the Town and its officers, employees and agents, from any and all claims for injuries or damages to any person, corporation or property, caused by, or in any way arising out of the performance by LECSA, it's agents, servants or employees.

William F. Sammon Jr.
Director of Human Resources

Date

LABOR EDUCATION & COMMUNITY SERVICES AGENCY, INC.

Roger Clayman

Roger Clayman,
Executive Director

4/1/2018

Date

APPROVED

By *[Signature]* Date *4/17/18*
KEVIN R. CONROY, CPA
TOWN COMPTROLLER

APPROVED
[Signature]

DIRECTOR OF PURCHASING

APPROVED AS TO FORM
[Signature]

CHIEF DEPUTY TOWN ATTORNEY
DATE *4/17/18*

Dorothy L. Goosby
Edward A. Ambrosino
Bruce A. Blakeman
Erin King Sweeney
Anthony P. D'Esposito
Dennis Dunne Sr.

Nasrin G. Ahmad
Town Clerk

Donald X. Clavin, Jr.
Receiver of Taxes

William F. Sammon, Jr.
Director

Town of Hempstead

Department
of

Human Resources

350 FRONT STREET, HEMPSTEAD, N.Y. 11550-4037
(516) 489-5000



ANTHONY J. SANTINO
Supervisor

CONTRACTOR'S /VENDOR'S NAME

DISCLOSURE STATEMENT

CONTRACTOR/VENDOR NAME: Labor Education Community Services Agency

ADDRESS: 390 Rabbit Drive

CITY & STATE: Hempstead Ny 11788

PAYEE IDENTIFICATION OR SOCIAL SECURITY NO.: [REDACTED]

TYPE OF BUSINESS: EAP Program

CORPORATION Sole Prop PARTNERSHIP: _____

TABLE OF ORGANIZATION. PLEASE LIST ON SEPARATE SHEET: Name & Addresses of all principals, that is, all individuals serving on the Board of Directors or comparable body, names & addresses of all partner, name & addresses of all corporate officers.

List all names & addresses of those individual shareholders holding more than five percent (5%) interest in the firm: (If Applicable)

SIGNATURE: [Signature] Date: 3/28/18

TITLE: Controller

LECSA Executive Board
2018

<u>Name</u>	<u>Union</u>	<u>Address</u>
Richard Hendershot	IBT Local 237	216 West 14 th St. New York, NY 10011
Dominick Macchia	IBEW	12 Elmwood Lane Syosset, NY 11791
Gemma deLeon	UFCW/RWDSU International Rep.	370 7 th Avenue New York, NY 10001
John Durso	RWDSU Local 338	1505 Kellum Place Mineola, NY 11501
Nicholas LaMorte	CSEA Region 1	3 Garret Place Commack, NY 11725
William Hennessey	ILA Local 342	501 William Floyd Pkwy Shirley, NY 11967
Patrick Guidice	IBEW Local 1049	100 Corporate Drive Holtsville, NY 11742
Walter Barton	NALC	630 Broadway Amityville, NY 11701
Richard O'Kane	Nass/Suff Bldg Trades Council	300 Motor Parkway Hauppauge, NY 11788

TOWN OF HUNTINGTON
AFFIRMATION OF FINANCIAL STATEMENT
Part of Question 9 of Attached Public Disclosure Statement

I hereby affirm that the financial statement herein submitted is a true and accurate statement.

Company Name Labor Education + Community Service Agency

Individual Signature R. Clayman

Individual's Name Roger Clayman
(Print or Type)

Title Executive Director

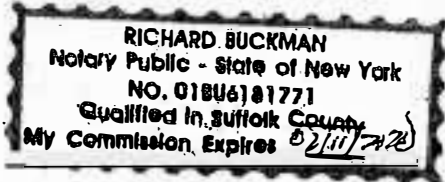
Date 3/28/18

Notary Public
State of New York, County of Suffolk

Before me came ROGER CLAYMAN known to me and affirms that he has read the attached financial information and that the attached statement is true to the affirmant's own knowledge.

Notary Public Richard Buckman Date 3/28/18

Notary Seal



CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

**RESOLUTION REJECTING BID
 AND AUTHORIZING RE-BID FOR THE
 CONSTRUCTION OF ADA COMPLIANT BATHROOMS
 AT BERNARD BROWN PARK, UNIONDALE, NY
 PW #2-18**

WHEREAS, the Commissioner of General Services, on behalf of the Department of Parks and Recreation, advertised for bids for the contract in connection with the construction of ADA Compliant Bathrooms at Bernard Brown Park, Uniondale, NY; and

WHEREAS, the sole bid set forth immediately below, submitted pursuant to such advertisement was opened and read in the office of the Commissioner of General Services on March 27th, 2018, at 11 o'clock in the forenoon:

Contractor: J-Cole Construction Co. 2704 Grand Ave. Bellmore, NY 11710	Total: \$183,750.00
---	------------------------

WHEREAS, the bid submitted by J-Cole Construction Co. was higher than budget allotments for this particular project; and

WHEREAS, in the interest of securing additional competitive bids as well as obtaining a bid that may fall within budget guidelines, the Commissioner of the Department of Parks & Recreation recommends to this Town Board that the above single bid be rejected and that the Department of Parks and Recreation be authorized to re-bid the construction of ADA Compliant Bathrooms at Bernard Brown Park, Uniondale, New York.

NOW, THEREFORE, BE IT

RESOLVED, that the above listed bid be and the same hereby is rejected and that the Department of Parks & Recreation be and hereby is authorized to rebid the proposed project for the construction of ADA Compliant Bathrooms at Bernard Brown Park, Uniondale, NY.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 16
 Case # 16905

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF A BID TO SATURN BUSINESS SYSTEMS, INC. FOR THE REORGANIZATION OF THE TOWN'S NETWORK INFRASTRUCTURE.

WHEREAS, the Department of Information and Technology (the "Department") on behalf of the Town of Hempstead (the "Town"), solicited bids for the reorganization of the Town's network infrastructure to prepare for the future demands of the expanding network (the "Services"); and

WHEREAS, the following sole bid was received and opened in the Department of Purchasing on April 11, 2018:

Saturn Business Systems, Inc.
228 E. 45th Street
5th Floor New York, NY 10017
Bid Price: \$56,500.00; and

WHEREAS, the Commissioner of Information & Technology (the "Commissioner") has recommended that the bid for the services be awarded to Saturn Business Systems, Inc., 228 E. 45th Street, 5th Floor, New York, NY 10017, as the sole responsible bidder at its bid price set forth above; and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board authorizes the Department to enter into an Agreement for the Services with Saturn Business Systems, Inc., 228 E. 45th Street, 5th Floor, New York, NY 10017, as the sole responsible bidder with a bid price not to exceed \$56,500.00; and be it further

RESOLVED, that the Town Board further authorizes the Commissioner to execute the contract documents, if any, prepared herewith in connection with the Agreement for the Services; and be it further

RESOLVED, that the Comptroller is authorized and directed to make payment from the Department of Information and Technology account 010-001-1680-4151 in an amount not to exceed \$56,500.00.

Item #

19

Case #

14301

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD
OF FORMAL BID#: 5-2018 FOR:
EVALUATION AND INVENTORY OF TOWN REAL ESTATE ASSETS

WHEREAS, the Town of Hempstead (the "Town") does not have a comprehensive inventory of its real estate assets; and

WHEREAS, a comprehensive inventory would aid the Town in making decisions with regard to its real estate portfolio and in developing a real estate strategy; and

WHEREAS, the Division of Purchasing solicited proposals for Formal Bid#: 5-2018, Evaluation and Inventory of Town Real Estate Assets; and

WHEREAS, proposals were received and opened on March 30, 2018 whereby the following companies submitted the listed proposals:

<u>Name & Address of Proposers</u>	<u>Fee Amount</u>
1) Smith & DeGroat Real Estate 27 East Jericho Turnpike, Suite 2 Mineola, NY 11501	\$100,000.00 + Fees
2) Cushman & Wakefield 1290 Avenue of the Americas New York, NY 10104	Fee Schedule per type of property.
3) Goodman-Marks Associates, Inc. 170 Old Country Road, Suite 501 Mineola, NY 11501	\$ 225,000.000 + \$875.00/Property over 250 properties + Fees
4) CBRE, Inc. 58 South Service Road Melville, NY 11747	\$ 125,000.000 + Fees

WHEREAS, following an evaluation of the aforementioned proposals it has been determined that the proposal received by Smith & DeGroat Real Estate, 27 East Jericho Turnpike, Suite 2, Mineola, NY 11501 best meets the Town's needs; and

WHEREAS, the Town Board has determined that it is in the best interest of the Town to award the bid to Smith & DeGroat Real Estate for the services.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards Formal Bid#: 5-2018, Evaluation & Inventory of Town Real Estate Assets to Smith & DeGroat Real Estate, 27 East Jericho Turnpike, Suite 2, Mineola, NY 11501; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to execute a contract, and take any related action, with Smith & DeGroat Real Estate, 27 East Jericho Turnpike,

Item # 18

Case # 29927

Suite 2, Mineola, NY 11501 for the services described within Formal Bid#: 5-2018,
Evaluation & Inventory of Town Real Estate Assets, and be it further

RESOLVED, that the Comptroller is hereby authorized and directed to make
payment of the monies due and owing in conjunction with this contract out of General
Fund Undistributed Fees & Services Account#: 010-012-9000-4151.

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

* * * * *

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF
FORMAL BID#: 8-2018 FOR:
UTILITY AND TELEPHONE AUDITING SERVICES

WHEREAS, the Town is seeking an audit of its utility and telephone charges in order to identify potential refunds for past errors and/or overcharges, as well as potential future savings opportunities; and

WHEREAS, the Division of Purchasing solicited proposals for Formal Bid#: 8-2018, Utility and Telephone Auditing Services; and

WHEREAS, proposals were received and opened on April 11, 2018 whereby the following companies submitted the listed proposals:

<u>Name & Address of Proposers</u>	<u>Fee Amount</u>
1) Cost Control Associates, Inc. 310 Bay Road Queensbury, NY 12804	20% of 12 month savings or (option) \$135.00/hour
2) The Eric Ryan Corporation 1 Early Street, Suite A Ellwood City, PA 16117	20% of 12 month savings
3) Troy & Banks, Inc. 2216 Kensington Avenue Buffalo, NY 14226	24% of 24 month savings
4) CBI Telecommunications Consultants 437 44 th Street SW Wyoming, MI 49548	27% of 12 month savings
5) MJM Telecommunications, Inc. d/b/a Prime Auditors 450 Jericho Turnpike, Suite 203 Mineola, NY 11501	35% of 12 month savings

WHEREAS, following an evaluation of the aforementioned proposals it has been determined that the proposal received by Cost Control Associates, Inc., 310 Bay Road, Queensbury, NY 12804 best meets the Town's needs; and

WHEREAS, the Town Board has determined that it is in the best interest of the Town to award the bid to Cost Control Associates, Inc. for the services;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards Formal Bid#: 8-2018, Utility and Telephone Auditing Services to Cost Control Associates, Inc., 310 Bay Road, Queensbury, NY 12804; and be it further

Item # 19
Case # 9620

RESOLVED, that the Town Supervisor is hereby authorized to execute a contract, and take any related action, with Cost Control Associates, Inc., 310 Bay Road, Queensbury, NY 12804 for the services described within Formal Bid#: 8-2018, Utility and Telephone Auditing Services; and be it further

RESOLVED, that the Comptroller is hereby authorized and directed to make payment of the monies due and owing in conjunction with this contract, if any, out of the appropriate designated departmental utility account, and that the Comptroller is further authorized and directed to deposit monies due and owing to the Town (department designated revenue exclusively) in conjunction with this contract, if any, into the appropriate department designated revenue accounts.

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

* * * * *

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE EXECUTION OF A
LEASE AGREEMENT WITH PITNEY BOWES FOR A
DM400C DIGITAL MAILING SYSTEM TO BE USED
IN THE DEPARTMENT OF WATER.

WHEREAS, the Town of Hempstead Department of Water presently leases a Pitney Bowes DM400C Mailing System and said lease will expire in June of this year; and

WHEREAS, this machine is necessary to seal, weigh and apply metered postage to our daily outgoing mail; and

WHEREAS, Pitney Bowes offers through the National Joint Powers Alliance under Contract # 041917-PIT a lease for a DM400C Digital Mailing System; and

WHEREAS, Pitney Bowes has submitted a proposal for a new lease under said contract dated March 23, 2018 for a DM400C Digital Mailing System at an agreement price of \$164.42 per month for 60 months, to be paid quarterly for a total of \$9,865.20; Pricing to include equipment, maintenance (parts & labor), meter rental, postal rate changes for the scale and postage reset fees; and

WHEREAS, the Town Board finds it to be in the best interest of the Town of Hempstead to authorize the execution of said new lease agreement with Pitney Bowes.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Commissioner of the Department of Water to execute a lease agreement with Pitney Bowes, 27 Waterview Drive, Shelton, CT 06484, for the lease of a Pitney Bowes DM400C Digital Mailing System at an agreement price of \$164.42 per month for 60 months, to be paid quarterly for a total of \$9,865.20; and be it further

RESOLVED, that the Comptroller is authorized and directed to make payments to Pitney Bowes in accordance with the lease agreement, with said payments to be made from Department of Water Account 500-006-8310-4250, Rent of Major Office Equipment.

The foregoing resolution was adopted upon roll call as follows.

