

In the Matter of Application

Of

John E. Rottkamp, Commissioner of Buildings
Of the Town of Hempstead

Against

Elmer & Bertha Puskas
1381 Bristow Street
Bronx, New York 10459

The petition of John E. Rottkamp, Commissioner of Buildings of the Town Of Hempstead shows:

1. That pursuant to Local Law 92-1981, adopted October 27, 1981, effective date November 2, 1981, which repealed and reenacted Chapter 90 of the code of the Town of Hempstead entitled, "Dangerous Buildings and structures," petitioner submits the following:
2. The structure or structures located on premises designated as Section 51, Block 200 and lot number (s) 6, on the Land and Tax Map of the county of Nassau, are in a condition unsafe and dangerous to public safety.
3. All parties of interest have been apprised of the condition of the said structure and have been requested to correct the same. More than 60 days have elapsed since the aforementioned notice was given.
4. The parties in interest were advised that a hearing before this Town Board would take place on **August 6, 2019**.
5. As no effort to correct the existing unsafe and dangerous condition has been made, it is requested that this Town Board render a decision that the premises are unsafe and dangerous, a fire hazard and a public nuisance, and that the Commissioner of Buildings forthwith **DEMOLISH AND REMOVE THE TWO WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, AND REMOVE ALL LITTER AND DEBRIS FROM PROPERTY: LOCATED ON THE SOUTH SIDE OF CLAY LANE, 231 FEET EAST OF COOPER LANE, LEVITTOWN, N.Y. 11756, A/K/A 12 CLAY LANE, LEVITTOWN, TOWN OF HEMPSTEAD IN ACCORDANCE WITH SURVEY RECOMMENDATIONS ATTACHED HERETO AND THAT THE TOWN BE REIMBURSED PURSUANT TO SECTION 90-13 OF THE CODE OF THE TOWN OF HEMPSTEAD.**

Item # 1

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE DEMOLITION AND REMOVAL OF THE TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE AND DEBRIS FROM PREMISE: SAID PREMISE LOCATED ON THE SOUTH SIDE OF CLAY LANE, 231 FEET EAST OF COOPER LANE. SECTION 51, BLOCK 200 AND LOT(S) 6, AKA 12 CLAY 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," all parties in interest were advised of the existing condition of the structures located on the said captioned premises and;

WHEREAS, all of the said parties have had an opportunity to be heard before this Town Board; and

WHEREAS, the Town Board deems it to be in the public interest to complete the above captioned project;

NOW, THEREFORE, BE IT

RESOLVED, that the two story wood frame one family dwelling with detached garage, located on the South side of Clay Lane, 231 feet East of Cooper Lane, Section 51, Block 200 and Lot (s) 6, A/K/A 12 Clay Lane, Levittown, Town of Hempstead, New York is hereby deemed to be unsafe; and

RESOLVED, that the Commissioner of the Department of Buildings of the Town of Hempstead be and he hereby is authorized and directed to initiate the above captioned project located on said premise.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

In the Matter of Application

Of

John E. Rottkamp, Commissioner of Buildings
Of the Town of Hempstead

Against

John J. & Marie Marshall
4385 Viero Avenue
Bronx, New York 10470

The petition of John E. Rottkamp, Commissioner of Buildings of the Town Of Hempstead shows:

1. That pursuant to Local Law 92-1981, adopted October 27, 1981, effective date November 2, 1981, which repealed and reenacted Chapter 90 of the code of the Town of Hempstead entitled, "Dangerous Buildings and structures," petitioner submits the following:
2. The structure or structures located on premises designated as Section 38, Block 530 and lot number (s) 1, on the Land and Tax Map of the county of Nassau, are in a condition unsafe and dangerous to public safety.
3. All parties of interest have been apprised of the condition of the said structure and have been requested to correct the same. More than 60 days have elapsed since the aforementioned notice was given.
4. The parties in interest were advised that a hearing before this Town Board would take place on August 6, 2019.
5. As no effort to correct the existing unsafe and dangerous condition has been made, it is requested that this Town Board render a decision that the premises are unsafe and dangerous, a fire hazard and a public nuisance, and that the Commissioner of Buildings forthwith DEMOLISH AND REMOVE THE TWO WOOD FRAME ONE FAMILY DWELLING, AND REMOVE ALL LITTER AND DEBRIS FROM PROPERTY: LOCATED ON THE SOUTHWEST CORNER OF MARINERS AVENUE AND CEDAR STREET, WANTAGH, N.Y. 11793, A/K/A 2568 MARINERS AVENUE, WANTAGH, TOWN OF HEMPSTEAD IN ACCORDANCE WITH SURVEY RECOMMENDATIONS ATTACHED HERETO AND THAT THE TOWN BE REIMBURSED PURSUANT TO SECTION 90-13 OF THE CODE OF THE TOWN OF HEMPSTEAD.

Item # 2

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE DEMOLITION AND REMOVAL OF THE TWO STORY WOOD FRAME ONE FAMILY DWELLING AND DEBRIS FROM PREMISE: SAID PREMISE LOCATED ON THE SOUTHWEST CORNER OF MARINERS AVENUE AND CEDAR STREET. SECTION 38, BLOCK 530 AND LOT(S) 1, AKA 2568 MARINERS AVENUE, WANTAGH, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," all parties in interest were advised of the existing condition of the structures located on the said captioned premises and;

WHEREAS, all of the said parties have had an opportunity to be heard before this Town Board; and

WHEREAS, the Town Board deems it to be in the public interest to complete the above captioned project;

NOW, THEREFORE, BE IT

RESOLVED, that the two story wood frame one family dwelling, located on the Southwest Corner of Mariners Avenue and Cedar Street, Section 38, Block 530 and Lot (s) 1, A/K/A 2568 Mariners Avenue, Wantagh, Town of Hempstead, New York is hereby deemed to be unsafe; and

RESOLVED, that the Commissioner of the Department of Buildings of the Town of Hempstead be and he hereby is authorized and directed to initiate the above captioned project located on said premise.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

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 6th day of August, 2019, 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:

OCEANSIDE
Section 202-13

BAYSIDE AVENUE (TH 217/19) South Side
- NO PARKING 6 AM TO 9 AM EXCEPT
SATURDAYS, SUNDAYS, AND HOLIDAYS -
starting at a point 70 feet west of
the west curblineline of Lawson Boulevard
west for a distance of 45 feet.

WEST HEMPSTEAD
Section 202-20

HEMPSTEAD AVENUE (TH 205/19) North
Side - ONE HOUR PARKING 7 AM TO 7 PM
EXCEPT SUNDAYS AND HOLIDAYS - starting
at a point 70 feet east of the east
curblineline of Poplar Street east for a
distance of 57 feet.

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

WEST HEMPSTEAD
Section 202-20

HEMPSTEAD AVENUE (TH 76/82) West Side
- ONE HOUR PARKING 7 AM TO 7 PM EXCEPT
SUNDAYS AND HOLIDAYS - starting at a
point 30 feet north of the north
curblineline of Poplar Street north for a
distance of 100 feet.
(Adopted 1/18/83)

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

Dated: July 2, 2019
Hempstead, New York

LAURA A. GILLEN
Supervisor

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

SYLVIA A. CABANA
Town Clerk

Item # 3

Case # 30147

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 thirty three of two thousand nineteen is hereby amended by including therein "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

OCEANSIDE
Section 202-13

BAYSIDE AVENUE (TH 217/19) South Side – NO PARKING 6 AM TO 9 AM EXCEPT SATURDAYS, SUNDAYS, AND HOLIDAYS – starting at a point 70 feet west of the west curbline of Lawson Boulevard west for a distance of 45 feet.

WEST HEMPSTEAD
Section 202-20

HEMPSTEAD AVENUE (TH 205/19) North Side – ONE HOUR PARKING 7 AM TO 7 PM EXCEPT SUNDAYS AND HOLIDAYS – starting at a point 70 feet east of the east curbline of Poplar Street east for a distance of 57 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 thirty three of two thousand nineteen is hereby amended by repealing therein "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

WEST HEMPSTEAD
Section 202-20

HEMPSTEAD AVENUE (TH 76/82) West Side – ONE HOUR PARKING 7 AM TO 7 PM EXCEPT SUNDAYS AND HOLIDAYS – starting at a point 30 feet north of the north curbline of Poplar Street north for a distance of 100 feet. (Adopted 1/18/83)

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

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 6th day of August, 2019, 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 BAYSIDE AVENUE (TH 217/19) South Side -
NO STOPPING ANYTIME - from the west
curbline of Lawson Boulevard west for a
distance of 70 feet.

(NR) VALLEY STREAM GEORGIA STREET (TH 218/19) West Side -
NO STOPPING ANYTIME - starting at a
point 246 feet south of the south
curbline of Oliver Avenue south for a
distance of 26 feet.

WANTAGH VALENTINE PLACE (TH 179/19) North Side
- NO STOPPING HERE TO CORNER - starting
at the west curbline of Old Mill Road
west for a distance of 50 feet.

(NR) WESTBURY LINDY ROAD (TH 226/19) North Side - NO
STOPPING HERE TO CORNER - starting at
the east curbline of Washington Avenue
east for a distance of 30 feet.

LINDY ROAD (TH 226/19) South Side - NO
STOPPING HERE TO CORNER - starting at
the east curbline of Washington Avenue
east for a distance of 30 feet.

PLUM TREE ROAD WEST (TH 267/19) South
Side - NO PARKING ANYTIME - starting at
a point 18 feet west of a point
opposite the west curbline of Brookside
Court then east for a distance of
128 feet.

PLUM TREE ROAD WEST (TH 267/19) South
Side - NO PARKING ANYITME - starting at
a point 141 feet east of a point
opposite the east curbline of Brookside
Court east for a distance of 56 feet.

Item # 4

Case # 30148

WASHINGTON AVENUE (TH 226/19) East Side
- NO STOPPING HERE TO CORNER - starting
at the north curbline of Lindy Road
north for a distance of 45 feet.

WASHINGTON AVENUE (TH 226/19) East Side
- NO STOPPING HERE TO CORNER - starting
at the south curbline of Lindy Road
south for a distance of 49 feet.

WASHINGTON AVENUE (TH 226/19) West Side
- NO STOPPING HERE TO CORNER - starting
at the north curbline of Lindy Road
north for a distance of 50 feet.

WASHINGTON AVENUE (TH 226/19) West Side
- NO STOPPING HERE TO CORNER - starting
at the south curbline of Lindy Road
south for a distance of 50 feet.

WEST HEMPSTEAD

HEMPSTEAD AVENUE (TH 205/19) North Side
- NO STOPPING HERE TO CORNER - starting
at the east curbline of Poplar Street
east for a distance of 70 feet.

WOODMERE

PROSPECT AVENUE (TH 234/19) East Side -
NO STOPPING HERE TO CORNER - from the
south curbline of Cedar Lane south for
a distance of 30 feet.

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

EAST MEADOW

PLUM TREE ROAD WEST - South Side - NO
PARKING - starting at the east curbline
of Brookside Court east for a distance
of 200 feet. (Amended 6/24/58)

OCEANSIDE

BAYSIDE AVENUE (TH 262/65) South Side -
NO STOPPING ANYTIME - from the west
curbline of Lawson Boulevard west for a
distance of 30 feet. (Amended 3/1/66)

WEST HEMPSTEAD

HEMPSTEAD AVENUE (TH 10/65) West Side -
NO STOPPING HERE TO CORNER - starting
at the north curbline of Poplar Street
north for a distance of 30 feet.
(Amended 3/3/65)

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

Dated: July 2, 2019
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 thirty four of two thousand nineteen is hereby amended by including therein "PARKING OR STANDING PROHIBITIONS" at the following locations:

OCEANSIDE

BAYSIDE AVENUE (TH 217/19) South Side – NO STOPPING ANYTIME – from the west curbline of Lawson Boulevard west for a distance of 70 feet.

(NR) VALLEY STREAM

GEORGIA STREET (TH 218/19) West Side – NO STOPPING ANYTIME – starting at a point 246 feet south of the south curbline of Oliver Avenue south for a distance of 26 feet.

WANTAGH

VALENTINE PLACE (TH 179/19) North Side – NO STOPPING HERE TO CORNER – starting at the west curbline of Old Mill Road west for a distance of 50 feet.

(NR) WESTBURY

LINDY ROAD (TH 226/19) North Side – NO STOPPING HERE TO CORNER – starting at the east curbline of Washington Avenue east for a distance of 30 feet.

LINDY ROAD (TH 226/19) South Side – NO STOPPING HERE TO CORNER – starting at the east curbline of Washington Avenue east for a distance of 30 feet.

PLUM TREE ROAD WEST (TH 267/19) South Side – NO PARKING ANYTIME – starting at a point 18 feet west of a point opposite the west curbline of Brookside Court then east for a distance of 128 feet.

PLUM TREE ROAD WEST (TH 267/19) South Side – NO PARKING ANYTIME – starting at a point 141 feet east of a point opposite the east curbline of Brookside Court east for a distance of 56 feet.

WASHINGTON AVENUE (TH 226/19) East Side – NO STOPPING HERE TO CORNER – starting at the north curbline of Lindy Road north for a distance of 45 feet.

WASHINGTON AVENUE (TH 226/19) East Side – NO STOPPING HERE TO CORNER – starting at the south curbline of Lindy Road south for a distance of 49 feet.

WASHINGTON AVENUE (TH 226/19) West Side – NO STOPPING HERE TO CORNER – starting at the north curbline of Lindy Road north for a distance of 50 feet.

WASHINGTON AVENUE (TH 226/19) West Side – NO STOPPING HERE TO CORNER – starting at the south curbline of Lindy Road south for a distance of 50 feet.

WEST HEMPSTEAD

HEMPSTEAD AVENUE (TH 205/19) North Side – NO STOPPING HERE TO CORNER – starting at the east curbline of Poplar Street east for a distance of 70 feet.

WOODMERE

PROSPECT AVENUE (TH 22) East Side – NO STOPPING HERE TO CORNER – from the south curblin of Cedar Lane south for a distance of 30 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 thirty four of two thousand nineteen is hereby amended by repealing therein "PARKING OR STANDING PROHIBITIONS" at the following locations:

EAST MEADOW

PLUM TREE ROAD WEST – South Side – NO PARKING – starting at the east curblin of Brookside Court east for a distance of 200 feet. (Amended 6/24/58)

OCEANSIDE

BAYSIDE AVENUE (TH 262/65) South Side – NO STOPPING ANYTIME – from the west curblin of Lawson Boulevard west for a distance of 30 feet. (Amended 3/1/66)

WEST HEMPSTEAD

HEMPSTEAD AVENUE (TH 10/65) West Side – NO STOPPING HERE TO CORNER – starting at the north curblin of Poplar Street north for a distance of 30 feet. (Amended 3/3/65)

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

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 6th day of August, 2019, 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:

EAST MEADOW HARRISON AVENUE (TH 221/19) STOP - all traffic traveling westbound on Cleveland Avenue shall come to a full stop.

ELMONT LITCHFIELD AVENUE (TH 235/19) STOP - all traffic traveling westbound on Russell Street shall come to a full stop.

LITCHFIELD AVENUE (TH 235/19) STOP - all traffic traveling eastbound on Russell Street shall come to a full stop.

RIDGE ROAD (TH 265/19) STOP - all traffic traveling eastbound on Leighton Road shall come to a full stop.

FRANKLIN SQUARE RUTGERS ROAD (TH 247/19) STOP - all traffic traveling southbound on Rintin Street shall come to a full stop.

INWOOD CHESHIRE ROAD (TH 208/19) STOP - all motorists traveling southbound on Meadow Road shall come to a full stop.

SOLOFF BOULEVARD (TH 208/19) STOP - all motorists traveling eastbound on Brafmans Road shall come to a full stop.

MERRICK ELLEN DRIVE (TH 188/19) STOP - all traffic traveling southbound on Wynsum Avenue shall come to a full stop.

ELLEN DRIVE (TH 188/19) STOP - all traffic traveling northbound on Wynsum Avenue shall come to a full stop.

Item # 5

Case # 30149

NORTH MERRICK

LITTLE WHALENECK ROAD (TH 145/19) STOP
- all traffic traveling westbound on
Potter Avenue shall come to a full
stop.

(NR) NORTH VALLEY
STREAM

ARCADIAN AVENUE (TH 238/19) STOP - all
traffic traveling eastbound on "Q"
Street shall come to a full stop.

OCEANSIDE

HARVEY AVENUE (TH 236/19) STOP - all
motorists traveling westbound on
Christopher Street shall come to a
full stop.

WANTAGH

SARAH DRIVE (TH 259/19) STOP - all
traffic traveling southeast on Howard
Lane 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: July 2, 2019
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 thirty five of two thousand nineteen is hereby amended by including therein "ARTERIAL STOPS" at the following locations:

- | | |
|---------------------|--|
| EAST MEADOW | HARRISON AVENUE (TH 221/19) STOP – all traffic traveling westbound on Cleveland Avenue shall come to a full stop. |
| ELMONT | LITCHFIELD AVENUE (TH 235/19) STOP – all traffic traveling westbound on Russell Street shall come to a full stop.

LITCHFIELD AVENUE (TH 235/19) STOP – all traffic traveling eastbound on Russell Street shall come to a full stop. |
| FRANKLIN SQUARE | RIDGE ROAD (TH 265/19) STOP – all traffic traveling eastbound on Leighton Road shall come to a full stop.

RUTGERS ROAD (TH 247/19) STOP – all traffic traveling southbound on Rintin Street shall come to a full stop. |
| INWOOD | CHESHIRE ROAD (TH 208/19) STOP – all motorists traveling southbound on Meadow Road shall come to a full stop.

SOLOFF BOULEVARD (TH 208/19) STOP – all motorists traveling eastbound on Brafmans Road shall come to a full stop. |
| MERRICK | ELLEN DRIVE (TH 188/19) STOP – all traffic traveling southbound on Wynsum Avenue shall come to a full stop.

ELLEN DRIVE (TH 188/19) STOP – all traffic traveling northbound on Wynsum Avenue shall come to a full stop. |
| NORTH MERRICK | LITTLE WHALENECK ROAD (TH 145/19) STOP – all traffic traveling westbound on Potter Avenue shall come to a full stop. |
| NORTH VALLEY STREAM | ARCADIAN AVENUE (TH 238/19) STOP – all traffic traveling eastbound on "Q" Street shall come to a full stop. |
| OCEANSIDE | HARVEY AVENUE (TH 236/19) STOP – all motorists traveling westbound on Christopher Street shall come to a full stop. |
| WANTAGH | SARAH DRIVE (TH 259/19) STOP – all traffic traveling southeast on Howard Lane shall come to a full stop. |

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

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 6th day of August, 2019, 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:

FRANKLIN SQUARE BROWER AVENUE (TH 230/19) North Side - NO PARKING 7 AM TO 4 PM SCHOOL DAYS - starting at a point 125 feet east of the east curbline of Herman Avenue east for a distance of 70 feet.

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

EAST MEADOW WASHINGTON AVENUE - West Side - NO STOPPING 8 AM TO 4 PM SCHOOL DAYS - starting at the north curbline of Lindy Road north for 50 feet. (Amended 5/5/59)

WASHINGTON AVENUE - West Side - NO STOPPING 8 AM TO 4 PM SCHOOL DAYS - starting at the south curbline of Lindy Road south for 50 feet. (Amended 5/5/59)

WASHINGTON AVENUE - East Side - NO STOPPING 8 AM TO 4 PM SCHOOL DAYS - starting at the north curbline of Lindy Road north for 50 feet. (Amended 5/5/59)

WASHINGTON AVENUE - East Side - NO STOPPING 8 AM TO 4 PM SCHOOL DAYS - starting at the south curbline of Lindy Road south for 50 feet. (Amended 5/5/59)

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

Dated: July 2, 2019
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

LAURA A. GILLEN
Supervisor

SYLVIA A. CABANA
Town Clerk

Item #

6

Case #

3050

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 thirty six of two thousand nineteen is hereby amended by including therein "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at the following locations:

FRANKLIN SQUARE

BROWER AVENUE (TH 230/19) North Side – NO PARKING 7 AM TO 4 PM SCHOOL DAYS – starting at a point 125 feet east of the east curblin of Herman Avenue east for a distance of 70 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 thirty six of two thousand nineteen is hereby amended by repealing therein "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at the following locations:

EAST MEADOW

WASHINGTON AVENUE – West Side – NO STOPPING 8 AM TO 4 PM SCHOOL DAYS – starting at the north curblin of Lindy Road north for 50 feet. (Amended 5/5/59)

WASHINGTON AVENUE – West Side – NO STOPPING 8 AM TO 4 PM SCHOOL DAYS – starting at the south curblin of Lindy Road south for 50 feet. (Amended 5/5/59)

WASHINGTON AVENUE – East Side – NO STOPPING 8 AM TO 4 PM SCHOOL DAYS – starting at the north curblin of Lindy Road north for 50 feet. (Amended 5/5/59)

WASHINGTON AVENUE – East Side – NO STOPPING 8 AM TO 4 PM SCHOOL DAYS – starting at the south curblin of Lindy Road south for 50 feet. (Amended 5/5/59)

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

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 the Municipal Home Rule 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, Hempstead, New York, on the 6th day of August, 2019, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Chapter 190 of the Code of the Town of Hempstead by the insertion of a location into Section 190-4, subdivision "A", in relation to a 20 mph school speed limit, 7 AM to 6 PM, school days, as follows:

"A" - 20 mph school speed limits

WESTBURY, WASHINGTON AVENUE - between
Volante Place and Myron Road.
(TH-226/19)

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 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: July 2, 2019
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

LAURA A. GILLEN
Supervisor

SYLVIA A. CABANA
Town Clerk

Item #

7

Case #

19565

Town of Hempstead

A local law to amend chapter one hundred ninety of the code of the town of Hempstead by the insertion of a location into section one hundred ninety dash four, subdivision "A", in relation to a 20 mph school speed limit, 7 AM to 6 PM school days.

Introduced by: Councilwoman Goosby

Be it enacted by the town board of the town of Hempstead as follows:

Section 1. Section one hundred ninety dash four of the code of the town of Hempstead as constituted by local law number one of nineteen hundred, sixty-nine, hereby is amended by the addition of a location into subdivision "A" thereof, to read as follows:

"A" - 20 mph school speed limit
7 AM to 6 PM school days

WESTBURY, WASHINGTON AVENUE - between Volante Place and Myron Road.
(TH-226/19)

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

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 6th day of August, 2019, at 10:30 o'clock in the forenoon of that day, to consider the enactment of a local law to establish Chapter 74 of the Code of the Town of Hempstead to be entitled "Community Choice Aggregation Energy Program" in order to aggregate the energy supply needs of residents (and small commercial customers), and to negotiate and enter into, or authorize its agent to negotiate and enter into, energy supply agreements with energy service companies (ESCOs) on behalf of eligible citizens to obtain stable, lower-cost energy prices, as well as environmental benefits and/or a community-based solution to meeting our collective energy needs.

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: July 2, 2019
Hempstead, New York

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

SYLVIA A. CABANA
Town Clerk

LAURA A. GILLEN
Supervisor

Item # 8

Case # 30146

Town of Hempstead

**A LOCAL LAW ESTABLISHING CHAPTER 74 OF THE
CODE OF THE TOWN OF HEMPSTEAD ENTITLED
"COMMUNITY CHOICE AGGREGATION ENERGY
PROGRAM".**

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 establish Chapter 74 of the Town Code entitled "Community Choice Aggregation Energy Program" in order to aggregate the energy supply needs of residents (and small commercial customers), and to negotiate and enter into, or authorize its agent to negotiate and enter into, energy supply agreements with energy service companies (ESCOs) on behalf of eligible citizens to obtain stable, lower-cost energy prices, as well as environmental benefits and/or a community-based solution to meeting our collective energy needs.

Section 2.

Chapter 74 of the Town Code entitled "Community Choice Aggregation Energy Program" is hereby established to read as follows:

DIVISION 4: WATER RULES AND REGULATIONS; ENERGY PROGRAM

Chapter 74

Community Choice Aggregation Energy Program

§ 74-1 Purpose and intent.

It is the intent of the Town of Hempstead to establish a Community Choice Aggregation ("CCA") Energy Program to aggregate the energy supply needs of residents (and small commercial customers), and to negotiate and enter into, or authorize its agent to negotiate and enter into, energy supply agreements ("ESAs") with energy service companies ("ESCOs") on behalf of eligible citizens to obtain stable, lower-cost energy prices, as well as environmental benefits and/or a community-based solution to meeting the Town's collective energy needs. The purpose of this chapter is two-fold: to establish a CCA Program in the Town of Hempstead and to adopt certain provisions relating to the creation and implementation of the CCA Program.

§ 74-2 Findings.

- A. New York State's energy industry is in the midst of a significant transition; a shift away from the old top-down, utility-centered model toward a cleaner, more affordable, more resilient system in which consumers and communities will have a substantial role to play.**
- B. The state's ongoing Reforming the Energy Vision ("REV") initiative emphasizes the importance of reliability and grid resilience, distributed energy resources, increased renewable generation, and greater opportunity for citizens to take an active role in helping the state reach its energy goals and in making more informed energy choices in their homes, businesses and communities.**
- C. As part of this REV initiative, the New York State Public Service Commission**

("NYSPSC"), on April 21, 2016, adopted an order authorizing cities, towns and villages within the state to create Community Choice Aggregation Programs, by themselves or in concert with other municipalities (hereinafter "NYSPSC order authorizing CCAs"), and/or to retain a CCA Administrator to implement the program and negotiate ESAs.

- D. CCA Programs allow communities to take control of their energy supply through an open, transparent and competitive electric and/or gas supply procurement process driven by the consumers themselves.
- E. A successful CCA Program offers citizens cost savings, more stable energy prices, deterrence of deceptive marketing practices by unscrupulous ESCOs, fair contracts negotiated directly with energy suppliers, and/or the opportunity to pursue goals and initiatives important to the community, such as reliability, grid resiliency, supporting renewable energy generation, cutting greenhouse gas emissions, protecting the state's natural resources, and improving energy efficiency.
- F. The Town Board of the Town of Hempstead has explored the CCA policy and background, and believes it would provide numerous benefits in this community, enhancing the public welfare and making energy more affordable and costs more predictable for our residents.
- G. Therefore, the Town Board of the Town of Hempstead authorizes the creation of an opt-out CCA Program pursuant to rules of the NYSPSC in this community for the provision of electric and/or natural gas supply service, as well as other high-priority, energy-related, value-added services as may be determined to meet the community's goals.

§ 74-3 Authority.

The NYSPSC order authorizing CCAs expressly empowers cities, towns and villages in this state to create CCA Programs. Further, the New York Municipal Home Rule Law, Article 2, Section 10, authorizes a municipality to adopt general laws relating to its property, affairs and government, the protection and enhancement of its physical and visual environment, the protection and well-being of persons within the municipality, and for other authorized purposes.

§ 74-4 Definitions.

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

AUTOMATICALLY ELIGIBLE CUSTOMERS

Customers' accounts in those utility service classes eligible for inclusion in the CCA Program on an opt-out basis, as set forth in the NYSPSC order authorizing CCAs, Appendix C, or as otherwise specified by the Commission. Generally, these classes of customers include those receiving residential electric or gas supply service, including those in multifamily housing, certain types of institutions, and some small commercial customers covered by "small general service" class designations. Automatically eligible customers shall not include customers' accounts that have already been enrolled in service through an ESCO, enrolled in utility programs which require them to take supply service from their current utility, or that have a block on their utility account at the time of CCA formation [NOTE: Except customers participating in the Affordability Assistance Program ("AAP"), who may have blocks on their accounts with their existing utility, but who are still eligible to participate.]; those customers' accounts shall be eligible to participate on an opt-in basis, if they so desire.

CCA ADMINISTRATOR

An agent of the Town charged with overseeing creation, implementation and

operation of a CCA Program, as well as competitively procuring and negotiating Energy Supply Agreements with ESCOs. The CCA Administrator shall be retained by the Town via a separate CCA Administration Agreement, adopted by resolution of the Town Board.

COMMUNITY CHOICE AGGREGATION (CCA)/CCA PROGRAM

A program authorized by the New York State Public Service Commission (NYSPSC) to aggregate residential and commercial electric and/or natural gas supply and/or energy-related, value-added products and services within a given municipality, and/or among multiple municipalities, in order to leverage that energy demand to negotiate favorable Energy Supply Agreements directly with ESCOs. Customers within a CCA Program would no longer purchase their energy supply directly from their utility. However, the utility would continue to deliver energy to these customers, to charge for that delivery, and will retain its transmission and distribution network. The energy supply portion of a customer's energy service is provided by an ESCO or ESCOs, pursuant to an Energy Supply Agreement competitively procured and negotiated for the CCA Program at large, then delivered to customers via the local utility.

ELIGIBLE CUSTOMERS

All automatically eligible customers plus those utility customers eligible for inclusion in the CCA Program on an opt-in basis, as set forth in the NYSPSC order authorizing CCAs or otherwise authorized by the Commission. Those customers eligible to participate in the CCA Program on an opt-in basis currently include those customers already enrolled in service through an ESCO at the time of CCA formation, customers in large commercial, institutional, or industrial utility service classes that cannot be automatically enrolled in the CCA on an opt-out basis, and all other customers not considered automatically eligible customers. References to the broader class of eligible customers shall signify the entire pool of customers participating in the aggregation, either because they have been automatically enrolled on an opt-out basis, or because they have affirmatively opted in.

ENERGY SERVICES COMPANY (ESCO)

A third-party energy supplier eligible to sell electricity, natural gas and/or energy related, value-added services to customers in New York State, utilizing the transmission and distribution systems of existing utilities. ESCOs are regulated by the New York State Department of Public Service and the New York State Public Service Commission, and must comply with the New York State Public Service Law.

ENERGY SUPPLY AGREEMENT (ESA)

An agreement between an energy customer and an energy services company (ESCO) to provide electricity or gas service to the customer for a fixed or variable price. For purposes of this chapter, the CCA Administrator would conduct a competitive procurement on behalf of all eligible customers, and would enter into an Energy Service Agreement(s) with an ESCO to provide power to all such customers in the community.

MUNICIPALITY/TOWN OF HEMPSTEAD

Reference to these terms throughout this chapter indicates the Town of Hempstead.

UTILITY

This term refers to traditional electric and/or natural gas utilities regulated by the New York State Department of Public Service and the New York State Public Service Commission and permitted to provide electric and/or gas supply.

transmission and distribution services to all customers within their designated service territory. For purposes of this chapter, the term "utility" will refer to KEYSPAN/National Grid and/or PSEG Long Island, or their successors.

§ 74-5 Establishing community choice aggregation.

The Town Board of the Town of Hempstead hereby establishes a CCA Program for aggregation of electric and/or natural gas supply to serve all eligible customers in its jurisdiction (this program shall be available to all residents of the unincorporated area of the Town of Hempstead). All automatically eligible customers shall be included in the CCA Program on an opt-out basis, and shall be afforded the opportunity to opt-out of the CCA Program, within a specified period, at no cost. All customers who are not automatically eligible to be included in the CCA Program on an opt-out basis shall be permitted to affirmatively opt into the program in accordance with the terms of the ESA and/or the NYSPSC order authorizing CCAs.

§ 74-6 Provisions for implementing CCA Program.

A. Implementation plan.

- (1) The Town Board of the Town of Hempstead, with support from its CCA Administrator, will create and follow a CCA implementation plan which shall outline the details of how the CCA Program will be created and operated, including how public outreach and education will occur, what rules will apply to the program, how the procurement process will be implemented, how energy contracts will be selected, and how responsibilities will be divided amongst CCA Administrator, the Town, and eligible customers.
- (2) In accordance with the NYSPSC order authorizing CCAs, the CCA implementation plan will be reviewed and approved by the Public Service Commission. Such review may involve NYSPSC approval of a generic CCA implementation plan, with the understanding that community-specific appendixes would be submitted later and would outline appropriately tailored local education and outreach efforts.
- (3) Where a generic CCA implementation plan will be used, the Town Board of the Town of Hempstead and the CCA Administrator will make community-specific revisions to the plan's appendixes to ensure the plan is properly tailored to the needs of the Town's residents. Therefore, prior to or in conjunction with the enactment of this chapter, and thereafter from time to time, the Town Board of the Town of Hempstead, with support from the CCA Administrator, will create and update a CCA Program opt-out letter, as well as an education and outreach plan, as provided in the implementation plan appendix for this community.
- (4) The Town of Hempstead opt-out letter, education and outreach plan shall conform to those requirements for public outreach, education, and opt-out procedures set forth in the NYSPSC order authorizing CCAs, and in any other applicable laws or regulations, and shall ensure that the Town Board of the Town of Hempstead and its CCA Administrator engage in a robust effort to educate and inform the community about the CCA Program and their options for participating or opting out.
- (5) Opt-out letters will be provided to all automatically eligible customers no less than 30 days prior to the time at which those customers would be automatically enrolled in the CCA Program. The letters will be printed on Town of Hempstead letterhead, in official Town envelopes. The logo of the CCA Administrator and selected ESCO may also be included on these letters, so long as it is clear that the letter is official correspondence from the Town of Hempstead. The opt-out letter must be provided in the individual customer's native language to the extent that such information is available from the utility or in municipal records.

(6) The opt-out letter shall include information on the CCA program and the contract signed with the selected ESCO; including specific details on rates, services, contract term, cancellation fee, and methods for opting out of the CCA program. The letter shall explain that consumers that do not opt out will be enrolled in ESCO service under the contract terms, and that information on those consumers, including energy usage data, will be provided to the ESCO.

(7) All consumers shall have the option to opt out of the CCA Program at any time without penalty.

(8) Termination fees shall not be charged to consumers that cancel their CCA service as a result of moving out of the premises served.

B. Public outreach and education; Data protection requirements.

(1) The Town, together with its CCA Administrator, will provide public notices, presentations, information sheets, and other forms of outreach, as outlined in the appendix of the implementation plan, to ensure residents are informed about the CCA Program and their options for participating or opting out.

(2) Once the CCA Program is operating, the Town and its CCA Administrator will continue to engage in public outreach to keep CCA customers informed about any changes to the CCA Program; opportunities for new products or services available through the CCA Program, such as renewable energy buying options; important terms and durations of ESAs; information about the selected ESCOs; and any other matters related to the CCA Program.

C. Customers moving into or out of the community after CCA adoption. Residents (and small commercial customers) who establish utility accounts in this community after the effective date of this chapter shall be afforded the opportunity to join the CCA Program within a reasonable time after their utility account is established, in accordance with contractual agreements between the CCA Administrator and ESCO(s) providing service to the program.

D. Customer data protection. The Town Board of the Town of Hempstead, or its CCA Administrator, will create and follow a customer data protection plan which ensures that any confidential or sensitive personal customer information provided by the utility to the Town, its CCA Administrator, and/or the selected ESCO(s) will be given all privacy protections required by law and regulation, and protected from unauthorized release or use to the greatest extent possible. This customer data protection plan will ensure that the CCA Program and any selected ESCO(s) handle all confidential or sensitive customer data in keeping those customer data protections already afforded by KEYSpan/National Grid and/or PSEG Long Island, or their successors, prior to the enactment of this chapter. This plan will also ensure that CCA customer data, such as contact information, is not used for inappropriate purposes, such as solicitation of business unrelated to the CCA Program, its goals and objectives.

§ 74-7 CCA Administrator.

A. CCA administration agreement. The Town Board of the Town of Hempstead will enter into a CCA administration agreement with its CCA Administrator. Such agreement will set forth the various rights and responsibilities of the parties, and will govern the manner in which the CCA Program is run. This agreement shall also authorize the CCA Administrator to act as the Town's agent for the purpose of procuring energy supply or other energy-related, value-added services for CCA Program eligible customers.

B. Customer service; complaints. The CCA Administrator will provide the Town with clear, up-to-date contact information for customer questions, concerns or complaints. The CCA Administrator shall, from time to time, and/or at the

request of the Town Board of the Town of Hempstead, report to the Town regarding customer service matters.

- C. Reporting. Annual reports shall be filed with the Town Clerk by March 31 of each year and cover the previous calendar year. Annual reports shall include, at a minimum; number of consumers served; number of consumers cancelling during the year; number of complaints received; commodity prices paid; value-added services provided during the year (e.g., installation of DER or other clean energy services); and administrative costs collected. The first report shall also include the number of consumers who opted out in response to the initial opt-out letter or letters.**
- D. If a CCA supply contract will expire less than one year following the filing of the annual report, the report must identify current plans for soliciting a new contract, negotiating an extension, or ending the CCA program.**

§ 74-8 Customer service.

Participating consumers shall be provided customer service, including a toll-free telephone number available during normal business hours (9:00 a.m. to 5:00 p.m. Eastern Time, Monday through Friday) to resolve concerns, answer questions, and transact business with respect to the service received from the ESCO.

§ 74-9 CCA Advisory Group.

- A. A CCA Advisory Group is hereby established to develop and review CCA-related proposals, act as the Town's agent in recommending an award of said proposals, and forward information regarding such awards to the Town Board of the Town of Hempstead for consideration and potential ratification.**
- B. Membership to the CCA Advisory Group shall include the Town Comptroller, the Town Attorney, the Chief of Staff, the Town Board Chief of Staff and a representative from the Minority Caucus, or the designee of each.**

§ 74-10 Administration fee.

The CCA Administrator may collect, or cause to be collected, funds from customer payments, through the supply charge, to pay for administrative costs associated with running the CCA Program.

§ 74-11 Compliance with Public Service Law and Regulations.

In accordance with the NYSPSC order authorizing CCAs, it shall be the responsibility of the Town, supported by any CCA Administrator that may be under contract, to ensure the CCA Program is operated in compliance with all applicable provisions of the New York State Public Service Law, regulations of the New York State Public Service Commission and/or the New York State Department of Public Service, the Uniform Business Practices (to the extent applicable), the NYSPSC order authorizing CCAs and any other relevant laws or regulations. This provision applies regardless of whether a CCA Administrator is retained to organize and implement the Town CCA Program. This shall include, but not be limited to, compliance with any reporting requirements related to the CCA Program.

§ 74-12 Review and/or dissolution of the CCA Program.

- A. The Town Board of the Town of Hempstead will annually review the CCA Program and its progress to determine how the program is faring, confirm it is affording benefits to the community, and provide information to the public**

thereon.

B. As the expiration of its ESA(s) approaches, or in the event an ESCO provides notice of its intention to terminate an ESA (where authorized by the terms of that ESA), the Town Board of the Town of Hempstead may consider whether it wishes to discontinue the CCA Program. Dissolution of the CCA Program will require:

- (1) Enactment of a local law amending or repealing this chapter;**
- (2) Lawful termination of ESAs in accordance with their terms;**
- (3) Lawful termination of the CCA administration agreement, in accordance with its terms; and**
- (4) At least 60 days' notice to customers that their energy services will be automatically returned to KEYSPAN/National Grid and/or PSEG Long Island, or their successors, an effective date upon which such a change would occur, and information on what other options may be available to those customers, if applicable.**

§ 74-13 Conflicts.

In the event the New York State Public Service Commission, the State Legislature, or other state agency enacts laws or regulations regarding the operation of CCAs which are in conflict with this chapter, the state provisions shall govern.

§ 74-14 Liability.

Nothing in this chapter shall be read to create liability on the part of Town related to the provision of electric and/or natural gas service to customers. The ESCO selected to provide such service will be ultimately responsible for compliance with all applicable laws, rules and regulations governing retail energy services, and will assume any liability stemming from the provision of such service to retail customers, including any potential liability associated with the service itself, customer data and information, and any other matters which would traditionally fall under the purview of a merchant utility providing the same service to customers prior to the formation of the CCA. This chapter is meant merely to facilitate the creation of an aggregation program in this community. The Town will not assume the role of ESCO or utility in the sale or delivery of energy services.

§ 74-15 Inter-municipal Agreements.

Notwithstanding any provision to the contrary, the Town may enter into one or more inter-municipal agreements with other municipalities to operate a joint CCA Program. Any such agreement must be approved by the Town Board.

§ 74-16 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.

Section 3.

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

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 6th day of August, 2019, at 10:30 o'clock in the forenoon of that day, to consider the enactment of a local law to amend Chapter 152 of the Code of the Town of Hempstead entitled "Animal Shelter and Control Division" in order to establish formal procedures and controls for adjusting, waiving or discounting fees charged by the Animal Shelter. 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: July 2, 2019
Hempstead, New York

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

SYLVIA A. CABANA
Town Clerk

LAURA A. GILLEN
Supervisor

Item # 9

Case # 17434

Town of Hempstead

**A LOCAL LAW AMENDING CHAPTER 152 OF THE
CODE OF THE TOWN OF HEMPSTEAD ENTITLED
“ANIMAL SHELTER AND CONTROL DIVISION.”**

Introduced by: Councilwoman Goosby

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

Section 1. Legislative Intent.

It is the purpose and intent of the Town Board to amend Chapter 152 of the Code of the Town of Hempstead entitled “Animal Shelter and Control Division” in order to establish formal procedures and controls for adjusting, waiving or discounting fees charged by the Animal Shelter.

Section 2.

Chapter 152 of the Town Code entitled “Animal Shelter and Control Division” is hereby amended to read as follows:

§ 152-5 Powers and duties.