AYES:

NOES:

Item # 20
Case # 1597

NJPA State & Local FMV Lease

--	--	--	--	--	--	--	--	--	--	--

Agreement Number

Your Business Information

Full Legal Name of Lessee / DBA Name of Lessee

TOWN OF HEMPSTEAD WATER DEPARTMENT

Tax ID # (FEIN/TIN)

Sold-To: Address

1995 PROSPECT AVE, EAST MEADOW, NY, 11554-3140, US

Sold-To: Contact Name

Lawrence Vicario

Sold-To: Contact Phone #

(516) 296-7205

Sold-To: Account #

0011500980

Bill-To: Address

1995 PROSPECT AVE, EAST MEADOW, NY, 11554-3140, US

Bill-To: Contact Name

Lawrence Vicario

Bill-To: Contact Phone #

(516) 296-7205

Bill-To: Account #

0011500980

Bill-To: Email

lvicario@tqhmall.org

Ship-To: Address

1995 PROSPECT AVE, EAST MEADOW, NY, 11554-3140, US

Ship-To: Contact Name

Lawrence Vicario

Ship-To: Contact Phone #

(516) 296-7205

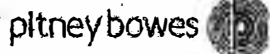
Ship-To: Account #

0011500980

PO #

Your Business Needs

Qty	Item	Business Solution Description
1	DM400C	DM400C Digital Mailing System
1	1FAE	Basic Accounting -50 Accounts
1	1FY9	DM400 70 LPM
1	1GW5	5lb Integrated Weighing Feature
1	4CES	US LIVE DM400C BASE - ES2
1	G900	Meter for DM300/DM400/475 Series
1	G9SS	USPS Tracking Services Activation
1	MP9G	Integrated Weighing Platform
1	PTJ1	Postal Shipping
1	PTJA	SendPro Basic 1 User
1	PTJN	SINGLE USER ACCESS
1	PTK1	WEB BROWSER INTEGRATION
1	SBTA	DM400C Digital Meter System
1	SJ40	SoftGuard for DM400



Pitney Bowes



Overview

Contract Documentation

Pricing

Marketing Materials

NJPA Contact Information

HOW TO PURCHASE 
Our step-by-step guide

Vendor Contact Info

Bill Walter
Direct Phone: 480-206-2984
Bill.Walter@pb.com
www.pb.com/us

Contract#: 041917-PIT

Category: Logistic Services/Mail Equipment

Description: Logistic Services & Mail Equipment

Maturity Date: 05/17/2021

Pitney Bowes is a leading provider of Customer Communication Management (CCM) technologies. Our software, equipment and services integrate physical and digital communications channels to help businesses communicate more effectively in today's multi-channel environment, so they can build long-term customer relationships and drive profitable growth. Our CCM solutions are your single source for marketing and transactional communications in both physical and digital formats and include: Shipping Management, Mailing Systems, Scales, Folders, Inserters, Tabbers, Mail Sorters, Letter Openers, Addressing Printers, Address & Deliverability Validation, Document Printers, Shredders, Furniture and pbSmart™ solutions such as Online Postage, Direct Mail and Email solutions that integrate with Facebook, Twitter and other social sites.

COUNCIL MEMBERS
DOROTHY L. GOOBY
EDWARD A. AMBROSINO
BRUCE A. BLAKEMAN
ERIN KING SWEENEY
ANTHONY P. D'ESPOSITO
DENNIS DUNNE, SR.

SYLVIA CABANA
TOWN CLERK

DONALD X. CLAVIN, JR.
RECEIVER OF TAXES

JOHN L. REINHARDT
COMMISSIONER

TOWN OF HEMPSTEAD

DEPARTMENT of WATER

1995 PROSPECT AVENUE
EAST MEADOW, NEW YORK 11554
(516) 794-8300
FAX (516) 794-1855



LAURA A. GILLEN
SUPERVISOR

CONTRACTOR'S / VENDOR'S PUBLIC DISCLOSURE STATEMENT (TO BE SUBMITTED WITH CONTRACTORS BID)

1. Contractor's / Vendor's Name Pitney Bowes Inc.
Address 27 Waterview Drive
City and State Shelton, CT Zip Code 06484
Phone Number 631-796-5450 Fax Number 203-617-6609

2. Contracting Department's Name Town of Hempstead Water Department
Address 1995 Prospect Ave, East Meadow, NY 11554-3140

3. Payee Identification or Social Security No. [REDACTED]

4. Type of Business: Corporation Partnership

5. Table of Organization. List Names and Addresses of all principals (that is, all individuals serving on the Board of Directors or comparable body, names and addresses of all partners, names and addresses of all corporate officers.

See Attachment A

6. List names and addresses of those individual shareholders holding more than five percent (5%) interest in the firm. (If Applicable)

The Vanguard Group Inc. 100 Vanguard Blvd, Malvern, PA 19355

BlackRock Inc. 55 East 52nd Street, New York, NY 10055

The Bank of New York Mellon Corporation, 225 Liberty Street, New York, NY 10286

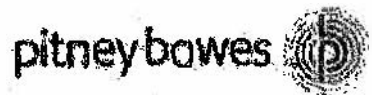
Invesco LTD, 1555 Peachtree Street NE, Suite 1800 Atlanta, GA 30309

7. Signature: [Signature]

Title: Major Account Manager

John Goetz

Date: 3/26/18



Directors

Linda G. Alvarado
President and
Chief Executive Officer, Alvarado Construction, Inc.

Anne M. Busquet
Principal,
AMB Advisors, LLC

Roger Fradin
Retired Vice Chairman, Honeywell International Inc.

Anne Sutherland Fuchs
Consultant

S. Douglas Hutcheson Chief Executive Officer, Laser, Inc.

Marc B. Lautenbach
President and
Chief Executive Officer, Pitney Bowes Inc.

Eduardo R. Menascé
Co-Chairman,
The Taylor Companies

Michael I. Roth
Chairman and
Chief Executive Officer, The Interpublic Group of Companies, Inc.
Non-Executive Chairman, Pitney Bowes Inc.

Linda Sanford
Retired Senior Vice President, Enterprise Transformation, International Business Machines
Corporation (IBM)

David L. Shedlarz Retired Vice Chairman, Pfizer Inc.

David B. Snow, Jr.
Chairman and
Chief Executive Officer, Cedar Gate Technologies,

CASE NO.

RESOLUTION NO:

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD
OF TOH CONTRACT#: 42-2018 FOR:
YEARLY REQUIREMENTS FOR: INSURANCE CONSULTING SERVICES

WHEREAS, it would be beneficial to the Town of Hempstead (the "Town") to have a review conducted of its current insurance needs and obtain recommendations; and

WHEREAS, the Division of Purchasing solicited proposals for TOH Contract#: 42-2018, Yearly Requirements For: Insurance Consulting Services (the "Contract"); and

WHEREAS, the following proposals were received and opened on March 30, 2018:

<u>Name & Address of Proposers</u>	<u>Fee Amount</u>
1) Rockville Risk Management Associates, Inc. 119 North Park Avenue, 4 th Floor Rockville Centre, NY 11570	NTE: \$25,000.00
2) Commercial Insurance Consultants Self Funding, Inc. 217 West Main Street Rochester, NY 14614	NTE: \$37,600.00
3) Arthur J. Gallagher Risk Management Services, Inc. One Jericho Plaza, Suite 200 Jericho, NY 11753	\$ 20,000.000
4) NGL Group, L.L.C. 112 Merrick Road Lynbrook, NY 11563	\$ 18,000.000

WHEREAS, following an evaluation of the aforementioned proposals it has been determined that the proposal received by Arthur J. Gallagher Risk Management Services, Inc., One Jericho Plaza, Suite 200, Jericho, NY 11753 best meets the Town's needs; and

WHEREAS, the Town Board has determined that it is in the best interest of the Town to award the Contract to Arthur J. Gallagher Risk Management Services;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards the Contract to Arthur J. Gallagher Risk Management Services, Inc., One Jericho Plaza, Suite 200, Jericho, NY 11753; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to execute the Contract, and take any related action, with Arthur J. Gallagher Risk Management Services, Inc., One Jericho Plaza, Suite 200, Jericho, NY 11753 for the services described within the Contract; and be it further

Item # 21

Case # 16452

RESOLVED, that the Comptroller is hereby authorized and directed to make payment of the monies due and owing in conjunction with the Contract out of General Fund Undistributed Fees & Services Account#: 010-012-9000-4151.

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

* * * * *

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution

and moved its adoption:

RESOLUTION DECLARING CERTAIN
EQUIPMENT OBSOLETE IN THE DEPARTMENT
OF SENIOR ENRICHMENT, AND AUTHORIZING
THE DISPOSAL THEREOF.

WHEREAS, the Commissioner of the Department of Senior Enrichment has advised this Town Board that certain equipment in the Department of Senior Enrichment should be declared obsolete and be disposed of, as such equipment is no longer economically serviceable for its original purpose; and

WHEREAS, the Commissioner of the Department of Senior Enrichment further advises this Town Board that the following listed equipment may have value either as equipment to be used for other purposes, or as salvage, and has indicated that the equipment described below has been so judged and is to be disposed:

- CHIEF DELUXE TRAVELLING CASE MODEL #C-20
- TIFFEN PRO-DISSOLVE
- KODAK EKTAGRAPHIC PROJECTORS CAROUSEL TYPE MODEL # AF2 & AF3
- PREMIER RC500 PRINT DRYER
- VIVITAR INSTANT SLIDE PRINTER
- KODAK CAROUSEL 140 SLIDE TRAY (34 PCS)
- KODAK PROJECTION ZOOM LENS 4 TO 6 INCHES (2 PCS).

and

WHEREAS, this Town Board deems it to be in the public interest that this equipment should be disposed of;

NOW, THEREFORE, BE IT

RESOLVED, that the above described equipment be declared obsolete in its primary function;

BE IT FURTHER

RESOLVED, that the Director of Purchasing be and he is hereby authorized to advertise for bids for the sale and disposal of said equipment;

and

BE IT FURTHER

RESOLVED, that the Comptroller be and he is hereby authorized to deposit any proceeds derived from such sale and disposal in the proper Town fund.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 22

Case # 20215

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution

and moved its adoption:

RESOLUTION AMENDING RESOLUTION NO. 1529-2015
AUTHORIZING THE CHANGE IN NAME AND LOCATION
OF INTEGRA TECHNOLOGIES INTERNATIONAL, INC.
TO ELITE TECHNICAL SERVICE, INC.

WHEREAS, by Resolution No. 1529-2015, this Town Board accepted a service agreement proposal from Integra Technologies International, Inc. for D-Lab 2 equipment in the Department of General Services, Photo Division; and

WHEREAS, Integra Technologies International, Inc. located at 3020 Woodcreek Drive, Suite C, Downers Grove, IL 60515 has decided to change its name and location to Elite Technical Service, Inc. now located at 2121 Lohmans Crossing Road, Suite 504, Lakeway, Texas 78734; and

WHEREAS, Resolution No. 1529-2015 authorized a payment of \$957.00 (Nine Hundred Fifty Seven Dollars) to be paid on a monthly basis commencing on January 1, 2016 and ending on December 31, 2020 ; and

WHEREAS, all other aspects of Resolution No. 1529-2015 including payment to now Elite Technical Service, Inc. shall remain the same.

NOW, THEREFORE, BE IT

RESOLVED, that the monthly payment amount of \$957.00 (Nine Hundred Fifty Seven Dollars) to be charged against the General Services Maintenance of Equipment Account 010-001-1490-4030.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 23

Case # 1743'7

Adopted

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE TOWN OF HEMPSTEAD TO OBTAIN MEMBERSHIP IN THE LONG ISLAND COMMUNITY DEVELOPMENT ORGANIZATION IN CONNECTION WITH THE FEDERALLY FUNDED COMMUNITY DEVELOPMENT PROGRAMS.

WHEREAS, the Town of Hempstead (the "Town"), by and through the Department of Planning and Economic Development (the "Department"), is directly involved in Federally Funded Community Development Programs; and

WHEREAS, the Commissioner of the Department proposes that the Town obtain membership from January 1, 2018 to December 31, 2018 in the Long Island Community Development Organization (LICDO) to provide positive benefits in the successful implementation of the Federally Funded Community Development Program; and

WHEREAS, the Commissioner of the Department proposes that seven (7) Department employees attend and participate in the quarterly meetings; and

WHEREAS, the annual cost of agency membership is Seventy Five and 00/100 (\$75.00) Dollars and the cost for attending each meeting for each participant ranges from \$25 to \$60; and

WHEREAS, the Town Board deems the proposed action to be in the best interest of the Town of Hempstead.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of the Department of Planning and Economic Development is hereby authorized to obtain membership in the Long Island Community Development Organization (LICDO); and be it further

RESOLVED that the Comptroller of the Town is hereby authorized to make payment to LICDO, in an amount not to exceed One Thousand Four Hundred Fifty and 00/100 (\$1,450.00) DOLLARS, for membership dues and participation fees for the year 2018 for the seven (7) Department employees' participation in the four (4) meetings of LICDO. Upon presentation of the proper claim voucher said payments to be made out and charged against the Department of Planning and Economic Development Block Grant Administrative Funds.

The foregoing resolution was adopted on roll call as follows:

AYES: ()

NOES: ()

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING PAYMENT OF THE
MAINTENANCE AND SUPPORT SERVICES FEE FOR
THE HUMAN RESOURCE MANAGEMENT / PAYROLL
PROCESSING SYSTEM**

WHEREAS, PeopleStrategy, Inc., 5883 Glenridge Drive, Suite 200, Atlanta, GA 30642, will provide maintenance and support services on the GenLink Human Resource Management / Payroll Processing System for the period July 1, 2017 through June 30, 2018 for a fee of \$82,828.07 and

WHEREAS, the Town Comptroller deems the charges to be fair and reasonable and in the best interest of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that payment of the maintenance and support services fee for the GenLink Human Resource Management / Payroll Processing System for the period July 1, 2017 through June 30, 2018 be and hereby is authorized; and

BE IT

FURTHER RESOLVED, that the fee \$82,828.07 be paid from General Fund - Fees and Services account 010-012-9000-4151.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

25

Case #

16976

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING PAYMENT OF
NOTARY PUBLIC FEE FOR THE DEPARTMENT
OF GENERAL SERVICES, DIVISION OF
CEMETERIES.**

WHEREAS, the Department of General Services, Division of Cemeteries in the performance of its official functions is required to cause the signatures of department officials and personnel to notarize; and

WHEREAS, Patricia G. Lima, employee of the Division of Cemeteries has been commissioned as a Notary Public for the purpose in connection with her official duties and responsibilities; and

WHEREAS, the Commissioner of the Department of General Services has advised this Board that the said commission was necessary for departmental need in executing official forms and documents of the Division of Cemeteries requiring notarization and that such licensing fee for the person before mentioned, amounting to a charge of \$60.00 for Patricia G. Lima for a period of four years; and

BE IT FURTHER

RESOLVED, that said total sum of \$60.00 be charged to the office expense account of the Division of Cemeteries, #010-006-8810-4040, and be paid to the above individual upon submission of duly executed claim approved by the Town Comptroller.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

26

Case #

22522

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution

And moved its adoption :

RESOLUTION AUTHORIZING REIMBURSEMENT TO THE COMMISSIONER OF GENERAL SERVICES FOR PAYMENT TO THE NASSAU SUFFOLK LANDSCAPE GROUNDS ASSOCIATION FOR AN ALL PRO HORTICULTURE CLASS.

WHEREAS, Gerald C. Marino, Commissioner of General Services, (the "Commissioner") has jurisdiction over the maintenance of the grounds at Greenfield Cemetery, located at 650 Nassau Road, Uniondale ("Cemetery"); and

WHEREAS, the Commissioner submitted the tuition fee for Kherani Monsoon, Labor Crew Chief I, to attend an All Pro Horticulture Class that was sponsored by the Nassau Suffolk Landscape Grounds Association, P.O. Box 489, Brightwaters, New York 11718; and

WHEREAS, the Commissioner is seeking full reimbursement for the fee for the All Pro Horticulture Class which had to be paid by credit card in advance totaling \$325.00 (Three Hundred Twenty Five Dollars); and

WHEREAS, this Board finds it in the best interests of the Town to reimburse the Commissioner.