- A. The Director shall act as chief administrative officer of the Town Animal Shelter and Control Division and shall supervise the enforcement of this chapter. In addition, the Director, only when specifically authorized so to do by the Town Board, from time to time may retain the services of additional persons, including special, technical, fiscal and legal consultants, as may be necessary in the discharge of his or her duties.
- B. Employees designated as animal control officers shall assist with the control of dogs and other animals and the enforcement of this chapter. In addition, dog control officers shall have the duties and obligations as indicated under Articles 7 and 26 of the Agriculture and Markets Law of the State of New York and Article 21 of the Public Health Law of the State of New York. This chapter can be enforced by the American Society for the Prevention of Cruelty to Animals, the Nassau County Society for the Prevention of Cruelty to Animals or any law enforcement officer or peace officer.
- C. The Director, Assistant Directors and dog control officers shall have the power to issue an appearance ticket for violations of this chapter and to serve and execute any other order or process in the execution of the provisions of this chapter. Any police officer, peace officer, or public safety officer of the Department of Public Safety of the Town of Hempstead shall also have the power to issue an appearance ticket for violations of this chapter and to serve and execute any other order or process in the execution of the provisions of this chapter.
- D. The Commissioner of General Services shall have discretion to waive fees associated with this chapter upon a showing of good cause. The Commissioner may delegate such authority to the Director or the Assistant Director.

(1) The Department of General Services, in consultation with the Town Comptroller, is hereby authorized, subject to the approval of the Town Board, and consistent with Section 152-5(D)(2), to establish formal procedures and controls for adjusting, waiving or discounting fees charged by the Animal Shelter.

(2) Any person desiring a fee waiver under this chapter shall file with the Commissioner of General Services or his/her authorized delegate pursuant to Section 152-5(D)(1), an original and one copy of an application, under

oath, in writing, on a form furnished by the Animal Shelter. The application shall set forth, at a minimum, the following information:

- a. The name, address and telephone number of the person applying for the fee waiver. The address must include a street address and not a post office box;**
- b. The fee sought to be adjusted, discounted or waived;**
- c. The good cause basis for which the fee waiver is sought, together with any supporting documentation;**
- d. A location for the Commissioner of General Services or his/her authorized delegate to approve or disapprove the fee waiver application, and print and sign their name under said approval or disapproval.**

Section 3.

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

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 6th day of August, 2019, 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:

ELMONT

CLARIDGE AVENUE - east side, starting at a point 194 feet south of the south curblineline of Blackstone Street, south for a distance of 18 feet.
(TH-223/19)

NORTH ASCAN STREET - east side, starting at a point 546 feet east of the east curblineline of Home Street, south for a distance of 20 feet.
(TH-245/19)

INWOOD

BAYVIEW COURT - west side, starting at a point 70 feet north of the north curblineline of Bayview Avenue, north for a distance of 15 feet.
(TH-244/19)

ISLAND PARK

NEW YORK AVENUE - east side, starting at a point 84 feet north of the north curblineline of Kingston Blvd., north for a distance of 20 feet.
(TH-250/19)

and on the repeal of the following locations previously set aside as parking spaces for physically handicapped persons:

Item #

10

Case #

21507

ELMONT

HUNNEWELL AVENUE - east side, starting
at a point 260 feet south of the south
curbline of Bruce Street, south for a
distance of 18 feet.
(TH-089/10 - 6/08/10) (TH-229/19)

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

Dated: July 2, 2019
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

LAURA A. GILLEN
Supervisor

SYLVIA A. CABANA
Town Clerk

CASE NO. 11708

RESOLUTION NO. 830-2019

Adopted: July 2, 2019

Councilwoman Goosby offered the following resolution and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A PROPOSED FIRST AMENDMENT TO LEASE AGREEMENT TO THAT CERTAIN LEASE AGREEMENT DATED FEBRUARY 4, 2003 BETWEEN T-MOBILE NORTHEAST LLC, FORMERLY OMNIPOINT COMMUNICATIONS, INC, AND THE DEPARTMENT OF WATER FOR THE LIDO-POINT LOOKOUT WATER DISTRICT TO MAINTAIN THE EXISTING MOBILE COMMUNICATIONS ANTENNAE ON THE LIDO-POINT LOOKOUT ELEVATED WATER STORAGE TANK AND AUTHORIZING THE MODIFICATION OF THE ANTENNAE IN THE LIDO-POINT LOOKOUT WATER DISTRICT OF THE TOWN OF HEMPSTEAD, COUNTY OF NASSAU, NEW YORK.

WHEREAS, T-Mobile Northeast LLC, formerly Omnipoint Communications, Inc., heretofore leased a portion of space on an elevated water storage tank located on Lido Boulevard, Point Lookout, New York, pursuant to that certain lease agreement dated February 4, 2003 for the purposes of placing mobile telephone communications antennae upon the tank (the "Lease"); and

WHEREAS, the Town Board for the Town of Hempstead duly adopted Resolution No. 120-2003 approving and adopting the Lease; and

WHEREAS, the Lease expired on or about February 4, 2018; and

WHEREAS, the Town of Hempstead, the Department of Water for the Lido-Point Lookout Water District and Sprint Spectrum Realty Company, LLC desire to reinstate the Lease and to renew it as of April 30, 2018 for a period of five (5) years, extend its term and provide for five (5) additional renewal terms of five (5) years each, and modify certain other provisions of the Lease;

NOW THEREFORE, BE IT

Item # 11
Case # 11708

RESOLVED, that a public hearing be held in the Town Meeting pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York on August 6, 2019 at 10:30 o'clock in the forenoon of that day, at which time all interested persons shall be heard on the proposed reinstatement, renewal and modification to the provisions of a lease between the Department of Water for the Lido-Point Lookout Water District and T-Mobile Northeast LLC, LLC; 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 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 on the roll call as follows:

Ayes SEVEN (7)

Noes NONE (0)

Dated: Hempstead, New York
July 2, 2019

At a meeting of the Town Board of the Town of Hempstead, in the County of Nassau, New York, held at the Town Meeting Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Hempstead, New York, on the 11th day of June, 2019.

P R E S E N T :

HON., Laura A. Gillen, Supervisor
Erin King Sweeney
Anthony P. D'Esposito
Dennis Dunne, Sr.
Thomas E. Muscarella,
Council Members.

A B S E N T : Senior Councilwoman Dorothy L. Goosby
Councilman Bruce A. Blakeman

----- X

IN THE MATTER : ORDER

- of - :

THE INCREASE AND IMPROVEMENT :
OF THE EAST MEADOW WATER :
DISTRICT IN THE TOWN OF HEMPSTEAD :
COUNTY OF NASSAU, STATE OF NEW YORK

----- X

WHEREAS, the Commissioner of the Town of Hempstead Department Water as the Representative of the East Meadow Water District has proposed certain improvements and has requested that the Town Board hold a public hearing regarding the upgrade of the facilities and equipment of the District; and

WHEREAS, said Commissioner has submitted to the Town Board an estimate of cost relating to said improvements; and

WHEREAS, the Town Board has determined, pursuant to Provisions of the State Environmental Quality Review Act and Article 8 Part 617.5(c)(1) and 617.5(c)(5) the N.Y.C.R.R. that such increase and improvement is considered to be a "Type II Action" and does not have a significant effect on the environment and does not require an environmental impact statement or any other determination under the State Environmental Quality Review Act; and

WHEREAS, it is in the public interest that the Town Board of the Town of Hempstead consider the proposition herein set forth and to call a public hearing thereon;

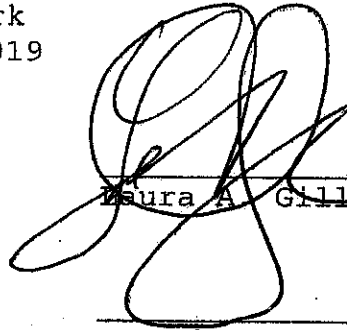
NOW, THEREFORE, BE IT

Item # 12
Case # 1179

ORDERED, that a public hearing be held by this Town Board on the 6th day of August, 2019, at 10:30 o'clock in the forenoon at the Town Meeting Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Town of Hempstead, Nassau County, New York, on the increase and improvement of the East Meadow Water District consisting of an upgrade of facilities and equipment of the District including UCMR Compliance at an estimated maximum cost of \$1,450,000.00 to be financed by the issuance of obligations of the Town.

ALL PERSONS desiring to be heard concerning the subject of the above-mentioned hearing will be given an opportunity to be heard at the time and place aforesaid.

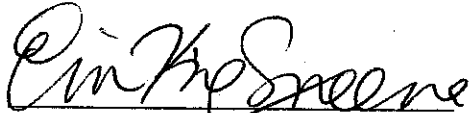
Dated: Hempstead, New York
June 11, 2019



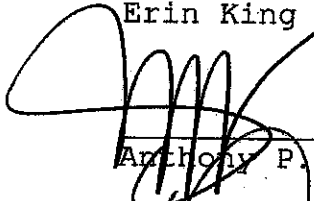
Laura A. Gillen, Supervisor

Dorothy L. Goosby

Bruce A. Blakeman



Erin King Sweeney



Anthony P. D'Esposito



Dennis Dunne, Sr.



Thomas E. Muscarella

Members of the Town Board
of the Town of Hempstead

At a meeting of the Town Board of the Town of Hempstead, in the County of Nassau, New York, held at the Town Meeting Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Hempstead, New York, on the 11th day of June, 2019.

P R E S E N T :

HON., Laura A. Gillen, Supervisor
Erin King Sweeney
Anthony P. D'Esposito
Dennis Dunne, Sr.
Thomas E. Muscarella,
Council Members.

A B S E N T : Senior Councilwoman Dorothy L. Goosby
Councilman Bruce A. Blakeman

----- X

IN THE MATTER : ORDER

- of - :

THE INCREASE AND IMPROVEMENT :
OF THE LEVITTOWN WATER :
DISTRICT IN THE TOWN OF HEMPSTEAD :
COUNTY OF NASSAU, STATE OF NEW YORK :

----- X

WHEREAS, the Commissioner of the Town of Hempstead Department Water as the Representative of the Levittown Water District has proposed certain improvements and has requested that the Town Board hold a public hearing regarding the upgrade of the facilities and equipment of the District; and

WHEREAS, said Commissioner has submitted to the Town Board an estimate of cost relating to said improvements; and

WHEREAS, the Town Board has determined, pursuant to Provisions of the State Environmental Quality Review Act and Article 8 Part 617.5(c)(1) and 617.5(c)(5) the N.Y.C.R.R. that such increase and improvement is considered to be a "Type II Action" and does not have a significant effect on the environment and does not require an environmental impact statement or any other determination under the State Environmental Quality Review Act; and

WHEREAS, it is in the public interest that the Town Board of the Town of Hempstead consider the proposition herein set forth and to call a public hearing thereon;

NOW, THEREFORE, BE IT

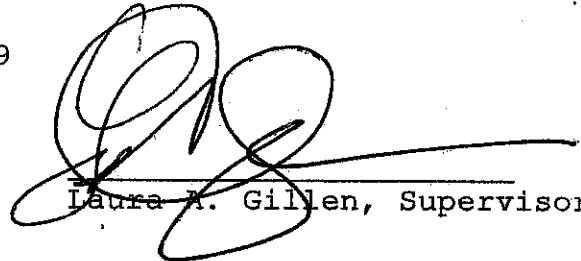
Item # 13

Case # 1740

ORDERED, that a public hearing be held by this Town Board on the 6th day of August, 2019, at 10:30 o'clock in the forenoon at the Town Meeting Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Town of Hempstead, Nassau County, New York, on the increase and improvement of the Levittown Water District consisting of an upgrade of facilities and equipment of the District including UMCR Compliance at an estimated maximum cost of \$800,000.00 to be financed by the issuance of obligations of the Town.

ALL PERSONS desiring to be heard concerning the subject of the above-mentioned hearing will be given an opportunity to be heard at the time and place aforesaid.

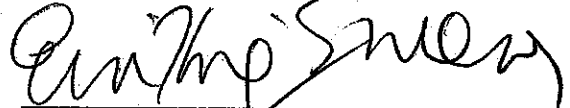
Dated: Hempstead, New York
June 11, 2019



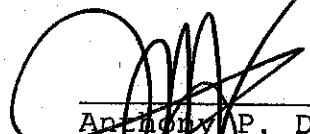
Laura A. Gillen, Supervisor

Dorothy L. Goosby

Bruce A. Blakeman




Erin King Sweeney



Anthony P. D'Esposito



Dennis Dunne, Sr.



Thomas E. Muscarella

Members of the Town Board
of the Town of Hempstead

At a meeting of the Town Board
of the Town of Hempstead, in
the County of Nassau, New York,
held at the Town Meeting
Pavilion, Hempstead Town Hall,
Town Hall Plaza, 1 Washington
Street, Hempstead, New York, on
the 11th day of June, 2019.

P R E S E N T :

HON., Laura A. Gillen, Supervisor
Erin King Sweeney
Anthony P. D'Esposito
Dennis Dunne, Sr.
Thomas E. Muscarella,
Council Members

A B S E N T : Senior Councilwoman Dorothy L. Goosby
Councilman Bruce A. Blakeman

----- X

IN THE MATTER :

ORDER

- of - :

THE INCREASE AND IMPROVEMENT :
OF THE ROOSEVELT FIELD WATER :
DISTRICT IN THE TOWN OF HEMPSTEAD :
COUNTY OF NASSAU, STATE OF NEW YORK

----- X

WHEREAS, the Commissioner of the Town of Hempstead
Department Water as the Representative of the Roosevelt Field
Water District has proposed certain improvements and has
requested that the Town Board hold a public hearing regarding
the upgrade of the facilities and equipment of the District;
and

WHEREAS, said Commissioner has submitted to the Town
Board an estimate of cost relating to said improvements; and

WHEREAS, the Town Board has determined, pursuant to
Provisions of the State Environmental Quality Review Act
and Article 8 Part 617.5(c)(1) and 617.5(c)(5) the
N.Y.C.R.R. that such increase and improvement is considered
to be a "Type II Action" and does not have a significant
effect on the environment and does not require an
environmental impact statement or any other determination
under the State Environmental Quality Review Act; and

WHEREAS, it is in the public interest that the Town
Board of the Town of Hempstead consider the proposition
herein set forth and to call a public hearing thereon;

NOW, THEREFORE, BE IT

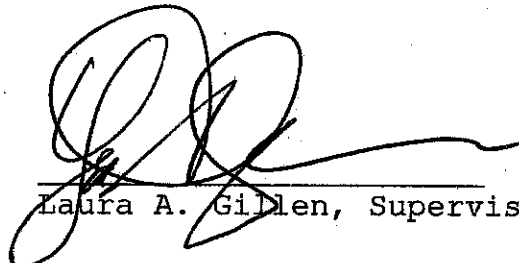
Item # 14

Case # 16783

ORDERED, that a public hearing be held by this Town Board on the 6th day of August , 2019, at 10:30 o'clock in the forenoon at the Town Meeting Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Town of Hempstead, Nassau County, New York, on the increase and improvement of the Roosevelt Field Water District consisting of an upgrade of facilities and equipment of the District including but not limited to a Well#5 Air Stripper at an estimated maximum cost of \$715,000.00 to be financed by the issuance of obligations of the Town.

ALL PERSONS desiring to be heard concerning the subject of the above-mentioned hearing will be given an opportunity to be heard at the time and place aforesaid.

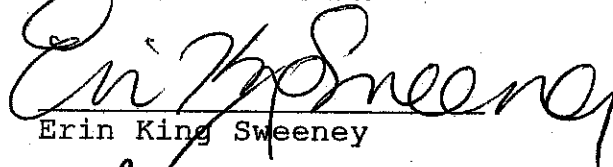
Dated: Hempstead, New York
June 11 , 2019




Laura A. Gillen, Supervisor

Dorothy L. Goosby

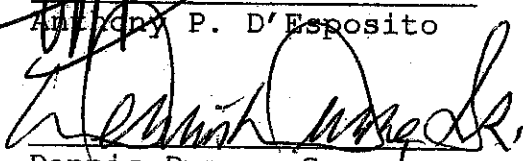
Bruce A. Blakeman




Erin King Sweeney



Anthony P. D'Esposito



Dennis Dunne, Sr.



Thomas A. Muscarella

Members of the Town Board
of the Town of Hempstead

At a meeting of the Town Board of the Town of Hempstead, in the County of Nassau, New York, held at the Town Meeting Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Hempstead, New York, on the 11th day of June, 2019.

P R E S E N T :

HON., Laura A. Gillen, Supervisor
Erin King Sweeney
Anthony P. D'Esposito
Dennis Dunne, Sr.
Thomas E. Muscarella,
Council Members.

A B S E N T : Senior Councilwoman Dorothy L. Goosby
Councilman Bruce A. Blakeman

----- X

IN THE MATTER : ORDER

- of - :

THE INCREASE AND IMPROVEMENT :
OF THE UNIONDALE WATER :
DISTRICT IN THE TOWN OF HEMPSTEAD :
COUNTY OF NASSAU, STATE OF NEW YORK

----- X

WHEREAS, the Commissioner of the Town of Hempstead Department Water as the Representative of the Uniondale Water District has proposed certain improvements and has requested that the Town Board hold a public hearing regarding the upgrade of the facilities and equipment of the District; and

WHEREAS, said Commissioner has submitted to the Town Board an estimate of cost relating to said improvements; and

WHEREAS, the Town Board has determined, pursuant to Provisions of the State Environmental Quality Review Act and Article 8 Part 617.5(c)(1) and 617.5(c)(5) the N.Y.C.R.R. that such increase and improvement is considered to be a "Type II Action" and does not have a significant effect on the environment and does not require an environmental impact statement or any other determination under the State Environmental Quality Review Act; and

WHEREAS, it is in the public interest that the Town Board of the Town of Hempstead consider the proposition herein set forth and to call a public hearing thereon;

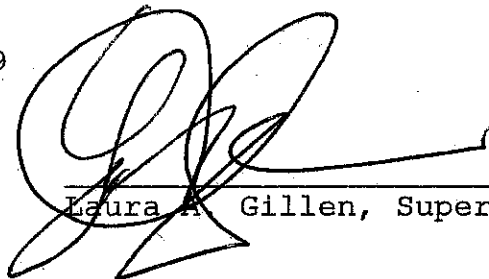
NOW, THEREFORE, BE IT

Item # 15
Case # 1794

ORDERED, that a public hearing be held by this Town Board on the 6th day of August , 2019, at 10:30 o'clock in the forenoon at the Town Meeting Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Town of Hempstead, Nassau County, New York, on the increase and improvement of the Uniondale Water District consisting of an upgrade of facilities and equipment of the District including but not limited to painting of elevated water tanks and UCMR Compliance at an estimated maximum cost of \$2,950,000.00 to be financed by the issuance of obligations of the Town.

ALL PERSONS desiring to be heard concerning the subject of the above-mentioned hearing will be given an opportunity to be heard at the time and place aforesaid.

Dated: Hempstead, New York
June 11, 2019



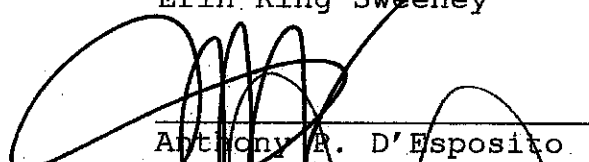
Laura A. Gillen, Supervisor

Dorothy L Goosby


Bruce A. Blakeman



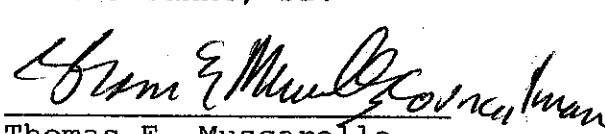
Erin King Sweeney



Anthony R. D'Esposito



Dennis Dunne, Sr.



Thomas E. Muscarella

Members of the Town Board
of the Town of Hempstead

At a meeting of the Town Board of the Town of Hempstead, in the County of Nassau, New York, held at the Town Meeting Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Hempstead, New York, on the 11th day of June, 2019.

P R E S E N T :

HON., Laura A. Gillen, Supervisor
Erin King Sweeney
Anthony P. D'Esposito
Dennis Dunne, Sr.
Thomas E. Muscarella,
Council Members

A B S E N T : Senior Councilwoman Dorothy L. Goosby
Councilman Bruce A. Blakeman

----- X

IN THE MATTER : ORDER

- of - :

THE INCREASE AND IMPROVEMENT :
OF THE WEST HEMPSTEAD-HEMPSTEAD :
GARDENS WATER DISTRICT IN THE TOWN :
OF HEMPSTEAD, COUNTY OF NASSAU, :
STATE OF NEW YORK :

----- X

WHEREAS, the Board of Water Commissioners of the West Hempstead-Hempstead Gardens Water District by Resolution adopted on March 27, 2019 has proposed certain improvements and has requested that the Town Board hold a public hearing regarding the upgrade of the facilities and equipment of the District; and

WHEREAS, said Board of Water Commissioners has submitted a petition to the Town Board with an estimate of cost relating to said improvements; and

WHEREAS, the Town Board has determined, pursuant to Provisions of the State Environmental Quality Review Act and Article 8 Part 617.5(c)(1) and 617.5(c)(5) the N.Y.C.R.R. that such increase and improvement is considered to be a "Type II Action" and does not have a significant effect on the environment and does not require an environmental impact statement or any other determination under the State Environmental Quality Review Act; and

WHEREAS, it is in the public interest that the Town Board of the Town of Hempstead consider the proposition herein set forth and to call a public hearing thereon;

NOW, THEREFORE, BE IT

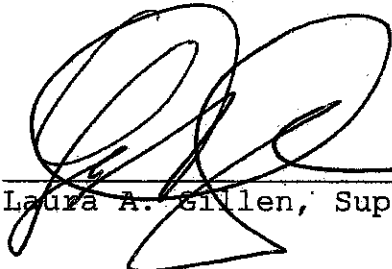
Item # 16
Case # 921

NOW, THEREFORE, BE IT

ORDERED, that a public hearing be held by this Town Board on the 6th day of August , 2019, at 10:30 o'clock in the forenoon at the Town Meeting Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Town of Hempstead, Nassau County, New York, on the increase and improvement of the West Hempstead-Hempstead Gardens Water District consisting of an upgrade of facilities including an improvement for the removal of contaminants at Wells 7-1 and 7-2 at the Districts 7th Street facility at an estimated maximum cost of \$6,540,000.00 to be financed by the issuance of obligations of the Town to be due and payable and shall be assessed, levied and collected from the several lots and parcels of land within the West Hempstead-Hempstead Garden Water District

ALL PERSONS desiring to be heard concerning the subject of the above-mentioned hearing will be given an opportunity to be heard at the time and place aforesaid.

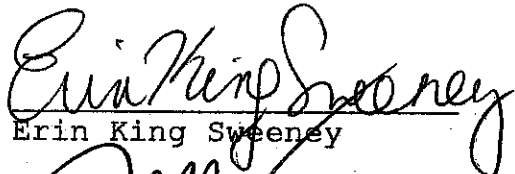
Dated: Hempstead, New York
June 11 , 2019



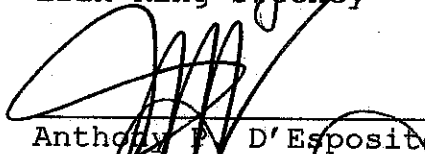
Laura A. Gillen, Supervisor

Dorothy L. Goosby

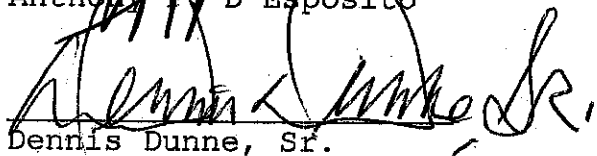
Bruce A. Blakeman



Erin King Sweeney



Anthony P. D'Esposito



Dennis Dunne, Sr.



Thomas E. Muscarella

Members of the Town Board
of the Town of Hempstead

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that a Public Hearing will be held by the Town Board of the Town of Hempstead, Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on Aug 6, 2019 at 10:30 o'clock in the forenoon of that day for the purpose of considering the application of KARIFA AUTO REPAIR INC or Special Exception (Public Garage) to operate an auto body repair shop with temporary outdoor storage for vehicles under repair INWOOD, New York:

A rectangular parcel located on the n/w/c of Lawrence Ave. & Randall Ave. w/frontage of 100.22' on the w/si of Lawrence Ave. & 117.80' of frontage on the n/si of Randall Ave. situated in Inwood, Town of Hempstead, County of Nassau, New York.

Maps pertaining to said proposal is on file with the application above mentioned in the Office of the undersigned and may be viewed during office hours.

All persons interested in the subject matter will be given an opportunity to be heard 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: July 2, 2019
Hempstead, N.Y.

Item # 17
Case # 26276

Decision of Bolla Em Realty in Seaford

Item # 18
Case # 29182

Decision of Bolla Em Realty in Seaford

Item # 19
Case # 29182

RESOLUTION RE: ACCEPTING BENJAMIN ACKER, MOHAMMAD ARSHAD, SCOTT BIRDIE, GARY BLAIR, ZACK GOLUB, MATTHEW HAVER, ERIC MORALES, CHRISTOPHER NOLAN, DANIEL PHILLIPS & QUINTON N. SEIP, AS ACTIVE MEMBERS IN THE EMPIRE HOSE COMPANY NO. 3, INC., MERRICK, NEW YORK.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLVED, that the action of EMPIRE HOSE COMPANY NO. 3, INC., MERRICK, NEW YORK in accepting BENJAMIN ACKER, [REDACTED], Bellmore, New York 11710; MOHAMMAD ARSHAD, [REDACTED], Merrick, New York 11566; SCOTT BIRDIE, [REDACTED], Merrick, New York 11566; GARY BLAIR, [REDACTED], Merrick, New York 11566; ZACK GOLUB, [REDACTED], Merrick, New York 11566; MATTHEW HAVER, [REDACTED], Merrick, New York 11566; ERIC MORALES, [REDACTED], Merrick, New York 11566; CHRISTOPHER NOLAN, [REDACTED], Merrick, New York 11566; DANIEL PHILLIPS, [REDACTED], Merrick, New York 11566 & QUINTON N. SEIP, [REDACTED], Merrick, New York 11566 into the company rolls as members, be and the same hereby is ratified and approved.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 20

Case # 311

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 UNSAFE DEAD TREE, LOCATED ON THE PREMISES IMPROVED WITH A TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE NORTH SIDE OF JACKSON STREET, 420 FEET EAST OF EASTERN PARKWAY. SEC 54, BLOCK 379, AND LOT (S) 1650-1652, A/K/A 1041 JACKSON 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 exterior property area located at 1041 Jackson Street, Baldwin; and

WHEREAS, said inspection disclosed that contrary to NYS §302.1 of the New York State Property Maintenance Code and Chapter 90-1 of the Code of the Town of Hempstead regulations, an unsafe dead tree upon an abandoned building; 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 Long Island Tree & Landscape Service Inc., PO Box 1531, Seaford, New York 11783, 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 932-2017; and

WHEREAS, the Commissioner of the Department of Buildings directed Long Island Tree & Landscape Service Inc., to remove one (1) tree, located at 1041 Jackson Street, Baldwin;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$1,840.00, the cost associated with the emergency services provided at 1041 Jackson 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 \$2,090.00 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 #

21

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 UNSAFE DEAD TREE, LOCATED ON THE PREMISES IMPROVED WITH A ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE, LOCATED ON THE SOUTH SIDE OF HEMLOCK STREET, 100 FEET EAST OF PALMETTO DRIVE. SEC 35, BLOCK 593, AND LOT (S) 22, A/K/A 867 HEMLOCK STREET, 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 exterior property area located at 867 Hemlock Street, Franklin Square; and

WHEREAS, said inspection disclosed that contrary to NYS §302.1 of the New York State Property Maintenance Code and Chapter 90-1 of the Code of the Town of Hempstead regulations, an unsafe dead tree upon an abandoned building; 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 Long Island Tree & Landscape Service Inc., PO Box 1531, Seaford, New York 11783, 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 932-2017; and

WHEREAS, the Commissioner of the Department of Buildings directed Long Island Tree & Landscape Service Inc., to remove two (2) trees, located at 867 Hemlock Street, Franklin Square;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$3,680.00, the cost associated with the emergency services provided at 867 Hemlock Street, 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 \$3,930.00 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 # 21

Case # 6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE TWO STORY WOOD FRAME ONE FAMILY DWELLING AND DEBRIS FROM PREMISE: SAID PREMISE LOCATED ON THE SOUTH SIDE OF BERTHA DRIVE, 162 FEET EAST OF BERTHA COURT. SECTION 54, BLOCK 590, AND LOT(S) 6, AKA 3498 BERTHA DRIVE, 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 unsafe structure located at 3498 Bertha Drive, Baldwin, Town of Hempstead, New York; 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 structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 456-2017; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 3498 Bertha Drive, Baldwin; and

WHEREAS, on March 7, 2019, Cashin Associates, P.C., performed the surveying, architectural and engineering services directed by the Commissioner of the Department of Buildings and has submitted a bill for services rendered, in the amount of \$962.50; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$962.50, the cost associated with such services provided regarding 3498 Bertha Drive, 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 \$1,212.50 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 #

22

Case #

6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE TWO STORY WOOD FRAME ONE FAMILY DWELLING AND DEBRIS FROM PREMISE: SAID PREMISE LOCATED ON THE NORTHWEST CORNER OF FISHERMANS ROAD AND HARBOR STREET. SECTION 54, BLOCK 431, AND LOT(S) 43-44, AKA 709 FISHERMANS ROAD, 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 unsafe structure located at 709 Fishermans Road, Baldwin, Town of Hempstead, New York; 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 structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 456-2017; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 709 Fishermans Road, Baldwin; and

WHEREAS, on April 10, 2019, Cashin Associates, P.C., performed the surveying, architectural and engineering services directed by the Commissioner of the Department of Buildings and has submitted a bill for services rendered, in the amount of \$962.50; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$962.50, the cost associated with such services provided regarding 709 Fishermans Road, 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 \$1,212.50 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 #

22

Case #

6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED TWO CAR GARAGE AND DEBRIS FROM PREMISE: SAID PREMISE LOCATED ON THE NORTH SIDE OF SOUTHEAST CORNER OF SCHOOL DRIVE AND BOND STREET. SECTION 36, BLOCK 508, AND LOT(S) 35, AKA 800 SCHOOL DRIVE, 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 unsafe structure located at 800 School Drive, Baldwin, Town of Hempstead, New York; 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 structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 456-2017; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 800 School Drive, Baldwin; and

WHEREAS, on April 25, 2019, Cashin Associates, P.C., performed the surveying, architectural and engineering services directed by the Commissioner of the Department of Buildings and has submitted a bill for services rendered, in the amount of \$1,137.50; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$1,137.50, the cost associated with such services provided regarding 800 School Drive, 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 \$1,387.50 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 # 22

Case # 6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE INGROUND SWIMMING POOL AND DEBRIS FROM PREMISE: SAID PREMISE LOCATED ON THE SOUTH SIDE OF FOREST AVENUE, 290 FEET WEST OF HILDA STREET, SECTION 51, BLOCK 14, AND LOT(S) 672, AKA 2694 FOREST 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 unsafe structure located at 2694 Forest Avenue, East Meadow, Town of Hempstead, New York; 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 structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 456-2017; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 2694 Forest Avenue, East Meadow; and

WHEREAS, on April 25, 2019, Cashin Associates, P.C., performed the surveying, architectural and engineering services directed by the Commissioner of the Department of Buildings and has submitted a bill for services rendered, in the amount of \$875.00; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$875.00, the cost associated with such services provided regarding 2694 Forest 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 \$1,125.00 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 # 22

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE SOUTHEAST CORNER OF EVANS AVENUE AND UNION AVENUE. SEC 32, BLOCK 567, AND LOT(S) 44-45, A/K/A 94 EVANS AVENUE, ELMONT, 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 unsafe structure located at 94 Evans Avenue, Elmont, Town of Hempstead, New York; 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 structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 456-2017; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 94 Evans Avenue, Elmont; and

WHEREAS, on February 26, 2019, Cashin Associates, P.C., performed verbal testimony at the Town Board Hearing with regard to the Chapter 90 report and has submitted a bill for services rendered, in the amount of \$300.00; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$300.00, the cost associated with such services provided regarding 94 Evans Avenue, Elmont, 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 \$550.00 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 # 22

Case # 6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH TWO CAR DETACHED GARAGE AND DEBRIS FROM PREMISE: SAID PREMISE LOCATED ON THE WEST SIDE OF LOCUSTWOOD BOULEVARD, 40 FEET NORTH OF 106TH AVENUE. SECTION 32, BLOCK 377, AND LOT(S) 39-40, AKA 59 LOCUSTWOOD BOULEVARD, ELMONT, 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 unsafe structure located at 59 Locustwood Boulevard, Elmont, Town of Hempstead, New York; 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 structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 456-2017; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 59 Locustwood Boulevard, Elmont; and

WHEREAS, on March 27, 2019, Cashin Associates, P.C., performed the surveying, architectural and engineering services directed by the Commissioner of the Department of Buildings and has submitted a bill for services rendered, in the amount of \$875.00; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$875.00, the cost associated with such services provided regarding 59 Locustwood Boulevard, Elmont, 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 \$1,125.00 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 # 22
Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE, LOCATED ON THE WEST SIDE OF HARVARD ROAD, 200 FEET SOUTH OF PRINCETON AVENUE. SEC 33, BLOCK 462, AND LOT(S) 24-25, A/K/A 319 HARVARD ROAD, GARDEN CITY SOUTH, 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 unsafe structure located at 319 Harvard Road, Garden City South, Town of Hempstead, New York; 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 structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 456-2017; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 319 Harvard Road, Garden City South; and

WHEREAS, on April 2, 2019, Cashin Associates, P.C., performed verbal testimony at the Town Board Hearing with regard to the Chapter 90 report and has submitted a bill for services rendered, in the amount of \$300.00; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$300.00, the cost associated with such services provided regarding 319 Harvard Road, Garden City South, 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 \$550.00 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 # 22

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING, LOCATED ON THE SOUTH SIDE OF CATHEDRAL AVENUE, 40 FEET EAST OF BEACHVIEW AVENUE. SEC 43, BLOCK 396, AND LOT(S) 38, A/K/A 240 CATHEDRAL AVENUE, ISLAND PARK, 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 unsafe structure located at 240 Cathedral Avenue, Island Park, Town of Hempstead, New York; 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 structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 456-2017; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 240 Cathedral Avenue, Island Park; and

WHEREAS, on February 26, 2019, Cashin Associates, P.C., performed verbal testimony at the Town Board Hearing with regard to the Chapter 90 report and has submitted a bill for services rendered, in the amount of \$300.00; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$300.00, the cost associated with such services provided regarding 240 Cathedral Avenue, Island Park, 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 \$550.00 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 # 22

Case # 6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE AND DEBRIS FROM PREMISE: SAID PREMISE LOCATED ON THE SOUTH SIDE OF CLAY LANE, 231 FEET EAST OF COOPER LANE. SECTION 51, BLOCK 200, AND LOT(S) 6, AKA 12 CLAY 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 unsafe structure located at 12 Clay Lane, Levittown, Town of Hempstead, New York; 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 structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 456-2017; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 12 Clay Lane, Levittown; and

WHEREAS, on April 25, 2019, Cashin Associates, P.C., performed the surveying, architectural and engineering services directed by the Commissioner of the Department of Buildings and has submitted a bill for services rendered, in the amount of \$1,050.00; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$1,050.00, the cost associated with such services provided regarding 12 Clay 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 \$1,300.00 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 # 22

Case # 6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH IN-GROUND SWIMMING POOL AND DEBRIS FROM PREMISE: SAID PREMISE LOCATED ON THE NORTH SIDE OF BRIGHTON WAY, 70 FEET WEST OF WYNSUM AVENUE. SECTION 63, BLOCK 139, AND LOT(S) 32-33 & 79, AKA 121 BRIGHTON WAY, 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 unsafe structure located at 121 Brighton Way, Merrick, Town of Hempstead, New York; 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 structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 456-2017; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 121 Brighton Way, Merrick; and

WHEREAS, on March 7, 2019, Cashin Associates, P.C., performed the surveying, architectural and engineering services directed by the Commissioner of the Department of Buildings and has submitted a bill for services rendered, in the amount of \$962.50; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$962.50, the cost associated with such services provided regarding 121 Brighton Way, 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 \$1,212.50 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 # 22

Case # 6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT IN RELATION TO THE DEMOLITION AND REMOVAL OF A TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE, AND REMOVAL OF ALL LITTER AND DEBRIS FROM SAID PREMISE LOCATED ON THE NORTHEAST CORNER OF BROWER AVENUE AND SUNNYBROOK DRIVE WEST. SEC 54, BLOCK 501, AND LOT (S) 45, A/K/A 3247 BROWER AVENUE, OCEANSIDE, 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 demolish and remove the unsafe structure located at 3247 Brower Avenue, Oceanside, Town of Hempstead, New York; and

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

WHEREAS, the Commissioner of the Department of Buildings deemed the unsafe 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 L and G Ruggiero Inc. at 702 Cord Avenue, Lindenhurst, New York, 11757, 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 182-2015; and

WHEREAS, the Commissioner of the Department of Buildings directed L and G Ruggiero, Inc. to demolish and remove an unsafe two story wood frame one family dwelling with attached garage, located at 3247 Brower Avenue, Oceanside; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$30,242.00, the cost associated with the emergency services provided at 3247 Brower Avenue, Oceanside, 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 \$30,492.00 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 # 22

Case # 6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE ONE STORY WOOD FRAME ONE FAMILY DWELLING AND DEBRIS FROM PREMISE: SAID PREMISE LOCATED ON THE EAST SIDE OF PECONIC AVENUE, 1290 FEET SOUTH OF BAYVIEW AVENUE. SECTION 63, BLOCK 208, AND LOT(S) 142-144, AKA 2657 PECONIC AVENUE, SEAFORD, 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 unsafe structure located at 2657 Peconic Avenue, Seaford, Town of Hempstead, New York; 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 structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 456-2017; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 2657 Peconic Avenue, Seaford; and

WHEREAS, on April 10, 2019, Cashin Associates, P.C., performed the surveying, architectural and engineering services directed by the Commissioner of the Department of Buildings and has submitted a bill for services rendered, in the amount of \$962.50; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$962.50, the cost associated with such services provided regarding 2657 Peconic Avenue, Seaford, 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 \$1,212.50 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 # 22

Case # 6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE AND DEBRIS FROM PREMISE: SAID PREMISE LOCATED ON THE WEST SIDE OF SEATON PLACE, 40 FEET SOUTH OF BRADFORD ROAD. SECTION 37, BLOCK Q03, AND LOT(S) 25, AKA 21 SEATON PLACE, VALLEY STREAM, 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 unsafe structure located at 21 Seaton Place, Valley Stream, Town of Hempstead, New York; 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 structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 456-2017; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 21 Seaton Place, Valley Stream; and

WHEREAS, on March 27, 2019, Cashin Associates, P.C., performed the surveying, architectural and engineering services directed by the Commissioner of the Department of Buildings and has submitted a bill for services rendered, in the amount of \$962.50; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$962.50, the cost associated with such services provided regarding 21 Seaton Place, Valley Stream, 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 \$1,212.50 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 # 22
Case # 6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE AND DEBRIS FROM PREMISE: SAID PREMISE LOCATED ON THE SOUTH SIDE OF SCANEATELES AVENUE, 114 FEET WEST OF WOODFIELD ROAD. SECTION 35, BLOCK 415, AND LOT(S) 768-771 & 894, AKA 407 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 unsafe structure located at 407 Scaneateles Avenue, West Hempstead, Town of Hempstead, New York; 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 structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 456-2017; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 407 Scaneateles Avenue, West Hempstead; and

WHEREAS, on January 23, 2019, Cashin Associates, P.C., performed the surveying, architectural and engineering services directed by the Commissioner of the Department of Buildings and has submitted a bill for services rendered, in the amount of \$875.00; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$875.00, the cost associated with such services provided regarding 407 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 \$1,125.00 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 #

22

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE DETACHED GARAGE AND DEBRIS FROM PREMISE: SAID PREMISE LOCATED ON THE NORTH SIDE OF SCANEATELES AVENUE, 89 FEET EAST OF MAHOPAC ROAD. SECTION 35, BLOCK 458, AND LOT(S) 739-742, AKA 440 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 unsafe structure located at 440 Scaneateles Avenue, West Hempstead, Town of Hempstead, New York; 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 structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 456-2017; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 440 Scaneateles Avenue, West Hempstead; and

WHEREAS, on January 23, 2019, Cashin Associates, P.C., performed the surveying, architectural and engineering services directed by the Commissioner of the Department of Buildings and has submitted a bill for services rendered, in the amount of \$875.00; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$875.00, the cost associated with such services provided regarding 440 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 \$1,125.00 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 # 22

Case # 6542

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION ESTABLISHING AN ELECTRIC VEHICLE SHARING PILOT PROGRAM AND AUTHORIZING AN AGREEMENT WITH GREENSPOT JC LLC.