NOW, THEREFORE, BE IT

RESOLVED, that the Comptroller is authorized to reimburse the Commissioner the fee for the All Pro Horticulture Class sponsored by the Nassau Suffolk Landscape Grounds Association which shall not exceed \$325.00 (Three Hundred Twenty Five Dollars) with payments to be charged against Division of Cemeteries Account Number 010-006-8810-4040, Office Expense.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 27

Case # 18077

ADOPTED:

Council(wo)man

offered the following resolution and moved its adoption:

RESOLUTION AMENDING RESOLUTION NO. 151-2000 ENTITLED "RESOLUTION ADOPTING PROCEDURES OF THE HEMPSTEAD TOWN BOARD"

WHEREAS, the Town of Hempstead, by Resolution No. 151-2000, adopted procedures for conducting meetings and hearings of the Town of Hempstead Town Board; and

WHEREAS, by Resolution No. 478-2014 the Town of Hempstead revised Resolution No. 151-2000 thereby amending said procedures; and

WHEREAS, said previously adopted procedures did not include procedures for the conducting of a public comment period when the Town of Hempstead Town Board (the "Board") desired to so allow;

WHEREAS, it is the policy of the Board to conduct its operations in compliance with the highest standards of conduct and ethical behavior and with best practices applicable to the conducting of meetings and hearings of the Board; and

WHEREAS, pursuant to Public Officers Law Article 7 Sections 100 through 111 and with guidance from Board Meetings: Best Practices Guide for Public Authorities issued by the New York State Authorities Budget Office (the "ABO") on January 27, 2015, the ABO recommends that public authorities adopt rules and procedures reasonably governing public participation in meetings that are subject to the Open Meetings Law; and

WHEREAS, the Open Meetings Law does not require the Board schedule a public comment period during any Board meeting (whether annual, regular, special or committee) and the Board is, therefore, not required to permit members of the public to speak during such period at any Board meeting; and

WHEREAS, the Town Board of the Town of Hempstead does, however, often schedule such public comment period and encourage the public to speak during those public comment periods.

NOW, THEREFORE, BE IT

RESOLVED, if the members of the Board choose to permit public comment with respect to a particular meeting or topic, the Board shall follow the following rules and procedures to be known as Section VII (1) (A):

RULES AND PROCEDURES FOR PUBLIC COMMENT NOT RELATED TO AGENDA ITEMS

1. The Agenda for the meeting may include a designated period for public comment (the "Public Comment Period"), during which time members of the public will be given the opportunity to address the members of the Board.
2. If the Board chooses to schedule or include a Public Comment Period, such period shall be for thirty (30) minutes and shall be called first on the Board's agenda for that meeting.
3. Any person wishing to speak during the Public Comment Period shall register on sign-in sheets provided by the Board prior to entering the meeting location.
4. Speakers will be given a maximum of three (3) minutes to address the members of the Board. A Speaker shall not be permitted to relinquish all or any part of his/her allotted time to another Speaker.
5. Written comments may be accepted and included in the Board's minutes. The Board will make reasonable efforts to document verbal comments.
6. The Public Comment Period is held for the purpose of soliciting public comment; it is not a question and answer period. The members and staff of the Board are not required to respond to questions from Speakers.

Item # 28

Case # 530

7. Proper decorum shall be observed at all times during the Public Comment Period.
8. Statements made during the Public Comment Period shall not include personal or slanderous attacks directed at any person, firm or company. The use of profane, vulgar, inflammatory, threatening, abusive, or disparaging language or racial, ethnic or other derogatory slurs directed at any person, firm or company will not be tolerated.
9. The Chair or the presiding officer shall control the meeting. Any individual who disregards the directives of the Chair or the presiding officer in enforcing these rules or who generally conducts himself or herself in an inappropriate manner while addressing the members of the Board and/or is disruptive will be barred from further participation and forfeit their opportunity to address the members of the Board.

NOW, THEREFORE, BE IT

RESOLVED, that except as amended herein Resolution No. 141-2000 shall remain in full force and effect; and BE IT FURTHER

RESOLVED, that the provisions of this resolution shall take effect immediately; and

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO EXECUTE AN ENGAGEMENT LETTER WITH DEBEVOISE & PLIMPTON LLP AS THE ATTORNEYS FOR COUNCILWOMAN ERIN KING SWEENEY IN THE MATTER OF GILLEN V. TOWN OF HEMPSTEAD, ET AL.

WHEREAS, Laura A. Gillen commenced a hybrid Article 78 proceeding and a CPLR 3001 declaratory judgment action against Erin King Sweeney and other persons and entities; and

WHEREAS, the Town Attorney has a conflict of interest by the very nature of the parties in the matter;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Town Attorney to execute an engagement letter with Debevoise & Plimpton LLP, with offices at 919 Third Avenue, New York, NY, 10022, in the matter of Gillen v. Town of Hempstead, et al. as the attorneys for Councilwoman Erin King Sweeney, and the fees to be paid shall be as follows:

1. Partners - \$800.00 per hour;
2. Associates - \$600.00 per hour;
3. \$175.00 per hour for project assistants, legal assistants and summer associates.

And BE IT FURTHER,

RESOLVED, that the fees to be paid Debevoise & Plimpton LLP in this matter shall be paid from the General Fund, Undistributed Fees & Services Account #010-012-9000-4151.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

29

Case #

27490

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO RETAIN LAMB & BARNOSKY, LLP, AS THE ATTORNEYS FOR ANTHONY P. D'ESPOSITO IN THE MATTER OF GILLEN V. TOWN OF HEMPSTEAD, ET AL.

WHEREAS, Laura A. Gillen commenced a hybrid Article 78 proceeding and a CPLR 3001 declaratory judgment action against Councilman Anthony P. D'Esposito and other persons and entities; and

WHEREAS, the Town Attorney has a conflict of interest by the very nature of the parties in the matter;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Town Attorney to retain Lamb & Barnosky, LLP, with offices at 534 Broadhollow Road, Melville, NY 11747, in the matter of Gillen v. Town of Hempstead, et al. as the attorneys for Councilman Anthony P. D'Esposito, and the fees to be paid shall be as follows:

1. Supreme Court Trials - \$975.00 per diem;
2. Non-Trial Work – including consulting, pleadings, research, motions, briefs - \$225.00 per hour;

And BE IT FURTHER,

RESOLVED, that the fees to be paid to Lamb & Barnosky, LLP in this matter shall be paid from the General Fund, Undistributed Fees & Services Account #010-012-9000-4151.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

30

Case #

27490

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO
RETAIN LA REDDOLA, LESTER & ASSOCIATES, LLP AS
THE ATTORNEYS FOR DOROTHY L. GOOSBY IN THE
MATTER OF GILLEN V. TOWN OF HEMPSTEAD, ET AL.**

WHEREAS, Laura A. Gillen commenced a hybrid Article 78 proceeding and a CPLR 3001 declaratory judgment action against Senior Councilwoman Dorothy L. Goosby and other persons and entities; and

WHEREAS, the Town Attorney has a conflict of interest by the very nature of the parties in the matter;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Town Attorney to retain La Reddola, Lester & Associates, LLP, with offices at 600 Od Country Road, Garden City, NY 11530, in the matter of Gillen v. Town of Hempstead, et al. as the attorneys for Senior Councilwoman Dorothy L. Goosby, and the fees to be paid shall be as follows:

1. Supreme Court Trials - \$975.00 per diem;
2. Non-Trial Work – including consulting, pleadings, research, motions, briefs - \$225.00 per hour,

And **BE IT FURTHER**,

RESOLVED, that the fees to be paid to La Reddola, Lester & Associates, LLP in this matter shall be paid from the General Fund, Undistributed Fees & Services Account #010-012-9000-4151.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

31

Case #

27490

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO RETAIN ROSENBERG CALICA & BIRNEY LLP, AS THE ATTORNEYS FOR EDWARD A. AMBROSINO, DENNIS DUNNE, SR., TOWN OF HEMPSTEAD CIVIL SERVICE COMMISSION, ARTHUR J. NASTRE, MICHAEL PERRY, GENNARO CESARANO, AND ROBERT W. SCHMIDT IN THE MATTER OF GILLEN V. TOWN OF HEMPSTEAD, ET AL.

WHEREAS, Laura A. Gillen commenced a hybrid Article 78 proceeding and a CPLR 3001 declaratory judgment action against Councilman Edward A. Ambrosino, Councilman Dennis Dunne, Sr., Town of Hempstead Civil Service Commission, Arthur J. Nastre, Michael Perry, Gennaro Cesarano, and Robert W. Schmidt and other persons and entities; and

WHEREAS, the Town Attorney has a conflict of interest by the very nature of the parties in the matter;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Town Attorney to retain Rosenberg Calica & Birney LLP with offices at 100 Garden City Plaza, Suite 408, Garden City, NY 11530 in the matter of Gillen v. Town of Hempstead, et al. as the attorneys for against Councilman Edward A. Ambrosino, Councilman Dennis Dunne, Sr., Town of Hempstead Civil Service Commission, Arthur J. Nastre, Michael Perry, Gennaro Cesarano, and Robert W. Schmidt and the fees to be paid shall be as follows:

1. Supreme Court Trials - \$975.00 per diem;
2. Non-Trial Work – including consulting, pleadings, research, motions, briefs - \$225.00 per hour,

And BE IT FURTHER,

RESOLVED, that the fees to be paid to Rosenberg Calica & Birney LLP in this matter shall be paid from the General Fund, Undistributed Fees & Services Account #010-012-9000-4151.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 32

Case # 27490

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ABRAMS, FENSTERMAN, FENSTERMAN, EISMAN, FORMATO, FERRARA, WOLF & CARONE, LLP. AS THE ATTORNEYS FOR SUPERVISOR LAURA A. GILLEN IN THE MATTER OF GILLEN V. TOWN OF HEMPSTEAD, ET AL.

WHEREAS, Laura A. Gillen commenced a hybrid Article 78 proceeding and a CPLR 3001 declaratory judgment action against the Town of Hempstead and other persons and entities; and

WHEREAS, the Town Attorney has a conflict of interest by the very nature of the parties in the matter.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby authorizes an agreement with Abrams, Fensterman, Fensterman, Eisman Formata, Ferrara, Wolf & Carone, LLP. (the "Law Firm") to represent Laura A. Gillen in the matter filed in Nassau County Supreme Court under Index No. 18-000414 (the "Agreement"); and be it further

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the Agreement on behalf of the Town, at an hourly rate of \$225 for non-trial work, including consulting, research, pleadings, motions, briefs, and a per diem rate of \$975 for Supreme Court trials, 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 from the General Fund, Undistributed Fees and Services Account, #010-012-9000-4151, upon receipt of the duly executed Agreement and certified claims therefor.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 33

Case # 27490

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution
and moved its adoption as follows:

RESOLUTION AMENDING RESOLUTION NO. 1263-2017
WHICH AUTHORIZED THE TOWN ATTORNEY TO EXECUTE
A SERVICE AGREEMENT WITH RTP ENVIRONMENTAL
ASSOCIATES, INC. TO PROVIDE ASSISTANCE WITH
CERTAIN POTENTIAL AIR QUALITY, NOISE AND
VIBRATION MATTERS IN THE TOWN OF HEMPSTEAD

WHEREAS, there is a need to address problems caused by
certain industrial uses creating adverse conditions relating
to air quality, noise and vibration in the Town of
Hempstead; and

WHEREAS, Resolution No. 1263-2017 authorized an
agreement between RTP Environmental Associates, Inc. and the
Town of Hempstead for an amount not to exceed \$5,000.00; and

WHEREAS, due to the complex nature of said work it is
necessary to raise the amount to \$20,000.00; and

WHEREAS, it is in the public interest for the Town to
enter into the proposed service agreement:

NOW, THEREFORE, BE IT

RESOLVED, that the contract between the Town of
Hempstead and RTP Environmental Associates, Inc. be amended
to raise the amount paid to a sum not to exceed \$20,000.00;
and be it further

RESOLVED, that the funds be paid out of the appropriate
account as determined by the Town Comptroller.

The foregoing resolution was adopted upon roll call as
follows:

AYES:

NOES:

Item #

34

Case #

27490

golf course properties covered by the moratorium will be fully in accordance with existing area character and layout in the surrounding vicinities, including but not limited to the existing area character and layout of properties in adjacent or nearby incorporated villages, has proposed ordinance language as the best and most appropriate terms of new zoning regulations to be presented to the Town Board, which language is the subject of a public hearing to be held in due course in accordance with law; and

WHEREAS, the Town Attorney recommends that the Town Board extend the moratorium for an additional period of 90 days:

NOW, THEREFORE, BE IT

RESOLVED, that an additional 90-day extension of the moratorium period is necessary to maintain the status quo while the Town shall properly conduct and complete it's study and enact new regulations in accordance with the legislative intent of section 302(R) as provided therein; and be it further

RESOLVED, that pursuant subsection 302(R)3 of Article XXXI of the Building Zone Ordinance, the moratorium is hereby extended for all purposes to include a fifth additional 90 days immediately following the initial 180 day moratorium period; and be it further

RESOLVED that all parties receive notice of this resolution to the extent required by law.

The foregoing resolution was seconded by
and adopted upon roll call as follows:

AYES:

NOES:

Amending Resolution No. 19-2018 Re: Various offices, positions & occupations in the Town Government of the Town of Hempstead

Item # 38
Case # 7

CASE NO. 29923

RESOLUTION NO.

ADOPTED: May 8, 2018

offered the following resolution and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A PROPOSED LOCAL LAW TO AMEND CHAPTER 202 OF THE CODE OF THE TOWN OF HEMPSTEAD TO INCLUDE AND REPEAL "REGULATIONS & RESTRICTIONS" TO LIMIT PARKING AT VARIOUS LOCATIONS.

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

WHEREAS, it appears to be in the public interest to consider the enactment of a local law amending Chapter 202 of the Code of the Town of Hempstead entitled "REGULATIONS & RESTRICTIONS" to limit parking at various locations; and

WHEREAS, has introduced a proposed local law known as Intro. No. 35-2018, Print No. 1 to amend the said Chapter 202 of the Code of the Town of Hempstead to include and repeal "REGULATIONS & RESTRICTIONS" to limit parking at various locations; NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York on May 22, 2018 at 10:30 o'clock in the forenoon of that day, at which time all interested persons shall be heard on the proposed enactment of a local law known as Intro. No. 35-2018, Print No. 1, to amend Chapter 202 of the Code of the Town of Hempstead to include and repeal "REGULATIONS & RESTRICTIONS" to limit parking at various locations; and, BE IT FURTHER

RESOLVED, that the Town Clerk shall give notice of such hearing by the publication thereof in a newspaper of general circulation in the Town of Hempstead and by the posting of such notice on the Bulletin Board maintained for such purpose in the Town Hall not less than three nor more than thirty days prior to the date of such hearing.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item #

37

Case #

29923

Town of Hempstead

A local law to amend Chapter two hundred and two of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, to include and repeal "REGULATIONS AND RESTRICTIONS" to limit parking at various locations.

Be it enacted by the Town Board of the Town of Hempstead as follows:

Section 1. Chapter two hundred and two of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, said Section last amended by local law number seventeen of two thousand eighteen is hereby amended by including therein "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

NORTH BELLMORE
Section 202-15

LAFAYETTE STREET (TH 123/18) South Side – FOUR HOUR PARKING 7AM TO 4PM EXCEPT SUNDAYS – starting at a point 166 feet west of the west curblin of Broad Street west for a distance of 50 feet.

OCEANSIDE
Section 202-13

FAIRVIEW AVENUE (TH 94/18) South Side – NO STOPPING 9AM TO 6PM EXCEPT SUNDAYS AND HOLIDAYS – starting at a point 88 feet east of the east curblin of Long Beach Road east for a distance of 206 feet.

Section 2. Chapter two hundred and two of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine said Section last amended by local law number seventeen of two thousand eighteen is hereby amended by repealing therein "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

OCEANSIDE
Section 202-13

FAIRVIEW AVENUE (TH 301/75) South Side – NO STOPPING 9 AM TO 6 PM EXCEPT SUNDAYS AND HOLIDAYS – starting at a point 88 feet east of the east curblin of Long Beach Road east for a distance of 266 feet. (Adopted 9/9/75)

Section 3. This local law shall take effect immediately upon filing with the secretary of state.

CASE NO. 29924

RESOLUTION NO.

ADOPTED: May 8, 2018

offered the following resolution and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A PROPOSED LOCAL LAW TO AMEND CHAPTER 202-1 OF THE CODE OF THE TOWN OF HEMPSTEAD TO INCLUDE AND REPEAL "PARKING OR STANDING PROHIBITONS" AT VARIOUS LOCATIONS.

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

WHEREAS, it appears to be in the public interest to consider the enactment of a local law amending Chapter 202-1 of the Code of the Town of Hempstead entitled "PARKING OR STANDING PROHIBITONS" at various locations; and

WHEREAS, has introduced a proposed local law known as Intro. No. 36-2018, Print No. 1 to amend the said Section 202-1 of the Code of the Town of Hempstead to include and repeal "PARKING OR STANDING PROHIBITIONS" at various locations; NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York on May 22, 2018, at 10:30 o'clock in the forenoon of that day, at which time all interested persons shall be heard on the proposed enactment of a local law known as Intro. No. 36-2018, Print No. 1, to amend Chapter 202-1 of the Code of the Town of Hempstead to include and repeal "PARKING OR STANDING PROHIBITIONS" at various locations; and, BE IT FURTHER

RESOLVED, that the Town Clerk shall give notice of such hearing by the publication thereof in a newspaper of general circulation in the Town of Hempstead and by the posting of such notice on the Bulletin Board maintained for such purpose in the Town Hall not less than three nor more than thirty days prior to the date of such hearing.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item # 38

Case # 29924

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule of the State of New York, both as amended, a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 22nd day of May, 2018, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Section 202-1 of the code of the Town of Hempstead to INCLUDE AND REPEAL "PARKING OR STANDING PROHIBITIONS" at the following locations:

BELLMORE

BEDFORD AVENUE (TH 105/18) West Side
- NO STOPPING HERE TO CORNER -
starting at the south curbline of
Royle Street south for a distance of
69 feet.

KENNETH AVENUE (TH 104/18) West Side
- NO STOPPING HERE TO CORNER -
starting at the south curbline of
Demott Avenue then south for a
distance of 30 feet.

INWOOD

BAYVIEW AVENUE (TH 101/18) North Side
- NO STOPPING HERE TO CORNER - from
the east curbline of Bayview Court
east for a distance of 35 feet.

ROOSEVELT

PLEASANT AVENUE (TH 67/18) South Side
- NO STOPPING HERE TO CORNER -
starting at the east curbline of
Powell Street east for a distance of
40 feet.

PLEASANT AVENUE (TH 67/18) North Side
- NO STOPPING ANYTIME - starting at a
point opposite the southeast curbline
of Powell Street then east for a
distance of 45 feet.

UNIONDALE

COMMERCIAL AVENUE (TH 124/18) South
Side - NO STOPPING ANYTIME - starting
at the west curbline of Quentin
Roosevelt Blvd west for a distance of
430 feet.

ALSO, to REPEAL from Section 202-1 "PARKING OR STANDING PROHIBITIONS" from the following locations:

INWOOD WHEELLOCK AVENUE (TH 527/73) West Side
- NO STOPPING ANYTIME - starting at a
point 114 feet north of the north
curbline of Burnside Avenue north for
a distance of 94 feet. (Adopted
11/13/73)

WOODMERE BARR AVENUE (TH 560/14) West Side -
NO PARKING ANYTIME - starting at a
point 91 feet north of the north
curbline of West Broadway north for a
distance of 55 feet. (Adopted
12/9/14)

ALL PERSONS INTERESTED shall have an opportunity to be
heard on said proposal at the time and place aforesaid.

Dated: May 8, 2018
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

LAURA A. GILLEN
Supervisor

SYLVIA A. CABANA
Town Clerk

Town of Hempstead

A local law to amend Section two hundred two dash one of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, to include and repeal "PARKING OR STANDING PROHIBITIONS" at various locations.

Be it enacted by the Town Board of the Town of Hempstead as follows:

Section 1. Section two hundred two dash one of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, said Section last amended by local law number twenty two of two thousand eighteen is hereby amended by including therein "PARKING OR STANDING PROHIBITIONS" at the following locations:

- | | |
|-----------|---|
| BELLMORE | BEDFORD AVENUE (TH 105/18) West Side – NO STOPPING HERE TO CORNER – starting at the south curbline of Royle Street south for a distance of 69 feet. |
| | KENNETH AVENUE (TH 104/18) West Side – NO STOPPING HERE TO CORNER – starting at the south curbline of Demott Avenue then south for a distance of 30 feet. |
| INWOOD | BAYVIEW AVENUE (TH 101/18) North Side – NO STOPPING HERE TO CORNER – from the east curbline of Bayview Court east for a distance of 35 feet. |
| ROOSEVELT | PLEASANT AVENUE (TH 67/18) South Side – NO STOPPING HERE TO CORNER – starting at the east curbline of Powell Street east for a distance of 40 feet. |
| | PLEASANT AVENUE (TH 67/18) North Side – NO STOPPING ANYTIME – starting at a point opposite the southeast curbline of Powell Street then east for a distance of 45 feet. |
| UNIONDALE | COMMERCIAL AVENUE (TH 124/18) South Side – NO STOPPING ANYTIME – starting at the west curbline of Quentin Roosevelt Blvd. west for a distance of 430 feet. |

Section 2. Section two hundred two dash one of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, said Section last amended by local law number twenty two of two thousand eighteen is hereby amended by repealing therein "PARKING OR STANDING PROHIBITIONS" at the following locations:

- | | |
|----------|---|
| INWOOD | WHEELOCK AVENUE (TH 527/73) West Side – NO STOPPING ANYTIME – starting at a point 114 feet north of the north curbline of Burnside Avenue north for a distance of 94 feet. (Adopted 11/13/73) |
| WOODMERE | BARR AVENUE (TH 560/14) West Side – NO PARKING ANYTIME – starting at a point 91 feet north of the north curbline of West Broadway north for a distance of 55 feet. (Adopted 12/9/14) |

Section 3. This local law shall take effect immediately upon filing with the secretary of state.

CASE NO. 29925

RESOLUTION NO.

ADOPTED: May 8, 2018

offered the following resolution and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A PROPOSED LOCAL LAW TO AMEND SECTION 197-5 OF THE CODE OF THE TOWN OF HEMPSTEAD TO INCLUDE "ARTERIAL STOPS" AT VARIOUS LOCATIONS.

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

WHEREAS, it appears to be in the public interest to consider the enactment of a local law amending Section 197-5 of the Code of the Town of Hempstead entitled "ARTERIAL STOPS" at various locations; and

WHEREAS, has introduced a proposed local law known as Intro. No. 37-2018, Print No. 1 to amend the said Section 197-5 of the Code of the Town of Hempstead to include "ARTERIAL STOPS" at various locations; NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York on May 22, 2018, at 10:30 o'clock in the forenoon of that day, at which time all interested persons shall be heard on the proposed enactment of a local law known as Intro. No. 37-2018, Print No. 1, to amend Sections 197-5 of the Code of the Town of Hempstead to include "ARTERIAL STOPS" at various locations; and, BE IT FURTHER

RESOLVED, that the Town Clerk shall give notice of such hearing by the publication thereof in a newspaper of general circulation in the Town of Hempstead and by the posting of such notice on the Bulletin Board maintained for such purpose in the Town Hall not less than three nor more than thirty days prior to the date of such hearing.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item #

39

Case #

29925

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule of the State of New York, both as amended, a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 22nd day of May, 2018, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Section 197-5 of the code of the Town of Hempstead to INCLUDE "ARTERIAL STOPS" at the following locations:

BELLMORE	MARLE PLACE (TH 96/18) STOP - all traffic traveling northbound on Bedford Avenue shall come to a full stop.
	MARLE PLACE (TH 96/18) STOP - all traffic traveling southbound on Bedford Avenue shall come to a full stop.
ELMONT	SURPRISE STREET (TH 118/18) STOP - all traffic traveling northbound on Travis Avenue shall come to a full stop.
ROOSEVELT	POWELL STREET (TH 67/18) STOP - all traffic eastbound on Pleasant Avenue shall come to a full stop.
	POWELL STREET (TH 67/18) STOP - all traffic westbound on Pleasant Avenue shall come to a full stop.
WOODMERE	WEST BROADWAY (TH 88/18) STOP - all traffic approaching southbound on Forest Avenue shall come to a full stop.

ALL PERSONS INTERESTED shall have an opportunity to be heard on said proposal at the time and place aforesaid.

Dated: May 8, 2018
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

LAURA A. GILLEN
Supervisor

SYLVIA A. CABANA
Town Clerk

Town of Hempstead

A local law to amend Section one hundred ninety seven dash five of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, to include "ARTERIAL STOPS" at various locations.

Be it enacted by the Town Board of the Town of Hempstead as follows:

Section 1. Section one hundred ninety seven dash five of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, said Section last amended by local law number twenty three of two thousand eighteen is hereby amended by including therein "ARTERIAL STOPS" at the following locations:

BELLMORE

MARLE PLACE (TH 96/18) STOP – all traffic traveling northbound on Bedford Avenue shall come to a full stop.

MARLE PLACE (TH 96/18) STOP – all traffic traveling southbound on Bedford Avenue shall come to a full stop.

ELMONT

SURPRISE STREET (TH 118/18) STOP – all traffic traveling northbound on Travis Avenue shall come to a full stop.

ROOSEVELT

POWELL STREET – (TH 67/18) STOP – all traffic eastbound on Pleasant Avenue shall come to a full stop.

POWELL STREET (TH 67/18) STOP – all traffic westbound on Pleasant Avenue shall come to a full stop.

WOODMERE

WEST BROADWAY (TH 88/18) STOP – all traffic approaching southbound on Forest Avenue shall come to a full stop.

Section 2. This local law shall take effect immediately upon filing with the secretary of state.

ADOPTED: May 8, 2018

offered the following resolution and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A PROPOSED LOCAL LAW TO AMEND SECTION 197-13 OF THE CODE OF THE TOWN OF HEMPSTEAD TO INCLUDE AND REPEAL "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" AT VARIOUS LOCATIONS.

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

WHEREAS, it appears to be in the public interest to consider the enactment of a local law amending Section 197-13 of the Code of the Town of Hempstead entitled "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at various locations; and

WHEREAS, has introduced a proposed local law known as Intro. No. 38-2018, Print No. 1 to amend the said Section 197-13 of the Code of the Town of Hempstead to include and repeal "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at various locations; NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York on May 22, 2018 at 10:30 o'clock in the forenoon of that day, at which time all interested persons shall be heard on the proposed enactment of a local law known as Intro. No. 38-2018, Print No. 1, to amend Section 197-13 of the Code of the Town of Hempstead to include and repeal "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at various locations; and, BE IT FURTHER

RESOLVED, that the Town Clerk shall give notice of such hearing by the publication thereof in a newspaper of general circulation in the Town of Hempstead and by the posting of such notice on the Bulletin Board maintained for such purpose in the Town Hall not less than three nor more than thirty days prior to the date of such hearing.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item # 40

Case # 29926

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule of the State of New York, both as amended, a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 22nd day of May, 2018, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Section 197-13 of the code of the Town of Hempstead to INCLUDE AND REPEAL "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at the following locations:

ELMONT RIDGE ROAD (TH 131/18) West Side - NO PARKING 8AM TO 4PM SCHOOL DAYS - starting at a point 40 feet north of the north curbline of Dutch Broadway north for a distance of 44 feet.

RIDGE ROAD (TH 131/18) West Side - NO PARKING 8AM TO 4PM SCHOOL DAYS - starting at a point 30 feet south of the south curbline of Leighton Road south for a distance of 53 feet.

UNIONDALE HEMPSTEAD BLVD. (TH 55/18) South Side - NO STOPPING BUS STOPS 8AM TO 6PM SCHOOL DAYS - starting at a point 41 feet west from a point opposite the west curbline of Fenimore Avenue west for a distance of 190 feet.

HEMPSTEAD BLVD. (TH 55/18) North Side - NO STOPPING 8AM TO 6PM SCHOOL DAYS - starting at a point 30 feet west of the west curbline of Fenimore Avenue then west for a distance of 200 feet.

ALSO, to REPEAL from Section 197-13 "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" from the following locations:

ELMONT RIDGE ROAD (TH 456/17) West Side - NO PARKING 8AM TO 4 PM SCHOOL DAYS - starting at a point 40 feet north of the north curbline of Dutch Broadway north to a point 30 feet south of the south curbline of Leighton Road. (Adopted 2/20/18)

UNIONDALE

HEMPSTEAD BLVD. - South Side - NO STOPPING
BUS STOP 8AM TO 4 PM SCHOOL DAYS -
starting at a point 41 feet west from a
point opposite the west curbline of
Fenimore Street west for a distance of
190 feet. (Adopted 11/18/58)

HEMPSTEAD BLVD. (TH 660/85) North Side -
NO STOPPING 8 AM TO 4 PM SCHOOL DAYS -
starting at a point 30 feet west of the
west curbline of Fenimore Avenue west for
a distance of 200 feet. (Adopted 1/28/86)

ALL PERSONS INTERESTED shall have an opportunity to be
heard on said proposal at the time and place aforesaid.