WHEREAS, the Town of Hempstead (the "Town") recognizes the need for a sustainable alternative to car ownership for its residents which would serve to decrease traffic and parking congestion within the Town while reducing carbon emissions and reliance on fossil-fuels; and

WHEREAS, the Town is seeking to implement a smart mobility pilot program, which would include an on-demand fleet of electric vehicles to be rented by the general public (the "Services"); and

WHEREAS, following the issuance of a request for proposals, the Town received a sole response from Greenspot JC LLC, having a business address at 155 2nd Street, Jersey City, NJ 07302; and

WHEREAS, following an evaluation of the aforementioned proposal, it was determined that Greenspot JC LLC is duly qualified and meets the needs of the Town; and

WHEREAS, before determining whether or not to provide the Services town wide, the Town Board wishes to conduct a small-scale, short-term, Electric Vehicle Sharing Pilot Program within the 5th Council District at the following locations:

Location 1: 2253 Grand Ave, Baldwin, NY 11510
Location 2: 3481 Jerusalem Avenue, Wantagh NY 11793
Location 3: 2370 Bedford Ave S, Bellmore, NY 11710

(the "Pilot Program"); and

WHEREAS, Greenspot JC LLC has agreed to participate in the Pilot Program at no cost to the Town; and

WHEREAS, it is recommended that the Town enter into an agreement with Greenspot JC LLC to provide the Services within the framework of the Pilot Program for a term of one year commencing on August 1, 2019 (the "Agreement"); and

WHEREAS, the Town Board has determined that it is in the best interest of the Town to establish the Pilot Program and authorize the Agreement with Greenspot JC LLC.

NOW, THEREFORE, BE IT

RESOLVED, that the Pilot Program is hereby established and the Agreement be and is hereby authorized; and be it further

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

RESOLVED, that the Comptroller is hereby authorized and directed to deposit monies due and owing to the Town in conjunction with this Agreement, if any, into the appropriate revenue accounts.

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item # 23

Case # 29734

CASE NO. 25843

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved
its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE GRANTING
OF THE APPLICATION OF NANCY BELESKI FOR A PARADE
PERMIT FOR A PROCESSION HELD IN BELLMORE, NEW YORK,
ON JULY 04, 2019.

WHEREAS, Nancy Beleski of Bellmore, New York, Organizer of the
Nancy Beleski, New York has filed an application with the Town Clerk of the
Town of Hempstead, for a Parade Permit for a Procession to be held in Bellmore,
New York, on July 04, 2019 from 9:30 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 Nancy
Beleski, Organizer of the Nancy Beleski, 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 # 24

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 OUR LADY OF MT. CARMEL FOR A
PARADE PERMIT FOR A PARADE HELD IN FRANKLIN SQUARE,
NEW YORK, ON JULY 16, 2019.

WHEREAS, Dominick Zangla of Elmont, New York, Chairman of the Our
Lady of Mt. Carmel, 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 July 16, 2019 from 7:00 PM to 8:30 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
Dominick Zangla, Chairman of the Our Lady of Mt. Carmel, 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 #

24

Case #

25843

CASE NO. 25843

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved

its adoption:

RESOLUTION GRANTING OF THE APPLICATION OF STUDENT COUNCIL GWHHS FOR A PARADE PERMIT FOR A PARADE TO BE HELD IN HEWLETT, NEW YORK, ON SEPTEMBER 21, 2019.

WHEREAS, Andrew DeBernardo of Hewlett, New York, Student Council Advisor of the Student Council GWHHS, 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 Hewlett, New York, on September 21, 2019 from 1:00 PM to 1:20 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 Andrew DeBernardo, Student Council Advisor of the Student Council GWHHS, 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 #

29

Case #

25843

CASE NO. 25843

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved
its adoption:

RESOLUTION GRANTING OF THE APPLICATION OF THE
FRIEDBERG JCC FOR A PARADE PERMIT FOR A PARADE TO BE
HELD IN OCEANSIDE, NEW YORK, ON SEPTEMBER 08, 2019.

WHEREAS, Denise Torre of Oceanside, New York, Director, H + F of the
Friedberg JCC, 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 Oceanside,
New York, on September 08, 2019 from 8:00 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 of the aforesaid application of Denise Torre, Director
H + F of the Friedberg JCC, 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 #

24

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 POINT LOOKOUT - LIDO FIRE
DEPARTMENT FOR A PARADE PERMIT FOR A PARADE HELD IN
POINT LOOKOUT, NEW YORK, ON JULY 04, 2019.**

WHEREAS, James Guerin of Point Lookout, New York, 1St. Asst Chief of the Point Lookout - Lido Fire Department, 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 Point Lookout, New York, on July 04, 2019 from 10:00 AM to 11:30 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 James Guerin, 1St. Asst Chief of the Point Lookout - Lido Fire Department, 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 #

24

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 THE LUSTGARTEN FOUNDATION FOR A PARADE PERMIT FOR A K-RUN HELD IN WANTAGH, NEW YORK, ON JULY 27, 2019.

WHEREAS, Justin Rockitter of Wantagh, New York, Race Director of the Lustgarten Foundation, 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 Wantagh, New York, on July 27, 2019 from 7:00 AM to 12:00 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 Justin Rockitter, Race Director of the Lustgarten Foundation, 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 #

24

Case #

25843

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION ACCEPTING MONETARY GIFTS FROM VARIOUS INSTITUTIONS FOR SUPPORT OF SENIOR CITIZENS' PROGRAMS OF THE TOWN OF HEMPSTEAD DEPARTMENT OF SENIOR ENRICHMENT.

WHEREAS, the Town Of Hempstead provides educational, social, recreational, and cultural programs (the "Programs") to the elderly through the Department of Senior Enrichment; and

WHEREAS, various institutions have offered to make monetary gifts for the purpose of funding the programs in the amount as follows:

AMBER COURT OF WESTBURY LLC	\$2,300.00
AMBER COURT OF WESTBURY LLC	\$ 500.00
AMERICAN SECURITY TECHNOLOGIES, INC. d/b/a LIFE BUTTON 24, MONITORETECH, SMOKE ALARM MONITORING	\$ 500.00
EMBLEMHEALTH	\$ 300.00
EMBLEMHEALTH	\$2,300.00
EMBLEMHEALTH	\$ 500.00
HUMANA	\$ 500.00
LYNBROOK RESTORATIVE THERAPY AND NURSING	\$ 500.00
MAXIM HEALTHCARE SERVICES	\$ 500.00
MOBILE ERGONOMICS, INC.	\$ 500.00
OCEAN AVE MEDICAL AND CARDIOREHAB P.C.	\$ 500.00
REDDY-CARE PHYSICAL THERAPY, P.C.	\$ 500.00
SARA COMPANION SERVICES INC.	\$ 800.00
SECOND HOME OF LONG ISLAND LLC	\$ 500.00
FULTON COMMONS CARE CENTER THE NEW FULTON COMMONS CO., INC.	\$ 500.00

WHEREAS, pursuant to Section 64 (8) of the Town Law of the State of New York governing the acceptance of gifts by a town board, the Town Board deems it to be in the public interest to accept the above-mentioned gifts; and

NOW, THEREFORE, BE IT

RESOLVED that the Town board hereby gratefully accepts the gifts from various institutions for the purpose of funding the Programs; and be it further

RESOLVED, that the Comptroller be and he hereby is authorized and directed to accept funds donated by various institutions, to be deposited into the Code 010-004-6772-2705, Department of Senior Enrichment Gifts and Donations Revenue Account.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 25
Case # 13441

CASE NO.

RESOLUTION NO.

Adopted:

offered the following
resolution and moved its adoption:

RESOLUTION AMENDING RESOLUTION 429-2002
(AS PREVIOUSLY AMENDED) TO PROVIDE FOR A
REVISED PROGRAM PRICING SCHEDULE IN THE
TOWN'S AGREEMENT WITH IRON MOUNTAIN
RECORDS MANAGEMENT, INC.

WHEREAS, the Office of the Town Clerk has
specific needs and confidentiality concerns regarding Marriage,
Birth and Death Licenses/Certificates and New York State
Archives advises that disaster preparedness necessitates off-site
storage of original materials; and

WHEREAS, for that purpose and pursuant to
resolution 429-2002, the town entered into an agreement ("the
Agreement") with Iron Mountain Records Management, Inc. of
185 Adam Avenue, Hauppauge, New York 11788 for secure
storage and retrieval of historical data from 1644 to the present and
Marriage, Birth and Death data from 1847 to the present; and

WHEREAS, the authorization made under that
resolution was subject to a spending cap ("the Cap"); and

WHEREAS, by resolutions 374-2004, 1301-2008,
27-2010 & 520-2014 both the agreement and the Cap were
amended; and

WHEREAS, by letter dated November 30, 2018,
Iron Mountain Records Management, Inc. has submitted a letter to
the Town Clerk, setting forth a proposal to amend the Agreement
by the substitution of a new "Renewal Schedule A-Program
Pricing Schedule" for the existing "Schedule A"; effective January
1, 2019; and

WHEREAS, the Town Clerk deems the program
pricing schedule proposed by Iron Mountain Records
Management, Inc. to be fair and reasonable for the services
provided;

NOW, THEREFORE, BE IT

RESOLVED, that the Agreement by and between
the town and Iron Mountain Records Management, Inc. as
amended, be and hereby is amended by the substitution of a new
"Renewal Schedule A - Program Pricing Schedule" for the existing
"Schedule A," and effective January 1, 2019; and

BE IT FURTHER RESOLVED, that the Cap
referred to in resolution 429-2002, as amended, be increased to
\$10,000 per calendar year with charges to be paid from the Town
Clerk account 010-001-1410-4040;

The foregoing resolution was adopted upon roll call
as follows:

AYES:

NOES:

Item #

26

Case #

6071

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION MODIFYING RESOLUTION NO. 338-2016
REGARDING FEES FOR THE SWIMMING POOLS AT
HAROLD A. WALKER MEMORIAL PARK, LAKEVIEW, NY AND
ROOSEVELT POOL, ROOSEVELT, NY.

WHEREAS, this Town Board adopted Resolution No. 338-2016 on March 8, 2016;
and

WHEREAS, this Board wishes to amend said resolution to modify certain fees;

NOW, THEREFORE, BE IT

RESOLVED, that Town Board Resolution No. 338-2016 be and is hereby
rescinded in its entirety;

AND, BE IT FURTHER

RESOLVED, that the following fees for the swimming pools at Harold A. Walker
Memorial Park, Lakeview, NY and Roosevelt Pool, Roosevelt, NY, be and are hereby
established:

SEASONAL RATES

Family Resident Membership	\$ 121.00
Family Non - District Membership	\$ 142.00
<u>Family - Town of Hempstead Resident - Active Military</u>	\$ 0
Individual Resident Membership	\$ 60.50
Individual Non-district Resident Membership	\$ 73.00
<u>Individual - Town of Hempstead Resident - Active Military</u>	\$ 0

DAILY RATES

Resident	\$ 3.50
Non-district Resident	\$ 5.00
<u>Town of Hempstead Resident - Active Military</u>	\$ 0
Non-profit Group Discount - 30%	
Discount Coupon Book(15 coupons)	\$ 25.00

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

27

Case #

28598

CASE NO.

RESOLUTION NO.

Adopted:

Council(wo)man offered the following resolution and moved its adoption as follows:

RESOLUTION MODIFYING RESOLUTION NO. 809-2019 REGARDING CERTAIN FEES FOR FACILITIES AT THE TOWN PARK AT LIDO, LIDO BEACH, N.Y.

WHEREAS, this Town Board adopted Resolution No. 809-2019 on July 2, 2019; and

WHEREAS, the Town Board wishes to amend said resolution regarding certain fees;

NOW, THEREFORE, BE IT

RESOLVED, that the following fees for Town Park at Lido, Lido Beach, N.Y., shall be:

PICNIC - GROUP RESERVATION

50-100 People	\$165.00
101-150 People	\$ 231.00
151-250 People	\$ 330.00
251-350 People	\$ 467.50
351-500 People	\$ 638.00
501-700 People	\$ 825.00
701 & up	\$ 990.00

VEHICLE ENTRANCE FEE

Daily - Town of Hempstead Resident, or Reserved Picnic Area attendee	\$ 10.00
Daily - Town of Hempstead Resident - Active Military	\$ 0
Daily - Town of Hempstead Non-Resident	\$ 50.00
Daily - Town of Hempstead Non-Resident (Walk -ins)	\$ 25.00
Bus-Daily (profit making organizations including suburban type vehicles)	\$110.00
Bus-Daily (non-profit making organizations including suburban type vehicles)	\$ 55.00
Daily Bus Non- Town of Hempstead Resident	\$ 300.00
Weekend/Holiday Pool Fees	\$ 7.50
Weekend Senior Citizen/ Handicap/Aux.Pol./Vol.Fire-Ambul Veteran/Children 5-9 yrs. of age	\$ 3.75
<u>Pool Fees - Town of Hempstead Resident - Active Military</u>	<u>\$ 0</u>
Non-profit Group Discount- 30%	

The foregoing resolution was adopted upon roll call as follows:

AYES:
NOES:

Item # 28

Case # 28598

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved

its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE GRANTING OF THE APPLICATION OF TD BANK TO DISPLAY FIREWORKS CONDUCTED BY FIREWORKS BY GRUCCI, INC. HELD AT EISENHOWER PARK, EAST MEADOW, NEW YORK ON JUNE 29, 2019. RAIN DATE: JUNE 30, 2019.

WHEREAS, TD Bank of 9000 Atrium Way, Mount Laurel, NJ 08054, filed an application with the Town Clerk of the Town of Hempstead, to display fireworks conducted by Fireworks By Grucci, Inc., 20 Pinehurst Drive, Bellport, NY 11713, held in East Meadow, New York, on June 29, 2019. Rain Date: June 30, 2019.

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 GRANTING of the aforesaid application of TD Bank be and the same is hereby RATIFIED AND CONFIRMED, 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 #

29

Case #

687

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved

its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE GRANTING OF THE APPLICATION OF HEMPSTEAD GOLF AND COUNTRY CLUB TO DISPLAY FIREWORKS CONDUCTED BY PYRO ENGINEERING. INC. DBA VOLT LIVE, AT HEMPSTEAD, NEW YORK ON JUNE 29, 2019. RAIN DATE: JUNE 30, 2019.

WHEREAS, Hempstead Golf and Country Club of 60 Front Street, Hempstead, NY 11550, filed an application with the Town Clerk of the Town of Hempstead, to display fireworks conducted by Pyro Engineering dba Volt Live, 999 South Oyster Bay Road, Suite 111, Bethpage, NY 11714, held in Hempstead, New York, on June 29, 2019. Rain Date: June 30, 2019.

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 GRANTING of the aforesaid application of Hempstead Golf and Country Club be and the same is hereby RATIFIED AND CONFIRMED, 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 #

30

Case #

23436

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved

its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE GRANTING OF THE APPLICATION OF THE TOWN OF HEMPSTEAD TO DISPLAY FIREWORKS CONDUCTED BY PYRO ENGINEERING, INC. DBA VOLT LIVE, AT TOWN PARK, POINT LOOKOUT, NEW YORK ON JUNE 29, 2019. RAIN DATE: JUNE 30, 2019.

WHEREAS, The Town of Hempstead of Hempstead, New York, filed an application with the Town Clerk of the Town of Hempstead, to display fireworks conducted by Pyro Engineering, Inc., dba Volt Live, 999 South Oyster Bay Road, Suite 111, Bethpage, New York, held in Point Lookout, New York, on June 29, 2019. Rain Date: June 30, 2019.

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 GRANTING of the aforesaid application of the Town of Hempstead be and the same is hereby RATIFIED AND CONFIRMED, 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 #

31

Case #

23436

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved

its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE GRANTING OF THE APPLICATION OF PINKTIE.ORG TO DISPLAY FIREWORKS CONDUCTED BY PYRO ENGINEERING, INC. HELD AT EISENHOWER PARK, EAST MEADOW, NEW YORK ON JUNE 10, 2019. NO RAIN DATE.

WHEREAS, Pinktie.org, of Melville, New York, filed an application with the Town Clerk of the Town of Hempstead, to display fireworks conducted by Pyro Engineering, Inc., 999 So. Oyster Bay Road, Suite 111, Bethpage, New York, held at Eisenhower Park, East Meadow, New York, on June 10, 2019. No Rain Date.

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 GRANTING of the aforesaid application of Pinktie.org be and the same is hereby RATIFIED AND CONFIRMED, 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 #

32

Case #

23436

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION ACCEPTING THE PROPOSAL OF H2M ARCHITECTS + ENGINEERS TO PROVIDE ANNUAL SAFETY AWARENESS TRAINING FOR THE TOPIC OF TRENCH AWARENESS & EXCAVATION SAFETY AND AUTHORIZING THE ATTENDENCE OF DISTRIBUTION PERSONNEL (13) AT SAID TRAINING

WHEREAS, the Town of Hempstead Department of Water is responsible for maintaining and repairing various components of the water distribution system including repairing water main breaks and service line leaks throughout it's service areas; and

WHEREAS, performing said maintenance and repairs requires the excavation of soils and the entry of personnel into the excavation to perform the service; and

WHEREAS, New York State Department of Labor – Public Employee Safety and Health Bureau (PESH) requires that employees receive OSHA Safety Awareness Training in the topic of Trench Awareness & Excavation Safety (the Training) on an annual basis; and

WHEREAS, the Department of Water has determined that it is prudent to have the thirteen employees of the Distribution Section of the Department of Water (Paul Slater, Silvio Laucella, Robert Kneuer, Jr., Andrew Carbone, Anthony Wilders, Eric Jaffe, Christopher Marschall, Israel Rodriguez, Jonathon Rizzi, Brian Hayes, Brian Bonora, Jr., Michael Zafonte, and Michael Clarke) attend the Training; and

WHEREAS, H2M Architects + Engineers, 538 Broad Hollow Road, 4th Floor East, Melville, New York 11747 in its proposal letter dated May 9, 2019 and revised June 7, 2019 proposes to provide the Training on two separate dates (July 23, 2019 and July 24, 2019) to allow for the retention of half of the Department's distribution personnel during each training session to respond to emergencies should they occur for a total cost of \$2,040.00, and

WHEREAS, the Commissioner of the Department of Water deems it to be in the best interest of the Town that these employees attend the Training.

NOW, THEREFORE, BE IT

RESOLVED, that the employees named above (13) of the Department of Water are hereby authorized to attend the Training to be held at Garden City Park Firehouse. 2264 Jericho Turnpike, Garden City Park, NY, approximately one half each day, on July 23, 2019 and July 24, 2019; to be given by H2M Architects + Engineers 538 Broad Hollow Road, 4th Floor East, Melville, New York 11747 and;

BE IT FURTHER RESOLVED that the Supervisor be and hereby is authorized and directed to make payment of fees for the Training to be paid from and charged against Water Department Account 500-006-8310-4470, and not to exceed Two thousand forty dollars (\$2,040.00)

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 33

Case # 12130
26 427

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution
and moved its adoption:

RESOLUTION AMENDING RESOLUTION #806-2019
CONFIRMING AN AGREEMENT BETWEEN ALCOTT
HR GROUP, LLC AND THE DEPARTMENT OF
OCCUPATIONAL RESOURCES .

WHEREAS, on July 20, 2019 the Town Board extended the Department of
Occupational Resources agreement with Alcott HR Group until September 30, 2019; and

WHEREAS, it is in the public interest to extend said contract until October 7,
2019; and

WHEREAS, it is necessary to increase the amount paid under said contract to
\$22,500.00;

NOW, THEREFORE, BE IT

RESOLVED, that the contract between Alcott HR Group, LLC and the
Department of Occupational Resources be extended until October 7, 2019; and, BE IT
FURTHER

RESOLVED, that the amount paid under said contract be increased to
\$22,500.00.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

34

Case #

30141

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE
COMMISSIONER OF GENERAL
SERVICES TO DISPOSE OF CERTAIN
RECORDS IN THE DIVISION OF
CEMETERIES, DEPARTMENT OF
GENERAL SERVICES

WHEREAS, the Division of Cemeteries, Department of General Services has requested permission to dispose of certain records here-in-below identified pursuant to Section 57-A of the Arts and Cultural Affairs Law of the State of New York;

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Hempstead that Vincent Iannucci, be and he hereby is authorized to dispose of Daily, Weekly, Monthly, Quarterly Reports, Postal Records, Permit of Approval, Deposit Slips, Claim for Payment, Record of Payroll, Time Cards, Sheets, or Books, Employee request for Leave and Overtime, Purchase Order, Purchase Requisition, Vendor File, Invoice, and Packing Slip consisting of 28 cubic feet as per Retention and Disposition Schedule No. MU-1, pursuant to Part 185, Title of the Official Compilation of Codes, Rules and Regulations of the State of New York; and

BE IT FURTHER

RESOLVED, that the Commissioner of General Services, be and he hereby is directed to dispose of certain records from the Division of Cemeteries, Department of General Services in accordance with the minimum legal retention periods set forth in Records Retention and Disposition Schedule No. MU-1 for Town Records.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

35

Case #

4724

Case No.

Resolution No.

Adopted:

Council(woman)
adoption:

offered the following resolution and moved its

**RESOLUTION ESTABLISHING BREAST
FEEDING POLICY**

WHEREAS, the Town Board wants to support nursing mothers make the Town a breastfeeding friendly workplace; and

WHEREAS, to achieve this, the Town Board wants to create a breastfeeding friendly policy that offers a private space to express milk, flexible break times, education about breastfeeding rights and support for mothers who return to work and continue breastfeeding;

NOW, THEREFORE, BE IT

RESOLVED, the Town's departments, in conjunction with Town of Hempstead CSEA Local 880 (the "Union"), shall designate and provide a private and sanitary place, other than a bathroom, for an employee who requests to breastfeed their babies or express milk, and said area shall provide an electrical outlet, comfortable chair, table or stand and nearby access to running water, and if said area cannot be provided at an employee's designated work site, then the Town, in conjunction with the Union, shall work to temporarily relocate the employee during the period of breastfeeding to a worksite than can provide said area; and be it further

RESOLVED, the Town's departments, in conjunction with the "Union", shall, if requested by an employee, provide a designated refrigerator/freezer for the exclusive storage of expressed breastmilk at the employee's worksite during the period of breastfeeding, with the responsibility for the designated refrigerator/freezer's internal cleanliness being the responsibility of the employees utilizing it; and be it further

RESOLVED, the Town's departments, in conjunction with the "Union", shall provide a flexible schedule for breastfeeding or pumping to provide breastmilk for her child, with said time not exceeding normal time allowed for lunch and breaks, and any time above and beyond normal lunch and break times being charged to the employees sick, vacation, or personal time; and be it further

RESOLVED, the Town's departments shall have a zero-tolerance policy for the harassment of any employee breastfeeding or expressing milk; and be it further,

RESOLVED, the Town's Department of Human Resources, in conjunction with the Union, will provide information on the Town's breastfeeding policy to the Town's employees; and be it further,

RESOLVED, the Town Attorney is authorized to negotiate any necessary Memorandum of Agreement or Understanding with the Union to effectuate this Policy, and said Memorandum shall require Town Board approval.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

36

Case #

28103

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE
TOWN'S PROCUREMENT POLICY AND PROCEDURES TO REQUIRE TOWN
BOARD APPROVAL PRIOR TO ANY AUTHORIZATION, AMENDMENT, OR
RENEWAL OF AN AGREEMENT.**

WHEREAS, the Town of Hempstead (the "Town") has heretofore adopted a procurement policy, and amended same, pursuant to Section 104-b of the New York State General Municipal Law (the "GML") concerning internal policies and procedures governing the procurement of goods and services not subject to the bidding requirements of Section 103 of the GML (the "Procurement Policy and Procedures"); and

WHEREAS, the Board wishes to authorize an Amendment to the Procurement Policy and Procedures to require Town Board approval prior to any authorization, amendment, or renewal of an agreement;

NOW, THEREFORE, BE IT

RESOLVED that the Town Board does hereby authorize the Amendment to the Procurement Policy and Procedures, as set forth in the amended Procurement Policy and Procedures, a copy of which is annexed hereto and will be on file in the offices of the Town Clerk and Comptroller; and be it further

RESOLVED that the Amendment to the Procurement Policy and Procedures shall take effect immediately; and be it further

RESOLVED that all Town departments are directed to implement the amended Procurement Policy and Procedures in compliance with this resolution.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

37

Case #

28103

TOWN OF HEMPSTEAD
PROCUREMENT POLICY AND PROCEDURES

In order to assure the prudent and economical use of public moneys in the best interests of the taxpayers of the Town, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance and fraud while recognizing the need for governmental work and services to be performed timely, the following Procurement Policy and Procedures shall govern procurement in the Town:

Guideline 1: Evaluation under General Municipal Law (GML) Section 103.

Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML Section 103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter "Purchaser") shall consider the reasonably expected aggregate amount of all purchases of the same commodities, services or technology to be made within the twelve-month period commencing on the date of purchase. That estimate shall include the canvass of other Town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 2: Goods and/or Public Works Contracts below Bid Threshold.

- (a) All estimated purchases of the bid threshold amount or less but greater than \$5,000.00 require a written request for a proposal (RFP) and/or written/fax quotes from three (3) vendors; \$5,000.00 or less but greater than \$2,000.00 require an oral request for the goods and/or oral/fax quotes from two (2) vendors; \$2,000.00 or less are left to the discretion of the Purchaser.
- (b) All estimated public works contracts of the bid threshold amount or less but greater than \$15,000.00 require a written RFP and/or fax/proposals from three (3) contractors; \$15,000.00 or less but greater than \$4,000.00 require a written RFP and/or fax/proposals from two (2) contractors; \$4,000.00 or less are left to the discretion of the Purchaser. Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the

written/fax/oral quotes offered; all information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

- (c) The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.
- (d) A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

Guideline 3: Exceptions.

Except when directed by the Town Board or otherwise provided in these guidelines, no solicitation of written proposals or quotations shall be required under the following circumstances:

- a. acquisition of professional services in the amount of \$10,000.00 or less;
- b. emergencies with written justification;
- c. sole source situations;
- d. goods purchased from agencies for the blind or severely handicapped;
- e. goods purchased from another governmental agency;
- f. goods purchased at auction;
- g. emergency need for legal counsel or professional services;
- h. procurements that are subject to competitive bidding or other statutory procurement policies including, but not limited to § 103 of the GML, § 103(3) of the GML, § 104 of the GML, § 175(b) of the State Finance Law and § 186 of the NYS Correction Law.

Guideline 4: Establishment of a Qualified Service Provider List for Certain Professional Services.

- (a) Simultaneously with the Resolution adopting the annual Budget of the Town, the Town Board shall adopt a resolution establishing Request for Qualifications ("RFQ") criteria to solicit service providers to provide those services projected to be required by the Town that are not subject to competitive bidding and not exempt from this Policy. Examples of the type of services where the Town shall solicit RFQs include but shall not be limited to: auditing, legal, engineering, financial, insurance, architecture and surveying services.
- (b) The RFQ criteria shall include, but not be limited to municipal rates, experience factors, performance history, and bonding and insurance requirements. For legal services, the Town's municipal rate shall be \$250 per hour for non-trial work, and \$1000 per diem for trials, but the Town Board may adjust this fee schedule in the legal services RFQ to properly reflect changes in the marketplace. Responses to the RFQ shall be received no later than January 15 of the year following the adoption of the resolution establishing the RFQ.
- (c) The Town shall advertise the RFQs in a newspaper of general circulation, consistent with the procedures for advertising a public bid under General Municipal Law Section 103, and shall contemporaneously publish such procurement opportunity on the Town's website and in the New York State Contract Reporter, as set forth in Guideline 7 herein.
- (d) There shall be a committee to evaluate RFQs for such services.
 - i. For non-legal services: For the procurement of non-legal professional services subject to the Policy, the committee shall comprise four (4) members: two designees of the Commissioner for the department from which the RFQ is generated or overseen; the Supervisor's Chief of Staff or his/her designee; and the Town Board Chief of Staff or his/her designee. The committee members shall review and evaluate the qualifications. At its discretion, the committee may elect to interview each firm, make visits to each firm or review prior work done by each firm.

- ii. Legal Services: The committee to evaluate legal services RFQ shall comprise the Town Attorney or his/her designee; the Counsel to the Supervisor or his/her designee; and the Counsel to the Town Board or his/her designee. Notwithstanding anything to the contrary, at any time prior to the establishment of the panel, the Town Attorney is authorized to immediately engage the legal services of outside counsel on an emergency basis. Contemporaneous with such engagement, the Town Attorney shall provide written notification of such emergency engagement, including the basis of the emergency, to the Counsel to the Supervisor or his/her designee and the Counsel to the Town Board or his/her designee.
- (e) The Purchaser shall, on or before January 30 of each year, recommend to the Town Board the vendors and service providers who satisfy the RFQ. The Town Board shall thereafter adopt a resolution establishing the list of service providers who are deemed qualified to provide services projected to be required by the Town that are not subject to competitive bidding and not exempt from this Policy (the "Eligible Providers"). Placement on the panel does not constitute any representation that the Town will assign work to any firm or entity placed thereon.
- (f) For the procurement of non-legal professional services subject to the Policy, the Town shall issue RFPs when the procurement amount is expected to cost more than \$10,000. Except as otherwise provided in paragraph (g), the only proposals that the Town will consider are those from the Eligible Provider list for the particular service.
- (g) Except as otherwise provided in paragraph (h), for the procurement of legal services subject to the Policy that are expected to cost more than \$10,000, the Town Attorney shall be authorized to assign matters, on an as-needed basis, to those law firms on the legal services Eligible Provider list. The Town Board must approve any new referral of any legal matter to any law firm when that law firm's legal bills for the calendar year exceed \$500,000.
- (h) To the extent practicable and feasible, the Eligible Providers shall perform the services required by the Town that are not subject to competitive bidding and not exempt from this Policy. If a Purchaser determines that a service required by the Town that is not subject to competitive bidding and not exempt from this Policy is not

able to be performed by an Eligible Vendor, the Purchaser shall document their determination and issue an RFP, consistent with the provisions of Guideline 5.

Guideline 5: Requests for Proposals.

For legal and non-legal professional services expected to be in excess of \$10,000 which are not annually recurring services and which are unable to be performed by an Eligible Vendor, the Purchaser shall issue an RFP.

- (a) The Town shall advertise the RFPs in a newspaper of general circulation, consistent with the procedures for advertising a public bid under GML Section 103, and shall contemporaneously publish such procurement opportunity on the Town's website and in the New York State Contract Reporter, as set forth in Guideline 7 herein.
- (b) In selecting a service provider, the Town shall utilize the committees established in Guideline 4 to evaluate the RFP response, and shall consider the prospective service provider's qualifications, including but not limited to experience, skill, training, staffing and reputation of the prospective service provider, in addition to the cost of the services to be rendered. "Cost of services" shall be one factor and given equal weight to any other factors considered in selecting a firm or entity to provide the services.

Guideline 6: Town Board Approval Required.

No agreement [~~for professional services~~] shall be **authorized, amended or** renewed, and no option to extend an [~~professional services~~] agreement shall be exercised, without Town Board approval. **This policy shall supersede and supplement any resolution to the contrary. Notwithstanding any contract provision to the contrary, compliance with this policy shall be a condition precedent to any Town officer or employee amending or renewing any agreement.**

Guideline 7: Publication in the New York State Contract Reporter and Town website.

All procurement contract requests, including: (a) contracts for public works involving an expenditure of more than \$35,000; (b) purchase contracts involving an expenditure of more than \$20,000; and (c) RFPs and RFQs with a value greater than \$10,000, shall be published on the

Town's website and on the New York State Contract Reporter website, (www.nyscr.ny.gov). All Town departments shall, prior to soliciting proposals, submit the following information to the Director of Purchasing:

- (1) The solicitation number;
- (2) A brief description of the goods and/or services sought, the location where goods are to be delivered and/or services provided and the contract term;
- (3) The address where bids or proposals are to be submitted;
- (4) The due date for bids or proposals;
- (5) The deadline for questions from bidders or proposers;
- (6) A description of any eligibility or qualification requirements or preferences;
- (7) A statement as to whether the contract requirements may be fulfilled by a subcontracting, joint venture or coproduction arrangement;
- (8) Any other information deemed useful to potential contractors;
- (9) The name, address, and phone number of the person to be contacted for additional information.

Such information will be submitted to the Director of Purchasing in accordance with the schedule established by the Department of Purchasing. The due date for bids or proposals will be a minimum of 10 business days after the date of publication of such notice on the *Contract Reporter* website, except where a different period is specifically authorized by the Department of Purchasing or the Town Board.

This section does not apply to contracts awarded pursuant to the exceptions contained in Guideline 3.

Adopted:

Council(wo)man offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A BOUNDARY LINE AGREEMENT AFFECTING PROPERTY LOCATED AT REYNOLDS CHANNEL, ISLAND PARK, TOWN OF HEMPSTEAD, NEW YORK, SUBJECT TO A PERMISSIVE REFERENDUM.

WHEREAS, a dispute existed as to the precise location of the boundary line of lands belonging to Mikhail Sadetsky (formerly owned by Athena Hosey), residing at 224 Hosey Lane, Island Park, New York, and lands of the Town of Hempstead; and

WHEREAS, the aforesaid Mikhail Sadetsky has submitted a boundary line agreement duly executed by him in settlement of said dispute; and

WHEREAS, the said boundary line agreement, if approved, would straighten the boundary line and fix the location of the tidal line as well as straighten the shoreline of the said lands of Mikhail Sadetsky (formerly owned by Athena Hosey) and the Town of Hempstead along the bank of Reynolds Channel at Island Park, Town of Hempstead, New York; and

WHEREAS, in said boundary line agreement the Town of Hempstead quitclaims to Mikhail Sadetsky its right, title and interest in and to any of the lands lying and being at Island Park, Town of Hempstead, County of Nassau, State of New York, being a part of Reynolds Channel as shown on the "Map of Island Park, Long Beach," Parcel "B," being more particularly described as follows:

BEGINNING at a point where the former north side of Reynolds Channel meets the dividing line between Lots 16 and 17 in Block 92 as shown on the Map of Island Park-Long Beach sheet 14, filed in the Nassau County Clerk's Office on December 29, 1925 as No. 587, Case No. 594, said point of beginning being the following three courses and distances from the corner formed by the intersection of the easterly side of Hosey Lane (formerly Seaview Avenue or Vans Lane) with the southerly side of Sunset Avenue: 1. south 20 degrees 32 minutes 10 seconds west along the east side of Hosey Lane 102.64 feet; 2. south 69 degrees 27 minutes 50 seconds east 20.00 feet; 3. south 20 degrees 32 minutes 10 seconds west 91.36 feet to the point or place of the Beginning; thence north 75 degrees 32 minutes 40 seconds east 27.46 feet; thence south 63 degrees 44 minutes 50 seconds east , 37.69 feet; thence south 20 degrees 32 minutes 10 seconds west 19.44 feet to the northerly side of Reynolds Channel (as newly established); thence along the northerly side of Reynolds Channel the following three courses and distances (as newly established): 1. north 77 degrees 41 minutes 26 seconds west, 14.35 feet; 2. north 82 degrees 18 minutes 13 seconds west, 36.00 feet; 3. south 83 degrees 04 minutes 43 seconds west, 12.06 feet; thence north 20 degrees 32 minutes 10 seconds east 23.06 feet to the point or place of BEGINNING;

WHEREAS, Athena Hosey has paid the sum of \$1508.50 to the Town of Hempstead to purchase the subject property; and

WHEREAS, since payment to the Town, Athena Hosey has transferred her rights, title and interest to the aforesaid property to Mikhail Sadetsky; and

WHEREAS, it appears that the establishment of the boundary line between the lands of Mikhail Sadeltsky (formerly owned by Athena Hosey) and the Town of Hempstead, and to fix the location of the tidal line as well as straighten the shoreline on the northern bank of Reynolds Channel, are in the public interest;

Item # 38
Page 1 of 1
Case # 29995

NOW, THEREFORE, BE IT

RESOLVED, that the boundary line agreement as executed by Mikhail Sadetsky be accepted by this Town Board and the Supervisor be and she is hereby authorized to executed said boundary line agreement on behalf of the Town of Hempstead; and, BE IT FURTHER

RESOLVED, that this resolution shall take effect thirty (30) days after its adoption unless within thirty days after its adoption there shall be filed with the Town Clerk in accordance with Article 7 of the Town Law, a petition signed and acknowledged by the electors of the Town of the number required by law, protesting against this resolution and requesting that it be submitted to the electors of the Town, voting on a proposition for its approval at a referendum held in accordance with said Town Law.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

AGREEMENT made this _____ day of _____, 2019, between the TOWN OF HEMPSTEAD, a municipal corporation having its principal office at Hempstead Town Hall, Town Hall Plaza, Washington Street, Hempstead, New York, party of the first part, and MIKHAIL SADETSKY, residing at 224 Hosey Lane, Island Park, New York, parties of the second part.

W I T N E S S E T H:

WHEREAS, Mikhail Sadetsky is the owner in fee simple of property located at Island Park, Town of Hempstead, County of Nassau, State of New York, known and designated as Section 43, Block 103, Lot 35, Town of Hempstead, on the Land and Tax Map of the County of Nassau; and

WHEREAS, the Town of Hempstead claims ownership of the lands lying underwater in Reynolds Channel, Island Park; and

WHEREAS, the parties are desirous of providing the establishment of the boundary line, fixing the location of the tidal line, straightening the shoreline and establishing the boundary line of the lands of Mikhail Sadetsky (formerly owned by Athena Hosey) and the Town of Hempstead; and

WHEREAS, for the purpose of asserting and fixing the tidal line as aforesaid, and for the further purposes of straightening the shoreline and establishing the boundary line, Robert Scully, a Civil Engineer and Surveyor in Island Park, Long Island, was employed to find and locate, in said areas, said boundaries; and

WHEREAS, the Town of Hempstead has agreed to release and quitclaim all its right, title and interest in and to any and all upland, inland and underwater land lying to the north of the proposed line, between the existing map line and the proposed bulkhead line, hereinafter set forth comprising an area of approximately 1508.5 square feet.

NOW, THEREFORE, in consideration of the sum of One Thousand Five Hundred Eight Dollars and Fifty Cents (\$1,508.50) paid by former upland owner, Athena D. Hosey, to the Town of Hempstead, it is mutually agreed as follows:

1. That the Town of Hempstead and Mikhail Sadetsky accept and confirm as true and correct the boundary line as shown on the annexed survey of Robert Scully, more particularly described below.

2. That the Town of Hempstead hereby does remise, release and quitclaim to Mikhail Sedetsky his successors and assigns forever:

ALL that certain plot, piece or parcel of land, situate, lying and being at Island Park, Town of Hempstead, Nassau County, New York, bounded and described as follows:

BEGINNING at a point where the former north side of Reynolds Channel meets the dividing line between Lots 16 and 17 in Block 92 as shown on the Map of Island Park-Long Beach sheet 14, filed in the Nassau County Clerk's Office on December 29, 1925 as No. 587, Case No. 594, said point of beginning being the following three courses and distances from the corner formed by the intersection of the easterly side of Hosey Lane (formerly Seaview Avenue or Vans Lane) with the southerly side of Sunset Avenue: 1. south 20 degrees 32 minutes 10 seconds west along the east side of Hosey Lane 102.64 feet; 2. south 69 degrees 27 minutes 50 seconds east 20.00 feet; 3. south 20 degrees 32 minutes 10 seconds west 91.36 feet to the point or place of the Beginning; thence north 75 degrees 32 minutes 40 seconds east 27.46 feet; thence south 63 degrees 44 minutes 50 seconds east , 37.69 feet; thence south 20 degrees 32 minutes 10 seconds west 19.44 feet to the northerly side of Reynolds Channel (as newly established); thence along the northerly side of Reynolds Channel the following three courses and distances (as newly established): 1. north 77 degrees 41 minutes 26 seconds west, 14.35 feet; 2. north 82 degrees 18 minutes 13 seconds west, 36.00 feet; 3. south 83 degrees 04 minutes 43 seconds west, 12.06 feet; thence north 20 degrees 32 minutes 10 seconds east 23.06 feet to the point or place of BEGINNING.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

TOWN OF HEMPSTEAD

By: _____

Supervisor

Mikhail Sadetsky

APPROVED AS TO FORM

Charles O. Heine

SENIOR DEPUTY TOWN ATTORNEY
DATE 7/31/19

Page 2 of 3

STATE OF NEW YORK)

) s s:

COUNTY OF NASSAU)

On the day of , 2019, before me personally came Mikhail Sadetsky, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that she executed the same.

Notary Public

STATE OF NEW YORK)

) s s:

COUNTY OF NASSAU)

On the day of , 2019, before me personally came LAURA A. GILLEN to me known, who being duly sworn, did depose and say that she that she is the Supervisor of the Town of Hempstead, Nassau County, the corporation described in and which executed the foregoing instrument; that she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board of the Town of Hempstead and that she signed his name thereto by such official designation.

Notary Public

CASE NO. 461

RESOLUTION NO.

RESOLUTION RE: ACCEPTING JOHN PRESTIA, AS AN
ACTIVE MEMBER IN THE MERRICK HOOK AND LADDER
CO. NO. 1, INC., MERRICK, NEW YORK.

ADOPTED:

offered the following resolution
and moved its adoption:

RESOLVED, that the action of MERRICK HOOK AND LADDER
CO. NO. 1, INC., MERRICK, NEW YORK in accepting JOHN
PRESTIA, residing at [REDACTED] Merrick, New York
11566, into the company rolls as a member, be and the same
hereby is ratified and approved.