Dated: May 8, 2018
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

LAURA A. GILLEN
Supervisor

SYLVIA A. CABANA
Town Clerk

Town of Hempstead

A local law to amend Section one hundred ninety seven dash thirteen of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, to include and repeal "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at various locations.

Be it enacted by the Town Board of the Town of Hempstead as follows:

Section 1. Section one hundred ninety seven dash thirteen of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, said Section last amended by local law number sixteen of two thousand eighteen is hereby amended by including therein "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at the following locations:

ELMONT

RIDGE ROAD (TH 131/18) West Side – NO PARKING 8AM TO 4PM SCHOOL DAYS – starting at a point 40 feet north of the north curblineline of Dutch Broadway north for a distance of 44 feet.

RIDGE ROAD (TH 131/18) West Side – NO PARKING 8AM TO 4PM SCHOOL DAYS – starting at a point 30 feet south of the south curblineline of Leighton Road south for a distance of 53 feet.

UNIONDALE

HEMPSTEAD BLVD. (TH 55/18) South Side – NO STOPPING BUS STOPS 8AM TO 6PM SCHOOL DAYS – starting at a point 41 feet west from a point opposite the west curblineline of Fenimore Avenue west for a distance of 190 feet.

HEMPSTEAD BLVD. (TH 55/18) North Side – NO STOPPING 8AM TO 6PM SCHOOL DAYS – starting at a point 30 feet west of the west curblineline of Fenimore Avenue then west for a distance of 200 feet.

Section 2. Section one hundred ninety seven dash thirteen of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, said Section last amended by local law number sixteen of two thousand eighteen is hereby amended by repealing therein "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at the following locations:

ELMONT

RIDGE ROAD (TH 456/17) West Side – NO PARKING 8AM TO 4 PM SCHOOL DAYS – starting at a point 40 feet north of the north curblineline of Dutch Broadway north to a point 30 feet south of the south curblineline of Leighton Road (Adopted 2/20/18)

UNIONDALE

HEMPSTEAD BLVD. – South Side – NO STOPPING BUS STOP 8AM TO 4 PM SCHOOL DAYS – starting at a point 41 feet west from a point opposite the west curblineline of Fenimore Street west for a distance of 190 feet. (Adopted 11/18/58)

HEMPSTEAD BLVD. (TH 660/85) North Side – NO STOPPING 8 AM TO 4 PM SCHOOL DAYS – starting at a point 30 feet west of the west curblineline of Fenimore Avenue west for a distance of 200 feet. (Adopted 1/28/86)

Section 3. This local law shall take effect immediately upon filing with the secretary of state.

CASE NO. 18920

RESOLUTION NO. -2018

ADOPTED: May 8, 2018

offered the following resolution and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A PROPOSED LOCAL LAW TO AMEND SECTION 202-52 OF THE CODE OF THE TOWN OF HEMPSTEAD TO REPEAL "BUS STOPS" AT VARIOUS LOCATIONS.

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

WHEREAS, it appears to be in the public interest to consider the enactment of a local law amending Section 202-52 of the Code of the Town of Hempstead entitled "BUS STOPS" at various locations; and

WHEREAS, has introduced a proposed local law known as Intro. No. 39-2018, Print No. 1 to amend the said Section 202-52 of the Code of the Town of Hempstead to repeal "BUS STOPS" at various locations; NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York on May 22, 2018, at 10:30 o'clock in the forenoon of that day, at which time all interested persons shall be heard on the proposed enactment of a local law known as Intro. No. 39-2018, Print No. 1, to amend Section 202-52 of the Code of the Town of Hempstead to repeal "BUS STOPS" at various locations; and, BE IT FURTHER

RESOLVED, that the Town Clerk shall give notice of such hearing by the publication thereof in a newspaper of general circulation in the Town of Hempstead and by the posting of such notice on the Bulletin Board maintained for such purpose in the Town Hall not less than three nor more than thirty days prior to the date of such hearing.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item #

41

18920

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule of the State of New York, both as amended, a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 22nd day of May, 2018, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Section 202-52 of the code of the Town of Hempstead to REPEAL "BUS STOPS" at the following locations:

BELLMORE BEDFORD AVENUE (TH 17/80) West Side - NO STOPPING BUS STOP - starting at the south curbline of Royle Street south for a distance of 60 feet.
(Adopted 4/15/80)

ALL PERSONS INTERESTED shall have an opportunity to be heard on said proposal at the time and place aforesaid.

Dated: May 8, 2018
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

LAURA A. GILLEN
Supervisor

SYLVIA A. CABANA
Town Clerk

Town of Hempstead

A local law to amend Section two hundred two dash fifty two of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, to repeal "BUS STOPS" at various locations.

Be it enacted by the Town Board of the Town of Hempstead as follows:

Section 1. Section two hundred two dash fifty two of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, said Section last amended by local law number nine of two thousand eighteen is hereby amended by repealing therein "BUS STOPS" at the following locations:

BELLMORE

BEDFORD AVENUE (TH 17/80) West Side – NO STOPPING BUS STOP – starting at the south curblineline of Royle Street south for a distance of 60 feet. (Adopted 4/15/80)

Section 2. This local law shall take effect immediately upon filing with the secretary of state.

CASE NO. 18920

RESOLUTION NO.

ADOPTED: May 8, 2018

offered the following resolution and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A PROPOSED LOCAL LAW TO AMEND SECTION 202-52 OF THE CODE OF THE TOWN OF HEMPSTEAD TO INCLUDE AND REPEAL "SCHOOL BUS STOPS" AT VARIOUS LOCATIONS.

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

WHEREAS, it appears to be in the public interest to consider the enactment of a local law amending Section 202-52 of the Code of the Town of Hempstead entitled "SCHOOL BUS STOPS" at various locations; and

WHEREAS, has introduced a proposed local law known as Intro. No. 40-2018, Print No. 1 to amend the said Section 202-52 of the Code of the Town of Hempstead to include and repeal "SCHOOL BUS STOPS" at various locations; NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York on May 22, 2018, at 10:30 o'clock in the forenoon of that day, at which time all interested persons shall be heard on the proposed enactment of a local law known as Intro. No. 40-2018, Print No. 1, to amend Section 202-52 of the Code of the Town of Hempstead to include and repeal "SCHOOL BUS STOPS" at various locations; and, BE IT FURTHER

RESOLVED, that the Town Clerk shall give notice of such hearing by the publication thereof in a newspaper of general circulation in the Town of Hempstead and by the posting of such notice on the Bulletin Board maintained for such purpose in the Town Hall not less than three nor more than thirty days prior to the date of such hearing.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item # 72

CASE # 18920

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule of the State of New York, both as amended, a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 22nd day of May, 2018, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Section 202-52 of the code of the Town of Hempstead to INCLUDE and REPEAL "SCHOOL BUS STOPS" at the following locations:

ROOSEVELT PLEASANT AVENUE (TH 67/18) North Side -
NO STOPPING BETWEEN SIGNS 8AM TO 4PM
EXCEPT SCHOOL BUSES - at a point 45 feet
east opposite the southeast curbline of
Powell Street then east for a distance of
90 feet.

ALSO, to REPEAL from Section 202-52 "SCHOOL BUS STOPS" from the following locations:

ROOSEVELT PLEASANT AVENUE (TH 444/14) North Side -
NO STOPPING BETWEEN SIGNS 8 AM TO 4 PM
EXCEPT SCHOOL BUSES - starting at a point
opposite the southeast curbline of Powell
Street east for a distance of 95 feet.
(Adopted 2/10/15)

ALL PERSONS INTERESTED shall have an opportunity to be heard on said proposal at the time and place aforesaid.

Dated: May 8, 2018
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

LAURA A. GILLEN
Supervisor

SYLVIA A. CABANA
Town Clerk

Town of Hempstead

A local law to amend Section two hundred two dash fifty two of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, to include and repeal "SCHOOL BUS STOPS" at various locations.

Be it enacted by the Town Board of the Town of Hempstead as follows:

Section 1. Section two hundred two dash fifty two of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, said Section last amended by local law number forty-seven of two thousand seventeen is hereby amended by including therein "BUS STOPS" at the following locations:

ROOSEVELT

PLEASANT AVENUE (TH 67/18) North Side – NO STOPPING BETWEEN SIGNS 8AM TO 4PM EXCEPT SCHOOL BUSES – at a point 45 feet east opposite the southeast curbline of Powell Street then east for a distance of 90 feet.

Section 2. Section two hundred two dash fifty two of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, said Section last amended by local law number forty seven of two thousand seventeen is hereby amended by repealing therein "BUS STOPS" at the following locations:

ROOSEVELT

PLEASANT AVENUE (TH (444/14) North Side – NO STOPPING BETWEEN SIGNS 8 AM TO 4 PM EXCEPT SCHOOL BUSES – starting at a point opposite the southeast curbline of Powell Street east for a distance of 95 feet. (Adopted 2/10/15)

Section 3. This local law shall take effect immediately upon filing with the secretary of state.

CASE NO. 20614

RESOLUTION NO.

ADOPTED: May 8, 2018

offered the following resolution and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A PROPOSED LOCAL LAW TO AMEND SECTION 202-53 OF THE CODE OF THE TOWN OF HEMPSTEAD TO REPEAL "LOADING ZONES" AT VARIOUS LOCATIONS.

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

WHEREAS, it appears to be in the public interest to consider the enactment of a local law amending Section 202-53 of the Code of the Town of Hempstead entitled "LOADING ZONES" at various locations; and

WHEREAS, has introduced a proposed local law known as Intro. No. 41-2018, Print No. 1 to amend the said Section 202-53 of the Code of the Town of Hempstead to repeal "LOADING ZONES" at various locations; NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York on May 22, 2018, at 10:30 o'clock in the forenoon of that day, at which time all interested persons shall be heard on the proposed enactment of a local law known as Intro. No. 41-2018, Print No. 1, to amend Sections 202-53 of the Code of the Town of Hempstead to repeal "LOADING ZONES" at various locations; and, BE IT FURTHER

RESOLVED, that the Town Clerk shall give notice of such hearing by the publication thereof in a newspaper of general circulation in the Town of Hempstead and by the posting of such notice on the Bulletin Board maintained for such purpose in the Town Hall not less than three nor more than thirty days prior to the date of such hearing.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item #

43

Case #

20614

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule of the State of New York, both as amended, a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 22nd day of May, 2018, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Section 202-53 of the code of the Town of Hempstead to REPEAL "LOADING ZONES" at the following locations:

INWOOD

HOOVER STREET (TH 646/69) East Side - NO PARKING LOADING ZONE - starting at a point 92 feet north of the north curblineline of Burnside Avenue north for a distance of 38 feet. (Adopted 2/17/70)

ALL PERSONS INTERESTED shall have an opportunity to be heard on said proposal at the time and place aforesaid.

Dated: May 8, 2018
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

LAURA A. GILLEN
Supervisor

SYLVIA A. CABANA
Town Clerk

Town of Hempstead

A local law to amend Section two hundred and two dash fifty three of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, to repeal "LOADING ZONES" at various locations.

Be it enacted by the Town Board of the Town of Hempstead as follows:

Section 1. Section two hundred and two dash fifty three of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine said Section last amended by local law number ninety three of two thousand seventeen is hereby amended by repealing therein "LOADING ZONES" at the following locations:

INWOOD

HOOVER STREET (TH 646/69) East Side – NO PARKING
LOADING ZONE – starting at a point 92 feet north of the
north curbline of Burnside Avenue north for a distance of 38
feet. (Adopted 2/17/70)

Section 2. This local law shall take effect immediately upon filing with the secretary of state.

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A LOCAL LAW TO ESTABLISH CHAPTER 16A OF THE CODE OF THE TOWN OF HEMPSTEAD TO BE ENTITLED "FILLING VACANCIES IN ELECTIVE OFFICE BY SPECIAL ELECTION."

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

WHEREAS, it is in the public interest to consider the enactment of a local law to establish Chapter 16A of the Code of the Town of Hempstead to be entitled "Filling Vacancies in Elective Office by Special Election" in order to supersede Town Law Section 64(5) by eliminating the Town Board's power to fill vacancies by appointment in elective offices and instead grant that power to the eligible voters of the Town by requiring a special election to fill the vacancy; and

WHEREAS, _____ has introduced the proposed local law known as Intro. No. -2018 Print No. 1, as aforesaid; and

NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, New York on the 22nd day of May, 2018 at 10:30 o'clock in the forenoon of that day at which time all interested persons shall be heard on the enactment of a local law known as Intro. No. -2018, Print No. 1, to establish Chapter 16A of the Code of the Town of Hempstead to be entitled "Filling Vacancies in Elective Office by Special Election" in order to supersede Town Law Section 64(5) by eliminating the Town Board's power to fill vacancies by appointment in elective offices and instead grant that power to the eligible voters of the Town by requiring a special election to fill the vacancy; and, be it further

RESOLVED, that the Town Clerk shall give notice of such hearing by the publication thereof in a newspaper of general circulation in the Town of Hempstead and by the posting of such notice on the bulletin board maintained by her for that purpose in the Town Hall not less than three nor more than thirty days prior to the date of said hearing.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

44

Case #

29928

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule Law of the State of New York, as amended, a public hearing will be held in the Nathan L. H. Bennett Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Village and Town of Hempstead, New York, on Tuesday, the 22nd day of May, 2018, at 10:30 o'clock in the forenoon of that day, to consider the enactment of a local law to establish Chapter 16A of the Code of the Town of Hempstead to be entitled "Filling Vacancies in Elective Office by Special Election" in order to supersede Town Law Section 64(5) by eliminating the Town Board's power to fill vacancies by appointment in elective offices and instead grant that power to the eligible voters of the Town by requiring a special election to fill the vacancy.

The proposed local law is on file in the Office of the Town Clerk of the Town of Hempstead, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, where the same may be inspected during office hours.

ALL PERSONS INTERESTED shall have an opportunity to be heard on said proposal at the time and place aforesaid.

Dated: Hempstead, New York
May 8, 2018

BY ORDER OF THE TOWN BOARD
TOWN OF HEMPSTEAD, NEW YORK.

SYLVIA A. CABANA
Town Clerk

LAURA A. GILLEN
Supervisor

Town of Hempstead

**A LOCAL LAW ESTABLISHING CHAPTER 16A OF
THE CODE OF THE TOWN OF HEMPSTEAD
ENTITLED "FILLING VACANCIES IN ELECTIVE
OFFICE BY SPECIAL ELECTION."**

Introduced by:

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

Section 1. Legislative Intent.

The Board finds that it is in the best interests of the Town of Hempstead to supersede Town Law Section 64(5) by eliminating the Town Board's power to fill vacancies by appointment in elective offices and instead grant that power to the eligible voters of the Town by requiring a special election to fill the vacancy.

Section 2.

Chapter 16A of the Town Code entitled "Filling Vacancies in Elective Office by Special Election" is hereby established to read as follows:

Chapter 16A

Filling Vacancies in Elective Office by Special Election

§ 16A-1 Legislative intent.

The Board finds that it is in the best interests of the Town of Hempstead to supersede Town Law Section 64(5) by eliminating the Town Board's power to fill vacancies by appointment in elective offices and instead grant that power to the eligible voters of the Town by requiring a special election to fill the vacancy.

§ 16A-2. Method of filling vacancy in elective office; time for holding election.

- A. Provision shall be made for a special election to fill a vacancy in an elective office such that whenever a vacancy shall occur or exist in any elective Town office, such office shall be filled at a special election held on a date designated by the Town Board which is not less than 60 days following such vacancy and not more than 90 days following such vacancy.
- B. Notwithstanding the above, if the vacancy occurs within 90 days of a general election, but not less than 60 days from said general election, then the office shall remain vacant until filled at a special election held on the same day as the general election.
- C. If the vacancy occurs less than 60 days before a general election, then Subsection A hereof shall control.

§ 16A-3. Term of person elected to fill vacancy.

The person elected to fill such vacancy shall hold office for the remainder of the unexpired term of office, unless such person is elected at the general election held to fill the next term of such office; then such person shall serve the remainder of the unexpired term and the following term.

§ 16A-4. Offices affected.

The elective offices affected by this Chapter are the Office of the Supervisor, the Town Board, the Town Clerk, and the Receiver of Taxes.

§16A-5. Mandatory referendum.

This Chapter is adopted subject to a mandatory referendum and shall be submitted for approval of the qualified voters of the Town of Hempstead at a special election to be held not less than 60 days after the adoption of this Chapter, the date for which special election shall be fixed by resolution of the Town Board. In the event that the Town Board fails to adopt a resolution fixing the date for the special election, the mandatory referendum shall be submitted for approval at the general election.

§ 16A-6. Legislative authority; conflict with other provisions.

This article is being enacted pursuant to Municipal Home Rule Law § 22, Subdivision 1, and supersedes New York State Town Law § 64, Subdivision 5, and New York State Public Officers Law § 42, Subdivision 5.

§ 16A-7. Severability.

If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof, to any person, individual, corporation, firm, partnership, entity 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, section or part of this local law or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

§ 16A-8. When effective.

This Chapter shall become effective if the majority of votes cast at the referendum on the proposal shall be in the affirmative and on the date this Chapter is filed in the office of the Secretary of State of the State of New York.

Section 3.

This Chapter shall become effective if the majority of votes cast at the referendum on the proposal shall be in the affirmative and on the date this Chapter is filed in the office of the Secretary of State of the State of New York.

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A LOCAL LAW TO AMEND CHAPTER 78 OF THE CODE OF THE TOWN OF HEMPSTEAD ENTITLED "PARKS."

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

WHEREAS, it is in the public interest to consider the enactment of a local law to amend Chapter 78 of the Code of the Town of Hempstead entitled "Parks" in order to prohibit the smoking of electronic cigarettes within Town parks and recreation facilities, except in the areas that have been designated as smoking areas; and

WHEREAS, has introduced the proposed local law known as Intro. No. --2018 Print No. 1, as aforesaid; and

NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, New York on the 22nd day of May, 2018 at 10:30 o'clock in the forenoon of that day at which time all interested persons shall be heard on the enactment of a local law known as Intro. No. --2018, Print No. 1, to amend Chapter 78 of the Code of the Town of Hempstead entitled "Parks" in order to prohibit the smoking of electronic cigarettes within Town parks and recreation facilities, except in the areas that have been designated as smoking areas; and, be it further

RESOLVED, that the Town Clerk shall give notice of such hearing by the publication thereof in a newspaper of general circulation in the Town of Hempstead and by the posting of such notice on the bulletin board maintained by her for that purpose in the Town Hall not less than three nor more than thirty days prior to the date of said hearing.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

45

Case #

15396

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule Law of the State of New York, as amended, a public hearing will be held in the Nathan L. H. Bennett Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Village and Town of Hempstead, New York, on Tuesday, the 22nd day of May, 2018, at 10:30 o'clock in the forenoon of that day, to consider the enactment of a local law to amend Chapter 78 of the Code of the Town of Hempstead entitled "Parks" in order to prohibit the smoking of electronic cigarettes within Town parks and recreation facilities, except in the areas that have been designated as smoking areas.

The proposed local law is on file in the Office of the Town Clerk of the Town of Hempstead, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, where the same may be inspected during office hours.

ALL PERSONS INTERESTED shall have an opportunity to be heard on said proposal at the time and place aforesaid.

Dated: Hempstead, New York
May 8, 2018

BY ORDER OF THE TOWN BOARD
TOWN OF HEMPSTEAD, NEW YORK.

SYLVIA A. CABANA
Town Clerk

LAURA A. GILLEN
Supervisor

Town of Hempstead

A LOCAL LAW AMENDING CHAPTER 78 OF THE CODE OF THE TOWN OF HEMPSTEAD ENTITLED "PARKS."

Introduced by:

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

Section 1. Legislative Intent.

The Town Board, recognizing the health risks posed by use of nicotine, a highly addictive substance and further recognizing the problematic nature of enforcing dissimilar restrictions on the smoking of electronic cigarettes versus traditional smoking, finds that it is in the best interest of the Town of Hempstead to prohibit the smoking of electronic cigarettes within Town parks and recreation facilities, except in the areas that have been designated as smoking areas.

Section 2.

Chapter 78 of the Town Code entitled "Parks" is hereby amended to read as follows:

Chapter 78
Parks

Part 1. General Provisions

Article I. Regulation of Parks

§ 78-1. Definitions.

Unless otherwise expressly provided, the following words, for the purpose of this article, shall bear the meaning herein indicated:

ADULT

A person 18 years of age or older.

COMMISSIONER (formerly the Director, and referred to in this chapter interchangeably as Director or Commissioner) - The executive officer of the Department of Parks and Recreation or his duly authorized representative

[Added 11-19-1974 by L.L. No. 114-1974, effective 11-22-1974]

DIRECTOR

The executive officer of the Department of Parks and Recreation or his duly authorized representative.

DISTRICT PARK

A park operated as a special district of the Town of Hempstead.

ELECTRONIC CIGARETTE or E-CIGARETTE

Any electronic nicotine delivery product composed of a mouthpiece, heating element, battery and/or electronic circuits that provides a vapor of liquid nicotine to the user, or relies on vaporization of solid nicotine or any liquid. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, e-pipes, vape pens or under any other product name.

NICOTINE DELIVERY PRODUCT

Any manufactured article or product made wholly or in part of a tobacco substitute or containing nicotine that is expected or intended for human consumption, but not including a product approved by the United States Food and Drug Administration for sale as a drug or medical device and which is being marketed and sold solely for that approved purpose. Nicotine delivery products include, but are not limited to, e-cigarettes.

PARK OR PARKS

Includes all parks, playgrounds, athletic fields, swimming pools, beaches, boardwalks, golf courses and other recreation areas, or any part or portion thereof, under the jurisdiction of the Town Board, operating under a special district or otherwise, and such other sites and appurtenances as the Director shall utilize, whether the same be now or hereafter owned or acquired by the Town of Hempstead in fee or otherwise, including all land under and space above the surface of the ground, to include any part or portion thereof.

SMOKING

The inhaling, exhaling, burning or carrying of any lighted cigar, cigarette, pipe or other combustible tobacco product in any manner or in any form. Smoking includes the use of electronic cigarettes, vaping devices, personal vaporizers or any electronic nicotine delivery system or any device which simulates tobacco smoking.

TOWN

The Town of Hempstead.

§ 78-3.1. Legislative Intent.

The Town Board, recognizing the health risks posed by use of nicotine, a highly addictive substance and further recognizing the problematic nature of enforcing dissimilar restrictions on the smoking of electronic cigarettes versus traditional smoking, finds that it is in the best interest of the Town of Hempstead to prohibit the smoking of electronic cigarettes within Town parks, except in the areas that have been designated as smoking areas, and re-affirm the prohibition of smoking in parks and recreation facilities except in designated locations.

§ 78-3.[1]2. Prohibition on [S]smoking and using electronic cigarettes in parks.

[Added 11-23-2010 by L.L. No. 78-2010, effective 12-7-2010]

[No]It shall be a violation of this chapter for any person [shall] to smoke or carry any lighted smoking substances or other smoking devices, including but not limited to cigarettes, electronic cigarettes, cigars, pipes and the like, at any park within the Town of Hempstead, including indoor and outdoor locations, except in designated smoking areas as indicated by posted signs.

§ 78-3.3. Designated Areas.

Notwithstanding the provisions of this chapter, the Commissioner may designate one or more outdoor areas at any Town Park as a "smoking area". In such designated smoking area, smoking, including the use of electronic cigarettes shall be permitted.

§ 78-3.4. Signs.

The Commissioner shall install, or cause to be installed, signage to comply with the provisions of this chapter, which shall be prominently and conspicuously posted where smoking, including the use of electronic cigarettes, is either prohibited or permitted by this local law.

Section 3.

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

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution
and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A LOCAL
LAW FOR THE REPEAL AND REENACTMENT OF CHAPTER ONE
HUNDRED SIXTY-EIGHT OF THE CODE OF THE TOWN OF
HEMPSTEAD ENTITLED, "STRUCTURES IN WATERWAYS".

WHEREAS, the Town Board of the Town of Hempstead is
empowered to enact and amend local law pursuant to Article
9 of the New York State Constitution, the provisions of the
Town Law and the Municipal Home Rule Law of the State of
new York, as amended; and

WHEREAS, it is in the public interest to consider the
repeal and reenactment of chapter one hundred sixty-eight
of the code of the Town of Hempstead entitled, "Structures
in Waterways"; and

WHEREAS, has introduced the
proposed local law known as Intro. No. -2018 Print No.
1, as aforesaid:

NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town
Meeting Pavilion, Hempstead Town Hall, 1 Washington Street,
Village and Town of Hempstead, New York on the day of
, 2018 at o'clock in the of that day
at which time all interested persons shall be heard on the
enactment of a local law known as Intro. No. -2018,
Print No. 1, for the repeal and reenactment of chapter one
hundred sixty-eight of the code of the Town of Hempstead
entitled, "Structures in Waterways."; and, BE IT FURTHER

RESOLVED, that the Town Clerk shall give notice of
such hearing by the publication thereof in a newspaper of
general circulation in the Town of Hempstead and by the
posting of such notice on the bulletin board maintained by
her for that purpose in the Town Hall not less than three,
nor more than thirty days prior to the date of said
hearing.

The foregoing resolution was adopted upon roll call as
follows:

AYES:

NOES:

item #

46

Case #

14520

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule Law of the State of New York, as amended, a public hearing will be held in the Nathan L. H. Bennett Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Village and Town of Hempstead, New York, on Tuesday, the 22nd day of **May** , 2018, at **10:30** o'clock in the forenoon of that day, to consider the repeal and reenactment of chapter one hundred sixty-eight of the code of the Town of Hempstead entitled, "Structures in Waterways," in relation to enacting a newly revised set of regulations for the permitting and regulation of construction and maintenance of structures in waterways.

The proposed local law is on file in the Office of the Town Clerk of the Town of Hempstead, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, where the same may be inspected during office hours.

ALL PERSONS INTERESTED shall have an opportunity to be heard on said proposal at the time and place aforesaid.

Dated: **May 22, 2018**
Hempstead, New York

BY ORDER OF THE TOWN BOARD
TOWN OF HEMPSTEAD, NEW YORK.

SYLVIA A. CABANA
Town Clerk

LAURA A. GILLEN
Supervisor

Town of Hempstead

A local law for the repeal and reenactment of chapter one hundred sixty-eight of the code of the Town of Hempstead entitled, "Structures in Waterways."

Introduced by:

Be it enacted by the Town Board of the Town of Hempstead as follows:

Section 1. Chapter one hundred sixty-eight of the code of the Town of Hempstead, as constituted by local law number eighteen of nineteen hundred sixty-seven, hereby is repealed and a new chapter one hundred sixty-eight hereby is inserted therein, in lieu thereof, to read as follows:

Chapter 168

Structures in Waterways

- \$168-1. Legislative purpose.
- \$168-2. Definitions.
- \$168-3. Classification of waterways.
- \$168-4. Permit required.
- \$168-5. Application for permit.
- \$168-6. Permit procedures.
- \$168-7. Maintenance of bulkheading.
- \$168-8. Regulations.
- \$168-9. Nonconforming structures and uses.
- \$168-10. Structures in waterways review board.
- \$168-11. Fees.
- \$168-12. Suspension and revocation of permits; stop work orders.
- \$168-13. Severability.
- \$168-14. Enforcement.
- \$168-15. Penalties for offenses.
- \$168-16. Interpretation.

\$168-1. Legislative purpose:

It is the purpose of this local law to:

- A. Regulate construction, reconstruction or placement of structures and bulkheading in all waterways to ensure free and safe movement of vessels;
- B. prevent the degradation and provide for the restoration of marine ecosystems that may be caused by the improper construction and placement of structures and bulkheading in waterways;
- C. preserve and maintain open and clear space in waterways.
- D. provide that publicly owned lands and waters are held in trust for the beneficial use and enjoyment of all the public, in accordance with law.

§168-2. Definitions.

As used in this chapter, the following words or phrases shall have the meaning annexed to each:

BULKHEADING - Any structure, except a building, positioned parallel to the shore, the primary function of which is to retain soil or any other material from eroding into a waterway or protect the land from wave damage.

CANAL - A natural or dredged waterway or stream within the town of Hempstead including a class A, B, or C waterway as defined under section one hundred sixty-eight dash three of this chapter.

COMMISSIONER - The person designated by the town board as the commissioner of conservation and waterways.

DATUM PLANE - The mean sea level or average height of the sea in accordance with Nassau county datum.

DECK - A fixed structure the primary purpose of which is not for gaining access to a waterway, ramp, dock or float.

DEPARTMENT - The department of conservation and waterways of the town of Hempstead.

DOCK - Any permanent structure, except a building, connected to a bulkhead or the upland and extending over the water's surface designed to secure vessels and provide access from the shore to a water body. Docks are generally anchored to the underwater land on pilings and allow for water flow beneath the decking. The term dock includes the terms "wharves", "piers", or "quays".