The foregoing resolution was adopted upon roll call as
follows:

AYES:

NOES:

Item # 39
Case # 461

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF A BID FOR ROAD IMPROVEMENT- COMMONWEALTH STREET IN FRANKLIN SQUARE AND ROOSEVELT BOULEVARD IN WEST HEMPSTEAD, TOWN OF HEMPSTEAD, NEW YORK, PW# 14-19

WHEREAS, the Commissioner of General Services (the "Commissioner") solicited bids for Reconstruction of Commonwealth Street in Franklin Square and Roosevelt Boulevard in West Hempstead, Town of Hempstead, Nassau County, New York; PW# 14-19 (the "Project"); and

WHEREAS, pursuant to such solicitation, bids were opened and read in the office of the Commissioner on July 18, 2019; and

WHEREAS, the following bids were received and referred to the Engineering Department for examination and report:

Pioneer Landscaping and Asphalt Paving Inc.	\$817,115.00
Valente Contracting Corp.	\$930,123.75
Pratt Brothers	\$947,345.00
Richard W. Grim, Inc.	\$952,440.00

WHEREAS, the Commissioner of the Engineering Department reported that lowest bid was received from Pioneer Landscaping and Asphalt Paving Inc., 168 Townline Road, Kings Park, New York 11754 in the sum of \$817,115.00, and it appears that said bidder is duly qualified and recommends acceptance to the Town Board; and

WHEREAS, consistent with the recommendation of the Commissioner of the Engineering Department, the Town Board desires to authorize the award of a contract for the Project to Pioneer Landscaping and Asphalt Paving Inc., as the lowest responsible bidder at its bid price of \$817,115.00.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards a contract for the Project to Pioneer Landscaping and Asphalt Paving Inc., 168 Townline Road, Kings Park, New York 11754, as the lowest responsible bidder at its bid price of \$817,115.00; and be it further

RESOLVED, that upon execution of the contract by Pioneer Landscaping and Asphalt Paving Inc., the required Performance Bond and Insurance, when approved by the Town Attorney as to form, be filed in the Town Clerk's Office together with the contract; and be it further

RESOLVED, that the Town Board authorizes the Commissioner of the Department of Engineering to execute, on behalf of the Town of Hempstead the agreement with Pioneer Landscaping and Asphalt Paving Inc., and authorizes and directs the Comptroller to pay the cost of the Project in accordance with the contract unit prices in the total not to exceed amount of \$817,115.00, with payments to be made from the Town Highway Capital Improvement Funds, Account No.: 9561-503-9561-5010.

AYES:

NOES:

Item #

40

Case #

28692

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE ATTENDANCE OF TWO DEPARTMENT OF ENGINEERING EMPLOYEES AT A NYSDEC 4 HOUR EROSION AND SEDIMENT CONTROL TRAINING WORKSHOP HOSTED BY THE NASSAU COUNTY SOIL AND WATER CONSERVATION DISTRICT AND PAYMENT OF THE WORKSHOP FEES.

WHEREAS, the Nassau County Soil and Water Control District is hosting a NYSDEC endorsed 4-hour Erosion and Sediment Control Training workshop (the "Workshop") on Tuesday, August 13, 2019 at Old Bethpage Village Restoration at a fee of \$100.00 per attendee; and

WHEREAS, the Commissioner of Engineering (the "Commissioner") recommends the attendance of two Town of Hempstead, Department of Engineering employees (the "Employees") at the Workshop; and

WHEREAS, the consistent with the Commissioner's recommendation, the Town Board finds it to be in the best interest of the Town to authorize the attendance of the Employees at the Workshop and payment of the Workshop fee in the amount of \$100.00 per employee for a total of \$200.00.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board authorizes the attendance of two employees at the NYSDEC endorsed 4-hour Erosion and Sediment Control Training workshop on Tuesday, August 13, 2019 at Old Bethpage Village Restoration and payment of the Workshop fee in the amount of \$200.00 covering the Employees; and be it further

RESOLVED, that the Comptroller be and hereby is directed to pay the workshop fee in the amount of \$200.00 to the Nassau County Soil and Water Conservation District, 1864 Muttontown Road, Syosset, NY 11791, such expenses to be charged against and paid out of the following account number: 010-001-1440-4040.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 41

Case # 16113

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE COMMISSIONER OF SANITATION TO EXECUTE AN INTER-MUNICIPAL AGREEMENT BETWEEN THE TOWN OF HEMPSTEAD AND THE TOWN OF HEMPSTEAD ON BEHALF OF THE TOWN OF HEMPSTEAD REFUSE DISPOSAL DISTRICT (TOGETHER THE "TOWN") AND THE VILLAGE OF EAST ROCKAWAY ("VILLAGE") TO ACCEPT MUNICIPAL SOLID WASTE GENERATED WITHIN THE VILLAGE OF EAST ROCKAWAY

WHEREAS, the Town recognizes that a coordinated approach by the Town of Hempstead and the Village of East Rockaway to solutions for solid waste management on Long Island would be beneficial to the citizens of the Town of Hempstead; and

WHEREAS, the Town has the ability to dispose of Acceptable Waste generated within the Village in an environmentally responsible manner; and

WHEREAS, the Town and Village have developed an Inter-Municipal Agreement which will be effective on September 1, 2019, (the "commencement date") and continue until August 31, 2024; and

WHEREAS, the Town of Hempstead and the Village are authorized by law to enter into an Inter-Municipal Agreement; and

WHEREAS, it is in the public interest to enter into such Inter-Municipal and the Commissioner of Sanitation has recommended that such Inter-Municipal Agreement be executed;

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Sanitation be and hereby is authorized to execute the Inter-Municipal Agreement that has been mutually agreed to by the parties for the period stated above, and BE IT FURTHER

RESOLVED, that all monies collected and paid in connection with this Agreement shall be deposited and charged against Refuse and Garbage Charges Other Governments Account #RV301-0006-03010-2376.

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

* * * * *

Item #

4/2

Case #

4670

Trustee Bilello offered the following resolution, which was duly seconded by Deputy Mayor Fox:

**RESOLUTION APPROVING THE MAYOR TO SIGN AN
INTER-MUNICIPAL AGREEMENT WITH THE TOWN OF
HEMPSTEAD**

WHEREAS, the Mayor is authorized to enter into an Inter-municipal Agreement with the Town of Hempstead Refuse Disposal District which will commence September 1, 2019 and remain in full force until August 31st, 2024, and;

WHEREAS, it is the sense of the Board that the agreement with the Town of Hempstead is in the best interest of the Village;

BE IT FURTHER RESOLVED that the Mayor be, and hereby is authorized to sign the agreement on behalf of the Village.

Upon roll call, the vote was as follows:

Deputy Mayor Fox:	aye
Trustee Bilello:	aye
Trustee Fried:	excused
Trustee O'Hagan:	aye
Mayor Romano:	aye

Motion Carried
Resolution #6090/2019
July 11, 2019

INTERMUNICIPAL WASTE DISPOSAL AGREEMENT

between

THE INCORPORATED VILLAGE OF EAST ROCKAWAY

and

THE TOWN OF HEMPSTEAD

and

The Town of Hempstead on Behalf of

THE TOWN OF HEMPSTEAD REFUSE DISPOSAL DISTRICT

Dated as of

September 1, 2019

This Intermunicipal Waste Disposal Agreement ("*IMA*") is entered into as of September 1, 2019, by and among: the Incorporated Village of East Rockaway, a municipal corporation of the State of New York with offices at 376 Atlantic Avenue, East Rockaway, NY 11518 (the "*Village*"); and the Town of Hempstead, New York, a municipal corporation of the State of New York with offices at One Washington Street, Hempstead, New York 11550 and the Town of Hempstead on behalf of the Town of Hempstead Refuse Disposal District, a district established pursuant to the Town Law of the State of New York and the Nassau County Civil Divisions Act, as amended, with offices at One Washington Street, Hempstead, New York 11550 (the Town and the District, collectively, the "*Town*").

RECITALS

WHEREAS, the Village has determined that it desires to have the ability to deliver certain types of waste (including Municipal Waste, Yard Waste, C&D Waste and Bulky Waste, all as defined herein), generated within its borders to the Merrick Transfer Station, Oceanside Transfer Station and Covanta Hempstead Company ("*Covanta*") mass burn resource recovery facility located at 600 Merchants Concourse, Westbury, New York 11590 (the "*Covanta Facility*"); and

WHEREAS, the Town desires to accept such waste in accordance with the terms provided herein; and

WHEREAS, it is in the best interests of the Town and the Village to enter into this IMA; and

WHEREAS, the Town and Village are authorized, each through a resolution adopted by its respective governing board, to enter into this IMA;

NOW, THEREFORE, for and in consideration of the premises, the mutual obligations undertaken herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound, the Town and the Village hereby agree as follows:

ARTICLE I

Definitions

Section 1.01 Definitions. In addition to those terms that have been defined in the Preamble and Recitals hereof, which definitions are incorporated herein, the terms defined in *Appendix B* are incorporated as if fully set forth in this section.

Section 1.02 Interpretation. In this IMA, unless the context otherwise requires:

(a) The terms “hereby”, “hereof”, “hereto”, “herein”, “hereunder” and any similar terms, as used in this IMA, refer to this IMA.

(b) Words of the masculine gender shall mean and include correlative words of the feminine and neuter genders and words importing the singular number shall mean and include the plural number or vice versa.

(c) Any headings preceding the texts of the several Articles and Sections of this IMA, and any table of contents appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this IMA, nor shall they affect its meaning, construction or effect.

(d) Where more than one standard applies to any particular performance obligation of a party hereunder, each such applicable standard shall be complied with. In the event there are different levels of stringency among such applicable standards, the most stringent of the applicable standards shall govern.

ARTICLE II

Term

Section 2.01 Term. This IMA shall be in full force and effect and legally binding upon the Town and the Village from the date of execution and delivery hereof. This IMA shall become operative and commence governing the rights and obligations of the parties on September 1, 2019 and shall remain in full force and effect until August 31, 2024.

ARTICLE III

Delivery and Acceptance of Waste

Section 3.01 Village Waste Delivery. During the term of this IMA, the Village shall be required to deliver all of the Municipal Waste, Bulky Waste, Yard Waste and C&D Debris, generated within the borders of the Village and shall during the respective Receiving Time for each facility and subject to available capacity, to deliver, as follows:

- a. Municipal Waste: to the Merrick Transfer Station or the Covanta Facility;
- b. Bulky Waste: to the Merrick Transfer Station or Town's Vendor's Facility;
- c. Yard Waste: to the Oceanside Transfer Station or Town's Vendor's Facility; and
- d. C&D Debris: to the Merrick Transfer Station or the Oceanside Transfer Station or the Town's Vendor's Facility.

Section 3.02 Alternative Disposal Site. With respect to any waste for which more than one receiving facility is specified above, the Town may direct the Village to deliver such waste to another specified facility if the Town determines, in its sole discretion, that it is unable to accept the waste at the other facility.

Section 3.03 Hazardous Waste

Under no circumstances shall this IMA require the Town to accept any Hazardous Waste at a Town Transfer Station or the Covanta Facility.

Section 3.04 Title to IMA Waste. Subject to all the Town's and Village's duties and undertakings under this IMA and applicable law, (i) if the Village delivers waste to the Merrick Transfer Station or Oceanside Transfer Station, then the Village shall retain title to such waste until it is accepted by the Town; and (ii) if the Village delivers waste to the Covanta Facility, then title shall pass to Covanta in accordance with the terms of the Hempstead-Covanta Service Agreement; provided, however, if Covanta, upon delivery of such waste to the Covanta Facility, rejects any portion of such waste because it is not acceptable under the terms of the Hempstead-Covanta Service Agreement, then title to any such rejected waste shall be deemed not to have passed to the Town and title shall remain with the Village. Under no circumstances shall title to the Village's Hazardous Waste pass the Town or Covanta.

ARTICLE IV

Service Fees

Section 4.01 Fees; Excalation. For each ton of waste delivered to and accepted by the Town pursuant to this IMA, the Village shall pay to the Town the tip fee specified for the category of waste so delivered and accepted as specified in *Appendix A*.

Section 4.02 Payments. Invoices shall be issued on a monthly basis. All payments due from the Village under this Article shall be made within 30 days of receipt of the Town's invoice for services provided hereunder.

ARTICLE V

General Provisions

Section 5.01 Assignment. This IMA may not be assigned by either party without the prior written consent of the other party.

Section 5.02 Notices. Except as otherwise expressly provided in this IMA, any notices or communication required or permitted hereunder shall be in writing and sufficiently given if delivered in person, by recognized overnight courier service or sent by certified or registered mail, postage prepaid, return receipt requested, as follows:

If to the Village: Village Clerk
Incorporated Village of East Rockaway
376 Atlantic Avenue
East Rockaway, NY 11518

With copy to: Superintendent of Public Works
Incorporated Village of East Rockaway
376 Atlantic Avenue
East Rockaway, NY 11518

If to the Town: Commissioner of Sanitation
Town of Hempstead,
Department of Sanitation
1600 Merrick Road
Merrick, New York 11566

With copy to: Town Attorney
Town of Hempstead
One Washington Street
Hempstead, New York 11550

Section 5.03 Indemnification. To the fullest extent permitted by applicable law, the Village shall defend, indemnify and hold the Town harmless from and against any and all claims, actions, causes of action, damages, loss and liability, including costs and expenses, legal and otherwise, and statutory or administrative fines, penalties, or forfeitures, which, in whole or in

part, arise from, relate to, or are connected with the Village's (i) delivery or disposal of Municipal Waste, Bulky Waste, Yard Waste or C&D Debris under this IMA, (ii) violation of law including any environmental law, or (iii) breach or violation of any provision of this IMA. This Section shall survive the termination or expiration of this IMA.

Section 5.04 Insurance. (a) Except as provided herein, the Village shall obtain and maintain all of the following insurance:

1. Workers' Compensation Insurance as prescribed or permitted by the laws of the State, and Employer's Liability Insurance with a minimum limit of \$500,000.
2. Commercial General Liability and Property Damage Insurance, with Contractual Liability and Products/Completed Operations coverage, with primary limits of liability of \$2,000,000 combined aggregate, for bodily injury and property damage, or with limits of liability sufficient to support the purchase of an umbrella liability policy described in paragraph (4) below.
3. Comprehensive Automobile Liability Insurance as required by the laws of the state, but with limits of not less than \$2,000,000 per occurrence for bodily injury and property damage, combined single limit, or with limits of liability sufficient to support the purchase of an umbrella liability policy as described in paragraph (4) below.
4. Excess Umbrella Liability Insurance in the amount of \$5 million, excess of the primary policies as set forth in paragraphs (1), (2) and (3).

(b) Any insurances referenced in this Section 5.04 of the IMA shall be procured from an insurance company with an A.M. Best Rating of A- or above at the time the Certificate of Insurance is issued and licensed to do business in the State of New York.

(c) Any policies obtained by the Village pursuant to this Section shall include a provision requiring a 90-day notice, via registered mail, of any cancellation or material change in coverage to be given to the Village and all other insureds, whether named or additional.

(d) The Town may require that the Village obtain such additional coverage (either as to risk or amount) as the Town shall determine to be reasonably necessary to protect the interests of the Town under this IMA at the sole cost and expense of the Town.

(e) The Town shall have the right, as permitted by law, to have the Town and Covanta included as an additional insured on any insurance required under this Section 5.04.

(f) Notwithstanding the foregoing, the Village may proceed on a self-insured basis except with respect to the coverage required under Sections 5.04(a)(1) and (a)(3) above. The Village shall provide verification that it is self-insured if the Village seeks to avoid the obligation to obtain and maintain the insurance coverages specified under this Section 5.04; provided, however, to the extent the Village subsequently determines during the term of the IMA not to proceed on a self-insured basis, the Village shall obtain and maintain all the insurance required under this Section.

Section 5.05 Modifications. The provisions of this IMA shall (i) constitute the entire agreement between the parties for the subject matter of this IMA and (ii) may be modified only by written agreement duly executed by both parties.

Section 5.06 Governing Law. This IMA and any question concerning its validity, construction or performance shall be governed by the laws of the state of New York, irrespective

of the place of execution or of the order in which the signatures of the parties were affixed or of the place or places of performance.

Section 5.07 Counterparts. This IMA may be executed in more than one counterpart, each of which shall be deemed to be an original but all of which together shall be deemed a single document.

IN WITNESS WHEREOF, the parties hereto have caused this IMA to be executed by their duly authorized representatives as of the day and year first above written.

INCORPORATED VILLAGE OF EAST ROCKAWAY

By: Bruno F. Romano
Bruno F. Romano
Mayor

TOWN OF HEMPSTEAD

By: _____
John P. Conroy
Commissioner

Town of Hempstead on behalf of
TOWN OF HEMPSTEAD REFUSE DISPOSAL
DISTRICT

By: _____
John P. Conroy
Commissioner

APPROVED

James M. Caputo
COMMISSIONER OF SANITATION

blaise tv

APPROVED AS TO FORM

[Signature]

CHIEF DEPUTY TOWN ATTORNEY

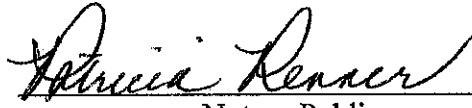
DATE 7/29/19

Cheryl Petri - 7/30/19
CHERYL PETRI
COUNSEL TO THE COMPTROLLER

ACKNOWLEDGMENTS

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

On the 11th day of July in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared the Hon. Bruno F. Romano personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within Intermunicipal Waste Disposal Agreement, and acknowledged to me that he/she executed the same in his/her capacity on behalf of Village of East Rockaway, and that by his/her signature on the instrument, Village of East Rockaway executed the instrument.



Notary Public
PATRICIA RENNER
NOTARY PUBLIC, State of New York
No. 01RE6116682
Qualified In Nassau County
Commission Expires October 4, 2020

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

On the ___ day of _____ in the year 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared John P. Conroy personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within Intermunicipal Waste Disposal Agreement, and acknowledged to me that she executed the same in his capacity on behalf of the Town of Hempstead and the Town of Hempstead on behalf of the Town of Hempstead Refuse Disposal District, and that by his signature on the instrument, the Town of Hempstead and the Town of Hempstead on behalf of the Town of Hempstead Refuse Disposal District executed the instrument.

Notary Public

Appendix A

Disposal/Tip Fees

September 1, 2019 – August 31, 2024

<i>Waste Type</i>	<i>Delivery Point</i>	<i>Initial Per Ton Disposal/Tip Fee</i>
Municipal Waste	Covanta Facility	\$84.00**
Municipal Waste	Merrick Transfer Station	\$92.00**
Bulky Waste	Merrick Transfer Station	Town Rate plus 5%
Yard Waste (Clean)	Oceanside Transfer Station	Town Rate plus 5%
Yard Waste (Bagged)	Oceanside Transfer Station	Town Rate plus 5%
C&D Debris	Merrick Transfer Station	Town Rate plus 5%
C&D Debris	Oceanside Transfer Station	Town Rate plus 5%

Yard Waste (Clean) refers to un-bagged Yard Waste. If a load of Yard Waste includes any bags or bagged material, the entire load will be charged at the Yard Waste (Bagged) rate.

**To be escalated on each September 1 for the duration of this agreement at the same escalation rate that Covanta escalates the Town rate. For example, if the Town rate is increased by \$5.00, then the rate to be paid by East Rockaway pursuant to this agreement shall be increased by \$5.00.

Appendix B

Definitions

“C&D Debris” means construction and demolition debris as defined by the New York State Department of Environmental Conservation at 6 NYCRR 360-1.2(b)(38).

“Municipal Waste” means that portion of Solid Waste which is (i) household Solid Waste, non-Hazardous commercial Solid Waste, permitted non-Hazardous industrial Solid Waste, permitted wood chips or other Solid Waste which is expressly permitted for acceptance at the Facility, and (ii) Processible without damage to or unreasonable wear and tear on the Covanta Facility or unreasonable risk of violation of one or more permit conditions, laws or regulations applicable thereto. Municipal Waste shall not include (a) Hazardous Waste, (b) Source Separated materials; (c) E-cycle Waste; (d) Bulky Waste; (e) Yard Waste; and (f) C&D Debris.

“Bulky Waste” means refrigerators, stoves, freezers, washers, dryers, mattresses, bedsprings, vehicle frame parts, crankcases, transmissions, engines, lawn mowers, snow blowers, bicycles, file cabinets, air conditioners, hot water heaters, water storage tanks, water softeners, furnaces, oil storage tanks, metal furniture, propane tanks and other similar items that are discarded as determined by the Town.

“E-cycle Waste” means discarded electronic equipment including, but not limited to, cell phones, computers, computer components, televisions, VCRs and DVD players, and such other items as may be designated by the Town from time to time.

“Hazardous Waste” means Solid Waste which by reason of its composition or character is harmful, toxic or dangerous or is hazardous waste as defined in either the Solid Waste Disposal Act, as amended from time to time, and the regulations thereunder, or under equivalent New York statutes, and the regulations thereunder. If any governmental agency or unit having appropriate jurisdiction shall determine that substances, which are not as of the IMA Service Commencement Date considered harmful, toxic or dangerous, are harmful, toxic or dangerous, then such substances shall be Hazardous Waste for the purposes of this Agreement as of the effective date of such determination. Hazardous Waste shall include STOP Waste.

“Hempstead-Covanta Service Agreement” shall mean the agreement, dated December 11, 2007, entered into by and between the Town and Covanta pursuant to which the Town delivers Municipal Waste to the Covanta Facility.

“Merrick Transfer Station” means the Town Transfer Station located at 1600 Merrick Road, Merrick, New York 11566.

"Oceanside Transfer Station" means the Town Transfer Station located at 3737 Long Beach Road, Oceanside, New York 11572.

"Processible" means causing Solid Waste to pass through the combustion chambers of the Covanta Facility.

"Receiving Time" means the regular days and hours of operations at each facility covered by this IMA. The Village shall periodically consult with the Town to obtain up-to date Receiving Times.

"Solid Waste" means solid waste as defined by the New York State Department of Environmental Conservation at 6 NYCRR 360-1.2(a).

"Source Separated" means the segregation and collection, at the point of collection and prior to delivery by the Village of waste under this IMA, for the sole purpose of recycling, of individual components of solid waste such as glass bottles and containers (*i.e.*, water juice, soda, beer, wine and water bottles and food jars), metals (*i.e.*, food and beverage cans, aluminum foil, baking tins and license plates), papers (*i.e.*, newspaper, newspaper inserts, magazines, catalogs, office and school paper, computer paper, discarded mail, paper grocery and lunch bags, corrugated cardboard and corrugated containers) and plastic materials that can be recycled (*i.e.*, have the recycling logo of "1" or "2" [*e.g.*, soda bottles, milk containers, laundry products, water/juice bottles, liquor bottles and personal care items]), and such other items that the Town may designate for Source Separation from time to time in the future.

"STOP Waste" means household hazardous materials that are Source Separated for special handling and disposal. Such materials include, but are not limited to: aerosol cans, ammonia, antifreeze, asbestos, bleach, bug & rodent killers, car batteries, cell phones, chemistry sets, degreasers, disinfectants, drain cleaners, fertilizers with herbicides, flammable liquids (fire starter), fluorescent lamps (including CFLs), household batteries, kerosene, lacquer, latex & oil-based paint, oven cleaners, paint stripper, paint thinner and brush cleaner, photography chemicals, polishes & wood preservatives, solvents, spot removers, swimming pool chemicals, telephone books, tires (car-off rims), varnish, waste oil, weed killers, and any other materials designated by the Town as STOP Waste when disposed of, and such other items that the Town may designate, in its sole discretion, as STOP Waste from time to time in the future.

"Town Transfer Station" means any solid waste management facility owned and/or operated by the Town and permitted pursuant to applicable law to receive solid waste for the purpose of subsequent transfer to another solid waste management facility for further processing, treating, transfer or disposal.

"Yard Waste" means grass clippings, leaves, tree stumps, logs, branches and other similar garden debris.

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING A SEVENTH AMENDMENT TO
THE AGREEMENT BETWEEN THE TOWN OF HEMPSTEAD
AND WESTBURY PAPER STOCK CORP.

WHEREAS, in conjunction with a request for proposals duly issued by the Town of Hempstead on or about November 9, 2005, Westbury Paper Stock Corp. and the Town of Hempstead entered into a contract for the provision of facilities and/or equipment to accept or pick up residential recyclable pursuant to the Town's curbside recycling collection program; and

WHEREAS, the parties subsequently entered into an Agreement to, among other things, confirm the existence, validity and enforceability of the Agreement; and

WHEREAS, the parties later entered into the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment and Sixth Amendment (Resolution #s 657-2009; 1149-2010 ; 1234-2011; 538-2015, 1788-2016 and 482-2017 respectively) to adjust certain terms and conditions of the Agreement; and

WHEREAS, from time to time due to operational needs, the Town of Hempstead wants to be able to deliver single stream recyclables to Westbury Paper; and

WHEREAS, Westbury Paper has the ability to accept single stream recyclables; and

WHEREAS, the Town of Hempstead and Westbury Paper Stock Corp. are desirous of entering into a Seventh Amendment; and

WHEREAS, the Seventh Amendment will allow the Town to deliver single stream recyclables, on an as needed basis, for the cost of \$80.00 per ton; and

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Sanitation be and is hereby authorized to execute a Seventh Amendment to the Agreement entered into between the Town and Westbury Paper Stock Corp.; and BE IT FURTHER,

RESOLVED, that the actions of the parties since July 15, 2019 are hereby ratified and confirmed; and BE IT FURTHER,

RESOLVED, that Comptroller is authorized to apply due and owing in conjunction with this amendment are to be made and paid out of Refuse Disposal District Contract Disposal Fees Account #: 301-006-0301-4570.

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item #

4/3

Case #

17083

SEVENTH AMENDMENT TO AGREEMENT

between

WESTBURY PAPER STOCK CORP

and

THE TOWN OF HEMPSTEAD

This amendment, dated as of July 15, 2019 (the "Seventh Amendment"), amends the Agreement dated June 4, 2008 (as amended on January 1, 2009 "the First Amendment", as amended on November 12, 2010 "the Second Amendment", as amended on October 14, 2011 "the Third Amendment" and as amended on April 9, 2015 "the Fourth Amendment" and as amended on November 29, 2016 "the Fifth Amendment" and as amended on March 1, 2017 "the Sixth Amendment", entered into between **Westbury Paper Stock Corp.**, a New York Corporation with offices located at 173 School Street, Westbury, New York 11590 ("Westbury Paper") and the **Town of Hempstead**, a municipal corporation of the State of New York, with offices located at One Washington Street, Hempstead, New York 11550 and the Town Board of the Town of Hempstead on behalf of the Town of Hempstead Refuse Disposal District (collectively, the "Town"), as follows:

WHEREAS, in conjunction with the RFP duly issued by the Town, Westbury Paper and the Town entered into a contract for the provision of facilities and/or equipment to accept or pick up residential recyclable material collected pursuant to the Town's curbside recycling program; and

WHEREAS, from time to time due to operational needs, the Town wants to be able to deliver single stream recyclables on an as needed basis; and

WHEREAS, Westbury has the ability to accept single stream recyclables; and

WHEREAS, this Seventh Amendment is consistent with the request for proposals issued by the Town through which Westbury Paper was selected as the vendor to accept newspaper and other recyclable materials;

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and conceded, and the covenants and agreements set forth herein, the parties agree to amend the Agreement as follows:

1. Effective July 15, 2019, Paragraph 3 of the Agreement is hereby amended to add subparagraphs (b)(i) with the following:

(b) (i). For each ton of single stream recyclables that is delivered to Westbury Paper, the Town shall pay eighty dollars (\$80.00).

Single stream recyclables will be delivered in packer trucks.

2. Except as amended herein, all other terms and conditions of the Agreement, as amended, shall remain in full force and effect.

For the Town of Hempstead
Date: July __, 2019

For Westbury Paper Stock Corp.
Date: July __, 2019

By: _____

By: _____

John P. Conroy
Commissioner

Evelyn Core
President

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EIGHTH AMENDMENT TO THE SOLID WASTE SERVICE AGREEMENT BETWEEN COVANTA HEMPSTEAD COMPANY (HEREINAFTER "THE COMPANY"), THE TOWN OF HEMPSTEAD AND THE TOWN BOARD OF THE TOWN OF HEMPSTEAD ON BEHALF OF THE TOWN OF HEMPSTEAD REFUSE DISPOSAL DISTRICT (HEREINAFTER JOINTLY REFERRED TO AS THE "TOWN")

WHEREAS, the Town and the Company are currently parties to a Service Agreement, dated as of December 11, 2007 as amended by that certain First Amendment of the Service Agreement dated as of August 4, 2009, and as amended by a Second Amendment of the Service Agreement dated as of April 23, 2013, and as amended by a Third Amendment of the Service Agreement dated May 23, 2014, and as amended by a Fourth Amendment of the Service Agreement dated March 25, 2015 and as amended by the Fifth Amendment of the Service Agreement dated July 1, 2016 and as amended by a Sixth Amendment of the Service Agreement dated April 6, 2017, and as amended by a Seventh Amendment of the Service Agreement dated June 21, 2018 (hereinafter the "Service Agreement"); and

WHEREAS, pursuant to the terms of the Service Agreement, the Town is authorized to deliver for disposal in a Contract Year up to the Maximum Annual Tonnage of Acceptable Waste to the Company's mass burn resource recovery facility located at 600 Merchants Concourse, Westbury, New York; and

WHEREAS, the Service Agreement contains provisions which address the delivery of tonnages in excess of Maximum Annual Tonnage as well as the Service Fee for same; and

WHEREAS, the parties desire to relax the applicability of the Maximum Annual Tonnage and to modify the Service Fee paid by the Town for tons delivered to the Facility in excess of 420,000 tons for the contract year ending August 31, 2019; and

WHEREAS, for all tons delivered in excess of the Maximum Annual Tonnage the Town shall pay a Supplemental Waste Service Fee of \$73.00 per ton to the Company; and

WHEREAS, the Town and the Company wish to document such agreement and enter into said Eighth Amendment to the Service Agreement; and

WHEREAS, it is in the best interest of the residents of the Town to authorize the Commissioner to execute an Eighth Amendment to the Service Agreement with Covanta Hempstead Company as outlined above;

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner be and hereby is authorized to execute said Eighth Amendment to the Service Agreement on behalf of the Town of Hempstead and the Town Board on behalf of the Town of Hempstead Refuse Disposal District with the Covanta Hempstead Company, a New York general partnership with offices at 40 Lance Road, Fairfield, New Jersey, and

BE IT FURTHER

Item #

274

Case #

17083

RESOLVED, that all monies payable by the Town under said Service Agreement be made and paid out of Refuse Disposal District Contract Disposal Fees Account Number 301-006-0301-4570.

The foregoing was adopted upon roll call as follows:

AYES:

NOES:



Powering Today. Protecting Tomorrow.

Covanta Hempstead Company
600 Merchants Concourse
Westbury, NY 11590
Tel 516 683 5400
Fax 516 683 1413

June 28, 2019

The Town of Hempstead and
The Town Board of Hempstead on behalf of
The Town of Hempstead Refuse Disposal District
c/o John Conroy
Commissioner of Sanitation
1600 Merrick Road
Merrick, NY 11566-4596

**Re: Eighth Amendment to Solid Waste Service Agreement among Covanta
Hempstead Company and the Town of Hempstead and the Town of Hempstead
Refuse Disposal District (this "Eighth Amendment")**

Ladies and Gentlemen:

We refer to the Service Agreement dated as of December 11, 2007, among Covanta Hempstead Company (the "**Company**"), a New York general partnership, and the Town of Hempstead, New York, a municipal corporation of the State of New York and the Town Board of Hempstead on behalf of the Town of Hempstead Refuse Disposal District (collectively, the "**Town**"), as amended by those certain First through Seventh Amendments to the Service Agreement, such Amendments dated as of August 4, 2009, April 23, 2013, May 23, 2014, March 25, 2015, July 1, 2016, April 6, 2017 and June , 2018, respectively (the "**Service Agreement**"). For purposes of this Eighth Amendment, capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Service Agreement.

Subject to the terms of the Service Agreement, the Town is authorized to deliver for disposal in a Contract Year up to the Maximum Annual Tonnage of Acceptable Waste to the Company's mass burn resource recovery facility located at 600 Merchants Concourse, Westbury, New York 11590 (the "**Facility**"). The Town may also increase the Annual Tonnage pursuant to section 4.03 of such Agreement. The Service Fee per Ton paid by the Town is defined in Article V.

Notwithstanding the foregoing, the Company and the Town have agreed (a) for the Contract Year ending on August 31, 2019, (i) to relax the applicability of the Maximum Annual Tonnage, and (ii) to modify the Service Fee paid by the Town for Tons Delivered To the Facility in excess of 420,000 Tons, and (b) for the Contract Years during the period beginning September 1, 2019 and ending August 31, 2024, (i) to relax the applicability of the Maximum Annual Tonnage to permit the Town to deliver additional Town Waste originating in the City of Long Beach, NY, and (ii) to modify the Service Fee paid by the Town for Tons Delivered To the Facility in excess of 420,000 Tons per Contract Year.

The Town and the Company now wish to document such agreement and hereby agree and amend the Service Agreement as follows:

1. For the Contract Year ending August 31, 2019, the Town may exceed the applicable Maximum Annual Tonnage in the Service Agreement (which is 420,000 Tons) and deliver to the Facility additional Acceptable Waste ("**Supplemental Acceptable Waste**") in a quantity of up to an additional 30,000 Tons in such period, subject to the following provisions of this Eighth Amendment and otherwise subject to the provisions of the Service Agreement:
 - a) Notwithstanding anything to the contrary in Article V of the Service Agreement, for each Ton of Supplemental Acceptable Waste delivered by the Town to the Facility and accepted by the Company on or before August 31, 2019, the Town shall pay to the Company a "**Supplemental Waste Service Fee**" of \$73.00 for the Supplemental Acceptable Waste.
 - b) Invoicing and payment for Supplemental Acceptable Waste Delivered To the Facility by the Town shall be in accordance with Section 5.01 of the Service Agreement (*i.e.*, on a Billing Period cycle).
2. This Eighth Amendment shall not alter the Company's obligation to pay to the Town the Host Fees under Article III of the Service Agreement.
3. If any provision of this Eighth Amendment shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such provision shall not affect any of the remaining provisions of this Eighth Amendment or of the Service Agreement, which shall be enforced as if such invalid and unenforceable provision had not been contained herein.
4. Except as specified herein for the purposes of this Eighth Amendment, the terms of the Service Agreement shall remain in full force and effect.

If the foregoing correctly sets forth our agreement and the modifications to the Service Agreement upon which we have agreed, kindly indicate your agreement thereto in the spaces indicated below, whereupon this letter shall constitute a binding Eighth Amendment to the

Service Agreement. The parties agree that this Eighth Amendment may be executed in any number of counterparts, which together will constitute a fully-executed agreement as though all signatures appeared on each counterpart.

Sincerely,

COVANTA HEMPSTEAD COMPANY

Richard J.

Digitally signed by Richard J. Sandner
DN: cn=Richard J. Sandner, o=co, email=rsandner@covanta.com, c=US
Date: 2019.06.26 11:26:13 -04 00

By: Sandner

Name: Richard J. Sandner

Title: VP & General Manager

ACCEPTED AND AGREED TO:

THE TOWN OF HEMPSTEAD

By: _____

Name: _____

Title: _____

Date: _____

TOWN BOARD OF HEMPSTEAD ON BEHALF OF
TOWN OF HEMPSTEAD REFUSE DISPOSAL DISTRICT

By: _____

Name: _____

Title: _____

Date: _____

ACKNOWLEDGMENTS

STATE OF NEW JERSEY)
) ss.:
COUNTY OF M. Middlesex)

On the 28 day of June in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard J. Sadowski personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within agreement, and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual(s), or the person(s) or entity(ies) on behalf of which the individual acted, executed the instrument.

Elizabeth Merlucci

Notary Public
ELIZABETH MERLUCCI
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50047335
My Commission Expires 10/7/2021

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

On the ___ day of ___ in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within agreement, and acknowledged to me that he/she executed the same in his/her capacity on behalf of the Town of Hempstead and the Town of Hempstead on behalf of the Town of Hempstead Refuse Disposal District, and that by his/her signature on the instrument, the Town of Hempstead and the Town of Hempstead on behalf of the Town of Hempstead Refuse Disposal District executed the instrument.

Notary Public

CASE NO.

RESOLUTION NO.

ADOPTED:

moved its adoption:

offered the following resolution and

RESOLUTION AUTHORIZING THE RENEWAL OF AN AGREEMENT WITH CANON SOLUTIONS AMERICA, INC. TO MAINTAIN AN OCE SCANNER EXPRESS AND AN OCE COLORWAVE 300 PRINTER FOR THE DEPARTMENT OF CONSERVATION AND WATERWAYS

WHEREAS, the Department of Conservation and Waterways maintains the following equipment (collectively, the "Equipment"):

Oce Scanner Express (N)	Model: SCEXP	Serial #350007617
Oce ColorWave 300 Printer	Model: CW300	Serial #330402021

; and

WHEREAS, the Town of Hempstead (the "Town") had an agreement with Canon Solutions America, Inc., 12379 Collections Center Drive, Chicago, IL 60693 for the maintenance of the Equipment (the "Maintenance Agreement"); and

WHEREAS, the Maintenance Agreement expired on 6/30/2019; and

WHEREAS, the Town requires the continued maintenance of the Equipment (the "Services"); and

WHEREAS, the Commissioner of the Department of Conservation and Waterways (the "Commissioner") has recommended that it is in the best interest of the Town to renew and continue using the Maintenance Agreement with Canon Solutions America, Inc. for the period of 7/1/2019 to 6/30/2020, for the annual amount of \$3,106.68; and

WHEREAS, this Board wishes to authorize the renewal and use of the Maintenance Agreement between the Town and Canon Solutions America, Inc. for the Services for the period of 7/1/2019 to 6/30/2020.

NOW THEREFORE, BE IT

RESOLVED, that the renewal of the Maintenance Agreement is authorized; and be it further

RESOLVED, that the Town Board authorizes the Commissioner to accept said renewal agreement on behalf of the Town, with Canon Solutions America, Inc., 12379 Collections Center Drive, Chicago, IL 60693 to provide the Services; and be it further

RESOLVED, that the Comptroller is authorized and directed to make a lump sum payment in the amount of \$3,106.68 from the Department of Conservation and Waterways Code 010-006-8730-4710.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 45

Case # 12113

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE EXECUTION OF AN INTER-MUNICIPAL AGREEMENT WITH THE LONG BEACH PUBLIC SCHOOL DISTRICT FOR THE MAINTENANCE AND REPAIR OF CONSERVATION AND WATERWAYS COMPRESSED NATURAL GAS VEHICLES

WHEREAS, the Town of Hempstead (the "Town"), Department of Conservation and Waterways (the "Department"), has three Compressed Natural Gas vehicles (one bus and two pick-up trucks) in need of maintenance and repair; and

WHEREAS, the Long Beach Public School District (the "District") maintains and operates a transportation facility for the maintenance and repair of District owned vehicles; and

WHEREAS, the District has offered to provide annual preventative maintenance services and a complete DOT safety inspection during the 2019/2020 school year, to the Town of Hempstead for the Department's three Compressed Natural Gas vehicles in the amount of Two Thousand Seven Hundred Ninety Dollars (\$2,790.00), all other repairs shall be billed at Seventy Dollars (\$70.00) per hour for labor, and parts will be supplied for by the Town of Hempstead (the "Services"); and

WHEREAS, the Town and the District are authorized to enter into an inter-municipal agreement pursuant to Article 9 Section 1 of the New York State Constitution and Article 5-G of the General Municipal Law; and

WHEREAS, the Commissioner of Conservation and Waterways recommends the Town enter into an inter-municipal agreement with the District for the Services (the "Agreement"); and

WHEREAS, the Town Board has determined that it is in the best interest of the Town residents to authorize the Agreement;

NOW, THEREFORE, BE IT

RESOLVED, that an agreement for the Services is authorized; and be it further

RESOLVED, that the Supervisor is hereby authorized and directed to execute, on behalf of the Town, the Agreement between the Town and the District for the 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 the Agreement out of the Department of Conservation & Waterways Auto Expense Account#: 010-006-8730-4140.

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item # 46
Case # 26711 + 27511

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved
its adoption:

**RESOLUTION RATIFYING AND CONFIRMING A CONTRACT
FOR COMMERCIAL GENERAL LIABILITY INSURANCE FOR
BAY HOUSE LEASES LOCATED IN THE TOWN OF HEMPSTEAD.**

WHEREAS, the Town of Hempstead (the "Town") has twenty-nine (29) leases involving property owned by the Town and leased to owners of certain structures known as bay houses (the "Property"); and

WHEREAS, the Town requires a general liability insurance policy to cover the Property for the period of July 25, 2019 to July 25, 2020; and

WHEREAS, the Town received a favorable pricing and coverage quote from Stack Insurance Agency, located at 560 Broadhollow Road, Melville, New York 11747; and

WHEREAS, the Commissioner of the Department of Conservation and Waterways (the "Commissioner") has recommended placement of the policy as quoted; and

WHEREAS, consistent with the Commissioner's recommendation, the Town Board deems it to be in the best interest of the Town to ratify and confirm the policy;

NOW, THEREFORE, BE IT

RESOLVED, that the policy obtained from Stack Insurance Agency, to cover the Property is hereby ratified and confirmed by this Town Board; and be it further

RESOLVED, that the Comptroller is hereby authorized and directed to pay the premium from the General Fund Insurance Account Code 010-001-1910-4070 in an amount that shall not exceed \$16,961.59, which amount shall be assessed equally among all bay house leases.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 47

Case # 16452

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION ESTABLISHING A PANEL OF ENGINEERING CONSULTING FIRMS FOR DRINKING WATER TREATMENT DESIGN (RFQ#6-2019) PURSUANT TO THE TOWN'S PROCUREMENT POLICY AND PROCEEDURES

WHEREAS, from time to time, the Town of Hempstead (the "Town") may require the services of outside engineering consultants for the purpose of designing drinking water treatment systems; and

WHEREAS, pursuant to the Town's Procurement Policy and Procedures (the "Policy") the Town issued a request for qualifications (RFQ); and

WHEREAS, the Town received responses to the RFQ, which were reviewed by a committee to evaluate qualifications for engineering consulting services (the "Committee"); and

WHEREAS, the Committee has requested that this Board establish a panel of outside engineering consultants and further requests that this Board assigns the engineering firms listed below to the panel (the "Panel") for Drinking Water Treatment Design

- JHA Companies
- D&B Engineers and Architects, P.C.
- P.W. Grosser Consulting Engineering & Hydrogeologist, P.C.
- Walden Environmental Engineering, PLLC
- Cameron Engineering & Associates, LLP
- H2M Architects and Engineers

;and

WHEREAS, in the event services are needed, the Commissioner of the Department of Water (the "Commissioner") may issue a Request for Proposals (RFP) to solicit proposals from the firms identified on the Panel when the procurement amount is expected to cost more than \$10,000.00; and

WHEREAS, the Board finds it in the best interests of the Town to establish the Panel.

NOW, THEREFORE, BE IT

RESOLVED, the Board hereby establishes the Panel; and

BE IT FURTHER RESOLVED that placement on the Panel is contingent upon the Committee's review and approval of the consultants' NYS Vendor Responsibility Questionnaire and the Town of Hempstead Public Disclosure Statement; and

BE IT FURTHER RESOLVED that the Commissioner is authorized to issue RFP's to the firms listed on the Panel, consistent with the Town's needs; and

BE IT FURTHER RESOLVED that following the issuance of the RFPs by the Commissioner, and the recommendation by the Committee of firms to undertake and complete the required work, the Commissioner shall obtain Town Board approval prior to any firm commencing work.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 48

Case # 30139

Case No.

Resolution No.

Adopted:

Council(wo)man offered the following resolution and
moved its adoption:

**RESOLUTION APPOINTING
ANTHONY F. MARANO TO THE
TOWN OF HEMPSTEAD BOARD OF
ETHICS**

WHEREAS, the Town Board of the Town of Hempstead has heretofore established a Board of Ethics with five members, two of whom shall be nominated by the Majority Caucus subject to confirmation by the Town Board pursuant to Town Code §35-25(a); and

WHEREAS, a vacancy exists on the Ethics Board for nomination by the Majority Caucus; and

WHEREAS, pursuant to Town Code §38-25(a), the Majority Caucus nominates Anthony F. Marano, a resident of the hamlet of North Valley Stream and former Administrative Judge of New York State's 10th Judicial District, to fill the vacancy; and

WHEREAS, the Town Board finds that Anthony F. Marano is qualified and deserving of the appointment;

NOW, THEREFORE, BE IT

RESOLVED, Anthony F. Marano is confirmed to the Board of Ethics for a three (3) year term commencing on August 7, 2019.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

219

Case #

9863

Case No.

Resolution No.

Adopted:

Council(wo)man _____ offered the following resolution and
moved its adoption:

**RESOLUTION APPOINTING ROBERT
G. SULLIVAN TO THE TOWN OF
HEMPSTEAD BOARD OF ETHICS**

WHEREAS, the Town Board of the Town of Hempstead has heretofore established a Board of Ethics with five members, two of whom shall be nominated by the Majority Caucus subject to confirmation by the Town Board pursuant to Town Code §35-25(a); and

WHEREAS, a vacancy exists on the Ethics Board for nomination by the Majority Caucus; and

WHEREAS, pursuant to Town Code §38-25(a), the Majority Caucus nominates Robert G. Sullivan, a resident of the Village of Garden City, to fill the vacancy; and

WHEREAS, the Town Board finds that Robert G. Sullivan is qualified and deserving of the appointment;

NOW, THEREFORE, BE IT

RESOLVED, Robert G. Sullivan is confirmed to the Board of Ethics for a one (1) year term commencing on August 7, 2019.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

49

Case #

9863

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE TERMINATION OF THE MONTH-TO-MONTH AGREEMENT, DATED MAY 25, 2010, WITH RICHARD A. COMI D/B/A THE CENTER FOR MUNICIPAL SOLUTIONS, FOR SERVICES RELATED TO PERMIT APPLICATION REVIEW OF WIRELESS TELECOMMUNICATIONS FACILITIES.

WHEREAS, the Town Board of the Town of Hempstead has heretofore authorized an agreement, dated May 25, 2010, with Richard A. Comi d/b/a The Center For Municipal Solutions ("Richard A. Comi"), for services related to permit application review of wireless telecommunications facilities (the "Agreement"); and

WHEREAS, the term of the Agreement was originally for a period of three years with provision allowing for the automatic renewal of the Agreement, on a month-to-month basis, subject to either party providing written notice of termination following 60 days notice; and

WHEREAS, pursuant to its procurement policy, the Town has heretofore issued a Request for Proposals (RFP) for services related to permit application review of wireless telecommunications facilities; and

WHEREAS, following the receipt of responses to the RFP, an evaluation committee has reviewed the responses, and the Town Attorney's office is in the process of preparing a resolution for consideration before the Town Board to authorize the award of the RFP; and

WHEREAS, the Town Board wishes to terminate the Agreement, dated May 25, 2010, with Richard A. Comi.

NOW, THEREFORE, BE IT

RESOLVED that the Agreement with Richard A. Comi, dated May 25, 2010, be and hereby is terminated, effective 60 days from August 7, 2019; and be it further

RESOLVED that the Town Attorney be and hereby is directed to provide written notice of such termination to Richard A. Comi, no later than August 7, 2019.

AYES:

NOES:

Item #

50

Case #

28185

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION DECLARING THE PURPORTED APRIL 12, 2019 EXTENSION OF THE MALIBU BEACH PARK MANAGEMENT AND MAINTENANCE LICENSE AGREEMENT VOID, AND AUTHORIZING A TEMPORARY EXTENSION OF THE 2009 MANAGEMENT AND MAINTENANCE LICENSE AGREEMENT UNTIL DECEMBER 31, 2019.

WHEREAS, on April 14, 2009, the Town Board for the Town of Hempstead (the "Town") adopted Resolution No. 548-2009 (the "Resolution"), which authorized the execution of a license agreement between Dover Gourmet Corp. ("Dover") and the Town for the management and maintenance of the Malibu Beach Park in Lido Beach (the "License Agreement"); and

WHEREAS, the Resolution authorized the Supervisor to execute the License Agreement for an initial term of 10 years; and

WHEREAS, the License Agreement provided for two additional 5-year terms at the option of the Town (Article One); that if Dover was in full compliance with the License Agreement as of September 1, 2018 then Dover would continue in the operation, management and maintenance of Malibu for a subsequent five-year term, *subject to terms and conditions agreed upon at that time between the Town and Dover* (Article Twelve); and that the License Agreement could only be renewed or extended by agreement, in writing, *executed by the parties* to the agreement (i.e. the Town and Dover), and approved by the Commissioner of Parks and Recreation and the Town Comptroller as to financial safeguards (Article Seventeen, Paragraph 16); and

WHEREAS, a purported contract extension, dated April 12, 2019, was executed to purportedly extend the term of the License Agreement for 5-years and to make other modifications to the License Agreement; and

WHEREAS, the April 12, 2019 contract extension with Dover was not authorized or ratified by the Town Board, and is invalid and unenforceable; and

WHEREAS, since the 10-year term of the License Agreement has expired, and there is a continued need to provide services at Malibu Beach Park to Town residents, the Town Board wishes to authorize an extension of the License Agreement upon the same terms and conditions in effect as of April 14, 2019 (notwithstanding the invalid contract extension), for a period commencing April 15, 2019 and terminating on December 31, 2019 (the "Temporary Extension"); and

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51

Case #

13759

WHEREAS, during the remainder of the Temporary Extension, the Town Attorney, in conjunction with the Supervisor and the Commissioner of Parks and Recreation, or their designees, is authorized to negotiate with Dover to propose such terms and conditions as may be fair, just and reasonable, for consideration and approval by the Town Board, which may be included in a long-term extension of the License Agreement.

NOW, THEREFORE, BE IT

RESOLVED that the purported April 12, 2019 contract extension with Dover, which was not authorized or ratified by the Town Board, is hereby declared invalid and unenforceable; and be it further

RESOLVED that during the remainder of the Temporary Extension, the Town Attorney, in conjunction with the Supervisor and the Commissioner of Parks and Recreation, or their designees, is authorized to negotiate with Dover to propose such terms and conditions as may be fair, just and reasonable, for consideration and approval by the Town Board, which may be included in a long-term extension of the License Agreement; and be it further

RESOLVED that the Town Board hereby reaffirms that the License Agreement shall not be amended, renewed or extended unless and until a Town Board resolution is adopted authorizing such amendment, renewal or extension.

AYES:

NOES:

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HOGAN LOVELLS US LLP TO PROVIDE LEGAL AND INVESTIGATIVE SERVICES IN CONNECTION WITH THE PURPORTED APRIL 12, 2019 EXTENSION OF THE MALIBU BEACH PARK MANAGEMENT AND MAINTENANCE LICENSE AGREEMENT AND THE 2009 MANAGEMENT AND MAINTENANCE LICENSE AGREEMENT WITH DOVER GOURMET CORP.

WHEREAS, the Town of Hempstead (the "Town") has an immediate need for legal services in connection with the review, investigation, audit and potential litigation related to: (i) a license agreement between Dover Gourmet Corp. ("Dover") and the Town for the management and maintenance of the Malibu Beach Park in Lido Beach (the "License Agreement"), which was authorized by the Town Board pursuant to Resolution No. 548-2009; and a purported contract extension with Dover, dated April 12, 2019, which was executed to purportedly extend the term of the License Agreement for 5-years and to make other modifications to the License Agreement (the "Services"); and

WHEREAS, the Town Attorney has a conflict of interest; and

WHEREAS, the Town Board acknowledges that there is a need to utilize a law firm that is not on the Town's established panel of eligible providers; and

WHEREAS, the law firm of Hogan Lovells US LLP, 390 Madison Avenue, New York, New York (the "Firm") is uniquely qualified to render the Services; and

WHEREAS, this Board finds it in the best interests of the Town to retain the Firm to provide the Services (the "Agreement").

NOW, THEREFORE, BE IT

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

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the Agreement on behalf of the Town, at an hourly rate of \$550.00 for partners, \$375.00 for associates and \$150 for paralegals, 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 Town Attorney's Fees and Services Account upon receipt of

Item # 52

Case # 137594
27400

the duly executed Agreement and certified claims therefor; and be it further

RESOLVED that this authorization shall constitute a limited exception to the
Town's Procurement Policy and Procedures.

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 AMENDING RESOLUTION NO. 623-2019, WHICH AUTHORIZED THE EXECUTION OF PROFESSIONAL SERVICES AGREEMENTS FOR TRANSCRIPTION SERVICES.

WHEREAS, Resolution No. 623-2019, duly adopted on June 11, 2019 (the "Resolution") authorized the Town of Hempstead (the "Town") to enter into agreements with various firms to provide professional transcription services for meetings of the Town Board and the Board of Zoning Appeals (the "BZA"), and at hearings and depositions scheduled by the Town (the "Services"); and

WHEREAS, the Resolution authorized the execution of an agreement with Steno-graphics, 84 Redwood Lane, Massapequa Park, New York 11762 to provide transcription services for meetings of the Board of Zoning Appeals (the "BZA"); and

WHEREAS, Steno-graphics has notified the Town that effective July 19, 2019 it will no longer provide transcription services to the BZA; and

WHEREAS, Excel Reporting, Inc., 56 Prospect Avenue, East Rockaway, New York 11518 had submitted a proposal to provide the Services for the BZA as follows:

Appearance Fee: \$65.00
After Hours Fee: \$75.00 after 6:00PM
Per page:
Electronic: \$6.75
Electronic with printed transcript: \$6.85
Cancellation Fee: \$95.00
Minimum Service Fee: \$95.00

; and

WHEREAS, the committee evaluating the proposals for the Services had scored Excel Reporting, Inc., the second highest after Steno-graphics for transcription services for the BZA; and

WHEREAS, pursuant to the Resolution, the Town entered into an agreement with Excel Reporting, Inc. for transcription services for meetings of the Town Board and at hearings and depositions scheduled by the Town (the "Agreement"); and

WHEREAS, the Board finds it to be in the best interest of the Town to amend the Resolution to authorize an amendment to the Agreement to include transcription services to the BZA as set forth above.

NOW, THEREFORE, BE IT

RESOLVED, that the Resolution be and hereby is amended to authorize the execution of an amendment to the Agreement with Excel Reporting, Inc., 56 Prospect Avenue, East Rockaway, New York 11518 to include transcription services to the BZA; and be it further

RESOLVED, that the Town Supervisor is hereby authorized and directed to execute the amendment to the Agreement with Excel Reporting, Inc. for transcription services, a copy of which shall be on file with the Office of the Town Clerk, and to take such other action as may be necessary to effectuate the foregoing; and be it further

Case #

53
12263

RESOLVED, that the Comptroller is hereby authorized and directed to make payment of the monies due and owing pursuant to the amended agreement with Excel Reporting, Inc., if any, out of the appropriate designated departmental Fees & Services Account upon receipt of certified claims therefor.

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 CONSIDERING WHETHER OR NOT REASONABLE CAUSE EXISTS TO DETERMINE THAT THE STRUCTURE LOCATED AT 3400 HEWLETT AVENUE, MERRICK, NEW YORK AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 63, BLOCK 322 AND LOT 34, UNDER PERMIT NO. 776-065-19, CONSTITUTES A MENANCE TO NAVIGATION PURSUANT TO SECTION 168-8 OF THE CODE OF THE TOWN OF HEMPSTEAD.

WHEREAS, the Department of Conservation and Waterways (the "Department") issued a Structures in Waterways permit, Permit No. 776-065-19, as amended, dated July 17, 2019 to John Bortolis for the construction of a dock at the premises located at 3400 Hewlett Avenue, Merrick, New York; and

WHEREAS, the permit provides for the construction of a "40'x4' pier to ramp to 20'x10' floating dock with 4 pile boat lift on West side of float. Any structures/mooring of any kind strictly prohibited on East side entire structure, pier, ramp & float"; and

WHEREAS, construction of the dock has commenced but has not been completed; and

WHEREAS, the owners of two neighboring properties, Jeffrey B. Clancy and Jennifer Clancy (3421 East Bay Court), and Eric Horowitz and Elizabeth Horowitz (3404 Hewlett Avenue), who have existing docks, have complained that their riparian rights are being impacted by the construction of the dock; have commenced litigation in furtherance of that position in the Supreme Court of Nassau County under Index No. 373/19; and have requested that the Town Board take certain action pursuant to Section 168-8 of the Code of the Town of Hempstead (the "Town Code"); and

WHEREAS, the Clancy's and the Horowitz's have requested the Town Board to: (i) suspend the permit for 30 days; (ii) investigate the permit and dock; (iii) schedule, notice and hold a hearing thereon; (iv) modify the permit to remove the dangers to navigation; and (v) remove menacing structure(s); and

WHEREAS, Section 168-8 of the Town Code provides that "[a]ny structure...erected or installed under this chapter, shall at all times be maintained by the permittee... in good repair and condition and not as a menace to navigation..., and the Town Board, upon finding reasonable cause to believe that the permittee... has failed to comply with this section, may forthwith suspend any permit issued under this chapter for a period not to exceed 30 days, and after a hearing, on written notice mailed to the permittee...at his last known address, and at least 10 days prior to such hearing, may revoke such permit and remove or repair such structure,

Item #

54

Case #

30158

mooring pile or spile and charge the permittee, his successor or assignee of the adjacent upland with the expense of such removal or repair”; and

WHEREAS, as a threshold matter, the Town Board must determine whether or not reasonable cause exists to deem the dock, as it will appear and be situated after completion, “a menace to navigation”; and

WHEREAS, the Town Board wishes to afford the three affected property owners and/or their attorneys, as well as representatives from the Department, an opportunity to submit to the Town Board any arguments, documentation and/or testimony in support or in opposition to the reasonable cause determination.

NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney is hereby directed to send written correspondence no later than August 8, 2019 to the three property owners and their respective attorneys and advise them of the opportunity to submit arguments, documentation and/or testimony in support or in opposition to the reasonable cause determination, with notice to the recipients that copies of any submissions must be sent to each member of the Town Board and be received no later than August 23, 2019.

AYES:

NOES:

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE 2019 ROADWAY RESURFACING CONTRACT PART A, TOWN OF HEMPSTEAD, NEW YORK, PW# 19-19

WHEREAS, the Commissioner of General Services (the "Commissioner") solicited bids for the 2019 Roadway Resurfacing Contract, Part A, Town of Hempstead, PW# 19-19 (the "Project"); and

WHEREAS, pursuant to such solicitation, bids were opened and read in the office of the Commissioner on July 11, 2019; and

WHEREAS, the following bids were received and referred to the Engineering Department for examination and report:

Metro Paving, LLC	\$2,748,600.00
H&L Contracting.	\$2,787,000.00
Pratt Brothers	\$3,484,300.00
Posillico Civil	\$3,517,300.00
Rosemar Contracting	\$3,867,600.00
Richard Grimm Inc.	\$4,447,850.00

WHEREAS, the Commissioner of the Engineering Department reported that lowest bid was received from Metro Paving, LLC, 500 Patton Avenue, West Babylon, New York 11704 in the sum of \$2,748,600.00, and it appears that said bidder is duly qualified and recommends acceptance to the Town Board; and

WHEREAS, consistent with the recommendation of the Commissioner of the Engineering Department, the Town Board desires to authorize the award of a contract for the Project to Metro Paving, LLC, as the lowest responsible bidder at its bid price of \$2,748,600.00; and

WHEREAS, the contract is unit price based with estimated unit quantities; and

WHEREAS, the adopted 2019 Highway Capital Construction Program has Mill and Overlay Roadway Projects budgeted totaling \$16,177,000.00 for A Part B contracts; and

WHEREAS, the total for this contract does not exceed \$5,000,000.00

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards a contract for the Project to Metro Paving, LLC, 500 Patton Avenue, West Babylon, New York 11704, as the lowest responsible bidder at its bid price of \$2,748,600.00; and be it further

RESOLVED, that upon execution of the contract by Metro Paving, LLC, the required Performance Bond and Insurance, when approved by the Town Attorney as to form, be filed in the Town Clerk's Office together with the contract; and be it further

RESOLVED, that the Town Board authorizes the Commissioner of the Department of Engineering to execute, on behalf of the Town of Hempstead the agreement with Metro Paving, LLC, and authorizes and directs the Comptroller to pay the cost of the Project in accordance with the contract in the amount of \$2,748,600.00 with payments to be made from the Town Highway Capital Improvement Funds, Account No.:9571-503-9571-5010.

AYES:

NOES:

Item # 55

Case# 3191

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE 2019 ROADWAY RESURFACING CONTRACT PART B, TOWN OF HEMPSTEAD, NEW YORK, PW# 20-19

WHEREAS, the Commissioner of General Services (the "Commissioner") solicited bids for the 2019 Roadway Resurfacing Contract, Part B, Town of Hempstead, PW# 20-19 (the "Project"); and

WHEREAS, pursuant to such solicitation, bids were opened and read in the office of the Commissioner on July 11, 2019; and

WHEREAS, the following bids were received and referred to the Engineering Department for examination and report:

Metro Paving, LLC	\$2,393,900.00	
H&L Contracting.	\$2,395,669.00	
Pratt Brothers	\$2,924,800.00	
Rosemar Contracting	\$2,997,550.00	
Posillico Civil	\$3,618,650.00	CORRECTED
Richard Grimm Inc.	\$3,853,700.00	

WHEREAS, the Commissioner of the Engineering Department reported that lowest bid was received from Metro Paving, LLC, in the sum of \$2,393,900.00, however, pursuant to the Departments Special Notice to Bidders, attached herein, if a Contractor is the lowest bidder on more than one of the two projects titled 2019 ROADWAY RESURFACING CONTRACT PART A – (PW# 19-19) AND PART B – (PW# 20-19), then the Town reserves the right to disqualify said Contractor from being awarded one of the Contracts; and

WHEREAS, The Commissioner of the Engineering Department reported that the lowest bidder, Metro Paving, LLC, was the apparent lowest bidder on 2019 Roadway Resurfacing Contract Part A and B; and the second lowest bid on Part B was received from H&L Contracting LLC, 38 Homan Avenue, Bay Shore, New York 11706 in the sum of \$2,395,669.00, and it appears that said bidder is duly qualified and recommends acceptance to the Town Board; and

WHEREAS, consistent with the recommendation of the Commissioner of the Engineering Department, the Town Board desires to authorize the award of a contract for the Project to H&L Contracting LLC, as the lowest responsible and qualified bidder at its bid price of \$2,395,669.00; and

WHEREAS, the contract is unit price based with estimated unit quantities; and

WHEREAS, the adopted 2019 Highway Capital Construction Program has Mill and Overlay Roadway Projects budgeted totaling \$16,177,000.00 for A Part B contracts; and

WHEREAS, the total for this contract does not exceed \$5,000,000.00

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards a contract for the Project to H&L Contracting LLC, 38 Homan Avenue, Bay Shore, New York 11706, as the lowest responsible and qualified bidder at its bid price of \$2,395,669.00; and be it further

RESOLVED, that upon execution of the contract by H&L Contracting LLC, the required Performance Bond and Insurance, when approved by the Town Attorney as to form, be filed in the Town Clerk's Office together with the contract; and be it further

Item # 56

Case # 3191

RESOLVED, that the Town Board authorizes the Commissioner of the Department of Engineering to execute, on behalf of the Town of Hempstead the agreement with H&L Contracting LLC, and authorizes and directs the Comptroller to pay the cost of the Project in accordance with the contract in the amount of \$2,395,669.00 with payments to be made from the Town Highway Capital Improvement Funds, Account No.:9571-503-9571-5010.

AYES:

NOES:

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF A BID FOR ROAD IMPROVEMENT- HEWLETT PARKWAY- HEWLETT, CRANFORD AVENUE, DOLORES DRIVE, ELDERBERRY LANE EAST AND MAYFIELD LANE- SOUTH VALLEY STREAM, TOWN OF HEMPSTEAD, NEW YORK, PW# 18-19

WHEREAS, the Commissioner of General Services (the "Commissioner") solicited bids for Reconstruction of Hewlett Parkway in Hewlett, Cranford Avenue, Dolores Drive, Elderberry Lane East and Mayfield Lane in South Valley Stream, Town of Hempstead, Nassau County, New York; PW# 18-19 (the "Project"); and

WHEREAS, pursuant to such solicitation, bids were opened and read in the office of the Commissioner on July 5, 2019; and

WHEREAS, the following bids were received and referred to the Engineering Department for examination and report:

Valente Contracting Corp.	\$1,418,575.00
Pratt Brothers	\$1,497,505.00

WHEREAS, the Commissioner of the Engineering Department reported that lowest bid was received from Valente Contracting Corp, 77 Jackson Avenue, Mineola, New York 11501 in the sum of \$1,418,575.00, and it appears that said bidder is duly qualified and recommends acceptance to the Town Board; and

WHEREAS, consistent with the recommendation of the Commissioner of the Engineering Department, the Town Board desires to authorize the award of a contract for the Project to Valente Contracting Corp., as the lowest responsible bidder at its bid price of \$1,418,575.00.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards a contract for the Project to Valente Contracting Corp., 77 Jackson Avenue, Mineola, New York 11501, as the lowest responsible bidder at its bid price of \$1,418,575.00; and be it further

RESOLVED, that upon execution of the contract by Valente Contracting Corp., the required Performance Bond and Insurance, when approved by the Town Attorney as to form, be filed in the Town Clerk's Office together with the contract; and be it further

RESOLVED, that the Town Board authorizes the Commissioner of the Department of Engineering to execute, on behalf of the Town of Hempstead the agreement with Valente Contracting Corp., and authorizes and directs the Comptroller to pay the cost of the Project in accordance with the contract in the amount of \$1,418,575.00 to be made from the Town Highway Capital Improvement Funds, Account No.: 9561-503-9561-5010.

AYES:

NOES:

Item # 59
Case # 28692

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF
TOH CONTRACT#: 51-2019 FOR
EMERGENCY MANAGEMENT CONSULTING SERVICES

WHEREAS, the Town of Hempstead (the "Town") is seeking qualified firms to provide consulting services to the Town related to emergency management, homeland security and public safety issues (the "Services"); and

WHEREAS, the Division of Purchasing, on behalf of the Town, solicited proposals for TOH Contract#: 51-2019, Emergency Management Consulting Services; and

WHEREAS, proposals were received and opened on April 12, 2019, whereby the following companies submitted the listed proposals:

<u>Name & Address of Proposers</u>	<u>Cost</u>
1) Rotanz and Associates 10 Spyglass Lane, Setauket, NY 11733	\$ 235,000 for objectives 1-10 in scope of work \$ 130/hr for objectives 6-11
2) Redland Strategies 519 Eighth Avenue, 16th Floor New York, NY 10018	\$ 30,000 for objectives 1-5 and 7-10 in scope of work \$ 35,000 for objective 6 \$ 175/hr for objective 11

; and

WHEREAS, three additional proposals were received from Chloeta, 2501 Liberty Parkway, Midwest City OK 73110; iParametrics, 74 Summit Avenue, Waldwick, NJ 07463; and Ernst & Young LLP, 1 Jericho Plaza, Suite 105, Jericho, NY 11753, which were determined to be either non-responsive or cost prohibitive and were not considered; and

WHEREAS, following an evaluation of the aforementioned proposals, including interviews with the proposers under consideration, it has been determined that the proposal received by Redland Strategies, 519 Eighth Avenue, 16th Floor, New York, NY 10018 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 Redland Strategies for the Services at a cost not to exceed \$75,000.00, commencing on July 1, 2019 and expiring on June 30, 2020 for a period of one year with the Town having the option to extend the contract, subject to Town Board approval, at intervals of one year, for up to an additional two years for a total of three years.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards TOH Contract#: 51-2019, Emergency Management Consulting Services, to Redland Strategies, 519 Eighth Avenue, 16th Floor, New York, NY 10018 as set forth herein; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to execute a contract, and take any related action, with Redland Strategies for the services described within TOH Contract#: 51-2019, Emergency Management Consulting Services; and be it further

Item #

58

Case #

30159

RESOLVED, that the Comptroller is hereby authorized and directed to make payment of the monies due and owing in conjunction with this contract in an amount not to exceed \$75,000.00 for the one year term, out of the Account No. 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 RATIFICATION AND AFFIRMATION OF
VARIOUS ARTISTIST ENGAGEMENT AND CHILDREN SHOW AGREEMENTS
IN CONJUNCTION WITH THE TOWN'S ANNUAL SUMMER CONCERT SERIES
AND RELATED SUMMER PARK ACTIVITIES

WHEREAS, the Town of Hempstead annually hosts a Summer Concert Series as well a number of special shows for children ("Children Shows"), each held in various parks throughout the Town; and

WHEREAS in conjunction with the Town's 2019 annual Summer Concert Series and summer Children Shows, the Department of Parks and Recreation has previously entered into various Artist Engagement Agreements with music performance bands as well as certain Children Show Agreements, each as more particularly identified on Schedule "A" attached hereto; and

WHEREAS, the Commissioner of the Department of Parks and Recreation recommends to this Town Board that each of the previously executed Artist Engagement and Children Show Agreements respectively identified on Schedule "A" be ratified and affirmed; and

WHEREAS, this Town Board finds that the ratification and affirmation of the Artist Engagement and Children Show Agreements respectively identified on Schedule "A" in conjunction with the Town's 2019 Summer Concert Series and Children Show performances is in the best interest of the Town.

NOW, THEREFORE, BE IT

RESOLVED, that each of the previously executed Artist Engagement and Children Show Agreements set forth on Schedule "A" be and are hereby ratified and affirmed; and

BE IT FURTHER

RESOLVED, that the Comptroller be and hereby is authorized to make payments under the aforementioned various Artist Engagement and Children Show Agreements from Parks and Recreation Account number 400-007-7110-4793.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

59

Case #

29910

CASE NO.

RESOLUTION NO.

Adopted:

offered

the following resolution and moved its adoption:

RESOLUTION APPROVING SITE PLANS SUBMITTED BY CHRISTOPHER W. ROBINSON, PE OF R & M ENGINEERING ON BEHALF OF MICHAEL DUBB OF BEECHWOOD MERRICK, LLC, IN CONNECTION WITH BUILDING APPLICATION #201816935, TO CONSTRUCT A SIX STORY APARTMENT HOTEL WITH STRUCTURED PARKING BELOW, HOTEL AMENITIES, AND ASSOCIATED SITE IMPROVEMENTS LOCATED ON THE WEST SIDE OF MERRICK AVENUE, 671.09' SOUTH OF PRIVADO ROAD, WESTBURY, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, heretofore, Christopher W. Robinson, PE of R & M Engineering, on behalf of Michael Dubb of Beechwood Merrick, LLC has submitted an application bearing #201816935, to construct a six story apartment hotel with structured parking below, hotel amenities with associated site improvements located on the west side of Merrick Avenue, 167.09' south of Privado Road, Westbury, Town of Hempstead, New York; and

WHEREAS, in connection with such application and pursuant to the requirements of Section 305 of Article XXXI of the Building Zone Ordinance of the Town of Hempstead, said applicant has submitted an Alignment Plan, dated September 10, 2018, last revised July 9, 2019, and bearing the seal of Christopher W. Robinson, P.E., License # 67519, University of the State of New York, which site plans show the use, dimensions, types and locations of each of the buildings, structures, or other improvements existing or proposed to be installed, erected or altered upon the site shown and the provisions proposed to be made for the facilities and improvements required by said Section 305 to be shown; and

WHEREAS, said site plan has been approved as submitted by the Commissioner of the Highway Department, the Town Engineer and the Commissioner of the Department of Buildings; and

WHEREAS, the Town Board, after giving due consideration to those matters required to be considered by them pursuant to the provisions of the aforesaid Section 305, finds it in the public interest that the site shown be developed and improved in accordance with the site plan as submitted subject to the conditions thereon noted;

NOW THEREFORE, BE IT

RESOLVED, that the site plan submitted by Michael Dubb and Beechwood Merrick, LLC entitled Alignment Plan, dated September 10, 2018 and last revised July 9, 2019 and bearing the seal of Christopher W. Robinson, P.E., License #67519, University of the State of New York, in connection with building application #201816935, to construct a six story apartment hotel with structured parking below, hotel amenities with associated site improvements located on the west side of Merrick Avenue, 167.09' south of Privado Road, Westbury, Town of Hempstead, New York, be and the same is hereby approved.

The foregoing resolution was adopted upon role call as follows:

AYES:

NOES:

Item #

60

Case #

29933

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and
moved its adoption:

RESOLUTION AUTHORIZING THE OFFICE OF
THE TOWN ATTORNEY TO PAY THE CLAIM
OF ALLSTATE PROPERTY AND CASUALTY
INSURANCE COMPANY AS SUBROGEE OF
MICHAEL CARUCCI IN THE AMOUNT OF
9,958.85.

WHEREAS, Allstate Property and Casualty Insurance Company as subrogee of (a/s/o) Michael Caracci, by its attorney, Law Offices of Karen L. Lawrence with offices in Hauppauge, New York, made a vehicle damage claim against the Town of Hempstead when its insured Michael Carucci's 2007 Jeep motor vehicle was in a collision with a Town of Hempstead Highway Department Truck on Sunrise Highway near Babylon Turnpike in Merrick, New York on October 30, 2015; and; and

WHEREAS, a legal action was initiated by Allstate Property and Casualty Insurance Company a/s/o Michael Carucci to recover damages to its insured Michael Carucci, 2007 Jeep motor vehicle; and

WHEREAS, a jury trial was held and a verdict was rendered against the Town of Hempstead; and

WHEREAS, the Law Offices of Karen L. Lawrence, attorney for Allstate Property and Casualty Insurance Company a/s/o Michael Carucci, has forwarded a Stipulation Discontinuing Action and an executed general release to the Office of the Town Attorney; and

WHEREAS, the Claims Service Bureau of New York, Inc., the claims representatives for the Town of Hempstead and the Office of the Town Attorney recommend that this claim be paid in the amount proposed as being in the best interest of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that the Office of the Town Attorney is authorized to pay the vehicle damage claim of Allstate Property and Casualty Insurance Company for an accident occurring on October 30, 2015 in the amount of \$9,058.85 in full and final settlement amount to be paid out of the Part Town-Highway Fund Tort Liability Account.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

61

Case #

10889

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and
moved its adoption

RESOLUTION AUTHORIZING THE OFFICE
OF THE TOWN ATTORNEY TO SETTLE THE
CLAIM OF ELBA CALDERON AND SALVATORE
CALDERON IN THE SUM OF \$62,500.00.

WHEREAS, Elba Calderon and Salvatore Calderon, by their attorney, John J. Appell, Esq., with offices in New York, New York, made a claim against the Town of Hempstead for personal injuries sustained by Elba Calderon when she fell on a sidewalk adjacent to 3479 Riverside Drive in Oceanside, on June 27, 2014; and

WHEREAS, an action was instituted in the Supreme Court of the State of New York in Nassau County by Elba Calderon and Salvatore Calderon to recover damages for personal injuries Elba Calderon sustained as a result of said accident; and

WHEREAS, prior to jury selection, a proposal was made between John J. Appell, Esq. attorney for Elba Calderon and Salvatore Calderon and the Town of Hempstead trial counsel, to settle the personal injury claim of Elba Calderon in the amount of \$62,500.00; and

WHEREAS, John J. Appell, Esq., attorney for Elba Calderon and Salvatore Calderon, have forwarded a stipulation discontinuing action and an executed general release to the Office of the Town Attorney; and

WHEREAS, the Town of Hempstead trial counsel, the Claims Service Bureau of New York, Inc., the claims representatives for the Town of Hempstead and the Office of the Town Attorney recommend that this settlement be approved in the best interest of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that the Office of Town Attorney is authorized to settle the personal injury claim of Elba Calderon and Salvatore Calderon in the amount of \$62,500.00, regarding an accident occurring on June 27, 2014, said amount to be paid out of the Part Town Fund Tort Liability Account.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

61

Case #

10889

Resolution – Amending Resolution No. 36-2019 Re: Various offices, position & occupations in the Town Government of the Town of Hempstead

Item # 62
Case # 7

CASE NO. 30153

RESOLUTION NO.

ADOPTED:

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. 54-2019, 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 September 3, 2019 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. 54-2019, 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 # 63

Case # 30153

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 3rd day of September, 2019, 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:

BALDWIN
Section 202-5

BROOKSIDE DRIVE (TH 280/19) West Side
- TWO HOUR PARKING 10 AM TO 6 PM
EXCEPT SATURDAYS, SUNDAYS, AND
HOLIDAYS - starting at a point 20 feet
north of the north curbline of Beech
Street north for a distance of
113 feet.

BELLMORE
Section 202-15

BROADWAY (TH 183/19) North Side - TWO
HOUR PARKING 7 AM TO 7 PM EXCEPT
SATURDAYS, SUNDAYS, AND HOLIDAYS -
starting at a point 30 feet east of
the east curbline of Bedford Avenue
east to a point 220 feet west of the
west curbline of Bellmore Avenue.

MILDRED PLACE (TH 317/19) West Side -
TWO HOUR PARKING 7 AM TO 5 PM EXCEPT
SATURDAYS, SUNDAYS, AND HOLIDAYS -
starting at a point 229 feet south of
the south curbline of Sunrise Highway
south for a distance of 72 feet.

MERRICK
Section 202-11

WYNSUM AVENUE (TH 334/19) West Side -
TWO HOUR PARKING 7 AM TO 7 PM EXCEPT
SATURDAYS, SUNDAYS, AND HOLIDAYS -
starting at a point 112 feet south of
the south curbline of Sunrise Highway
south for a distance of 175 feet.

WYNSUM AVENUE (TH 334/19) West Side -
TWO HOUR PARKING 7 AM TO 7 PM EXCEPT
SATURDAYS, SUNDAYS, AND HOLIDAYS -
starting at the north curbline of
William Place north for a distance of
114 feet.

ROOSEVELT
Section 202-6

EAST FULTON AVENUE (TH 290/18) North Side - NO STOPPING 6 AM TO 6 PM - starting at a point 30 feet east of the east curbline of Stevens Street east for a distance of 50 feet.

UNIONDALE
Section 202-12

WALTON AVENUE (TH 323/19) West Side - NO PARKING 9 PM TO 6 AM - starting at a point 116 feet south of the south curbline of Hempstead Turnpike south for a distance of 60 feet.

WANTAGH
Section 202-10

CLIFTON BOULEVARD (TH 299/19) North Side - TWO HOUR PARKING 7 AM TO 7 PM EXCEPT SATURDAYS, SUNDAYS, AND HOLIDAYS - starting at a point 22 feet east of a point opposite the east curbline of Denver Road east for a distance of 41 feet.

WEST HEMPSTEAD
Section 202-20

HENRY STREET (TH 260/19) South Side - TWO HOUR PARKING 10 AM TO 6 PM EXCEPT SATURDAYS, SUNDAYS, AND HOLIDAYS - starting at a point 15 feet east of the east curbline of Oakland Avenue then east for a distance of 50 feet.

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

BELLMORE
Section 202-15

BROADWAY (TH 133/19) North Side - TWO HOUR PARKING 7 AM TO 7 PM EXCEPT SATURDAYS, SUNDAYS, AND HOLIDAYS - starting at a point 50 feet east of the east curbline of Bedford Avenue east to a point 220 feet west of the west curbline of Bellmore Avenue. (Adopted 5/21/19)

MERRICK
Section 202-11

WYNSUM AVENUE (TH 266/92) West Side - TWO HOUR PARKING 7 AM TO 7 PM EXCEPT SATURDAYS, SUNDAYS, AND HOLIDAYS - starting at a point 106 feet south of the south curbline of Sunrise Highway south to the north curbline of William Place. (Adopted 1/12/93)

ROOSEVELT
Section 202-6

EAST FULTON AVENUE (TH 290/18) North Side - NO STOPPING ANYTIME MONDAY TO WEDNESDAY - starting at a point 30 feet east of the east curbline of Stevens Street then east for a distance of 50 feet. (Adopted 9/20/18)

UNIONDALE
Section 202-12

WALTON AVENUE (TH 17/71) West Side - NO PARKING 9 PM TO 6 AM - starting at a point 30 feet south of the south curbline of Hempstead Turnpike south for a distance of 150 feet. (Adopted 6/15/71)

WEST HEMPSTEAD
Section 202-20

PEACH GROVE DRIVE (TH 50/73) West Side
- ONE HOUR PARKING EXCEPT SUNDAYS AND
HOLIDAYS - starting from a point
54 feet south of the south curbline of
Hempstead Turnpike south for a
distance of 70 feet. (Adopted 4/3/73)

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

Dated: August 6, 2019
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 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 thirty seven of two thousand nineteen is hereby amended by including therein "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

BALDWIN
Section 202-5

BROOKSIDE DRIVE (TH 280/19) West Side – TWO HOUR PARKING 10 AM TO 6 PM EXCEPT SATURDAYS, SUNDAYS, AND HOLIDAYS – starting at a point 20 feet north of the north curbline of Beech Street north for a distance of 113 feet.

BELLMORE
Section 202-15

BROADWAY (TH 183/19) North Side – TWO HOUR PARKING 7 AM TO 7 PM EXCEPT SATURDAYS, SUNDAYS, AND HOLIDAYS – starting at a point 30 feet east of the east curbline of Bedford Avenue east to a point 220 feet west of the west curbline of Bellmore Avenue.

MILDRED PLACE (TH 317/19) West Side – TWO HOUR PARKING 7 AM TO 5 PM EXCEPT SATURDAYS, SUNDAYS, AND HOLIDAYS – starting at a point 229 feet south of the south curbline of Sunrise Highway south for a distance of 72 feet.

MERRICK
Section 202-11

WYNSUM AVENUE (TH 334/19) West Side – TWO HOUR PARKING 7 AM TO 7 PM EXCEPT SATURDAYS, SUNDAYS, AND HOLIDAYS – starting at a point 112 feet south of the south curbline of Sunrise Highway south for a distance of 175 feet.

WYNSUM AVENUE (TH 334/19) West Side – TWO HOUR PARKING 7 AM TO 7 PM EXCEPT SATURDAYS, SUNDAYS, AND HOLIDAYS – starting at the north curbline of William Place north for a distance of 114 feet.

ROOSEVELT
Section 202-6

EAST FULTON AVENUE (TH 290/18) North Side – NO STOPPING 6 AM TO 6 PM – starting at a point 30 feet east of the east curbline of Stevens Street east for a distance of 50 feet.