FLOAT - Any structure buoyant on the water surface extending seaward affixed and secured in place to the shore, a bulkhead or a dock, whose purpose is to berth an secure vessels and provide a means of access to and from the shore. The term "float" includes a floating dock.

LEGAL NON-CONFORMING STRUCTURE - Any structure that existed lawfully at the time it was constructed but does not conform to the present requirements of this chapter with regard to use, size and location.

LOT - parcel of land, coincident with a lot or lots shown on a map or record, filed in the Nassau county clerk's office.

MARINA - A dock or basin, operated for profit or to which public patronage is invited, providing mooring or docking facilities for boats or vessels within the area of the town of Hempstead.

MARINE COMMERCIAL USE - A use that serves as a marina, fuel dock, yacht club, barge or tanker terminal, boat rental or leasing facility, commercial fishing loading/off-loading facility, or as a structure designed to secure or "make fast" a commercially operated vessel(s).

MOORING PILE - A pole or post secured to the underwater lands, protruding above the water surface, the sole purpose of which is to secure a vessel(s).

MULTIPLE-FAMILY USE - A residential land use involving four or more living units or homes.

NAVIGABLE WATER DEPTH - Waterway having a depth of at least four (4) feet at mean low water as defined by the Nassau county datum plane.

NON-MARINE COMMERCIAL USE - A commercial land use other than a marine commercial use.

OPEN WATER AREA - A waterway within the town of Hempstead other than a canal and classified as a class D waterway under section one hundred sixty-eight dash three of this chapter.

PERSON - Shall mean any individual, partnership, corporation, association or any other legal entity.

PILE OR SPILE - An individual or grouping of poles or posts, secured to the underwater lands, protruding above the water surface, the sole purpose of which is to secure a dock(s), float(s) or other such structures(s). A pile or spile shall be considered ancillary to such structures.

PLATFORM - A horizontal surface structure which extends out from land adjacent to a waterway and is cantilevered or held in place by pilings, designed to gain access to a ramp, dock or float.

RAMP - A structure used to gain access from a bulkhead, fixed dock, or platform to a float.

SLIP - The water area a vessel occupies when secured to a shoreside or structural installation.

STRUCTURE - Shall include but not be limited to any float or a series of floats, a dock, mooring pile or spile, platform, boom, revetment, jetty, utility line, permanently moored vessel, aid to navigation, or any fixture or appurtenance extending under, to, over or into the navigable waters or the waterways as defined herein, and bulkheading.

UPLAND - Area landward of the mean high water line as defined by the Nassau county datum plane.

WATER-DEPENDENT USE - An activity or use which can only be conducted on, in, over or adjacent to a waterbody as such activity requires direct access to that waterbody, and which involves, as an integral part of such activity, the use of marine waters. Water-dependent uses include but are not limited to the following: marinas, yachting facilities, shore fishing, and waterborne transportation/commerce.

WATER-DEPENDENT STRUCTURE - Any structure in, on or over the waterway utilized primarily in connection with a water-dependent use. Water-dependent structures shall not include decks, gazebos, trellises, sheds or other accessory structures not required to safely access navigable water.

WATERWAY - All waters or waterways within geographical limits of the town of Hempstead or otherwise subject to its jurisdiction.

§168-3. Classification of waterways

The classification for waterways as shown on the waterways map maintained by the Department are as follows:

Classification	Consisting of:
A	all canals fifty (50) feet wide and narrower
B	all canals greater than fifty (50) feet but less than one hundred (100) feet in width
C	all canals greater than one hundred (100) in width
D	open water areas.

Allowable Uses

- Class A: Bulkheads, ramps, floats, and platforms, subject to the limitations set forth in section one hundred sixty-eight dash eight.
- Class B: Bulkheads, ramps, floats, platforms, and mooring piles subject to the limitations set forth in this section one hundred sixty-eight dash eight.
- Class C & D: Bulkheads, ramps, floats, platforms, mooring piles, docks and other structures subject to the limitations set forth in this section one hundred sixty-eight dash eight

§168-4. Permit required.

- A. Except as provided in subdivision C, no person shall maintain, construct, erect, enlarge, install, alter, improve, remove, demolish or cause same to be done, any structure, over, on, into or adjacent to any waterway within the town of Hempstead without first filing an application and obtaining a permit from the Department in accordance with this chapter. No other structures or use shall be maintained over, on, or in town waterways other than those permitted under this chapter.
- B. No permit shall be required for the performance of ordinary repairs which are not structural in nature, as determined by the department.
- C. No permit shall be required for the removal or demolition of any structure, except a bulkhead, in waters adjacent to an upland residential use. However, prior written notice of removal or demolition shall be provided to the commissioner. Under no circumstances shall the removed or demolished structure cause any interference or hazard to navigation or persons within the waterway or cause any environmental harm.
- D. No provision of this chapter shall relieve a person from complying with the provisions of any federal, state or other applicable law.

§168-5. Application for permit.

A. Every person who shall apply for a permit under this chapter, shall file a verified application in duplicate, on forms to be provided by the department. The application shall contain:

- (1) Applicant's name, address and telephone number.
- (2) Contractor's name, address and telephone number.
- (3) Applicant's status as owner, lessee, licensee or otherwise of the upland immediately abutting the mean high-water mark at the place where such structure is proposed to be constructed or maintained.
- (4) The name, address and telephone number of the owner of such upland and written proof satisfactory to the department that the owner of the upland has given permission to submit said application.
- (5) The zoning district in which such upland is located pursuant to the official zoning map of the town of Hempstead or a village or city.
- (6) The exact use to which the applicant intends to put such upland after the permit is issued. (Prior to a department permit being issued an upland use permit shall be required from the department of buildings or from the appropriate agency of a village or city having jurisdiction over such upland, when such structure in the waterways will be connected to any building lot not located in a residence zoning district).
- (7) A survey prepared by a licensed surveyor showing:
 - (a) The property lines of the parcel upland in connection with which such structure is intended to be used;
 - (b) The location of the proposed structure(s), topographic features and other information as may be required by the commissioner in relationship to the upland property and waterway; and
 - (c) Location, ownership and condition of all adjacent lands and structures within two-hundred (200) feet of the proposed structure.
- (8) The exact use(s) to which the applicant intends to put such structure after the permit is issued.
- (9) A plan of the proposed structure prepared by a licensed architect or engineer showing: length and width of the existing or proposed structures; structural details; and, locations with respect to applicant's property and the portion of said waterway intended to be occupied by such structure.
- (10) The estimated cost of the proposed structure.
- (11) Any and all equipment that is going to be used to construct or install the structure, including but not limited to barges and cranes as well as the name of the owner and/or

lessee of such equipment, current' address and telephone number shall be provided. Additionally, the name, current address, telephone number of the owner and/or lessee of such equipment shall be conspicuously displayed on all such equipment. The equipment that is required to be reported shall not include vessels required to be registered under article forty eight of the vehicle and traffic law of the state of New York.

- B. In the case of applications for structures in waterways adjacent to upland residential uses, the commissioner may waive any application requirements that he may deem unnecessary for the review of the application.

§168-6 Permit procedure.

- A. Upon receipt of an application prepared in accordance with section one hundred sixty-eight dash five hereof, the department shall determine if said application is complete, and if so, shall certify the application as complete. If said application is complete, it shall be processed by the department.
- B. The commissioner shall examine said application for compliance with laws, ordinances, regulations or specifications governing such structures, including these regulations. The commissioner shall act to approve, approve with conditions (including posting of bonds or other surety to assure compliance) or disapprove the application.
- C. Upon approval, the commissioner shall issue a permit provided that all conditions have been satisfied.
- D. The department reserves the right to impose additional conditions upon the issuance of a permit which may be reasonable and necessary, including the condition that an applicant post a bond adequate to ensure faithful performance of authorized construction.

§168-7. Maintenance of structures.

The permittee, who shall erect, cause to be erected or maintain any structure pursuant to this chapter shall keep such structure in good repair and condition at all times so that it will not become a menace to navigation, persons using the same, or the environment and, upon finding that there is reasonable cause to believe that such permittee has failed to comply with this section, the commissioner may forthwith suspend any permit issued under this chapter until such condition has been rectified. It shall be the right and duty of the commissioner to determine if a structure is in need of repair or replacement.

§168-8. Regulations.

No structure permitted under this chapter shall be installed, constructed or maintained except, and only, in compliance with the following regulations:

- A. Non-interference with navigation and protection of waterways.
 - (1) A structure erected in accordance with the provisions of this chapter shall be maintained in such manner that there shall be no unreasonable interference with navigation nor with public usage of the waterway for access, boating fishing or bathing.

- (2) Except as provided under section one hundred sixty-eight dash ten, no structure, vessel or combination thereof shall be permitted to project into the waterway a distance greater than required to reach navigable water depth, and in no case shall such structures, vessel or combination thereof project into the waterway a distance greater than twenty-five (25) percent of the shortest perpendicular distance between the mean low water line to mean low water line, as established by the records of the department or a survey submitted by a licensed surveyor; except that in waterways classified C and D such projection may exceed twenty-five (25) percent of the width of a waterway if in the judgment of the commissioner it shall be necessary to provide access from adjacent upland to navigable water.

Under no circumstances shall any such projection be permitted if it would constitute an undue interference with navigation, the riparian rights of adjoining owners, or safe and sound environmental use of the waterway in the judgment of the commissioner.

- (3) No structures or vessels shall extend within a distance of fifty (50) feet of any federally designated channel, vessel accessway, fairway or anchorage.

B. Structures in waterways.

- (1) All structures shall be constructed in accordance with generally accepted engineering and design standards. All docks shall have a minimum waterway and freeway clearance of six (6) feet above mean sea level, Nassau county datum plane, and be of open pile-type design, and the supporting bents of such structures shall have a minimum distance of six (6) feet on center in any direction.
- (2) The location, design and use of any structure in the waterway shall comply with this chapter and the building zone ordinance of the town of Hempstead as well as all other applicable local laws, public health laws, other applicable requirements and generally accepted standards of construction for the prevention of fire hazards.
- (3) No structure in a waterway shall be permitted unless it shall be water dependent in the judgment of the commissioner.
- (4) Any structure within a waterway utilized in connection with adjacent premises shall be the minimum necessary to meet the upland use. Except as provided in section one hundred sixty-eight dash eight "D", no vessel slip shall be hired out, or used on a seasonal or permanent basis for dockage use for persons not actually residing at the premises. Hiring out of a vessel slip shall constitute a violation of this chapter concurrently with any violation of the building zone ordinance of the town of Hempstead also created thereby.
- (5) All construction, repair and replacement work on bulkheads must be completed within the upland owner's property lines.
- (6) When a platform is erected, the overhang shall be limited to a maximum projection over the waterway of six (6) feet, and shall be of a width not to exceed ten percent (10%) of the width of the applicant's shoreline frontage.

- (7) All floats shall have a width not in excess of ten (10) feet.
 - (8) Except as provided for in sections one hundred sixty-eight dash eight "C", one hundred sixty-eight dash eight "D" and one hundred sixty-eight dash eight "E", docks shall be limited to one per lot or lot group containing a single residence.
 - (9) Except as provided for in sections one hundred sixty-eight dash eight "C", one hundred sixty-eight dash eight "D" and one hundred sixty-eight dash eight "E", the number of mooring slips permitted shall not be greater than an average of one slip for each twenty(20) feet of shoreline frontage under the ownership or control of the applicant.
 - (10) No slip, dock, float, vessel or combination thereof shall encroach upon the portion of the waterway adjacent to the five foot side yards on either side of the said upland.
 - (11) Docks for all purposes are limited to a maximum width of six (6) feet and the minimum length necessary to reach navigable water.
 - (12) Any bulkheading, including that which is required to be constructed pursuant to chapter eighty six of the code of the town of Hempstead, shall be constructed in conformity with plans and design computations prepared by a professional engineer or architect licensed in the state of New York. The top whale of any bulkhead installed pursuant to this chapter shall be at a minimum elevation of six(6) feet above the datum plane as defined in this chapter. A minimum of three(3) probings will be required upon the construction or repair of the bulkheading.
 - (13) All structures shall only be composed of materials which, in the judgment of the commissioner, will have no adverse effects on the environment or water quality.
 - (14) During the hours of darkness, structures that project into a waterway one hundred (100) feet or longer must be lighted and marked in a manner that such structure, in the judgment of the commissioner, shall not constitute a hazard to navigation.
 - (15) Lighting on any structure must not be confused with navigation lighting, must meet U.S. Coast Guard standards and must not produce offensive glare when viewed from land or water.
 - (16) No structure shall exceed a height of ten feet above the Nassau county datum plane.
- C. Conditions for structures adjacent to multiple family uses:
- (1) The commissioner may permit a greater number of docks, floats or slips than allowed under section one hundred sixty-eight dash eight "B" eight, where it can be demonstrated that additional docks, floats or slips are needed to accommodate the associated multiple residential use. The number and configuration of docks, floats and slips

shall be determined on a case by case basis considering the location, limiting natural features of the site, demonstrated need for such docks, effect on navigation, infringement on public trust lands, and compliance with the other sections of this chapter. No structure, vessel or combination thereof, shall unreasonably impede the public's use, benefit, or enjoyment of public trust lands. Where, in the judgment of the commissioner, impairment of the public's use and enjoyment or diminished public benefit cannot be avoided, mitigation measures shall be employed.

(2) Any new docking facilities or slips or expansion or increase in existing docking facilities or slips shall be required to:

(a) Install a marine sanitation pumpout device or, in the judgment of the commissioner a reasonable alternative, so designated as to accommodate all vessels associated with the multiple residential use.

(b) Provide for the collection and proper disposal of solid waste, (garbage, trash, etc.) grease, oil, and gasoline.

(3) There shall be no more than one dock per parcel with less than seventy-five (75) feet of shoreline frontage. One additional dock shall be allowed for each additional seventy-five (75) feet of shoreline frontage. In no case shall more than four (4) docks be permitted per waterfront parcel. The number of boat slips for each parcel in no case shall exceed one (1) boat slip per residential unit.

D. Conditions for structures adjacent to marine commercial uses:

(1) The commissioner may permit a greater number of docks, floats or slips than allowed in section one hundred sixty-eight dash eight "B" eight where sufficient shoreline and support are present to allow a greater number of docks, floats or slips. The number and configuration of docks, floats or slips shall be determined on a case by case basis considering the location, limiting natural features of the site, demonstrated need for such docks, floats or slips, infringement on public trust lands, and compliance with the other sections of this chapter. No structure, vessel, or combination thereof, shall unreasonably impede the public's use, benefit, or enjoyment of public trust lands. Where, in the judgment of the commissioner, impairment of the public's use and enjoyment or diminished public benefit cannot be avoided, mitigation measures shall be employed.

In no case shall the number of slips exceed one (1) boat slip per parking space as provided on the upland and authorized by the issuance of an upland use permit from the department of buildings or from the appropriate agency of a village or city having jurisdiction over such upland.