UNIONDALE
Section 202-12

WALTON AVENUE (TH 323/19) West Side – NO PARKING 9 PM TO 6 AM – starting at a point 116 feet south of the south curbline of Hempstead Turnpike south for a distance of 60 feet.

WANTAGH
Section 202-10

CLIFTON BOULEVARD (TH 299/19) North Side – TWO HOUR PARKING 7 AM TO 7 PM EXCEPT SATURDAYS, SUNDAYS, AND HOLIDAYS – starting at a point 22 feet east of a point opposite the east curbline of Denver Road east for a distance of 41 feet.

WEST HEMPSTEAD
Section 202-20

HENRY STREET (TH 260/19) South Side – TWO HOUR PARKING 10 AM TO 6 PM EXCEPT SATURDAYS, SUNDAYS, AND HOLIDAYS – starting at a point 15 feet east of the east curbline of Oakland Avenue then east for a distance of 50 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 thirty seven of two thousand nineteen is hereby amended by repealing therein "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

BELLMORE
Section 202-15

BROADWAY (TH 133/19) North Side – TWO HOUR PARKING 7 AM TO 7 PM EXCEPT SATURDAYS, SUNDAYS, AND HOLIDAYS – starting at a point 50 feet east of the east curblane of Bedford Avenue east to a point 220 feet west of the west curblane of Bellmore Avenue. (Adopted 5/21/19)

MERRICK
Section 202-11

WYNSUM AVENUE (TH 266/92) West Side – TWO HOUR PARKING 7 AM TO 7 PM EXCEPT SATURDAYS, SUNDAYS, AND HOLIDAYS – starting at a point 106 feet south of the south curblane of Sunrise Highway south to the north curblane of William Place. (Adopted 1/12/93)

ROOSEVELT
Section 202-6

EAST FULTON AVENUE (TH 290/18) North Side – NO STOPPING ANYTIME MONDAY TO WEDNESDAY – starting at a point 30 feet east of the east curblane of Stevens Street then east for a distance of 50 feet. (Adopted 9/20/18)

UNIONDALE
Section 202-12

WALTON AVENUE (TH 17/71) West Side – NO PARKING 9 PM TO 6 AM – starting at a point 30 feet south of the south curblane of Hempstead Turnpike south for a distance of 150 feet. (Adopted 6/15/71)

WEST HEMPSTEAD
Section 202-20

PEACH GROVE DRIVE (TH 50/73) West Side – ONE HOUR PARKING EXCEPT SUNDAYS AND HOLIDAYS – starting from a point 54 feet south of the south curblane of Hempstead Turnpike south for a distance of 70 feet. (Adopted 4/3/73)

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

CASE NO. 30154

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A PROPOSED LOCAL LAW TO AMEND SECTION 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 Section 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. 55-2019, 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 September 3, 2019, 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. 55-2019, Print No. 1, to amend Section 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 # 64

Case # 30154

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 3rd day of September, 2019, 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:

BALDWIN GRAND BOULEVARD (TH 300/19) East Side - NO STOPPING ANYTIME - starting at a point 30 feet north of the north curblines of Atlantic Avenue then north for a distance of 105 feet.

GRAND BOULEVARD (TH 300/19) West Side - NO STOPPING ANYTIME - starting at a point 25 feet north of the north curblines of Atlantic Avenue north for a distance of 77 feet.

BELLMORE BROADWAY (TH 183/19) North Side - NO STOPPING HERE TO CORNER - starting at the east curblines of Bedford Avenue east for a distance of 30 feet.

(NR) BETHPAGE BOONE AVENUE (TH 325/19) North Side - NO STOPPING HERE TO CORNER - starting at the west curblines of Wantagh Avenue west for a distance of 25 feet.

EDNA AVENUE (TH 325/19) South Side - NO STOPPING HERE TO CORNER - starting at the west curblines of Wantagh Avenue west for a distance of 25 feet.

EDNA AVENUE (TH 325/19) North Side - NO STOPPING HERE TO CORNER - starting at the west curblines of Wantagh Avenue west for a distance of 20 feet.

(NR) CEDARHURST BROADWAY (TH 324/19) South Side - NO STOPPING HERE TO CORNER - from the west curblines of Lotus Street west for a distance of 55 feet.

BROADWAY (TH 324/19) South Side - NO STOPPING HERE TO CORNER - from the east curbline of Lotus Street east for a distance of 35 feet.

FRANKLIN SQUARE

FENDALE STREET (TH 338/19) East Side - NO STOPPING HERE TO CORNER - starting at the south curbline of Hempstead Turnpike south for a distance of 49 feet.

FENDALE STREET (TH 338/19) West Side - NO STOPPING HERE TO CORNER - starting at the south curbline of Hempstead Turnpike south for a distance of 55 feet.

PARK LANE NORTH (TH 303/19) North Side - NO PARKING ANYTIME - starting at a point 217 feet east of the east curbline of Franklin Avenue east for a distance of 20 feet.

NORTH MERRICK

JERUSALEM AVENUE (TH 316/19) North Side - NO STOPPING ANYTIME - starting at the west curbline of North Drive west for a distance of 125 feet.

(NR) VALLEY STREAM

"S" STREET (TH 326/19) North Side - NO PARKING ANYTIME - starting at the north curbline of "S" Street north following the curvature onto Arcadian Avenue north for a distance of 20 feet.

WEST HEMPSTEAD

HENRY STREET (TH 260/19) South Side - NO STOPPING ANYTIME - starting at a point 85 feet east of the east curbline of Oakland Avenue then east for a distance of 26 feet.

PEACHGROVE DRIVE (TH 293/19) West Side - NO STOPPING ANYTIME - starting at a point 20 feet south of the south curbline of Hempstead Turnpike south for a distance of 89 feet.

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

BALDWIN

GRAND BOULEVARD (TH 419/77) East Side - NO STOPPING HERE TO CORNER - starting at the north curbline of Atlantic Avenue north for a distance of 30 feet. (Adopted 6/27/78)

GRAND BOULEVARD (TH 419/77) West Side - NO STOPPING HERE TO CORNER - starting at the north curbline of Atlantic Avenue north for a distance of 30 feet. (Adopted 6/27/78)

GRAND BOULEVARD (TH 299/67) East Side -
NO STOPPING EXCEPT POLICE - starting at
a point 56 feet north of the north
curbline of Atlantic Avenue north for a
distance of 52 feet. (Amended 6/13/67)

(NR) CEDARHURST

BROADWAY - South Side - NO STOPPING -
from the west curbline of Lotus Street
west for a distance of 55 feet.
(Amended 1/31/61)

BROADWAY - South Side - NO STOPPING -
from the east curbline of Lotus Street
east for a distance of 35 feet.
(Amended 1/31/61)

NORTH MERRICK

JERUSALEM AVENUE (TH 553/13) North Side
- NO STOPPING HERE TO CORNER - starting
at the west curbline of North Drive
west for a distance of 70 feet.
(Adopted 3/20/18)

(NR) WESTBURY

THE PLAIN ROAD (TH 170/76) East Side -
NO PARKING ANYTIME - starting at a
point 338 feet north of a point
opposite the northwest curbline of
Ladenburg Drive north for a distance of
48 feet. (Adopted 6/15/76)

WEST HEMPSTEAD

PEACH GROVE DRIVE (TH 50/73) West Side
- NO STOPPING HERE TO CORNER - starting
from the south curbline of Hempstead
Turnpike south for a distance of
54 feet. (Adopted 4/3/73)

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

Dated: August 6, 2019
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 thirty eight of two thousand nineteen is hereby amended by including therein "PARKING OR STANDING PROHIBITIONS" at the following locations:

BALDWIN

GRAND BOULEVARD (TH 300/19) East Side – NO STOPPING ANYTIME – starting at a point 30 feet north of the north curbline of Atlantic Avenue then north for a distance of 105 feet.

GRAND BOULEVARD (TH 300/19) West Side – NO STOPPING ANYTIME – starting at a point 25 feet north of the north curbline of Atlantic Avenue north for a distance of 77 feet.

BELLMORE

BROADWAY (TH 183/19) North Side – NO STOPPING HERE TO CORNER – starting at the east curbline of Bedford Avenue east for a distance of 30 feet.

(NR) BETHPAGE

BOONE AVENUE (TH 325/19) North Side – NO STOPPING HERE TO CORNER – starting at the west curbline of Wantagh Avenue west for a distance of 25 feet.

EDNA AVENUE (TH 325/19) South Side – NO STOPPING HERE TO CORNER – starting at the west curbline of Wantagh Avenue west for a distance of 25 feet.

EDNA AVENUE (TH 325/19) North Side – NO STOPPING HERE TO CORNER – starting at the west curbline of Wantagh Avenue west for a distance of 20 feet.

(NR) CEDARHURST

BROADWAY (TH 324/19) South Side – NO STOPPING HERE TO CORNER – from the west curbline of Lotus Street west for a distance of 55 feet.

BROADWAY (TH 324/19) South Side – NO STOPPING HERE TO CORNER – from the east curbline of Lotus Street east for a distance of 35 feet.

FRANKLIN SQUARE

FENDALE STREET (TH 338/19) East Side – NO STOPPING HERE TO CORNER – starting at the south curbline of Hempstead Turnpike south for a distance of 49 feet.

FENDALE STREET (TH 338/19) West Side – NO STOPPING HERE TO CORNER – starting at the south curbline of Hempstead Turnpike south for a distance of 55 feet.

PARK LANE NORTH (TH 303/19) North Side – NO PARKING ANYTIME – starting at a point 217 feet east of the east curbline of Franklin Avenue east for a distance of 20 feet.

NORTH MERRICK

JERUSALEM AVENUE (TH 316/19) North Side – NO STOPPING ANYTIME – starting at the west curbline of North Drive west for a distance of 125 feet.

(NR) VALLEY STREAM

“S” STREET (TH 326/19) North Side – NO PARKING ANYTIME – starting at the north curbline of “S” Street north following the curvature onto Arcadian Avenue north for a distance of 20 feet.

WEST HEMPSTEAD

HENRY STREET (TH 260/19) South Side – NO STOPPING ANYTIME – starting at a point 85 feet east of the east curbline of Oakland Avenue then east for a distance of 26 feet.

PEACHGROVE DRIVE (TH 293/19) West Side – NO STOPPING ANYTIME – starting at a point 20 feet south of the south curbline of Hempstead Turnpike south for a distance of 89 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 thirty eight of two thousand nineteen is hereby amended by repealing therein “PARKING OR STANDING PROHIBITIONS” at the following locations:

BALDWIN

GRAND BOULEVARD (TH 419/77) East Side – NO STOPPING HERE TO CORNER – starting at the north curbline of Atlantic Avenue north for a distance of 30 feet. (Adopted 6/27/78)

GRAND BOULEVARD (TH 419/77) West Side – NO STOPPING HERE TO CORNER – starting at the north curbline of Atlantic Avenue north for a distance of 30 feet. (Adopted 6/27/78)

GRAND BOULEVARD (TH 299/67) East Side – NO STOPPING EXCEPT POLICE – starting at a point 56 feet north of the north curbline of Atlantic Avenue north for a distance of 52 feet. (Amended 6/13/67)

(NR) CEDARHURST

BROADWAY – South Side – NO STOPPING – from the west curbline of Lotus Street west for a distance of 55 feet. (Amended 1/31/61)

BROADWAY – South Side – NO STOPPING – from the east curbline of Lotus Street east for a distance of 35 feet. (Amended 1/31/61)

NORTH MERRICK

JERUSALEM AVENUE (TH 553/13) North Side – NO STOPPING HERE TO CORNER – starting at the west curbline of North Drive west for a distance of 70 feet. (Adopted 3/20/18)

(NR) WESTBURY

THE PLAIN ROAD (TH 170/76) East Side – NO PARKING ANYTIME – starting at a point 338 feet north of a point opposite the northwest curbline of Ladenburg Drive north for a distance of 48 feet. (Adopted 6/15/76)

WEST HEMPSTEAD

PEACH GROVE DRIVE (TH 50/73) West Side – NO STOPPING HERE TO CORNER – starting from the south curbline of Hempstead Turnpike south for a distance of 54 feet. (Adopted 4/3/73)

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

CASE NO. 30155

RESOLUTION NO.

ADOPTED:

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. 56-2019, 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 September 3, 2019, 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. 56-2019, Print No. 1, to amend Section 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# 65
Case# 30155

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 3rd day of September, 2019, 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:

BALDWIN

WALNUT STREET (TH 270/19) STOP - all traffic traveling eastbound on Harvard Avenue shall come to a full stop.

WALNUT STREET (TH 270/19) STOP - all traffic traveling westbound on Harvard Avenue shall come to a full stop.

BELLMORE

BELLMORE AVENUE (TH 340/19) STOP - all traffic traveling eastbound on Marle Place shall come to a full stop.

BELLMORE AVENUE (TH 340/19) STOP - all traffic traveling westbound on Marle Place shall come to a full stop.

EAST ROCKAWAY

DEWEY STREET EAST (TH 91/19) STOP - all motorists traveling northbound on East Boulevard shall come to a full stop.

DEWEY STREET EAST (TH 91/19) STOP - all motorists traveling southbound on East Boulevard shall come to a full stop.

EAST BOULEVARD (TH 91/19) STOP - all motorists traveling westbound on Dewey Street East shall come to a full stop.

ELMONT

STEELE STREET (TH 313/19) STOP - all traffic traveling north bound on Lehrer Avenue shall come to a full stop.

STEELE STREET (TH 313/19) STOP - all traffic traveling southbound on Lehrer Avenue shall come to a full stop.

LEVITTOWN

BLUE SPRUCE ROAD (TH 304/19) STOP -
all traffic traveling northbound on
Crabtree Lane shall come to a full
stop.

(NR) WESTBURY

OLD COUNTRY ROAD (TH 284/19) STOP -
all traffic traveling northbound on
Pine Street 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: August 6, 2019
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 thirty nine of two thousand nineteen is hereby amended by including therein "ARTERIAL STOPS" at the following locations:

BALDWIN

WALNUT STREET (TH 270/19) STOP – all traffic traveling eastbound on Harvard Avenue shall come to a full stop.

WALNUT STREET (TH 270/19) STOP – all traffic traveling westbound on Harvard Avenue Shall come to a full stop.

BELLMORE

BELLMORE AVENUE (TH 340/19) STOP – all traffic traveling eastbound on Marle Place shall come to a full stop.

BELLMORE AVENUE (TH 340/19) STOP – all traffic traveling westbound on Marle Place shall come to a full stop.

EAST ROCKAWAY

DEWEY STREET EAST (TH 91/19) STOP – all motorists traveling northbound on East Boulevard shall come to a full stop.

DEWEY STREET EAST (TH 91/19) STOP – all motorists traveling southbound on East Boulevard shall come to a full stop.

EAST BOULEVARD (TH 91/19) STOP – all motorists traveling westbound on Dewey Street East shall come to a full stop.

ELMONT

STEELE STREET (TH 313/19) STOP – all traffic traveling north bound on Lehrer Avenue shall come to a full stop.

STEELE STREET (TH 313/19) STOP – all traffic traveling southbound on Lehrer Avenue shall come to a full stop.

LEVITTOWN

BLUE SPRUCE ROAD (TH 304/19) STOP – all traffic traveling northbound on Crabtree Lane shall come to a full stop.

(NR) WESTBURY

OLD COUNTRY ROAD (TH 284/19) STOP – all traffic traveling northbound on Pine Street shall come to a full stop.

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

CASE NO. 18920

RESOLUTION NO.

ADOPTED:

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. 57-2019, 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 September 3, 2019, 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. 57-2019, 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 # 66

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 3rd day of September, 2019, 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 BROADWAY (TH 93/82) North Side - NO
STOPPING BUS STOP - starting at the east
curbline of Bedford Avenue east for a
distance of 50 feet. (Adopted 6/15/82)

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

Dated: August 6, 2019
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 forty of two thousand nineteen is hereby amended by repealing therein "BUS STOPS" at the following locations:

BELLMORE

BROADWAY (TH 93/82) North Side – NO STOPPING BUS STOP – starting at the east curblineline of Bedford Avenue east for a distance of 50 feet. (Adopted 6/15/82)

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

CASE NO. 30156

RESOLUTION NO.

ADOPTED:

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. 58-2019, 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 September 3, 2019 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. 58-2019, 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# 6[↑]

Case# 30156

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 3rd day of September, 2019, 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:

OCEANSIDE NANTUCKET LANE (TH 318/19) East Side - NO PARKING 9 AM TO 3 PM SCHOOL DAYS - starting at a point 341 feet east then south of the east curbline of Skillman Avenue for a distance of 97 feet.

 NANTUCKET LANE (TH 318/19) East Side - NO PARKING 9 AM TO 3 PM SCHOOL DAYS - starting at a point 458 feet east then south of the east curbline of Skillman Avenue south to the east curbline of Skillman Avenue.

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

OCEANSIDE NANTUCKET LANE (TH 18/96) East and South Sides - NO PARKING 9 AM TO 3 PM SCHOOL DAYS - starting at a point 341 feet east and then south of the east curbline of Skillman Avenue south and west to the east curbline of Skillman Avenue.
(Adopted 7/22/97)

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

Dated: August 6, 2019
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 thirty six of two thousand nineteen is hereby amended by including therein "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at the following locations:

OCEANSIDE

NANTUCKET LANE (TH 318/19) East Side – NO PARKING 9 AM TO 3 PM SCHOOL DAYS – starting at a point 341 feet east then south of the east curblines of Skillman Avenue for a distance of 97 feet.

NANTUCKET LANE (TH 318/19) East Side – NO PARKING 9 AM TO 3 PM SCHOOL DAYS – starting at a point 458 feet east then south of the east curblines of Skillman Avenue south to the east curblines of Skillman Avenue.

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 thirty six of two thousand nineteen is hereby amended by repealing therein "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at the following locations:

OCEANSIDE

NANTUCKET LANE (TH 18/96) East and South Sides – NO PARKING 9 AM TO 3 PM SCHOOL DAYS – starting at a point 341 feet east and then south of the east curblines of Skillman Avenue south and west to the east curblines of Skillman Avenue. (Adopted 7/22/97)

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

CASE NO. 30157

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A PROPOSED LOCAL LAW TO AMEND SECTION 197-15 OF THE CODE OF THE TOWN OF HEMPSTEAD TO INCLUDE "PROHIBITION OF LEFT TURNS" 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 197-15 of the Code of the Town of Hempstead entitled "PROHIBITION OF LEFT TURNS" at various locations; and

WHEREAS, has introduced a proposed local law known as Intro. No. 59-2019, Print No. 1 to amend the said Section 197-15 of the Code of the Town of Hempstead to include "PROHIBITION OF LEFT TURNS" 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 September 3, 2019, 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. 59-2019, Print No. 1, to amend Section 197-15 of the Code of the Town of Hempstead to include "PROHIBITION OF LEFT TURNS" 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# 68
Case# 30157

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 3rd day of September, 2019, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Section 197-15 of the code of the Town of Hempstead to INCLUDE "PROHIBITION OF LEFT TURNS" at the following locations:

(NR) WESTBURY PINE STREET (TH 284/19) NO LEFT TURN -
all traffic traveling northbound on
Pine Street shall be prohibited from
executing left turns onto westbound Old
Country Road.

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

Dated: August 6, 2019
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 fifteen of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, to include "PROHIBITION OF LEFT TURNS" 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 fifteen 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 one hundred nine of two thousand sixteen is hereby amended by including therein "PROHIBITION OF LEFT TURNS" at the following locations:

(NR) WESTBURY

PINE STREET (TH 284/19) NO LEFT TURN – all traffic traveling northbound on Pine Street shall be prohibited from executing left turns onto westbound Old Country Road.

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

CASE NO.

RESOLUTION NO.

Adopted:

Council (wo)man

offered the following

resolution and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A LOCAL LAW TO ENACT A NEW SECTION 2-4 OF CHAPTER 2 OF THE CODE OF THE TOWN OF HEMPSTEAD IN RELATION TO ASSAULT UPON TOWN OF HEMPSTEAD ENFORCEMENT OFFICIALS.

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 new Section 2-4 of Chapter 2 of the Code of the Town of Hempstead in relation to assault upon Town of Hempstead enforcement officials; and

WHEREAS, Council (wo)man _____ has introduced the proposed local law known as Intro. No. _____ -2019 Print No. _____, 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 _____, 2019 at 10:30am at which time all interested persons shall be heard on the enactment of a local law known as Intro. No. _____ -2019, Print No. _____, for the enactment of a new Section 2-4 of Chapter 2 of the Code of the Town of Hempstead in relation to assault upon Town of Hempstead enforcement officials; 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 #

69

Case #

27273

Intro. No.:

Print No.:

Town of Hempstead

A local law to enact a new Section 2-4 of Chapter 2 of the Code of the Town of Hempstead in relation to assault upon Town of Hempstead enforcement officials.

Introduced by Council(wo)man _____

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

Section 1. Legislative Intent.

It is the purpose and intent of the Town Board to amend Chapter 2 of the Code of the Town of Hempstead entitled "Enforcement of Ordinances" in order to specifically penalize assault of a Town of Hempstead enforcement official acting in the course of and in pursuit of his/her official duties as a Town of Hempstead enforcement official, to specifically include within the definition of assault the use of a liquid, and to make the penalty for such an offense not less than 15 days in jail and not more than one (1) year in jail.

Section 2.

Section 2-4 of Chapter 2 of the Code of the Town of Hempstead is hereby enacted and shall read as follows:

Chapter 2

Enforcement of Ordinances

* * *

§2-4 Assault of a Town Of Hempstead Enforcement Official

A. For purposes of this section, the following words shall mean:

Assault

Causing injury to another person with intent to cause physical injury; recklessly causing physical injury to another person; causing physical injury to another person by means of a deadly weapon or a dangerous instrument with criminal negligence; or intentionally making contact with another person by means of a foreign object or throwing or spraying a liquid.

Town of Hempstead Enforcement Official

An employee of the Department of Buildings, the Department of Sanitation, the Department of Highways, the Department of Public Safety, the Department of Conservation and Waterways, or the Town Clerk's Office who is now or hereafter charged with the responsibility to perform inspection and/or enforcement duties with regard to the laws, codes, ordinances, rules and regulations of the Town of Hempstead, New York State law, or federal law.

B. Any person who assaults a Town of Hempstead enforcement official who is acting in the course of and in pursuit of his/her official duties as a Town of Hempstead enforcement official shall be guilty of a misdemeanor, punishable by not less than 15 days in jail and not more than one (1) year in jail.

* * *

Section 3. This law shall become immediately effective 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 TO REVIEW THE RECOMMENDATION OF THE TOWN OF HEMPSTEAD LANDMARKS PRESERVATION COMMISSION THAT THE "FRANKLIN SQUARE MOVIE THEATRE", 989 HEMPSTEAD TURNPIKE, FRANKLIN SQUARE, NY, SEC 35, BLOCK 004, LOT 126 BE DESIGNATED AN HISTORICAL LANDMARK.

WHEREAS, the Landmarks Preservation Commission of the Town of Hempstead has recommended that the "Franklin Square Movie Theatre", Sec 35, Block 004, Lot 126, Franklin Square, New York, be designated as an Historic Landmark; and

WHEREAS, it is in the public interest to consider the recommendation of the Landmarks Preservation Commission regarding the Franklin Square Movie Theatre, Franklin Square, New York;

NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 3rd day of September, 2019 at 10:30 o'clock in the forenoon of that day in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, Hempstead, New York, to consider the recommendation of the Town of Hempstead Landmarks Preservation Commission that the Franklin Square Movie Theatre, Sec 35, Block 004, Lot 126, Franklin Square, New York, on the Land and Tax map of Nassau County, as delineated by the decision and recommendation of the Landmarks Preservation Commission, be designated as an Historical Landmark; and, BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby directed to publish notice thereof, once, at least fourteen (14) days prior to the date set for the hearing, and give written notice, by certified mail return receipt requested, to the owner of the proposed site and to those people entitle thereto according to law, not less than ten (10) days prior to the date set for the hearing.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

70

Case #

22572

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Hempstead on Tuesday, the 3rd day of September 2019, at 10:30 o'clock in the forenoon of that day, in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, New York, for the purpose of considering the recommendation of the Town of Hempstead Landmarks Preservation Commission that the "Franklin Square Movie Theatre", 989 Hempstead Turnpike, Franklin Square, NY, Sec 35, Block 004, Lot 126, be designated as an Historical Landmark.

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: Hempstead, New York
August 6, 2019

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

SYLVIA A. CABANA
Town Clerk

LAURA A. GILLEN
Supervisor

CASE NO.

RESOLUTION NO.

RESOLUTION CALLING PUBLIC HEARING ON THE
APPLICATION OF CARMAX AUTO SUPERSTORES, INC FOR A
SPECIAL EXCEPTION (PUBLIC GARAGE) EAST MEADOW, NEW
YORK.

ADOPTED:

offered the following resolution and moved its
adoption:

RESOLVED, that a public hearing be held on September 3,
2019 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, to consider the application of
CARMAX AUTO SUPERSTORES, INC for Special Exception (Public
Garage) to allow the introduction of a Carmax used car
dealership with a proposed automotive service and repair
area, automated car wash facility and underground fuel
storage tanks and fueling station to the premises in EAST
MEADOW, New York, and

BE IT FURTHER RESOLVED, that the Town Clerk be
and hereby is directed to publish notice thereof once at
least ten (10) days prior to date of hearing in Long Island
Business News.

The foregoing resolution was adopted upon roll call as
follows:

AYES:

NOES:

Item #

71

Case #

30075

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that a Public Hearing will be held by the Town Board of the Town of Hempstead, Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on September 3, 2019 at 10:30 o'clock in the forenoon of that day for the purpose of considering the application of CARMAX AUTO SUPERSTORES, INC. for Special Exception (Public Garage) to allow the introduction of a Carmax used car dealership with a proposed automotive service and repair area, automated car wash facility and underground fuel storage tanks and fueling station to the premises in EAST MEADOW, New York:

An irregularly shaped parcel property having an area of 200,768' (4.61 acres) formerly the easterly portion of the Home Depot Building located 326.78' westerly of the intersection of Front Street and Hempstead Turnpike, w/frontage of approx. 500' along the southerly side of Hempstead Turnpike (Marginal Road) and a frontage of approx. 535' along the northerly side of Front Street situated East Meadow, Town of Hempstead, County of Nassau, New York.

Maps pertaining to said proposal is on file with the application above mentioned in the office of the undersigned and may be viewed during office hours.

All persons interested in the subject matter will be given an opportunity to be heard 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: August 6, 2019
Hempstead, N.Y.

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and
moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING
TO CONSIDER THE PETITION OF S & S
ATLANTIC REALTY INC., FOR A MODIFICATION
OF DECLARATIONS OF RESTRICTIVE COVENANTS
AFFECTING REAL PROPERTY LOCATED ON THE
NORTHEAST CORNER OF ATLANTIC AVENUE AND
DAVIDSON AVENUE, OCEANSIDE.

WHEREAS, it appears to be in the public interest to
consider the petition of S & S Atlantic Realty, Inc., for a
modification of Declarations of Restrictive Covenants filed
with the Nassau County Clerk on March 1, 2011 and an
amendment to that Declaration filed with the Nassau County
Clerk on August 11, 2011 affecting real property located on
Atlantic Avenue east of the intersection with Davidson
Avenue, Oceanside, Town of Hempstead, Nassau County, New
York; and

RESOLVED, that a public hearing will be held on
Tuesday, the day of , 2019 at o'clock in
the of that day, in the Nathan L.H. Bennett
Pavilion, Hempstead Town Hall, One Washington Street,
Village and Town of Hempstead, New York, to consider the
petition of S & S Atlantic Realty, Inc., for a modification
of Declarations of Restrictive Covenants on the following
described property at Oceanside, New York: 418 Atlantic
Avenue, Oceanside, New York; and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed
to publish notice thereof, once, at least 10 days prior to
the date set for the hearing and given written notice to
people entitled thereto according to law.

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

AYES:

NOES:

Item #

72

Case #

27229

NOTICE OF PUBLIC HEARING

NOTICE HEREBY IS GIVEN, that a public hearing will be held by the Town Board of the Town of Hempstead, in the Nathan L.H. Bennett Pavilion, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, New York, on Tuesday, the 3rd day of September , 2019, at 10:30 o'clock in the forenoon of that day for the purpose of considering the petition of S & S Atlantic Realty, Inc., for a Modification of Declarations of Restrictive Covenants recorded March 1, 2011 and an amendment recorded on August 11, 2011, both in the Office of the County Clerk of Nassau County affecting the following described real property located at Oceanside, Nassau County, Town of Hempstead, New York:

An irregular shaped 1.187 acres of land located 145.19 feet from the northeast corner of Davidson Avenue and Atlantic Avenue, situate, lying and being in the hamlet of Oceanside, Town of Hempstead, Nassau County, New York.

Section 38, Block 400, Lots 442, 460, 464, 479 and 480 on the Land and Tax Map of Nassau County.

Maps pertaining to said proposal is on file with the application in the office of the undersigned and may be viewed during office hours.

ALL PERSONS INTERESTED in the subject matter will be

given an opportunity to be heard at the time and
place above designated.

Hempstead: Hempstead, New York
August 1, 2019

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

SYLVIA A. CABANA
Town Clerk

LAURA A. GILLEN
Supervisor

CASE NO.

RESOLUTION NO.

Adopted:

Council (wo)man offered the following resolution and moved its adoption:

RESOLUTION FINDING THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT (DGEIS) FOR THE PROPOSED BALDWIN MIXED-USE OVERLAY DISTRICT (B-MX) TO BE COMPLETE AND ADEQUATE FOR PUBLIC REVIEW AND COMMENT IN TERMS OF BOTH ITS SCOPE AND CONTENT, AND CALLING A COMBINED PUBLIC HEARING ON THE CREATION OF A NEW CHAPTER XLII OF THE BUILDING ZONE ORDINANCE OF THE TOWN OF HEMPSTEAD, ENTITLED "BALDWIN MIXED-USE OVERLAY DISTRICT (B-MX)" AND THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT (DGEIS) FOR THE PROPOSED B-MX

WHEREAS, in August 2018, the Town Board of the Town of Hempstead (the "Town Board") accepted the Baldwin Downtown and Commercial Corridor Resiliency (DCCR) Study, which was the culmination of a comprehensive planning effort that reviewed existing economic and physical conditions along the corridor and outlined a series of strategies and projects that would address critical issues and contribute to a more resilient, safe, and sustainable future for the Baldwin community; and

WHEREAS, a key recommendation of the DCCR Study was the creation of a new overlay district along the corridor that would encourage the development of a walkable, compact and transit-oriented downtown with a mix of residential, retail and commercial uses supported by enhanced infrastructure; and

WHEREAS, the subject property is situated in Baldwin in the unincorporated area of the Town of Hempstead, and is made up of approximately 87 acres along the Grand Avenue corridor consisting of 185 individual tax lots, with approximate boundaries of the corridor being Florence Street and Milburn Avenue to the north, and Merrick Road between Gale Avenue and Park Avenue to the south; and between Chestnut Street/Rockwood Avenue to the west, and Milburn Avenue to the east, and includes the Baldwin Long Island Railroad (LIRR) station at Grand Avenue and Sunrise Highway; and

WHEREAS, the Town Board is considering, in consultation with VHB Engineering, Surveying, Landscape Architecture and Geology, P.C. ("VHB") and Vision Long Island, a Baldwin Mixed-Use Overlay District ("the Proposed Action"), with accompanying Design Guidelines, for the Grand Avenue corridor in the hamlet of Baldwin to facilitate private investment and economic development by leveraging the area.

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30114

proximity to public transportation and promoting mixed-use transit-oriented development around the Baldwin LIRR station; and

WHEREAS, the Town Board, in consultation with VHB and Vision Long Island, has developed a draft zoning ordinance known as the Baldwin Mixed-Use Overlay District, with accompanying Design Guidelines, to facilitate high-quality and economically viable development within the Grand Avenue corridor of the hamlet of Baldwin; and

WHEREAS, pursuant to NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA), the Town Board seeks to conduct an environmental review of this project; and

WHEREAS, the Town Board has preliminarily identified the Proposed Action as a Type I Action in accordance with SEQRA; and

WHEREAS, pursuant to 6 NYCRR 617.6(b)(2)(i), for Type I actions involving more than one agency, a lead agency must be established prior to a determination of significance; and

WHEREAS, 6 NYCRR 617.6(b)(3)(i) requires that when an agency proposes to approve a Type I action undergoing coordinated review with other agencies, it must, as soon as possible, transmit Part 1 of the Environmental Assessment Form (EAF) completed by the project sponsor and a copy of any applications it has received to all involved agencies and notify them that a lead agency must be agreed upon within 30 calendar days of the date the EAF was transmitted to them; and

WHEREAS, the Town Board declared its intent to be lead agency on March 8, 2019 and followed the above mentioned procedure, received no objection from the other involved agencies during the ensuing 30-day period; and

WHEREAS, the Town Board has caused to be prepared Parts 1, 2, and 3 of a Full Environmental Assessment Form of the EAF (collectively "the EAF") to analyze and evaluate potential significant adverse environmental impacts associated with the proposed action, as described above, and has reviewed the aforesaid EAF and agrees with the contents therein; and

WHEREAS, the Town Board has compared the potential impacts of the proposed action, as set forth in Parts 2 and 3 of the EAF, with the criteria set forth in 6 NYCRR 617.7(c); and

WHEREAS, the Town Board found that the proposed action may have one or more significant adverse impacts on the environment and issued a Positive Declaration on April 16, 2019, requiring

the preparation of a Draft Generic Environmental Impact Statement (DGEIS); and

WHEREAS, the Town Board determined that formal scoping would be conducted; and

WHEREAS, the Town Board has caused a Draft Scope to be prepared in accordance with 6 NYCRR 617.8(b) and which Draft Scope was issued on April 16, 2019; and

WHEREAS, the Town Board directed the Town Clerk to file, distribute and publish the Draft Scope along with the Positive Declaration, in accordance with the requirements of 6 NYCRR 617.12(b)(c); and

WHEREAS, a public scoping meeting was held on May 6, 2019 at 7 p.m. at the Town of Hempstead Town Hall, and all persons there present wishing to be heard on the Draft Scope were given the opportunity to do so; and

WHEREAS, the comment period on the Draft Scope ended on May 24, 2019 and the lead agency received comments from the public, as well as involved and interested agencies, in addition to the testimony entered at the public scoping meeting; and

WHEREAS, the lead agency has caused a Final Scope, dated June 11, 2019, to be prepared in accordance with 6 NYCRR 617.8(e), the content of which gives due consideration to the comments received during the public review period for the Draft Scope; and

WHEREAS, based on the foregoing, the Town Board, as lead agency, adopted the Final Scope on June 11, 2019, published said Final Scope to the Town's website, published the Final Scope in accordance with the requirements of 6 NYCRR 617.8(e) and 617.12(b) and (c), and circulated the Final Scope to the involved agencies and interested parties; and

WHEREAS, VHB prepared and submitted a Draft Generic Environmental Impact Statement (DGEIS) for the proposed action in accordance with the Final Scope; and

WHEREAS, the Town Board is empowered to amend the Building Zone Ordinance of the Town of Hempstead pursuant to Article 16 of the Town Law of the State of New York and Article XXVI of the Building Zone Ordinance of the Town of Hempstead, as amended; and

WHEREAS, it is in the public interest to consider the creation of a new Chapter XLIII of the Building Zone Ordinance of the Town of Hempstead, to be entitled "Baldwin Mixed-Use Overlay District (B-MX)";

WHEREAS, in accordance with 6 NYCRR 617.3(h), agencies are encouraged to have combined or consolidated proceedings/hearings;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board finds the DGEIS to be complete and adequate for public review and comment in terms of both its scope and content; and, BE IT FURTHER

RESOLVED, the Town Board directs the Town Clerk of the Town of Hempstead to: (a) file a Notice of Completion in accordance with 6 NYCRR 617.12 to indicate that the Town Board has accepted the DGEIS, (b) circulate said Notice of Completion with the DGEIS to involved agencies and interested parties in accordance with 6 NYCRR 617.12, and (c) cause the DGEIS and Notice of Completion to be published to the Town's website; and, BE IT FURTHER

RESOLVED, that the Town Board finds it to be in the public interest to hold a public hearing on the DGEIS pursuant to 6 NYCRR 617.9(a)(4) to aid this Board's decision-making process by providing an efficient mechanism for the collection of public comments, broaden public disclosure, and solicit important and informative comments by constituents and stakeholders; and, BE IT FURTHER

RESOLVED, the comment period for the DGEIS shall commence upon adoption of this resolution and shall end at 5 p.m. on September 16, 2019, and said comments may be submitted by regular mail, at the public hearing, or via electronic mail to BaldwinOverlay@tohmail.org; and, BE IT FURTHER

RESOLVED, that the Notice of Completion and Public Hearing on the DGEIS and the proposed amendments to the Town Building Zone Ordinance, shall be published in a newspaper of general circulation in the Town of Hempstead at least 14 days prior to the public hearing, and published to the Town of Hempstead's website; and, BE IT FURTHER

RESOLVED, that pursuant to 6 NYCRR 617.9(4)(ii), when a SEQRA hearing is to be held, it should be conducted with other public hearings on the proposed action, whenever practicable. Therefore, such hearing shall be a combined hearing regarding the proposed amendment to the Town Building Zoning Ordinance creating the Baldwin Mixed-Use Overlay District with accompanying Design Guidelines, as well as the DGEIS, and such public hearing shall be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead,

New York on the 3rd day of September, 2019 at 10:30 am in the forenoon of that day at which time all interested persons shall be heard on the DGEIS for the proposed Baldwin Mixed-Use (B-MX) Zoning Overlay District and the creation of a new Chapter XLII of the Building Zone Ordinance of the Town of Hempstead, entitled "Baldwin Mixed-Use Overlay District (B-MX)" and to read as follows:

Article XLII. Baldwin Mixed-Use Overlay District (B-MX)

§ 422. Statement of intent and purpose.

A. Background.

- (1) Downtown Baldwin, centered along Grand Avenue and the Baldwin LIRR station, is the commercial backbone of the Baldwin community. However, the economic health and resiliency of this commercial corridor has been affected by its lack of private sector investment, discontinuity of uses, and history of vacancies. Development patterns along this corridor have been varied and inconsistent.
- (2) The Baldwin community has long recognized the importance of the Grand Avenue corridor. The community envisions a downtown that is vibrant and pedestrian-friendly, with an active, compact, multi-modal LIRR station area at the center of the hamlet. This vision also incorporates a mix of land uses and innovative green infrastructure components to create a place where residents, commuters and visitors can shop, dine, and recreate.
- (3) In May 2017, the Baldwin Downtown and Commercial Corridor Resiliency (DCCR) Study was published. This report was the culmination of a comprehensive planning effort that reviewed existing economic and physical conditions along the corridor and outlined a series of strategies and projects that would address critical issues and contribute to a more resilient, safe, and sustainable future for the Baldwin community. A key recommendation of the DCCR Study is the creation of a new overlay district along the corridor that would encourage the development of a walkable, compact and transit-oriented downtown with a mix of residential, retail and commercial uses supported by enhanced transportation and infrastructure improvements.

B. Purpose and legislative intent.

- (1) In response to the needs of the Baldwin community, and following the recommendations put forth in the DCCR Study, the Town of Hempstead hereby enacts a new Article of the Town of Hempstead Building Zone Ordinance, which will create a new overlay district to be known as the "Baldwin Mixed-Use Overlay District (B-MX)."
- (2) The primary goal of the B-MX District is to facilitate private investment, public benefits and economic development within downtown Baldwin. The new overlay district seeks to leverage the area's proximity to public transportation by promoting mixed-use transit-oriented development around the Baldwin LIRR station to meet increasing demands for housing and retail uses, drive foot traffic, implement transportation and infrastructure improvements necessary to accommodate future growth and enhance the visual quality and pedestrian amenities through the implementation of design guidelines, which are contained as an appendix to the Building Zone Ordinance (see "Baldwin Mixed-Use Zoning Overlay District (B-MX) Design Guidelines").
- (3) The B-MX District regulations, as an overlay district, have been designed to minimize the creation of non-conformities with underlying zoning.
- (4) With the stated goals in view, this article is enacted with the intention of promoting the health, safety and general welfare of the Town of Hempstead and its residents.

§ 423. Title.

This article shall be known and cited as the "Baldwin Mixed-Use Overlay District (B-MX) Article" of the Town of Hempstead.

§ 424. Definitions.

In addition to the definitions of this Building Zone Ordinance, the following definitions are applicable to this article. In the event of conflict, the following definition shall be controlling:

Assisted Living

An establishment for the long-term residential care of the aged and infirm, such as congregate-care and assisted living facilities, but not including nursing homes, convalescent homes or substance abuse treatment centers.

Incentive Bonuses

Adjustments to the floor area ratios and parking requirements of the provisions of the Town of Hempstead zoning and land use laws for a specific purpose, that is beneficial to the community, when authorized by the Town Board.

Incentive Zoning

The system by which specific incentives or bonuses are granted to applicants pursuant to this subsection on condition that specific physical, social, or cultural benefits or amenities would inure to the benefit of the community.

Mixed-Use Building

A building with more than one type of land use (e.g. residential and commercial).

§ 425. General Provisions.

- A. Interpretation; conflicts with other provisions.
 - (1) In interpreting and applying the provisions of this article, the rules of interpretation applicable to remedial legislation shall be used so that the spirit and intent of this article shall be observed.
 - (2) In the event of a conflict between the provisions of this article and other provisions of this Building Zone Ordinance, the provisions of this article shall control.
- B. Severability. If any clause, sentence, section, paragraph or provisions of this article shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this article but shall be confined in its operation to the clause, sentence, section, paragraph or provision directly involved in the controversy in which such judgment shall have been rendered.

§ 426. Applicability; Design Review; Subdistricts.

In the B-MX District, the following regulations shall apply:

- A. The area within Baldwin designated B-MX is largely developed. As a result, the B-MX District has been designed as an overlay district, with the zoning regulations and Design Guidelines described herein, applicable to new development, redevelopment, and building expansions which result in a 10% or greater increase in the building's floor area. For existing uses and rehabilitations and expansions less than 10% of the gross floor area, existing zoning regulations shall still apply, and the Design Guidelines shall not apply.
- B. Design Guidelines have been established for the B-MX Overlay District in order to create a high-quality, pedestrian friendly environment. The principles described in the Baldwin Mixed-Use Design Guidelines are not mandatory development standards. However, all projects shall incorporate and demonstrate how these design principles meet the purpose and intent of the guidelines. In reviewing applications, the Design Review Board, which is hereby established, shall follow the criteria of the Baldwin Mixed-Use Design Guidelines and B-MX Overlay District Design Guidelines Checklist contained as an appendix to the Building Zone Ordinance.^[1] The ultimate approval of projects will be judged in accordance with these design guidelines.
 - ^[1] *Editor's Note: Said guidelines are an appendix to the BZO.*
- C. For purposes of this article, the B-MX District shall be divided into three subdistricts as indicated on the Zoning Map described in § 431 of this article. These subdistricts include:
 - (1) Baldwin – Mixed-Use, Transit-Oriented Development (B-MX, TOD).
 - (2) Baldwin – Mixed-Use, Merrick Road Gateway (B-MX, MRG).
 - (3) Baldwin – Mixed-Use, Commercial Transition (B-MX, CT).

§ 427. Permitted uses.

- A. In the B-MX Zoning District, the following uses shall be permitted uses:
- (1) Professional office, bank or financial institution
 - (2) Pharmacy/drugstore
 - (3) Retail trade and personal services, including supermarkets
 - (4) Restaurants, including outdoor dining as an accessory thereto, but excluding lunch wagons, drive-in restaurants, drive-in luncheonettes, drive-thrus, drive-in counter or drive-in refreshment stands.
 - (5) Health and fitness establishments
 - (6) Multiple-family dwelling
 - (7) Assisted living
 - (8) Mixed-use, as defined in this article
 - (9) Parking field, either public or private, for the parking of passenger vehicles only, but not for display or sale of automobiles.
- B. Special permit uses. The following special uses, when approved by the Town Board, are permitted:
- (1) Hotels.
 - (2) Dormitory/Graduate Student style housing.
 - (3) Cabarets.
 - (4) Bowling alleys, skating rinks, and arcades.
- C. Accessory uses. The following uses customarily incidental to permitted, and special permit uses if approved, shall be permitted in the B-MX Overlay District:
- (1) Off-street parking and loading, including parking structures.
 - (2) Open space or plaza areas.
- D. Religious and educational uses shall be governed by Article XXXIX of this Ordinance.

§ 428. Prohibited uses.

- A. In the B-MX Zoning District, the following uses shall be prohibited:
- (1) Any use prohibited by Article XXXVII of this Ordinance.
 - (2) Car wash
 - (3) Check-cashing establishment
 - (4) Drive-in theater
 - (5) Dry cleaning or laundromat services done on-site (drop-off/pick-up permitted).
 - (6) Gambling or games of chance establishment
 - (7) Gasoline station, motor vehicles repair or auto body shop
 - (8) Kennel or pet-boarding facility
 - (9) Motel
 - (10) New or used automotive showroom or car lot
 - (11) Outdoor storage use
 - (12) Pawnshop, including auction house
 - (13) Tattoo Parlors
 - (14) Residential dwelling units on the ground floor of any building.
 - (15) Any use not permitted in section §427 Permitted Uses.

§ 429. Lot and bulk controls.

- A. Consistent with primary goals of the B-MX District, the following lot and bulk controls allow for greater intensities of development for properties fronting Grand Avenue and Sunrise Highway closest to the Baldwin LIRR station (B-MX, TOD). The lot and bulk controls for the B-MX, MRG subdistrict facilitate private investment, public benefits and economic development within the area around the intersection of Merrick Road and Grand Avenue. The B-MX, CT subdistrict facilitates appropriately scaled mixed-use commercial development in transition areas along the Grand Avenue corridor.

	B-MX, TOD	B-MX, MRG	B-MX, CT
1. Maximum floor area ratio (FAR)	1.5	1.0	.5
2. Maximum building area coverage	90% for commercial buildings 80% for mixed-use or multiple-family buildings	90% for commercial buildings 60% for mixed-use or multiple-family buildings	75% for commercial buildings 40% for mixed-use or multiple-family buildings
3. Maximum residential density for multifamily and mixed-use buildings	N/A ⁽²⁾	45 units/acre	30 units/acre
4. Maximum building height	75 feet	60 feet	45 feet
5. Maximum building setback from front lot line (build to line), except for pedestrian plaza areas	0 feet	0 feet	10 feet
6. Minimum building setback from 45 feet height and above	5' from streetside, ground level building line.	5' from streetside, ground level building line.	5' from streetside, ground level building line.
7. Minimum side yards	None required	None required	None required
8. Minimum rear yard	0 ⁽³⁾	0 ⁽³⁾	0 ⁽³⁾
9. Minimum landscaped buffer area when adjacent to residential uses	25 feet	25 feet	25 feet
10. Minimum front yard	Minimum 10' from the curb; Maximum 10' from the property boundary.	Minimum 10' from the curb; Maximum 10' from the property boundary.	Minimum 10' from the curb; Maximum 10' from the property boundary.

⁽²⁾ To be determined by the Town Board upon review of any application that it must review and approve in accordance with the provisions of this Article.

⁽³⁾ The depth of the rear yard shall be increased five feet for each 12 feet of portion thereof by which the building exceeds forty (40) feet in height.

B. Yard setbacks.

(1) Front yards. Notwithstanding the foregoing, a roof, mansard, awning, or similar projection not exceeding 24 inches beyond the front property line shall be a permitted encroachment.

C. Screening. Any storage area or parking area shall be screened from all abutting uses, including public rights-of-way. Such screening shall consist of a hedge, fence or wall, with a minimum height of four feet and a maximum height of six feet, except that within a radius of 20 feet of the point formed by any intersecting property lines adjacent to roads or highways, the maximum height shall be 30 inches, such screening to be sufficient to obscure such area in an effective manner and during all seasons of the year.

D. Fences. No fence or wall more than six feet in height may be erected without a permit and authorization by the Board of Appeals pursuant to Article XXVII hereof. No fence shall be permitted in the front yard or the side yard if located on a corner lot.

E. Signs. Signs, which are authorized under the provisions of Article XXIV, are permitted, subject to consistency with the Baldwin Mixed-Use Design Guidelines.

§ 430. Off-street parking.

Accessory parking. Accessory off-street automobile parking spaces shall be provided on the same lot or premises or off the premises within 300 feet of such premises. The minimum number of accessory parking spaces required shall be determined by the type of each included use and shall be calculated as follows.

Use	B-MX, TOD	B-MX, MRG and B-MX, CT
Retail/Commercial	1 space per 300 square feet	1 space per 300 square feet
Multifamily Apartment: Studios	1 space per unit	1 space per unit
Multifamily Apartments: One-bedroom units	1 space per unit	1.3 space per unit
Multifamily Apartments: Two-bedroom units	1.5 spaces per unit	1.75 spaces per unit

Multifamily Apartments: Three or more bedroom units	1.75 spaces per unit	2 spaces per unit
Assisted Living	1 space per bed	1 space per bed
Graduate student housing	1 space per bed	1 space per bed
Other permitted uses	In compliance with §319 of this ordinance; each parking space shall comply with all requirements of §319D of this ordinance	

§ 431. Amendment of the Zoning Map

In furtherance of the implementation of this article, and to specifically identify the particular areas within Baldwin placed into the overlay B-MX District and three subdistricts established herein, a particular zoning map dated February 22, 2019, prepared by VHB Engineering, Surveying, Landscape Architecture and Geology, P.C., and entitled "Baldwin – Mixed-Use Rezoning Map," has been filed in the office of the Town Clerk, and in all other places required by law or otherwise for the filing of zoning maps of the Town. This map is incorporated herein by reference. It identifies the areas in the overlay B-MX District and subdistricts, and upon the effective date of this Article, it shall apply in those areas to the extent provided in this article or otherwise at law.

§ 431.1. Development bonus provisions.

- A. Intent. The Town Board, including but not limited to a recommendation by the Design Review Board, is empowered to provide for a system of zoning incentives, as described, but not limited to, below, as it deems necessary and appropriate for the benefit of the community, consistent with the purposes and conditions set forth in this Article.
- B. Eligible Community Benefits or Amenities.
 - (1) Provision, Renovation or Rehabilitation of a community benefit or amenity. Open space, parks, or other specific physical, social or cultural amenities, or cash or payment in lieu thereof, as authorized by the Town Board, which provide a benefit to the residents of the community.
 - (2) Brownfield or Derelict Property Remediation and Restoration. Applicants may apply for a development bonus in exchange for providing Brownfield or derelict property remediation and restoration on lots proposed for development within the B-MX Overlay district, to prepare the property(ies) for either dedication for public use for redevelopment by a public or private owner. The Building Department shall provide a list of preferred properties for rehabilitation or restoration.
 - (3) Contribution to Community Benefit Non-Site Related Infrastructure Improvements. Non-site related improvements are considered significant improvements that are not directly needed, required or related to the subject site development or mitigation of impacts therefrom, but will be able to be utilized by the proposed project's residents or will indirectly improve the project or its site. Infrastructure improvements may include, but are not limited to, significant provisions, renovations, creation, installation and/or rehabilitation of public solid waste and recycling receptacles, traffic calming measures, bicycle accommodations, public seating, wider than required sidewalks, specialty pavers or utility covers as part of district "branding", repaving of a street(s), intersection upgrades (including street lights and crosswalks), public plazas, bus shelters and/or LIRR Baldwin station area enhancements, storm or sanitary sewer improvements, or cash or payment in-lieu thereof. The Design Review Board and/or the Town Building Department may provide recommendations to the Town Board.
- C. FAR Development Bonus. This provision allows for the awarding of zoning incentives in the form of floor area ratio (FAR) development bonuses of up to 0.5 in each of the B-MX subdistricts to those applicants who, in exchange, provide one or more of the following (but not limited to): to eligible community benefits or amenities outlined in §432B, parking for the public (not including that parking specifically required to support the proposed development), community amenities or development actions above and beyond those that are directly or indirectly necessitated by the project itself, or cash or payment in lieu of, provided that the Town Board finds that the amenity is proportional

to such development bonus. Applicants would be required to prepare a Traffic Study in accordance with the Conditions and Criteria set forth in the Findings Statement adopted by the Town Board in order to seek FAR development incentives.

- D. Adjustments to Parking Requirements. This provision allows for the awarding of zoning incentives in the form of adjustments to parking requirements. The Town Board is empowered to provide the following adjustments to the parking requirements within the B-MX District to those applicants who, in exchange, provide one or more of the following (but not limited to): to eligible community benefits or amenities outlined in §432B, parking for the public (not including that parking specifically required to support the proposed development), community amenities or development actions above and beyond those that are directly or indirectly necessitated by the project itself, or cash or payment in lieu of, provided that the Town Board finds that the amenity is proportional to such development bonus. Applicants seeking off-street parking requirement incentives would be required to prepare a Parking Study in accordance with the Conditions and Criteria set forth in the Findings Statement adopted by the Town Board.

Use	B-MX-TOD	B-MX-MRG and B-MX-CT
Retail/Commercial	1 Space per 340 SF	1 Space per 340 SF
Multifamily Apartment: Studios	0.70 Spaces Per Unit	0.80 Spaces Per Unit
Multifamily Apartment: 1-bedroom units	0.70 Spaces Per Unit	0.80 Spaces Per Unit
Multifamily Apartment: 2-bedroom units	1.25 Spaces Per Unit	1.5 Spaces Per Unit
Multifamily Apartment: 3-bedroom units	1.75 Spaces Per Unit	2 Spaces Per Unit
Assisted Living	0.5 Spaces Per Bed	0.5 Spaces Per Bed
Graduate Student Housing	0.70 Spaces Per Bed	0.70 Spaces Per Bed
All other permitted uses	Shall comply with the parking requirements outlined in §319D of the Town's zoning code.	

- E. Criteria for approval, methods required for determining the adequacy of community amenities. To evaluate the adequacy of the proposed benefits to be accepted in exchange for the requested incentives, the following information shall be provided by the applicant with its application for development incentive bonus approval:
- (1) A description of the proposed amenities outlining the benefits that will accrue to the community;
 - (2) The economic value of the proposed amenities to the Town as compared with the economic value of the proposed incentives to the applicant;
 - (3) Demonstration that there are adequate sewer, water, energy, transportation and parking, fire-protection facilities serving or proximate to the proposed development to handle the additional demands the incentive and amenity may place on such facilities beyond the demand that would otherwise occur with as-of-right development; and
 - (4) An explanation as to the way in which the amenity will implement physical, social or cultural goals as set forth in this Article.

§ 431.2. Administration and Procedure.

The review and approval process for new development, redevelopment, and building expansions which result in a ten percent or greater increase in the building's floor area in the B-MX District, shall be as follows:

- A. A building permit application shall be submitted to the Buildings Department. In addition to all otherwise required documentation, an applicant shall also submit all materials necessary for review by the Design Review Board, including a consistency analysis with the SEQRA Conditions and Criteria set forth in the Findings Statement adopted by the Town Board. The Design Review Board will determine the level of State Environmental Quality Review Act ("SEQRA") review required, if any, in accordance with 6 NYCRR §617.10(d). The Plans Examiner shall, upon the

submission of a complete application, conduct a zoning compliance review and review for compliance with SEQRA.

B. The Design Review Board. Upon complete review of zoning and SEQRA compliance, the application shall be referred to the Design Review Board for purposes of applying the Baldwin Mixed Use Zoning Overlay District (B-MX) Design Guidelines.

- (1) The Design Review Board shall consist of three employees of the Department of Buildings with site plan review backgrounds, appointed by the Town Board. Approval by the Design Review Board shall be necessary prior to the issuance of a sign permit or a building permit for new development, redevelopment, and building expansions which result in a ten-percent or greater increase in the building's floor area.
- (2) Prior to the Public Hearing of the Design Review Board, a public notice, prepared by the Design Review Board, shall be published at least 10 days prior to the date fixed for such public hearing in a newspaper of general circulation in the Town of Hempstead and shall be noticed on the Town's website at least 10 days prior to the public hearing. The notice shall state the general nature of the application, the applicant, and the location of the property. Said notice shall be mailed by the applicant no more than 28 days and no less than 21 days prior to the Design Review Board's hearing by certified mail to all property owners within a 300 foot radius of the subject application's property boundaries, and the applicant shall file an affidavit of mailing, with the certified mail receipts, with the Design Review Board prior to the public hearing.
- (3) A sign noticing said public hearing shall be posted at said location at least 21 days prior to the date fixed for such public hearing. Said sign(s) shall be located in each front yard setback of the subject premises; shall be at least 24 square feet in area; shall provide the words "NOTICE OF PUBLIC HEARING" and the date, place and time of the public hearing, and the general nature of the application in black letters at least six inches high with a background color of the face of the sign either bright orange or bright yellow.
- (4) In reviewing applications, the Design Review Board shall substantially follow the criteria of the Baldwin Mixed Use Zoning Overlay District (B-MX) Design Guidelines and B-MX Overlay District Design Guidelines Checklist contained as an appendix to the Building Zone Ordinance. The ultimate approval of projects will be judged in accordance with these design guidelines.
- (5) If the application is compliant with zoning and in accordance with 6 NYCRR §617.10(d)(1), as determined by the Design Review Board, no further SEQRA review is required. If the application is not compliant, based on 6 NYCRR §617.10(d) (2) – (4), additional SEQRA will be required.
- (6) The Design Review Board shall have the powers granted by the Town Law and the power to approve, disapprove, or grant with conditions applications for Design Review Board approval for properties within the B-MX District. The Design Review Board shall render a written determination within 30 days of the completion of the public hearing, and may issue findings of fact.
- (7) If the Design Review Board does not vote for changes to the plan, or votes for changes to the plan and the applicant consents to the changes, and the project is compliant with zoning and SEQRA, then the application can be circulated to State, County, and Town departments for approvals. Once all State, County, and Town approvals are obtained, the Building Department will issue a Building Permit. Site plan approval under § 305 will not be required. The project will not require a Town Board hearing.

(8) The Town Board, including but not limited to the Design Review Board's recommendation, following a public hearing, may provide incentive bonuses in exchange for the applicant providing one or more community benefits or amenities or cash or payment in lieu thereof, as authorized by the Town Board and in accordance with § 432 of this Article.

(9) Anyone aggrieved by the decision of the Design Review Board may appeal same to the Board of Appeals, unless the underlying application must be reviewed or approved by the Town Board, in which case an appeal shall be within the jurisdiction of the Town Board.

C. If an application is not zoning compliant, or if additional SEQRA review is required under Section B(5), above, upon completion of review and decision by the Design Review Board, the application shall be referred to the Town Board for a public hearing to determine the approval or disapproval of the application. In the event that the Town Board approves said application, it may attach certain conditions to said approval, which conditions shall become an integral part thereof. The Town Board may, by resolution, dispense in part with conformity with the provisions applicable to the B-MX District and may impose safeguards and conditions as it may deem appropriate, necessary or desirable to promote the spirit and objectives of this section, including but not limited to restrictive covenants pertaining to any area within the district that is the subject of an application, including the site plan submitted on behalf of the application, together with other agreements, if any, in recordable form and running with the land. If the Town Board approves an application, the application shall then be circulated to State, County, and Town departments for approvals. Once all State, County, and Town approvals are obtained, the Building Department will issue a Building Permit. Site plan approval under § 305 will not be required. The project will not require a second Town Board hearing.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

APPROVED AS TO FORM

CHIEF DEPUTY TOWN ATTORNEY

DATE 8/1/19

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 3rd day of September, 2019, at 10:30 am o'clock in the forenoon of that day, to consider the creation of a new Article XLII of the Building Zone Ordinance of the Town of Hempstead, in relation to the creation of the Baldwin Mixed-Use Overlay District (B-MX) and to consider and take public comments on the Draft Generic Environmental Impact Statement (DGEIS) regarding such proposed new Article.

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: Hempstead, New York

, 2019.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

SYLVIA A. CABANA
Town Clerk

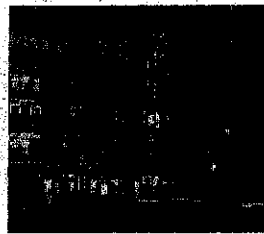
LAURA A. GILLEN
Supervisor



DRAFT MARCH 2019

BALDWIN MIXED-USE
ZONING OVERLAY
DISTRICT (B-MX)

**DESIGN
GUIDE
LINES**



██████████ ACKNOWLEDGMENTS

Town of Hempstead Supervisor

Hon. Laura Gillen

Town of Hempstead Council Members

Hon. Dorothy L. Goosby

Hon. Edward A. Ambrosino

Hon. Bruce A. Blakeman

Hon. Anthony P. D'Esposito

Hon. Erin King Sweeney

Hon. Dennis Dunne, Sr.

PREPARED BY



VHB Engineering, Surveying,
Landscape Architecture & Geology, P.C.

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Appendix A: Native/Adaptive Plantings



Introduction

In May 2017, the Baldwin Downtown and Commercial Corridor Resiliency (DCCR) Study was published. This Study was the culmination of a comprehensive planning effort that reviewed existing economic and physical conditions along the Grand Avenue corridor and outlined a series of specific projects and strategies that contribute to a more resilient, safe, and sustainable future for the Baldwin community. A key recommendation of the DCCR Study is the creation of a new mixed-use overlay zoning district along the corridor that encourages the development of a walkable, compact and transit-oriented downtown with a mix of residential, retail and commercial uses supported by new infrastructure accommodations and planned MTA/LIRR station enhancements.

The Baldwin Mixed-Use Zoning Overlay District (B-MX) focuses on downtown Baldwin, centered along Grand Avenue and the Baldwin LIRR station (see Map 1). Grand Avenue is the commercial backbone of the Baldwin community. However, the economic health and resiliency of this commercial corridor has been affected by its lack of private sector investment, discontinuity of uses, and history of vacancies. The Baldwin community has long recognized its assets and envisions a downtown that is vibrant and pedestrian-friendly, with an active, compact, multi-modal LIRR station area at the center of the hamlet. This vision also incorporates a mix of land uses and innovative green infrastructure components to create a place where residents, commuters and visitors want to shop, dine, and recreate.



During the course of creating the B-MX District, concern for the aesthetic quality of the built environment within the targeted revitalization area was expressed by the Town. A key goal is to establish new development that contributes positively towards the creation of a cohesive and aesthetically pleasing environment for the residents, businesses and larger community. The guidelines developed herein will help to achieve the desired outcomes for the Baldwin Revitalization Area.

Purpose and Scope

These design guidelines serve as a guide to residents, developers, and design professionals that are interested in developing, expanding, and rehabilitating buildings or properties within the Baldwin Revitalization Area. The guidelines are also a useful tool for the planning, design, and evaluation of the proposed development or rehabilitation for the Town's Design Review Board (as established in the Baldwin Mixed-Use Zoning Overlay District) that will be reviewing these projects. By following the guidelines, applicants are likely to find that their review process will move along more efficiently (i.e. fewer design revisions, more community support, etc.).

MAP 1: B-MX Overlay Boundary



-  B-MX Overlay Boundary
-  Parcels within the B-MX Boundary

This document provides guidance on the following topics:

- Architecture
- Awnings
- Exterior Lighting
- Signage
- Service Areas
- Parking
- Streetscaping
- Landscaping
- Sustainability and Green Design

This document contains recommendations and visuals of best practices as well as examples of preferred solutions and situations to avoid.

Review and Approval Process

The Design Guidelines will be implemented in accordance with the Hempstead Building Zone Ordinance Article XLII §431.2 regulations governing the review and approval process in the B-MX District. As outlined, the following regulations shall apply:

There shall be a Design Review Board for purposes of applying the Baldwin Mixed-Use Zoning Overly District (B-MX) Design Guidelines, which shall be governed as follows:

1. The Design Review Board shall consist of three employees of the Department of Buildings with site plan review backgrounds, appointed by the Town Board. Approval by the Design Review Board shall be necessary prior to the issuance of a sign permit or a building permit for new development, redevelopment, and building expansions which result in a ten-percent or greater increase in the building's floor area.
2. Prior to the Public Hearing of the Design Review Board, a public notice, prepared by the Design Review Board, shall be published at least 10 days prior to the date fixed for such public hearing in a newspaper of general circulation in the Town of Hempstead and shall be noticed on the Town's website at least 10 days prior to the public hearing. The notice shall state the general nature of the application, the applicant, and the location of the property. Said notice shall be mailed by the applicant no more than 28 days and no less than 21 days prior to the Design Review Board's hearing by certified mail to all property owners within a 300-foot radius of the subject application's property boundaries, and the applicant shall file an affidavit of mailing, with the certified mail receipts, with the Design Review Board prior to the public hearing.
3. A sign noticing said public hearing shall be posted at said location at least 21 days prior to the date fixed for such public hearing. Said sign(s) shall be located in each front yard setback of the subject premises; shall be at least 24 square feet in area; shall provide the words "NOTICE OF PUBLIC HEARING" and the date, place and time of the public hearing, and the general nature of the application in black letters at least six inches high with a background color of the face of the sign either bright orange or bright yellow.
4. In reviewing applications, the Design Review Board shall substantially follow the criteria of the Baldwin Mixed-Use Zoning Overly District (B-MX) Design Guidelines and

B-MX Overlay District Design Guidelines Checklist contained as an appendix to the Building Zone Ordinance. The ultimate approval of projects will be judged in accordance with these design guidelines.

5. If the application is compliant with zoning and in accordance with 6 NYCRR §617.10(d) (1), as determined by the Design Review Board, no further SEQRA review is required. If the application is not compliant, based on 6 NYCRR §617.10(d) (2) – (4), additional SEQRA would be required.
6. The Design Review Board shall have the powers granted by the Town Law and the power to approve, disapprove, or grant with conditions applications for Design Review Board approval for properties within the B-MX District. The Design Review Board shall render a written determination within 30 days of the completion of the public hearing, and may issue findings of fact.
7. If the Design Review Board does not vote for changes to the plan, or votes for changes to the plan and the applicant consents to the changes, and the project is compliant with zoning and SEQRA, then the application can be circulated to State, County, and Town departments for approvals. Once all State, County, and Town approvals are obtained, the Building Department will issue a Building Permit. Site plan approval under §305 will not be required. The project will not require a Town Board hearing.
8. The Town Board, including but not limited to the Design Review Board's recommendation, following a public hearing, may provide incentive bonuses in exchange for the applicant providing one or more community benefits or amenities or cash or payment in lieu thereof.
9. Any applicant aggrieved by the decision of the Design Review Board may appeal same to the Board of Appeals, unless the underlying application must be reviewed or approved by the Town Board, in which case an appeal shall be within the jurisdiction of the Town Board.

If an application is not zoning compliant, or if additional SEQRA action is required under step 5 above, upon completion of review and decision by the Design Review Board, the application shall be referred to the Town Board for a public hearing to determine the approval or disapproval of the application. In the event that the Town Board approves said application, it may attach certain conditions to said approval, which conditions shall become an integral part thereof. The Town Board may, by resolution, dispense in part with conformity with the provisions applicable to the B-MX District and may impose safeguards and conditions as it may deem appropriate, necessary or desirable to promote the spirit and objectives of this section, including but not limited to restrictive covenants pertaining to any area within the district that is the subject of an application, including the site plan submitted on behalf of the application, together with other agreements, if any, in recordable form and running with the land. If the Town Board approves an application, the application shall then be circulated to State, County, and Town departments for approvals. Once all State, County, and Town approvals are obtained, the Building Department will issue a Building Permit. Site plan approval under § 305 will not be required. The project will not require a second Town Board hearing.

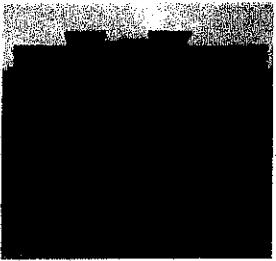
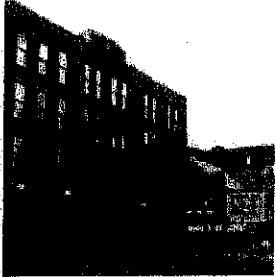
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Architecture

Architecture involves the exterior design elements and massing of a building. The shape, size, material and design of a building are an integral part of creating a community's character. All construction projects whether it is new development, additions, or rehabilitations should incorporate architectural elements that enhance and upgrade the aesthetic environment which will ultimately create a visually cohesive downtown.

New Construction

1. Architectural designs should be evaluated in terms of the sensitive integration of form, textures and colors with the site and character of the surrounding area.
2. In general, new buildings should be rectangular or square in shape and consistent with existing building context.
3. Buildings fronting Grand Avenue, Sunrise Highway and Merrick Road can be built to the public right of way line. Outdoor gathering and dining space that expands the public realm is encouraged.
4. Materials and architectural elements should harmonize and not starkly contrast with the character of the surrounding area, while accommodating a potential contemporary expression and use of technology.



Examples of new construction that is consistent with the form and character of the surrounding area.

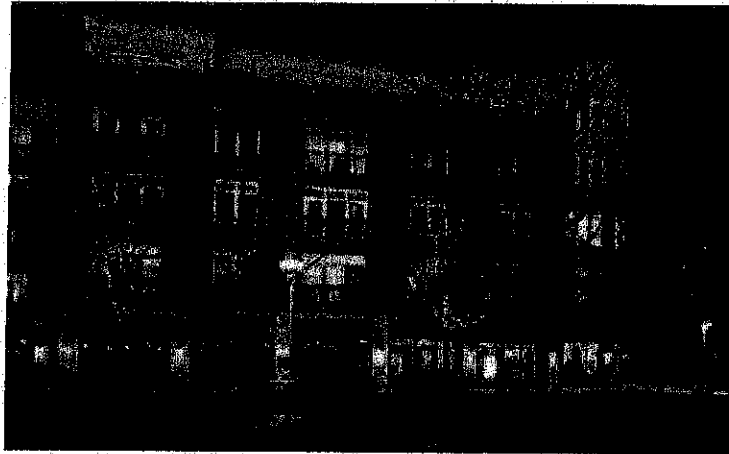


Examples of new development that evokes traditional design without replicating styles of the past. New development in the downtown should employ elements of traditional proportioning, rhythm and principles that contribute positively to streetwall unity and a strong, vibrant pedestrian environment.

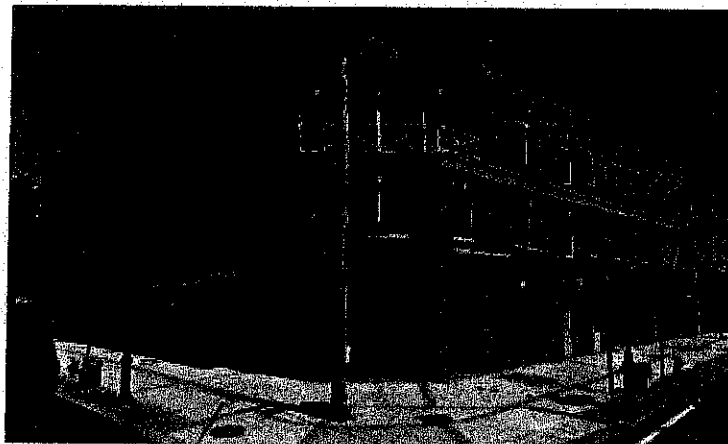


Architectural design, materials and treatment of the facades of buildings should wrap the building so the front and side facades are integrated.

5. Buildings in highly visible locations including primary corners along Grand Avenue, Merrick Road and Sunrise Highway should be designed to express and reinforce the importance of these locations.
6. Whenever the rear and side elevations of buildings and associated ground floor facades are adjacent to public areas such as streets and parking lots, the architectural design, materials, and treatment of these facades should wrap the building and be integrated with the building's front facade.
7. The exterior walls of new buildings should be constructed of durable, permanent materials. The use of reflective materials is discouraged. The exterior of residential dwellings should consist of metal, brick or wood. Appropriate exterior materials for commercial uses include brick, treated concrete or stone.
8. The design of buildings should vary the facade vertically and horizontally, especially at the street level, to help reinforce the pedestrian zone.
9. When new construction contains more than one store, an overall design approach should be shared by each of the stores.
10. Storefronts should provide interest and, where appropriate, should include pedestrian-oriented features to encourage pedestrian movement and activity.



Mixed use development with storefronts providing visual interest. Pedestrian-oriented features encourage pedestrian movement and activity.



An example of development containing more than one store where an overall design approach is shared by each of the stores.

11. New construction should be designed to strongly encourage retail, dining, and active business uses with both day and evening programming at the ground floor. Amenities in the public right-of-way are encouraged including public seating, outdoor dining, public art, planters, and seasonal decorations. If outdoor dining is proposed, a plan, drawn to scale, showing the proposed outdoor dining area with measurements, including a representation showing that at least four (4) feet of unobstructed sidewalk space will remain for pedestrians, shall be submitted to the Design Review Board.
12. Buildings that front on Grand Avenue, Sunrise Highway and Merrick Road must have at least one pedestrian entrance directly on these roads in order to maintain street presence and promote pedestrian activity.
13. Integrate new mechanical elements into architectural features of the building. Vertical roof projections such as vents or stacks should be screened.
14. Locate new mechanical systems and exhaust systems so that they do not vent onto pedestrian levels

Location of Building Entries



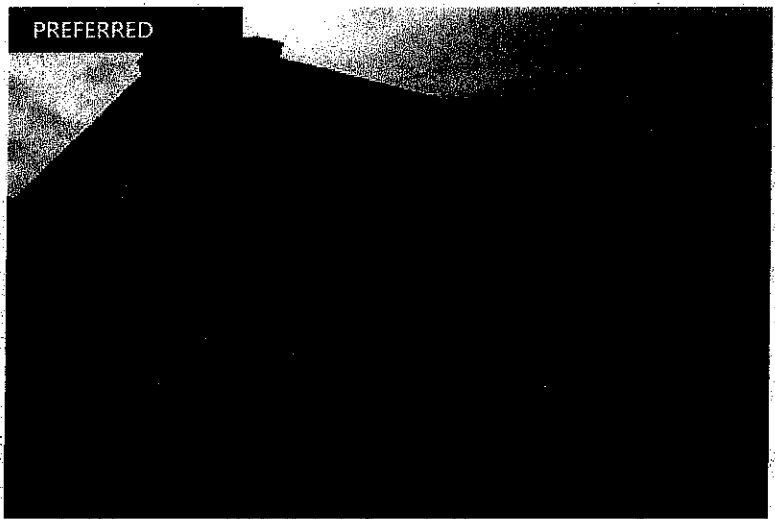
Rehabilitation

15. Proposed improvements should be chosen to harmonize with the basic scale and character of the building including materials, display windows, transoms, mid-cornices and lighting.
16. When an existing building has a facade composed of stone, wood or brick, an effort should be made to retain the original material in its natural state.
17. When an existing ground-level storefront is rehabilitated, where feasible, existing architectural design and details should be identified and used as the basis for the renovation project.
18. When an existing building contains more than one store, a unified design approach should be shared by each of the proposed stores.
19. If replacement is required, use materials that match in color, size, profile, thickness, pattern, and texture to the existing material.
20. If replacement windows are necessary, efforts should be made to match original window materials, dimensions, glazing and trim.

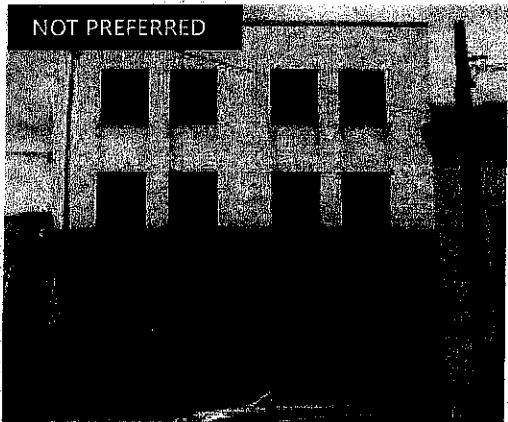


Punch-through windows detract from "Main Street" character

Monolithic building facade inappropriate for "Main Street" environment. Better suited for strip mall setting. Closed shutters on office windows disrupt pedestrian shopping interest



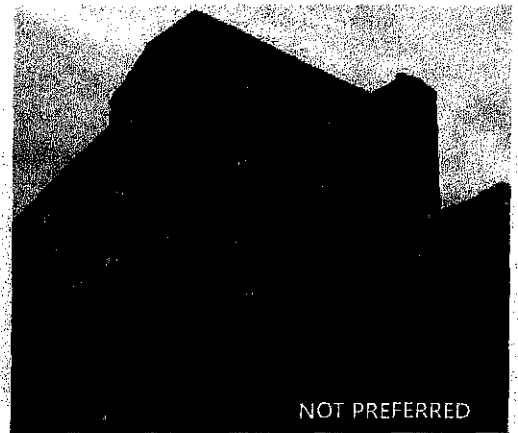
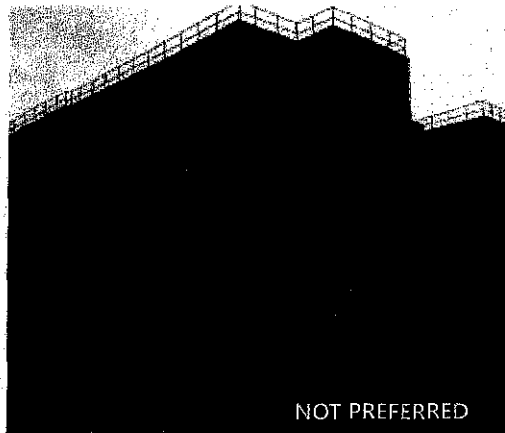
The first floor rehabilitation of this building incorporates attractive materials and architectural features that provide visual interest to the street front.



While attractive and constructed of quality materials, this facade retrofit presents a monolithic appearance, which does not contribute positively to the finer-grained appearance of a traditional Main Street. The building could also be improved with a cornice or cap.

Additions

21. All additions should harmonize with the basic scale and character of the building.
22. When designing additions, materials should be used that complement or match the existing building.
23. Plan the size and location of windows on additions to match the window and/or shutter patterns already on the existing building.
24. Existing building features such as a cornice design, materials, or arrangement of storefront glass should be incorporated into the building addition.



Examples poorly-designed additions where materials and architectural details are incohesive with the existing building.



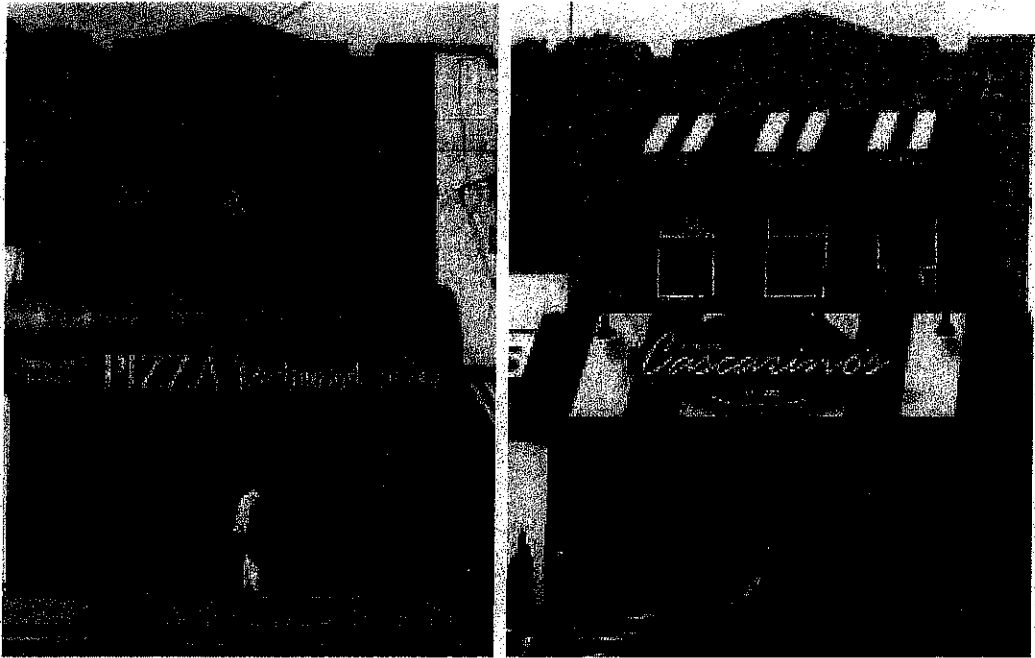
An example of a well-designed addition where materials and architectural details complement the existing building.

2

Awnings

Awnings are a way of creating shade and pedestrian shelter from inclement weather. They can also provide signage for storefronts. When done right and maintained in good condition, they are an effective way of adding to the pedestrian experience.

25. Awnings over pedestrian walkways and sidewalks are encouraged to provide shade and rain protection while adding interest to a facade with shape and color.
26. Long expanses of awnings are discouraged. Awnings should have a pedestrian scale and be placed so as to provide weather protection and/or business identification to potential patrons of a business.
27. Use awning dimensions, materials, shapes, and styles that reinforce the pattern of existing businesses and the character of the building.



The same building ("before" and "after"): The installation of new signage, gooseneck lighting, and traditional awnings exemplifies an appropriate signage program and use of storefront lighting and awnings.

3

Exterior Lighting

Exterior lighting is found within parking lots and along streets, sidewalks and pathways and it is typically located on the exterior of buildings. While exterior lighting is needed to add sight and security for the pedestrian and those using other forms of transportation, it is important to consider all sources of lighting before deciding where and how much additional exterior lighting will be added to any building. All lighting proximate to a building should work cohesively and meet the purpose it is designed for but not over illuminate an area where it becomes a nuisance to the neighboring properties and residents.

Projects in the Baldwin Mixed-Use Overlay for which review is required by the Design Review Board, shall be reviewed for conformance with these guidelines. Plans submitted for review and approval shall provide information sufficient to demonstrate compliance with the requirements of these Guidelines, including plan and elevation drawings, manufacturers' fixture cut-sheets, lamp type and wattage, and additional information that may be required under certain sections of these Guidelines, or as requested by Town staff or the Design Review Board, such as foot-candle plots or controls. Changes after approval are subject to the same review process.

28. Lighting should be organized in simple patterns such that it reinforces the basic structure of streets and sidewalks.
29. If a particular lighting pattern or lighting design element exists on a building or within an area, similar lighting should be utilized on building rehabilitations, new construction or additions.
30. Utilize "Dark Sky" lighting fixtures and place lighting to minimize glare and prevent stray light.
31. Lighting of parking areas and pathways to parking areas should be enhanced by low level lighting if necessary with the goal of minimizing light pollution

4 Signage

There are many different types of signs. Wall-mounted, free-standing, projecting, and window signs are typical signs located within a commercial area. While the types of signs are numerous, too many signs on a building can detract from the visual appearance of the commercial district. Further, the quality, material, and design of a sign can add to or detract from the character a community is trying to achieve.

Sign Design

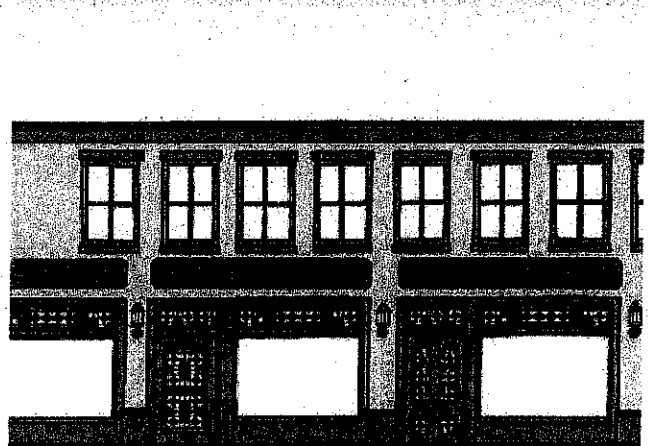
32. Signage should be in scale with the building facade.
33. Signs should be compatible with the placement, size, graphics, colors and style of the building as well as with neighboring buildings and signs.
34. Signs should be illuminated from the exterior rather than interior, if lighting is required. All sign lighting should be shielded and directed towards the signs. When internally illuminated, the background should be darker than the lettering.
35. Signs should be simple, unobtrusive and legible.

Wall Signs

36. Wall signs should be placed above storefront display areas on the traditional sign cornice, sign band or lintel above the ground floor.
37. Wall signs should not conceal windows or the architectural details of the storefront and their placement should reinforce architectural features.
38. Signs should be of high quality materials. Flashing signs or signs with moving parts or changing electronic displays are prohibited.



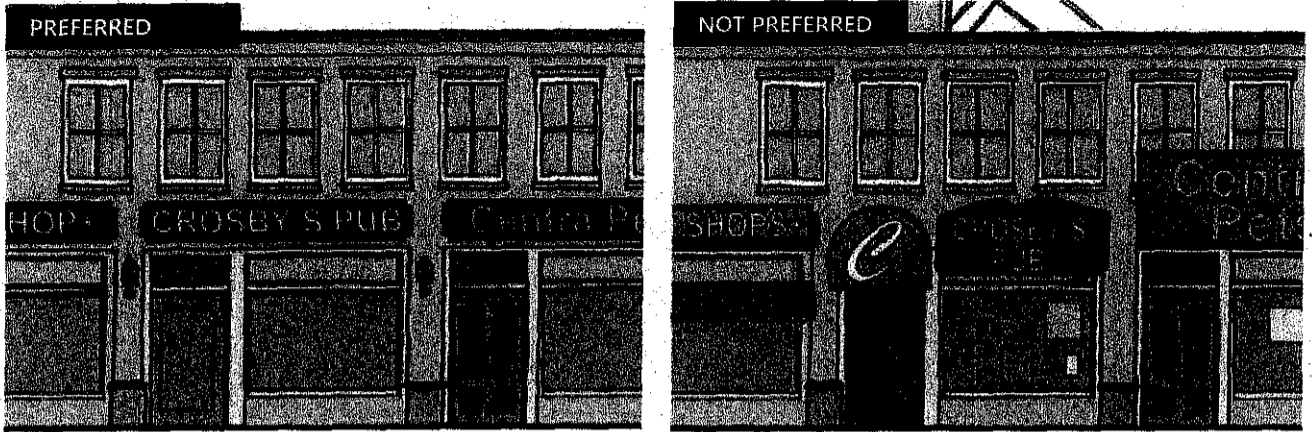
This arrangement of signs blocks building elements and creates an image of visual clutter.



These signs work harmoniously with the architecture and create a more orderly appearance.

Window Signs

39. Window signs should be simple. Window signs should cover less than 25% of the window area.



These signs located within a sign band work harmoniously with the architecture and create a more orderly and traditional appearance.

Projecting Signs

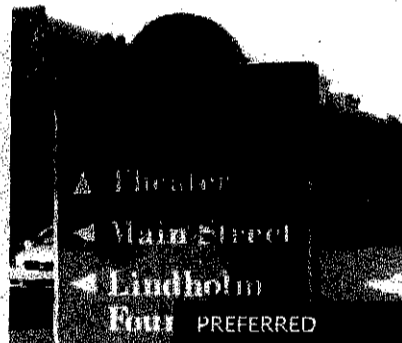
40. Projecting signs should be placed above the storefront display on the sign band or lintel above the ground floor and should fit within building modules.



Examples of attractive and appropriately placed projecting signage.

Freestanding Signs

41. The use and type of free standing signs should be considered in the context of the overall setting. Monument or structured free-standing signs are preferred over single-pole (lollipop) free standing signs.



5

Service Areas

All buildings require space for loading, storage and utility areas. These service areas should be designed to be as unobtrusive, both visually and physically, as possible.

42. All exterior service, loading, storage and utility areas should be located at the side or rear of the building and be screened or sheltered so as not to be visible from the street or adjacent parcels.
43. Loading docks should be located away from the main pedestrian thoroughfares and removed from public view. No direct loading should be permitted to be visible from Grand Avenue.
44. Outdoor service and storage areas, including garbage collection areas, should be screened from public view with landscaping and/or fencing.

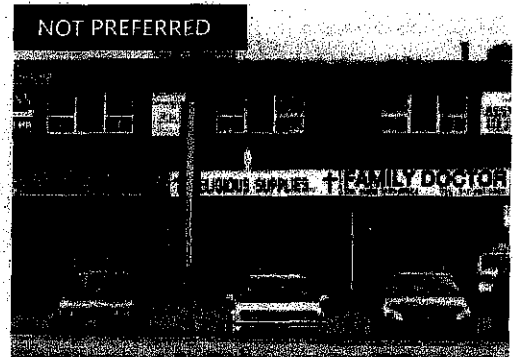
6 Parking

Parking, either surface or parking structures are a necessary component of developments. However, parking areas do not need to be the focal point of the development. Parking can be incorporated into the overall layout and design to ensure that the building and exterior architecture are the primary visual elements.

Surface Parking

45. Parking in front of buildings is discouraged. Whenever possible, parking should be located to the side or rear of buildings. Where parking is in the front, landscaped buffers should be used between the sidewalk and parking area to assure that the visual effect of paved areas and standing automobiles is minimized.
46. Parking areas containing more than 20 spaces should incorporate landscaped islands, dividers and screenings.
47. The number of curb cuts should be minimized. Entrances and exits to parking areas should be designed so that they do not interfere with vehicular traffic movement, unduly inconvenience pedestrian travel, or create unsafe conditions.
48. Drive-through lanes should be located so that traffic does not conflict with pedestrian travel and should be allowed only for financial institutions.

Examples of Surface Parking



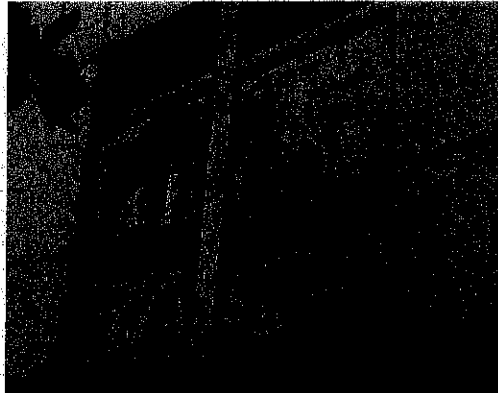
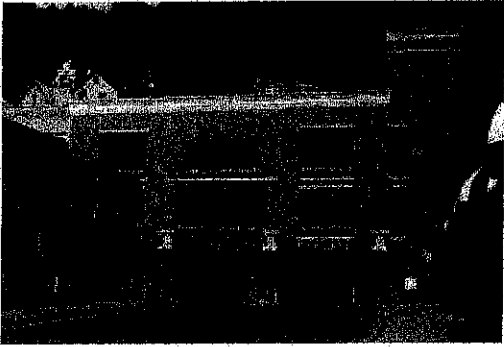
Parking should be located to the side or rear of buildings. Where parking is in front, landscaped buffers should be used, as in the figure above.

Parking Structures

49. Large blank walls should be avoided in favor of fenestration patterns more closely resembling inhabited buildings.
50. Where possible, landscaping should be provided to minimize the visual impact of parking decks.
51. Parking garages, including entrances should not be located on Sunrise Highway, Merrick Road, or Grand Avenue.
52. Parking structures should be designed to have an external skin comprised of high quality materials to improve the visual character when exposed to prominent public view.
53. Ground floor treatments should provide screening to block views of parked vehicles, bumpers, and headlights from pedestrians using the adjacent sidewalk.
54. Where possible, the first-floor level of the garage should include retail or service uses that will maintain activity at the ground level.

Retail or service uses at the first-floor level of a parking garage will maintain activity at the ground level.

For parking garages, large blank walls should be avoided in favor of fenestration patterns more closely resembling inhabited buildings, as in the example above.



Parking structures exposed to prominent public view should be designed to have an external skin comprised of high quality, visually interesting materials to improve the visual character, as shown in the examples above.

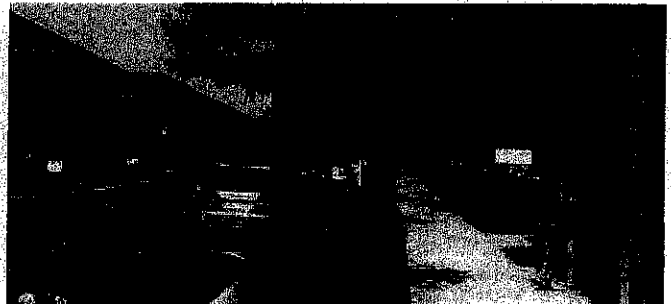
7

Streetscaping

Streetscaping is an essential part of creating the pedestrian experience. It provides for street amenities and visual elements at the pedestrian level. It also incorporates safety elements for the pedestrian or bicyclist. While sidewalks and streetscaping furniture including benches, planters, and light poles are typically in the public right-of-way, many times these elements are requested by the community to be incorporated or upgraded as part of a redevelopment project.

All streetscaping improvements associated with new construction or rehabilitation of a site should be consistent with the design and function of the public realm and incorporate the parameters and recommendations of the 2017 Next Stop Resilient Baldwin: Downtown and Commercial Corridor Resiliency Study. These recommendations include:

55. Installation of landscaping and street trees, in addition to other pedestrian amenities, such as trash receptacles, decorative street lamps, and wayfinding signage; to "green" the streetscape and create an atmosphere that attracts visitors and patrons.
56. Retail and services catering to pedestrians should be encouraged at street-level to create an active streetscape.
57. Street amenities, such as continuous sidewalks, bus shelters, well designed crosswalks, lower-scale lighting, seating areas, waste receptacles, planters, and trees should be encouraged to make the sidewalk environment more comfortable for users.
58. New development should be designed to require compact growth, opportunities for increased choice of transportation modes, and a safe and pleasant pedestrian environment by ensuring an attractive streetscape, a functional mix of uses, green infrastructure and the provision of facilities that support transit use, bicycling and walking.



Examples of well-designed, pedestrian-friendly streetscapes.

8

Landscaping

Landscaping refers to all vegetative and ornamental features incorporated into a site to improve its appearance and attractiveness. Landscaping can also be used as a buffer or screen to parking and storage areas or to separate incompatible uses.

- 59. New development should be designed so as not to increase impervious surface areas, but rather, to decrease impervious surface areas when possible, and to provide additional opportunities for infiltration of runoff. Landscaping of new development should incorporate green infrastructure, in the form of vegetative controls or permeable pavements, to the extent possible.

Suggested vegetative controls for decreasing impervious surface and increasing infiltration of stormwater runoff include: 1) native and/or adaptive plants, or cultivated varieties of same for hybridized increased performance in disease/pest resistance, improved form, dwarf form, increased aesthetic traits, drought tolerance, etc.; and 2) including a post-plant establishment maintenance plan for the performance of green infrastructure vegetative controls (e.g. bio-retention facilities, bio-swales, stormwater planters, etc.). See **Appendix A** for a suggested general list of native/adaptive plantings, however final plant species-selection appropriateness should account for site-specific conditions (e.g. soil type and pH, sun exposure, wind, soil volumes, current pest/disease risks, height/size goals and/or restrictions, fruit litter, site visibility, maintenance expectations, etc.).



Examples of green infrastructure that reduces impervious surfaces (top left), well-designed landscaping features (bottom left), and consistent paving materials (right).

60. Parking and service areas should be screened from major streets and public spaces with dense evergreen trees or shrubs. Brick walls and fences can also be used where spaces will not allow the use of plantings for screening.
61. Accent planting should be used around entries and key activity hubs. Screening should be used to protect less intensive uses from the impacts of more intrusive uses and to block views of less desirable features from public view (trash enclosures, etc.).
62. Plantings at building foundations should consist of a combination of lawn areas and low plantings. In high exposure areas such as building entrances, plantings should be appropriately scaled and include plant materials selected for year-round attractiveness.
63. Plantings should be both functional and visually appealing. The use of native plants is preferred. Xeriscaping is encouraged to promote water conservation, reduce maintenance requirements, and decrease flooding.
64. Paving materials and patterns for walkways, drives and parking areas should be consistent in order to tie together development within the district.
65. Trees and shrubs should be located and spaced to allow for long-term growth. Evergreen and deciduous or flowering trees should be used in combination to create visual interest and to create a dynamic landscape.
66. For evergreen screening along adjacent residential land uses, a double-staggered row of evergreen screen tree species 7 feet on center is suggested. Consideration should be given to sun-exposure, expected mature size of the plant species, and the available soil volumes; alternatively, upright tall dense evergreen shrub species may be substituted (e.g. Upright Cherry Laurel, Gulfside False Holly, etc.) in tighter spaces and growing conditions.

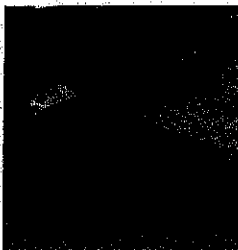
9

Sustainability and Green Building Design

Sustainability and green building refers to the practice of creating structures using a process that is environmentally responsible and resource-efficient throughout a building's life-cycle: from siting to design, construction, operation, maintenance, renovation, and demolition. Elements include the construction of buildings that are energy efficient (high levels of insulation, high performance windows), use renewable resources (passive solar heating, daylighting), are designed for durability, future reuse and adaptability, and use low maintenance building materials with low embodied energy.

- 67. All rehabilitation and new construction should incorporate energy efficiency and design elements into the rehabilitation or design of the new additions or buildings.
- 68. Building materials should be locally sourced, with a high percentage of salvaged and recycled materials. Install high efficiency heating and cooling equipment, high efficient lights and appliances and water efficient equipment.
- 69. Install permeable pavers or low-maintenance turf grass within select areas, as appropriate.
- 70. Install pervious surface curb extensions with storm drains, as appropriate.
- 71. Replace trees in declining health and/or those that have wire-conflicts with wirefriendly trees adaptable to sidewalk conditions.
- 72. Install stormwater planters and reuse technology at new development sites.

Examples of sustainably designed site infrastructure



A

Appendix A

Native/Adaptive Plantings

The following list of plants are suggested general native/adaptive plantings at the time of writing; however final plant species-selection appropriateness should account for site-specific conditions (e.g. soil type and pH, sun exposure, wind, soil volumes, current pest/disease risks, height/size goals and/or restrictions, fruit litter, site visibility, maintenance expectations, etc.).

Shade Trees (for Open Space)

<i>Acer x freemanii</i> 'Jeffersred'	Autumn Blaze Maple
<i>Acer rubrum</i> 'Frank Jr.'	Redpointe Maple
<i>Acer saccharum</i> 'Legacy'	Legacy Sugar Maple
<i>Betula nigra</i> 'Heritage'	Heritage River Birch
<i>Celtis occidentalis</i>	Hackberry
<i>Cladrastis kentukea</i>	American Yellowwood
<i>Corylus colurna</i>	Turkish Filbert
<i>Eucommia ulmoides</i>	Hardy Rubber Tree
<i>Ginkgo biloba</i> 'Autumn Gold'	Autumn Gold Ginkgo
<i>Ginkgo biloba</i> 'JFS-UGA2'	Golden Colonnade'
<i>Gleditsia triacanthos</i> 'Shademaster'	Shade Master Honeylocust
<i>Liquidambar styraciflua</i> 'Rotundiloba'	Sweetgum
<i>Liriodendron tulipifera</i> 'JFS-Oz'	Emerald City Tulip Tree
<i>Metasequoia glyptostroboides</i>	Dawn Redwood
<i>Nyssa sylvatica</i> 'David Odom'	Afterburner Tupelo
<i>Ostrya virginiana</i>	American Hophornbeam
<i>Platanus x acerifolia</i> 'Bloodgood'	Bloodgood London Planetree
<i>Quercus bicolor</i>	Swamp White Oak
<i>Quercus muehlenbergii</i>	Chinkapin Oak
<i>Quercus phellos</i>	Willow Oak
<i>Quercus rubra</i>	Red Oak
<i>Styphnolobium japonicum</i>	Japanese Pagodatree
<i>Taxodium distichum</i>	Bald Cypress
<i>Ulmus americana</i> 'Valley Forge'	Valley Forge Elm
<i>Ulmus x 'Morton'</i>	Accolade Elm
<i>Ulmus parvifolia</i> 'Emer II'	Allee Elm
<i>Zelkova serrata</i> 'Green Vase'	Green Vase Japanese Zelkova

Street Trees

Acer x freemanii 'Jeffersred'	Autumn Blaze Maple
Acer rubrum 'Frank Jr.'	Redpointe Maple
Celtis occidentalis	Hackberry
Cladrastis kentukea	American Yellowwood
Corylus colurna	Turkish Filbert
Eucommia ulmoides	Hardy Rubber Tree
Ginkgo biloba 'Autumn Gold'	Autumn Gold Ginkgo
Ginkgo biloba 'JFS-UGA2' - Golden Colonnade'	
Liriodendron tulipifera 'JFS-Oz'	Emerald City Tulip Tree
Ostrya virginiana	American Hophornbeam
Platanus x acerifolia 'Bloodgood'	Bloodgood London Planetree
Quercus bicolor	Swamp White Oak
Quercus muehlenbergii	Chinkapin Oak
Quercus phellos	Willow Oak
Styphnolobium japonicum	Japanese Pagodatree
Taxodium distichum	Bald Cypress
Ulmus americana 'Valley Forge'	Valley Forge Elm
Ulmus x 'Morton'	Accolade Elm
Ulmus parvifolia 'Emer II'	Allee Elm
Zelkova serrata 'Green Vase'	Green Vase Japanese Zelkova

Upright Shade Trees

(For narrow spaces e.g. next to train tracks, building facades, between overhead utility lines and buildings, etc.)

Acer saccharum 'Barrett Cole'	Appollo Sugar Maple
Acer rubrum 'JFS-KW78'	Armstrong Gold Maple
Acer rubrum 'Scarsen'	Scarlet Sentinel Maple
Carpinus betulus 'Frans Fontaine'	Upright European Hornbeam
Liquidambar styraciflua 'Slender Silhouette'	Upright Sweetgum
Populus tremula 'Erecta'	Swedish Columnar Aspen
Quercus bicolor 'Bonnie and Mike'	Beacon Oak
Quercus x 'JFS-KW1QX'	Streetspire Oak
Quercus palustris 'Pringreen'	Green Pillar Oak
Zelkova serrata 'Musashino'	Upright Japanese Zelkova

Wire-Friendly / Ornamental Trees (for open space and street trees)

<i>Acer campestre</i> 'Panacek'	Metro Gold Hedge Maple
<i>Acer triflorum</i>	Three-Flowered Maple
<i>Aesculus x carnea</i> 'Fort McNair'	Fort McNair Horsechestnut
<i>Amelanchier laevis</i> 'JFS-Arb'	Spring Flurry Serviceberry
<i>Amelanchier canadensis</i> 'Trazam'	Tradition Serviceberry
<i>Cercis canadensis</i>	Redbud
<i>Cornus mas</i> 'Golden Glory'	Golden Glory Cornelian Cherry
<i>Cornus x 'Rutcan'</i>	Constellation Dogwood (Rutger's Hybrids)
<i>Crataegus crusgalli</i> var. <i>inermis</i> 'Cruzam'	Crusader Thornless Cockspur Hawthorne
<i>Koelreuteria paniculata</i>	Goldenrain Tree
<i>Lagerstroemia x</i>	Crape Myrtle Hybrids
<i>Maackia amurensis</i>	Amur Maackia
<i>Malus</i> 'JFS-KW5'	Royal Raindrops Crabapple
<i>Malus x 'Sutyzam'</i>	Sugar Tyme Crabapple
<i>Magnolia x 'Galaxy'</i>	Galaxy Magnolia
<i>Parrotia persica</i> 'Inge's Ruby Vase'	Ruby Vase Parrotia
<i>Prunus virginiana</i> 'Canada Red'	Canada Red Improved Chokecherry
<i>Syringa reticulata</i> 'Ivory Silk'	Ivory Silk Japanese Tree Lilac
<i>Taxodium distichum</i> 'Skyward'	Lindsey's Skyward Bald Cypress
<i>Zelkova serrata</i> 'JFS-KW1'	City Sprite Zelkova
<i>Zelkova serrata</i> 'Schmidtlow'	Wireless Zelkova

Evergreen Screen Trees

<i>Abies concolor</i>	White Fir
<i>Chamaecyparis thyoides</i>	Atlantic White Cedar
<i>Cryptomeria japonica</i> 'Yoshino'	Yoshino Japanese Cryptomeria
<i>Juniperus virginiana</i> 'Emerald Sentinel'	Emerald Sentinel Eastern Redcedar
<i>Picea abies</i>	Norway Spruce
<i>Picea alba</i>	White Spruce
<i>Picea omorika</i>	Serbian Spruce
<i>Picea orientalis</i>	Oriental Spruce
<i>Thuja occidentalis</i> 'Nigra'	Nigra Eastern Arborvitae
<i>Thuja occidentalis</i> 'Smaragd'	Emerald Green Arborvitae
<i>Thuja plicata</i> 'Green Giant'	Green Giant Western Arborvitae

Shrubs

<i>Abelia x grandiflora</i> 'Rose Creek'	Rose Creek Abelia
<i>Caryopteris x cladonensis</i> 'Dark Knight'	Dark Knight Blue Mist Shrub
<i>Comptonia peregrina</i>	Sweetfern
<i>Hydrangea macrophylla</i> 'Bailmer'	Endless Summer Hydrangea
<i>Hydrangea paniculate</i> 'Little Lime'	Little Lime Hydrangea
<i>Hypericum perforatum</i>	St. John's Wort
<i>Ilex glabra</i> 'Shamrock'	Dwarf Inkberry Holly
<i>Ilex verticillata</i> (Dwarf Varieties)	Dwarf Winterberry Holly
<i>Morella pensylvanica</i> 'Morton'	Silver Sprite Bayberry
<i>Nandina domestica</i> 'Firepower'	Firepower Nandina
<i>Osmanthus heterophyllus</i> 'Gulftide'	Gulftide False Holly
<i>Potentilla fruticosa</i> 'Abbotswood'	White Shrubby Cinquefoil
<i>Prunus laurocerasus</i> 'Otto Luyken'	Otto Luyken Cherry Laurel
<i>Prunus laurocerasus</i> 'Schipkaensis'	Upright Cherry Laurel
<i>Rhus aromatica</i> 'Gro-Low'	Gro-Low Fragrant Sumac
<i>Rosa x 'Radrazz'</i>	Knockout Rose
<i>Spirea japonica</i> 'Tracy'	Double Play Big Bang Spirea
<i>Syringa x</i> (Dwarf Varieties)	Dwarf Lilacs

Perennials / Ground Cover

<i>Ajania pacifica</i>	Ajania
<i>Amsonia hubrichtii</i>	Threadleaf Amsonia
<i>Ceratostigma plumbaginoides</i>	Plumbago
<i>Gaillardia x grandiflora</i>	Blanket Flower
<i>Hemerocallis x</i>	Daylily (Reblooming Varieties)
<i>Heuchera villosa</i> 'Citronelle'	Citronelle Coral Bells
<i>Hypericum calycinum</i>	St. John's Wort
<i>Liriope muscari</i> 'Big Blue'	Big Blue Lilyturf
<i>Liriope muscari</i> 'Variegata'	Variegated Lilyturf
<i>Nepeta x fassenii</i> 'Junior Walker'	Junior Walker Catmint
<i>Perovskia atriplicifolia</i> 'Little Spire'	Dwarf Russian Sage
<i>Penstemon digitalis</i> 'Dark Towers'	Purple Beardtongue
<i>Salvia x superba</i> 'Blue Hill'	Blue Hill Garden Sage
<i>Sedum sp.</i>	Sedum
<i>Stachys byzantina</i> 'Helen Von Stein'	Helen Von Stein Lamb's Ear

Ornamental Grasses

Andropogon virginicus - Broomsedge

Deschampsia cespitosa 'Goldtau'	Goldtau Tufted Hairgrass
Deschampsia flexuosa	Wavy Hairgrass
Eragrostis spectabilis	Purple Lovegrass
Festuca ovina 'Glaucua'	Blue Fescue
Muhlenbergia capillaris	Pink Muhly Grass
Panicum virgatum 'Shenandoah'	Purple Switchgrass
Pennisetum alopecuroides 'Little Bunny'	Dwarf Fountain Grass
Pennisetum alopecuroides 'Burgundy Bunny'	Purple Dwarf Fountain Grass
Schizachyrium scoparium 'Standing Ovation'	Standing Ovation Little Bluestem

Baldwin Mixed Use Zoning Overlay District Design Guidelines Checklist		Meets Guideline			
#	GUIDELINES	Yes	No	N/A	Com
	NEW CONSTRUCTION				
1	Sensitive integration of form, textures and colors with the site and character of the surrounding area.				
2	In general, new buildings should be rectangular or square in shape and consistent with existing building context				
3	Buildings fronting Grand Avenue, Sunrise Highway and Merrick Road can be built to the public right of way line. Outdoor gathering and dining space that expands the public realm is encouraged.				<input type="checkbox"/>
4	Materials and architectural elements should harmonize and not starkly contrast with the character of the surrounding area, while accommodating a potential contemporary expression and use of technology.				
5	Buildings in highly visible locations including primary corners along Grand Avenue, Merrick Road and Sunrise Highway should be designed to express and reinforce the importance of these locations.				
6	Whenever the rear and side elevations of buildings and associated ground floor facades are adjacent to public areas such as streets and parking lots, the architectural design, materials, and treatment of these facades should wrap the building and be integrated with the building's front facade.				<input type="checkbox"/>
7	The exterior walls of new buildings should be constructed of durable, permanent materials. The use of reflective materials is discouraged. The exterior of residential dwellings should consist of metal, brick or wood. Appropriate exterior materials for commercial uses include brick, treated concrete or stone.				
8	The design of buildings should vary the façade vertically and horizontally, especially at the street level, to help reinforce the pedestrian zone.				
9	When new construction contains more than one store, an overall design approach should be shared by each of the stores.				

Baldwin Mixed Use Zoning Overlay District Design Guidelines Checklist		Meets Guideline			
#	GUIDELINES	Yes	No	N/A	Com
10	Storefronts should provide interest and, where appropriate, should include pedestrian-oriented features to encourage pedestrian movement and activity.				
11	New construction should be designed to strongly encourage retail, dining, and active business uses with both day and evening programming at the ground floor. Amenities in the public right-of-way are encouraged including public seating, outdoor dining, public art, planters, and seasonal decorations. If outdoor dining is proposed, a plan, drawn to scale, showing the proposed outdoor dining area with measurements, including a representation showing that at least four (4) feet of unobstructed sidewalk space will remain for pedestrians, shall be submitted to the Design Review Board.				
12	Buildings that front on Grand Avenue, Sunrise Highway and Merrick Avenue must have at least one pedestrian entrance directly on these roads in order to maintain street presence and promote pedestrian activity.				
13	Integrate new mechanical elements into architectural features of the building. Vertical roof projections such as vents or stacks should be screened.				
14	Locate new mechanical systems and exhaust systems so that they do not vent onto pedestrian levels.				
REHABILITATION					
15	Proposed improvements should be chosen to harmonize with the basic scale and character of the building including materials, display windows, transoms, mid-cornices and lighting.				
16	When an existing building has a facade composed of stone, wood or brick, an effort should be made to retain the original material in its natural state.				
17	When an existing ground-level storefront is rehabilitated, where feasible, existing architectural design and details should be identified and used as the basis for the renovation project.				
18	When an existing building contains more than one store, a unified design approach should be shared by each of the proposed stores.				
19	If replacement is required, use materials that match in color, size, profile, thickness, pattern, and texture of the existing material.				
20	If replacement windows are necessary, efforts should be made to match original window materials, dimensions, glazing and trim.				

Baldwin Mixed Use Zoning Overlay District Design Guidelines Checklist		Meets Guideline			
#	GUIDELINES	Yes	No	N/A	Con
ADDITIONS					
21	All additions should harmonize with the basic scale and character of the building.				
22	Materials should be used that complement or match the existing building.				
23	The size and location of windows should match the window and/or shutter patterns on the existing building.				
24	Existing building features such as a cornice design, materials, or arrangement of storefront glass should be incorporated into the building addition.				
AWNINGS					
25	Awnings over pedestrian walkways and sidewalks are encouraged to provide shade and rain protection while adding interest to a facade with shape and color.				
26	Long expanses of awnings are discouraged. Awnings should have a pedestrian scale and be placed so as to provide weather protection and/or business identification to potential patrons of a business.				
27	Use awning dimensions, materials, shapes, and styles that reinforce the pattern of existing businesses and the character of the building.				
EXTERIOR LIGHTING					
28	Lighting should be organized in simple patterns such that it reinforces the basic structure of streets and sidewalks.				
29	If a particular lighting pattern or lighting design element exists on a building or within an area, similar lighting should be utilized on building rehabilitations, new construction or additions.				
30	Utilize "Dark Sky" lighting fixtures and place lighting to minimize glare and prevent stray light.				
31	Lighting of parking areas and pathways to parking areas should be enhanced by low level lighting if necessary with the goal of minimizing light pollution				
SIGNAGE - Sign Design					
32	Signage should be in scale with the building façade.				
33	Signs should be compatible with the placement, size, graphics, colors and style of the building as well as with neighboring buildings and signs.				
34	Signs should be illuminated from the exterior rather than interior, if lighting is required. All sign lighting should be shielded and directed towards the signs. When internally illuminated				

Baldwin Mixed Use Zoning Overlay District Design Guidelines Checklist		Meets Guideline			
#	GUIDELINES	Yes	No	N/A	Comr
SIGNAGE - Wall Signs					
36	Wall signs should be placed above storefront display areas on the traditional sign cornice, sign band or lintel above the ground floor.				
37	Wall signs should not conceal windows or the architectural details of the storefront and their placement should reinforce architectural features.				
38	Signs should be of high quality materials. Flashing signs or signs with moving parts or changing electronic displays are prohibited.				
SIGNAGE - Window Signs					
39	Window signs should be simple. Window signs should cover less than 25% of the window area.				
SIGNAGE - Projecting Signs					
40	Projecting signs should be placed above the storefront display on the sign band or lintel above the ground floor and should fit within building modules.				
SIGNAGE - Freestanding Signs					
41	The use and type of free standing signs should be considered in the context of the overall setting. Monument or structured free-standing signs are preferred over single-pole (lollipop) free standing signs.				
SERVICE AREAS					
42	All exterior service, loading, storage and utility areas should be located at the side or rear of the building and be screened or sheltered so as not to be visible from the street or adjacent parcels.				
43	Loading docks should be located away from the main pedestrian thoroughfares and removed from public view. No direct loading should be permitted to be visible from Grand Avenue.				
44	Outdoor service and storage areas, including garbage collection areas, should be screened from public view with landscaping and/or fencing.				

Baldwin Mixed Use Zoning Overlay District Design Guidelines Checklist		Meets Guideline			
		Yes	No	N/A	Com
#	GUIDELINES				
	PARKING - Surface Parking				
45	Parking in front of buildings is discouraged. Whenever possible, parking should be located to the side or rear of buildings. Where parking is in the front, landscaped buffers should be used between the sidewalk and parking area to assure that the visual effect of paved areas and standing automobiles is minimized.				
46	Parking areas containing more than 20 spaces should incorporate landscaped islands, dividers and screenings.				
47	The number of curb cuts should be minimized. Entrances and exits to parking areas should be designed so that they do not interfere with vehicular traffic movement, unduly inconvenience pedestrian travel, or create unsafe conditions.				
48	Drive-through lanes should be located so that traffic does not conflict with pedestrian travel and should be allowed only for financial institutions.				
	PARKING - Parking Structures				
49	Large blank walls should be avoided in favor of fenestration patterns more closely resembling inhabited buildings.				
50	Where possible, landscaping should be provided to minimize the visual impact of parking decks.				
51	Parking garages, including entrances should not be located on Sunrise Highway, Merrick Avenue, or Grand Avenue.				
52	Parking structures should be designed to have an external skin comprised of high quality materials to improve the visual character when exposed to prominent public view.				
53	Ground floor treatments should provide screening to block views of parked vehicles, bumpers, and headlights from pedestrians using the adjacent sidewalk.				
54	Where possible, the first-floor level of the garage should include retail or service uses that will maintain activity at the ground level.				

Baldwin Mixed Use Zoning Overly District Design Guidelines Checklist		Meets Guideline			
#	GUIDELINES	Yes	No	N/A	Com
STREETSCAPING					
55	Installation of landscaping and street trees, in addition to other pedestrian amenities, such as trash receptacles, decorative street lamps, and wayfinding signage, to "green" the streetscape and create an atmosphere that attracts visitors and patrons.				
56	Retail and services catering to pedestrians should be encouraged at street-level to create an active streetscape.				
57	Street amenities, such as continuous sidewalks, bus shelters, well designed crosswalks, lower-scale lighting, seating areas, waste receptacles, planters, and trees should be encouraged to make the sidewalk environment more comfortable for users.				
58	New development should be designed to require compact growth, opportunities for increased choice of transportation modes, and a safe and pleasant pedestrian environment by ensuring an attractive streetscape, a functional mix of uses, green infrastructure and the provision of facilities that support transit use, bicycling and walking.				
LANDSCAPING					
59	<p>New development should be designed so as not to increase impervious surface areas, but rather, to decrease impervious surface areas when possible, and to provide additional opportunities for infiltration of runoff. Landscaping of new development should incorporate green infrastructure, in the form of vegetative controls or permeable pavements, to the extent possible.</p> <p>Suggested vegetative controls for decreasing impervious surface and increasing infiltration of stormwater runoff include: 1) native and/or adaptive plants, or cultivated varieties of same for hybridized increased performance in disease/pest resistance, improved form, dwarf form, increased aesthetic traits, drought tolerance, etc.; and 2) including a post-plant establishment maintenance plan for the performance of green infrastructure vegetative controls (e.g. bio-retention facilities, bio-swales, stormwater planters, etc.). See Appendix A for a suggested general list of native/adaptive plantings, however final plant species-selection appropriateness should account for site-specific conditions (e.g. soil type and pH, sun exposure, wind, soil volumes, current pest/disease risks, height/size goals and/or restrictions, fruit litter, site visibility, maintenance expectations, etc.).</p>				
	<p>Parking and service areas should be screened from major streets and public spaces with dense</p>				

Baldwin Mixed Use Zoning Overlay District Design Guidelines Checklist		Meets Guideline			
#	GUIDELINES	Yes	No	N/A	Com
61	Accent planting should be used around entries and key activity hubs. Screening should be used to protect less intensive uses from the impacts of more intrusive uses and to block views of less desirable features from public view (trash enclosures, etc).				
62	Plantings at building foundations should consist of a combination of lawn areas and low plantings. In high exposure areas such as building entrances, plantings should be appropriately scaled and include plant materials selected for year-round attractiveness.				
63	Plantings should be both functional and visually appealing. The use of native plants is preferred. Xeriscaping is encouraged to promote water conservation, reduce maintenance requirements, and decrease flooding.				
64	Paving materials and patterns for walkways, drives and parking areas should be consistent in order to tie together development within the district.				
65	Trees and shrubs should be located and spaced to allow for long-term growth. Evergreen and deciduous or flowering trees should be used in combination to create visual interest and to create a dynamic landscape.				
66	For evergreen screening along adjacent residential land uses, a double-staggered row of evergreen screen tree species 7 feet on center is suggested. Consideration should be given to sun-exposure, expected mature size of the plant species, and the available soil volumes; alternatively, upright tall dense evergreen shrub species may be substituted (e.g. Upright Cherry Laurel, Gulfside False Holly, etc.) in tighter spaces and growing conditions.				
SUSTAINABILITY AND GREEN BUILDING DESIGN					
67	All rehabilitation and new construction should incorporate energy efficiency and design elements into the rehabilitation or design of the new additions or buildings.				
68	Building materials should be locally sourced, with a high percentage of salvaged and recycled materials. Install high efficiency heating and cooling equipment, high efficient lights and appliances and water efficient equipment.				
69	Install permeable pavers or low-maintenance turf grass within select areas, as appropriate.				
70	Install pervious surface curb extensions with storm drains, as appropriate.				
71	Replace trees in declining health and/or those that have wire-conflicts with wirefriendly trees should adaptable to sidewalk conditions.				
72	Install stormwater planters and reuse technology at new development sites.				

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: SALARY ADJUSTMENT FOR MARCUS
BOTTOMS, LABORER II, IN THE DEPARTMENT
OF GENERAL SERVICES, BUILDINGS AND
GROUNDS DIVISION.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that the annual salary for Marcus Bottoms, Laborer II, in the Department of General Services, Buildings and Grounds Division, be and hereby is increased to Grade 11, Step 8 (I), \$67,384, by the Commissioner of the Department of General Services and ratified by the Town Board of the Town of Hempstead effective August 7, 2019.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: TRANSFER OF JENNIFER LOMBARDO,
CLERK II, FROM THE OFFICE OF THE TOWN
CLERK TO THE DEPARTMENT OF WATER.

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

RESOLVED, that Jennifer Lombardo, Clerk II, be and hereby is transferred from the Office of the Town Clerk to the Department of Water, with no change in salary, pursuant to a stipulated agreement between the Office of the Town Clerk and CSEA Local 880, and by the Commissioner of the Department of Water and the Town of Hempstead Civil Service Commission effective July 25, 2019. This action is ratified by the Town Board of the Town of Hempstead.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: SALARY ADJUSTMENT FOR MARIO POLLIO,
EQUIPMENT OPERATOR I, IN THE
DEPARTMENT OF HIGHWAY, BUDGET CODE
5110.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that the annual salary for Mario Pollio, Equipment Operator I, in the Department of Highway, Budget Code 5110, be and hereby is increased to Grade 11, Step 9 (J), \$70,327, by the Commissioner of the Department of Highway and ratified by the Town Board of the Town of Hempstead effective August 7, 2019.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF BRETT ROSE AS
ASSISTANT SANITATION INSPECTION
SUPERVISOR, IN THE DEPARTMENT OF
SANITATION, FROM THE CIVIL SERVICE
LIST.

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

WHEREAS, the Town of Hempstead Civil Service Commission has certified that Brett Rose has passed the examination for the position of Assistant Sanitation Inspection Supervisor, Civil Service List No. 77-345, and is eligible for appointment thereto, NOW, THEREFORE, BE IT

RESOLVED, that Brett Rose, now serving as Sanitation Inspector III, Competitive, Permanent, in the Department of Sanitation, be and hereby is appointed Assistant Sanitation Inspection Supervisor, Competitive, Permanent, Grade 21, Step 13 (N), \$115,281, from the civil service list, by the Commissioner of the Department of Sanitation and ratified by the Town Board of the Town of Hempstead effective July 29, 2019 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: PROVISIONAL APPOINTMENT OF ANDY
VEGA AS SANITATION INSPECTOR I, IN THE
DEPARTMENT OF SANITATION.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that Andy Vega, now serving as Equipment Operator III, in the Department of Sanitation, be and hereby is appointed as Sanitation Inspector I, Competitive, Provisional, Grade 16, Step 12 (M), \$93,007, in the Department of Sanitation, by the Commissioner of the Department of Sanitation, and ratified by the Town Board of the Town of Hempstead, effective August 7, 2019.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF DEBRA WEINRIB AS
DEPUTY TOWN ATTORNEY, IN THE
OFFICE OF THE TOWN ATTORNEY.

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

RESOLVED, that Debra Weinrib, be and hereby is appointed as Deputy
Town Attorney, in the Office of the Town Attorney, Exempt, Ungraded, at an annual salary of
\$64,500, by the Town Attorney and ratified by the Town Board of the Town of Hempstead,
effective August 5, 2019 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for
twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment
may be terminated.

AYES:

NOES:

8/1/2019

In addition there are (18) Eighteen Resolutions for various types of Leaves of Absence.