(2) Any new marine commercial use or expansion or increase of docking facilities or services at an existing commercial marina shall be required to:

- (a) Install a marine sanitation pump out device or, in the judgment of the commissioner, a reasonable alternative so designated as to accommodate all vessels associated with the marine commercial use.
- (b) Install a potable water supply with proper backflow prevention.
- (c) Provide for the collection and proper disposal of domestic sewage, solid waste (garbage, trash, etc.), grease, oil, and gasoline.
- (d) Provide for the drainage, treatment and disposal in an approved manner of upland storm water within the marina complex.

(3) Any marine commercial use permitted to dispense gasoline, diesel fuel, mixed fuels, engine oils, and similar supplies shall maintain sufficient material for the collection and absorption of spilled petroleum products.

E. Conditions for structures adjacent to non-marine commercial uses:

The commissioner may permit a greater number of docks or slips than allowed in section one hundred sixty-eight dash eight "B" eight where it can be demonstrated that additional docks, floats or slips are needed to accommodate the expected vessel traffic to the upland use (such as with a restaurant) provided that:

- (1) Sufficient shoreline and support are present to allow a greater number of docks or slips.
- (2) The docks or slips are limited to short-term transient use and shall be designated as same.
- (3) The area associated with the dock or slips in water is only used as a means of vessel access to the upland use or public access. The area shall not be used as a staging area, for food service or any activity or use which is not water dependent.
- (4) No structure, vessel or combination thereof, shall unreasonably impede the public's use, benefit, or enjoyment of public trust lands. Where, in the judgment of the commissioner, impairment of the public's use and enjoyment or diminished public benefit cannot be avoided, mitigation measures shall be employed.
- (5) The number and configuration of docks, floats and slips shall be determined on a case by case basis considering the location, limiting natural features of the site, demonstrated need for such docks, and compliance with the other sections of this chapter. In no case shall more than two (2) docks be permitted per lot or lot group.

F. (1). Notwithstanding the provisions of section one hundred sixty-eight dash eight "B" three hereof, any non-water-dependent structure that was constructed prior to the effective date of this chapter and which is not legally nonconforming shall be permitted to continue, provided that:

- (a) The dimensions thereof are not increased beyond those existing as of said date.
 - (b) Such structure shall comply with all other applicable provisions of this chapter.
 - (c) The owner or person in control of the upland premises from which access to such structure may be obtained shall enter into a lease agreement with the town of Hempstead, authorizing the utilization of such structure on town-owned underwater lands for a non-water-dependent use.
 - (d) A permit has been issued therefor, which shall be valid only during the term of such lease agreement.
 - (e) No non-water dependent structure that was constructed prior to the effective date of this chapter and which is not legally nonconforming and which has been damaged by fire or other causes to the extent of more than fifty percent (50%) of its replacement value shall be repaired or rebuilt except upon the issuance of a permit and in conformity with the provisions of this chapter.
- (2) Such lease shall be of a duration and contain such provisions that are acceptable to the town of Hempstead, and shall provide the town of Hempstead such remuneration as shall, in the judgment of the commissioner, constitute the fair market value of the use authorized thereby.

§168-9. Non-conforming structures and uses.

- A. Existing non-conforming structures and uses. Notwithstanding any other provision to the contrary, legal non-conforming structures and uses may be continued, provided that the structure or use is not enlarged and has a written certificate from the commissioner as provided in section one hundred sixty-eight dash nine "D" herein, confirming its status as legally non-conforming. Any enlargement of a legal non-conforming structure or augmentation of use shall require a new application and be subject to compliance with this chapter.
- B. The application for such certificate shall include a plot plan certifying that it represents a true and accurate depiction of all structures located on the property or within a classified waterway, and the present use(s) thereof.
- C. The commissioner may require additional evidence or conduct such independent investigation(s) as may be necessary for the issuance of certificate of legal non-conformance.
- D. The commissioner shall prepare a written decision containing finding(s) of fact, confirming or denying the request for certification. Said written decision shall be filed in the department and a copy sent to the applicant.

- E. No legal, non-conforming structure which has been damaged by fire or other causes to the extent of more than fifty percent (50%) of its replacement value shall be repaired or rebuilt except upon the issuance of a permit and in conformity with the provisions of this chapter.
- F. A legal, non-conforming structure which has been damaged by fire or other causes to the extent of less than or equal to fifty percent (50%) of its replacement value may be repaired and/or restored to its original dimensions upon the issuance of a permit, therefore, provided that such restoration be completed within one (1) year of the date on which the damage occurred.
- G. All structures or uses in existence on the effective date of this chapter are required to obtain a permit or a certificate of legal non-conforming use within one year. Structures which do not have permits or certificates within one year of the effective date of this chapter shall be considered in violation of the provisions of this chapter and shall be removed forthwith, except the time for removal of such structures may be extended by the commissioner for good cause shown.

§168-10. Structures in waterways review board.

- A. There hereby is constituted in the town of Hempstead a structures in waterway review board, which shall consist of the commissioner of conservation and waterways, or a deputy commissioner of conservation and waterways if the commissioner is unavailable, and two deputy town attorneys, the commissioner, or deputy commissioner if the commissioner is unavailable, shall be the chairman of the board.
- B. All meetings of the structures in waterways review board shall be held at the call of the chairman and at such other times as the board may determine. The chairman may administer oaths and compel the attendance of witnesses. Formal meetings of the board shall be open to the public to the extent provided in Article Seven of the Public Officers Law of the state of New York, and the board shall keep minutes of such proceedings, showing the vote of each member. Every determination of the board shall be filed in the office of the town clerk and shall be a public record.
- C. The structures in waterways review board shall hear and decide appeals from and review any determination of the commissioner of conservation and waterways pursuant to section one hundred sixty-eight dash eight "A" two of this chapter, except that the board shall not hear and decide any appeal from the denial of a structure in waterways permit unless such denial was rendered solely on the basis of the violation of such section. The concurring vote of a majority of the members of the Board shall be necessary to reverse or modify the determination of the commissioner. Such appeal may be taken by any person aggrieved by an officer, department, board, or bureau of the town. The board may authorize the department to undertake or commission any study or investigation which the board deems necessary and appropriate to assist in rendering its determination.

- D. (1) Such appeal shall be taken within ten (10) days by filing with the department a notice of appeal from the commissioner's determination, stating the grounds therefor.
- (2) Any appeal to the board shall include a survey from a licensed surveyor indicating the configuration of the waterway, location and dimensions of all structures therein, and demarcation of tax lots adjacent thereto, with respect to each property required to receive notice by certified mail, return receipt requested, pursuant to subsection one hundred sixty eight dash ten "E" hereof.
- E. The board shall fix a reasonable time for the hearing of the appeal, and give public notice thereof by publication in the official newspaper a notice of such hearing at least five days before such hearing, and by mailing notice thereof by certified mail, return receipt requested, within thirty days prior to the scheduled hearing date, to the owner or post office address of each property having lawful access to either side of the waterway within one hundred feet distant along the shore from either side property line of the upland from which access to the proposed structure(s) is sought to be permitted. The board may direct the applicant to comply with the notice requirements hereof in place of the board, and to provide the board satisfactory proof of compliance.
- F. Upon the public hearing, any party may appear in person or by agent or attorney.
- G. If the record shall indicate to the satisfaction of the board that strict application of the provisions of section one hundred sixty eight dash eight "A" two is not necessary to maintain safe navigability of the waterway and to prevent undue interference with the right and opportunity of other area waterfront property owners to construct or maintain a level of development of the waterway commensurate with that proposed by the applicant, taking into account the shape and contour of the waterway and topography of the vicinity, and if the record further indicates that the proposed development conforms to all state and federal regulations relating thereto, then the board may vary or modify the application of such provision(s) so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done.
- H. There shall be compliance with the New York state environmental quality review act (article eight of the environmental conservation law of the state of New York).
- I. Provided that an applicant has satisfied the requirements of this section with respect to the form and content of the application, such applicant may submit a written request that the board conduct an informal review of the application. There shall be no public hearing in the case of an informal review. Such request shall be accompanied by a written memorandum explaining the factors and considerations which the applicant believes justify the grant of relief authorized by this section, and containing such documentary exhibits as the applicant may deem appropriate. The application, request for informal review, and memorandum shall together constitute the only evidence which the applicant may submit in furtherance of the informal review. Upon its receipt of an application for relief authorized by this section, together with a request

for informal review, the board shall set a date for submission of the informal review, and shall send notice thereof to all persons required to be sent notice by certified mail, return receipt requested, pursuant to subsection E hereof, within thirty days prior to the scheduled date for informal review. The board may direct the applicant to comply with the notice requirements hereof in place of the board, and to provide the board satisfactory proof of compliance. This notice shall advise such parties of the date scheduled for submission of the informal review. It shall advise such parties of their right to inspect the application file, to submit a memorandum with exhibits to the board prior to the informal review date indicating their position with respect to the application, and shall further advise such parties that the said memorandum with exhibits shall constitute their only acceptable input with respect to the informal review.

On the date scheduled for submission of the informal review, the board shall conduct a review of all evidence received, and shall render a written decision, in accordance with the criteria therefor set forth in subsection "G" hereof. Such decision shall be accompanied by findings of fact indicating the factors and considerations upon which the decision is based. Such decision shall either grant the application as requested or as modified in such manner as the board deems appropriate, or shall deny the application.

§168-11. Fees .

A. Permit application fees.

Permit applications filed under this chapter shall be accompanied by a nonrefundable fee as follows:

- (1) A permit application for a structure in the waterway to be used for residential purposes only shall require submission of a fee of fifty dollars (\$50.).
- (2) Any other permit application for a structures in the waterway to be used for multiple residential, marine commercial or non-marine commercial purposes shall require submission of a fee of one hundred and fifty dollars (\$150.).

Permit fees.

- (1) The permit fee for each structure, other than bulkheading, to be used for residential purposes only shall be:

- (a) For each mooring pile or spile or cluster thereof necessary to secure one boat: fifteen dollars (\$15.).
- (b) For structures other than bulkheading forty cents (\$0.40) per square foot.
- (2) The permit fee to install or replace a bulkhead shall be one dollar (\$1.) per linear foot.
- (3) The permit fee for each structure, other than bulkheading, to be used for multiple residential, marine commercial or non-marine commercial purposes shall be based on the area of usage as determined by the commissioner and properly indicated on the survey submitted as follows:
 - (a) Area not exceeding 25,000 square feet: five hundred dollars (\$500.).
 - (b) Area greater than 25,000 square feet but less than 50,000 square feet: seven hundred and fifty dollars (\$750.).
 - (c) Area greater than 50,000 square feet but less than 75,000 square feet: one thousand dollars (\$1000.).
- (4) The fee for a certificate of legal non-conforming use shall be one hundred dollars (\$100.).

§168-12. Suspension and revocation of permits; stop work orders.

- A. The commissioner shall have the authority to revoke a permit in the following instances:
 - (1) Where the commissioner determines that there has been any false statement or material misrepresentation contained in any part of the application upon which the permit was based; or
 - (2) Where the commissioner determines that the permit was issued in error and should not have been issued in accordance with the requirements of this chapter and/or other applicable law.
- B. The commissioner shall have the authority to suspend a permit where the commissioner determines that the work being done is not being performed in accordance with the provisions of the application, plan(s), survey(s) terms or conditions of the permit.
 - (1) A permit suspended by the commissioner may remain suspended for such period of time that the commissioner deems reasonable up to and including ninety (90) days. During the period that the permit is suspended, the holder thereof shall lawfully undertake all measures necessary to conform and comply with the terms and conditions of the permit.
 - (2) If during the suspension period, the commissioner determines that the work performed has in all respects been brought into compliance with the terms of the permit, the commissioner shall reinstate the permit.
 - (3) If at the end of the suspension period, the commissioner determines that the work performed remains not in compliance with the terms of the permit, the commissioner shall revoke the permit.

- C. A written notice of suspension and a written notice of revocation of a permit shall be served upon the holder of the permit and the owner, occupant or person in control of the premises covered by the permit. Said notice shall be served personally or by certified mail, return receipt requested, and addressed to such person's last known address, and, if by certified mail, a copy of the notice shall be posted on the premises covered by the permit.
- D. Whenever the commissioner has reasonable grounds to believe that work on any structure in a waterway is being performed without a permit in violation of the applicable provisions of this chapter or in an unsafe and dangerous manner, the commissioner shall cause to be notified the owner, occupant or person in control of the premises where the work is being performed or person performing such work, to cease and desist from all building and work activities until the stop work order has been rescinded.

Such a notice and order shall be in writing and shall state the conditions under which the work may be resumed. Such notice and order may be served personally or by posting a copy of such notice and order on the premises where the work is being performed and sending a copy of same by certified mail, return receipt requested.

§168-13. Severability.

If any clause, sentence, paragraph, subdivision, section or part of this chapter is adjudged invalid by a court of competent jurisdiction, 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 so adjudged.

§168-14. Enforcement.

The commissioner shall be responsible for and supervise the enforcement of the provisions of this chapter. The bay constables of the town of Hempstead shall be empowered to issue stop work orders and appearance tickets for offenses against this chapter, together with such other authority they may possess pursuant to criminal procedure law of the state of New York.

§168-15. Penalties for Offenses.

- A. An offense against any provision of this chapter shall constitute a violation of this chapter, which shall be punishable by a fine of not more than one thousand dollars (\$1000.) or by imprisonment for a period not exceeding fifteen (15) days for each such offense, or by both such fine and imprisonment. Each day of continued violation shall constitute a separate additional offense.
- C. In addition to the penalties provided herein, the Town of Hempstead may commence an action or proceeding, including but not limited to the initiation of an injunctive action in a court of competent jurisdiction to compel compliance with the provisions of this chapter.

§168-16. Interpretation.

Nothing herein shall lessen or limit any legal right of the Town of Hempstead to enforce applicable laws by any appropriate remedy, including legal and equitable, nor shall anything herein lessen or limit the Town's rights and prerogatives with respect to its ownership interest in any land, underwater land or formerly underwater land. The provisions of this Chapter shall be liberally construed so that substantial justice is done.

§ 2. This local law shall take effect immediately upon filing with the secretary of state.

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: SALARY ADJUSTMENT FOR CLARENCE
SHELTON, LEGISLATIVE AIDE, IN THE OFFICE
OF THE TOWN BOARD.

On motion made by
the following resolution was adopted upon roll call:

RESOLVED, that the annual salary for Clarence Shelton, Legislative Aide, in the Office of the Town Board, Councilmanic District # 1, be and hereby is increased to \$73,860, Ungraded, by the Town Board of the Town of Hempstead effective May 9, 2018.

AYES:

NOES: