

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 curblines 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 curblines of Bedford Avenue
east to a point 220 feet west of the
west curblines 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 curblines 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 curblines 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 curblines of
William Place north for a distance of
114 feet.

Item #

1

Case #

30153

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.

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 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.

Item # 2

Case # 30154

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.

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.

Item # 3

Case # 30155

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.

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

Item # 4

Case # 18920

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.

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

Item # 5
Case # 30156

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 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.

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 curbline of Skillman Avenue south and west to the east curbline of Skillman Avenue. (Adopted 7/22/97)

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 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

Item # 6

Case # 30157

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.

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 3rd day of September, 2019, at 10:30 in the forenoon of that day, 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.

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: August 6, 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 # 7
Case # 27273

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 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 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.

APPROVED AS TO FORM

Charles O. Heine

SENIOR DEPUTY TOWN ATTORNEY

DATE 7/31/19

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

Item # 8

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, 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.

Item #

9

Case #

30675

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

Item # 10

Case # 27229

given an opportunity to be heard at the time and
place above designated.

Hempstead: Hempstead, New York
August 6, 2019

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

SYLVIA A. CABANA
Town Clerk

LAURA A. GILLEN
Supervisor

Adopted: August 6, 2019

Council(woman) Goosby 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's

Item#

11

Case# 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 XLII 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:

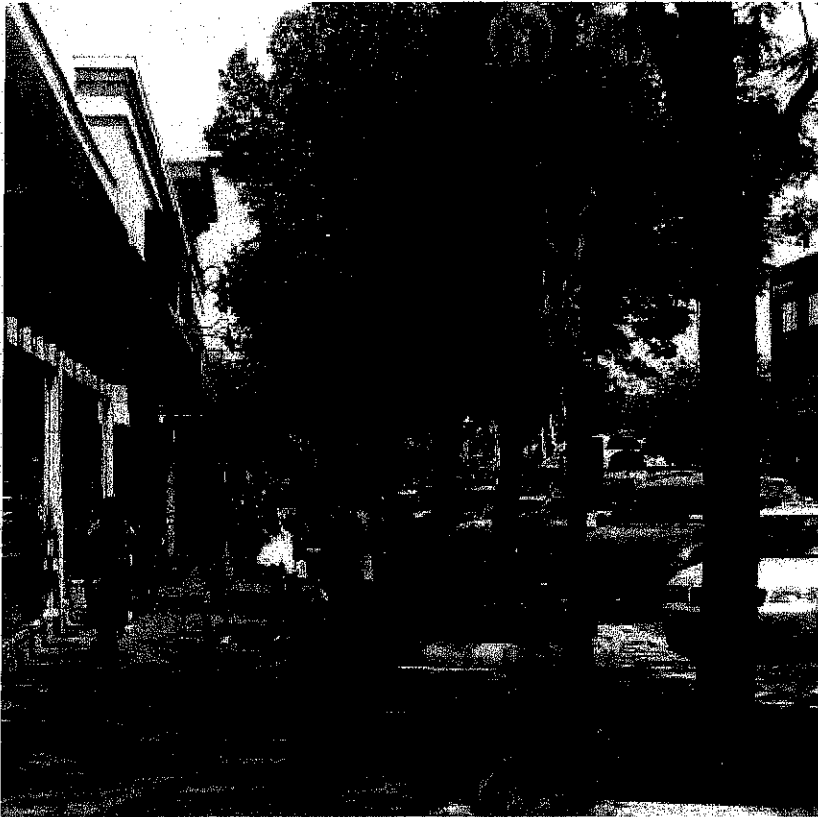
AYES: SEVEN (7)

NOES: NONE (0)

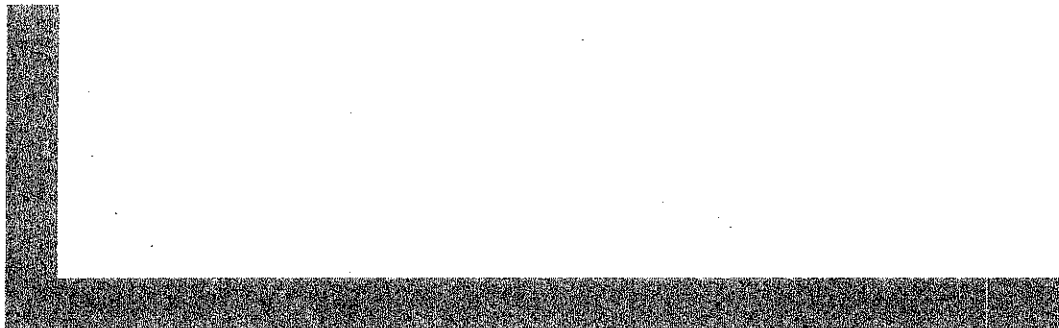


DRAFT MARCH 2019

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.

TABLE OF CONTENTS

Introduction	1
Purpose and Scope	1
Review and Approval Process	3
Architecture	5
New Construction	5
Rehabilitation	8
Additions	9
Awnings	10
Exterior Lighting	11
Signage	12
Sign Design	12
Wall Signs	12
Window Signs	13
Projecting Signs	13
Freestanding Signs	13
Service Areas	14
Parking	15
Surface Parking	15
Parking Structures	16
Streetscaping	17
Landscaping	18
Sustainability and Green Building Design	20
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 Overlay 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 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 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.

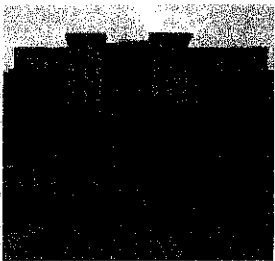
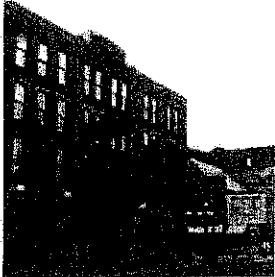
1

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

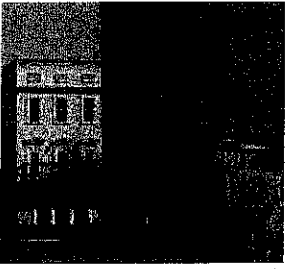
1. Architectural designs should be evaluated in terms of the sensitive integration of form, textures and colors with the site and character of the surrounding area.
2. In general, new buildings should be rectangular or square in shape and consistent with existing building context.
3. Buildings fronting 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



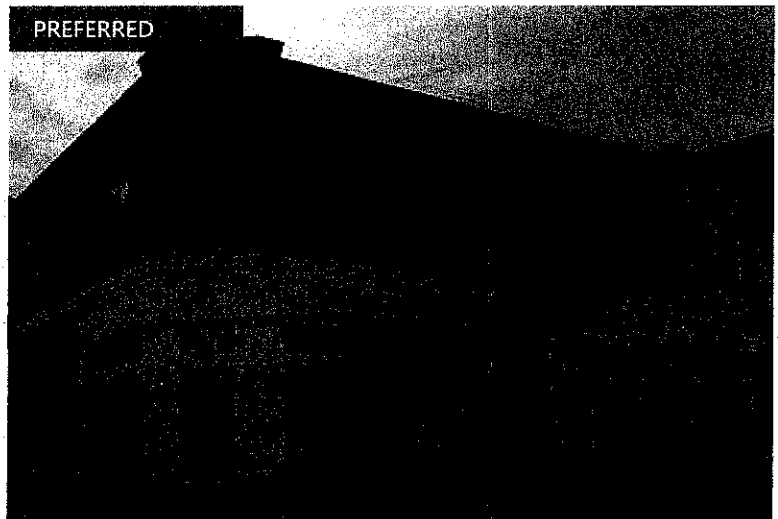
Rehabilitation

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.

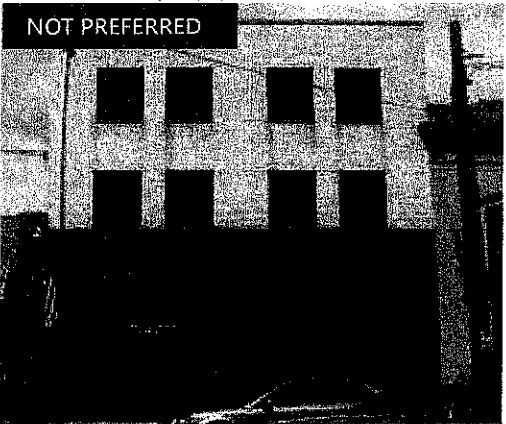


Punch-through windows detract from "Main Street" character

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.



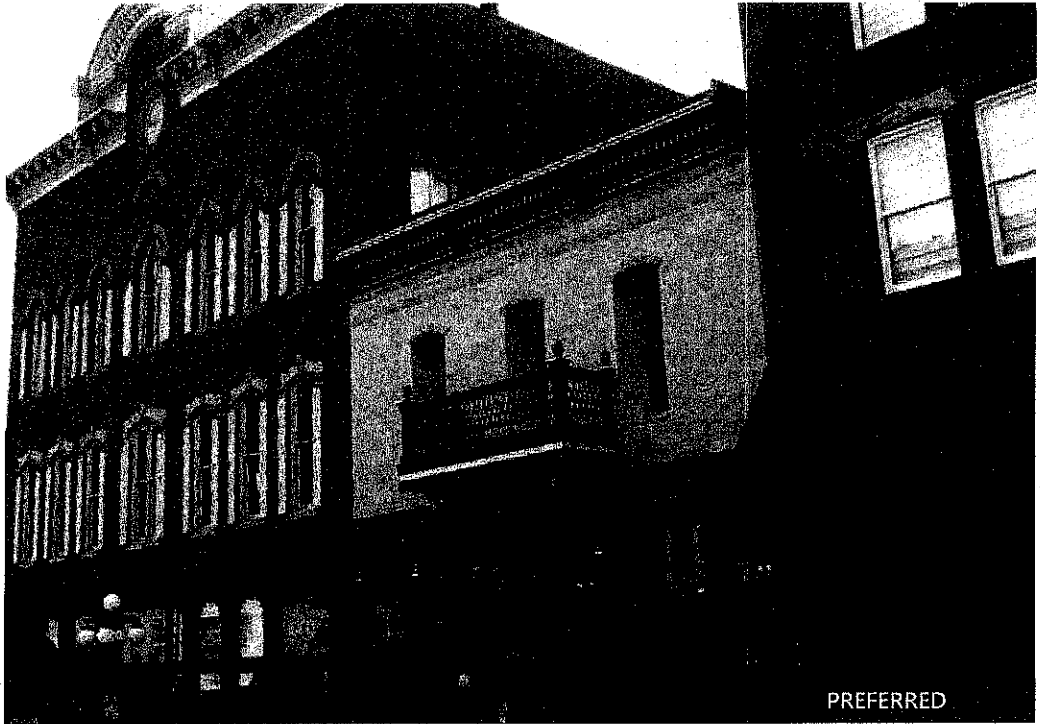
While attractive and constructed of quality materials, this facade retrofit presents a monolithic appearance, which does not contribute positively to the finer-grained appearance of a traditional Main Street. The building could also be improved with a cornice or cap.

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.



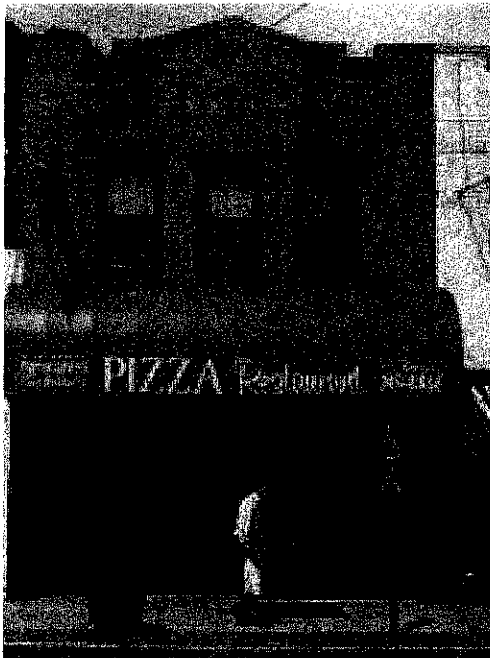
An example of a well-designed addition where materials and architectural details complement the existing building.

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.



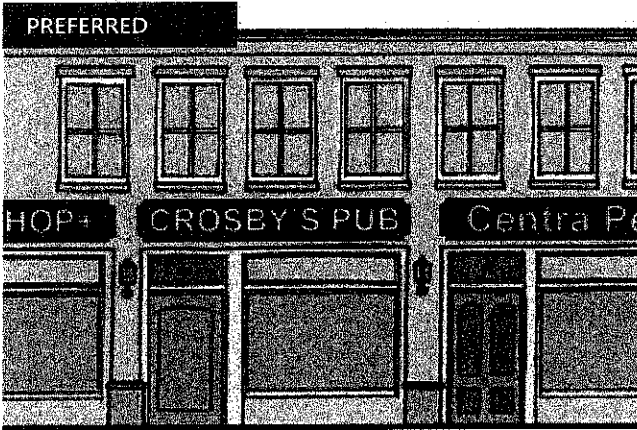
This arrangement of signs blocks building elements and creates an image of visual clutter.



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

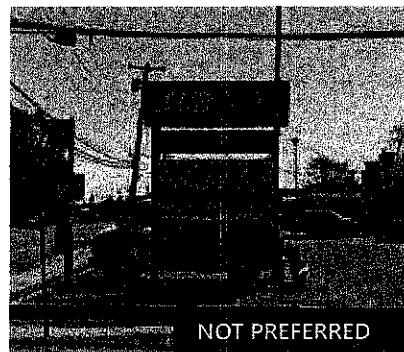
40. Projecting signs should be placed above the storefront display on the sign band or lintel above the ground floor and should fit within building modules.



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.

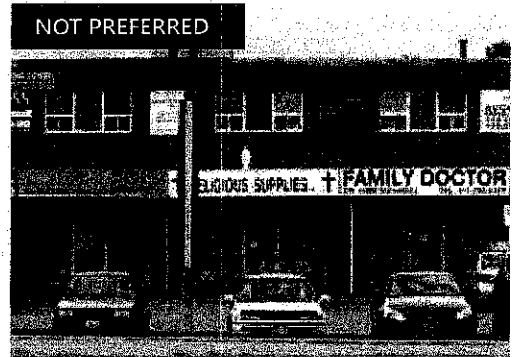
6 Parking

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



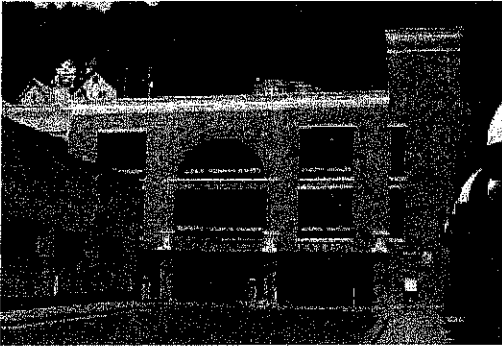
Parking should be located to the side or rear of buildings. Where parking is in front, landscaped buffers should be used, as in the figure above.

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.

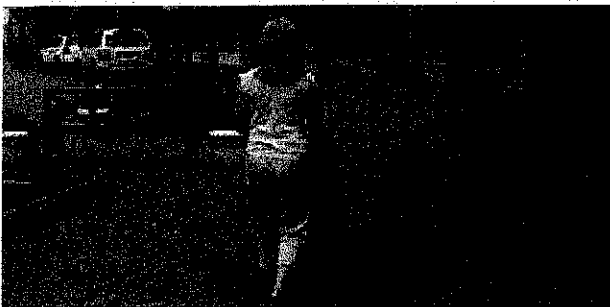
7

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.

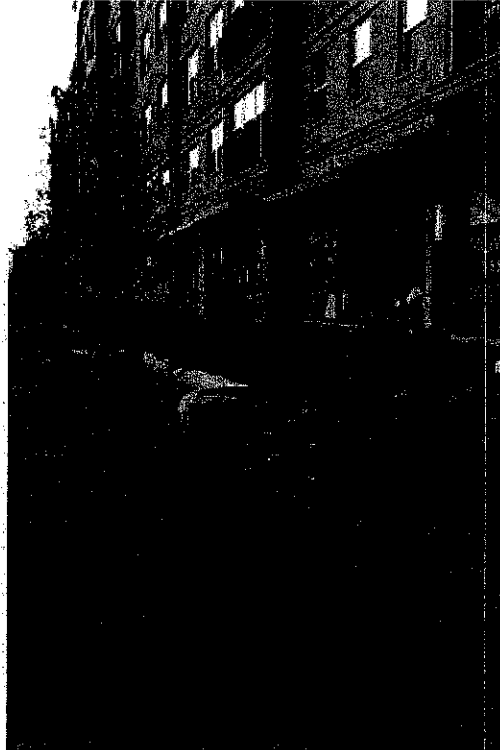
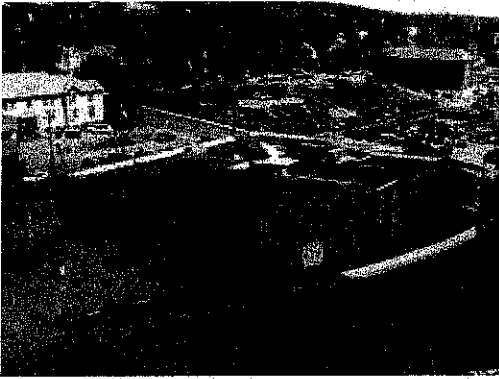
8

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, Gulftide False Holly, etc.) in tighter spaces and growing conditions.

9

Sustainability and Green Building Design

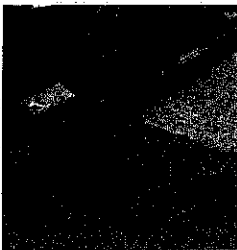
Sustainability and green building refers to the practice of creating structures using a process that is environmentally responsible and resource-efficient throughout a building's life-cycle: from siting to design, construction, operation, maintenance, renovation, and demolition. Elements include the 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.

All rehabilitation and new construction should adhere to green infrastructure recommendations of the 2017 Next Stop Resilient Baldwin: Baldwin Downtown and Commercial Corridor Resiliency Study when applicable. These recommendations include:

- 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 columna</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)

Acer campestre 'Panacek'	Metro Gold Hedge Maple
Acer triflorum	Three-Flowered Maple
Aesculus x carnea 'Fort McNair'	Fort McNair Horsechestnut
Amelanchier laevis 'JFS-Arb'	Spring Flurry Serviceberry
Amelanchier canadensis 'Trazam'	Tradition Serviceberry
Cercis canadensis	Redbud
Cornus mas 'Golden Glory'	Golden Glory Cornelian Cherry
Cornus x 'Rutcan'	Constellation Dogwood (Rutger's Hybrids)
Crataegus crusgalli var. inermis 'Cruzam'	Crusader Thornless Cockspur Hawthorne
Koelreuteria paniculata	Goldenrain Tree
Lagerstroemia x	Crape Myrtle Hybrids
Maackia amurensis	Amur Maackia
Malus 'JFS-KW5'	Royal Raindrops Crabapple
Malus x 'Sutyzam'	Sugar Tyme Crabapple
Magnolia x 'Galaxy'	Galaxy Magnolia
Parrotia persica 'Inge's Ruby Vase'	Ruby Vase Parrotia
Prunus virginiana 'Canada Red'	Canada Red Improved Chokecherry
Syringa reticulata 'Ivory Silk'	Ivory Silk Japanese Tree Lilac
Taxodium distichum 'Skyward'	Lindsey's Skyward Bald Cypress
Zelkova serrata 'JFS-KW1'	City Sprite Zelkova
Zelkova serrata 'Schmidtlow'	Wireless Zelkova

Evergreen Screen Trees

Abies concolor	White Fir
Chamaecyparis thyoides	Atlantic White Cedar
Cryptomeria japonica 'Yoshino'	Yoshino Japanese Cryptomeria
Juniperus virginiana 'Emerald Sentinel'	Emerald Sentinel Eastern Redcedar
Picea abies	Norway Spruce
Picea alba	White Spruce
Picea omorika	Serbian Spruce
Picea orientalis	Oriental Spruce
Thuja occidentalis 'Nigra'	Nigra Eastern Arborvitae
Thuja occidentalis 'Smaragd'	Emerald Green Arborvitae
Thuja plicata 'Green Giant'	Green Giant Western Arborvitae

Shrubs

Abelia x grandiflora 'Rose Creek'	Rose Creek Abelia
Caryopteris x cladonensis 'Dark Knight'	Dark Knight Blue Mist Shrub
Comptonia peregrina	Sweetfern
Hydrangea macrophylla 'Bailmer'	Endless Summer Hydrangea
Hydrangea paniculate 'Little Lime'	Little Lime Hydrangea
Hypericum perforatum	St. John's Wort
Ilex glabra 'Shamrock'	Dwarf Inkberry Holly
Ilex verticillata (Dwarf Varieties)	Dwarf Winterberry Holly
Morella pensylvanica 'Morton'	Silver Sprite Bayberry
Nandina domestica 'Firepower'	Firepower Nandina
Osmanthus heterophyllus 'Gulftide'	Gulftide False Holly
Potentilla fruticosa 'Abbotswood'	White Shrubby Cinquefoil
Prunus laurocerasus 'Otto Luyken'	Otto Luyken Cherry Laurel
Prunus laurocerasus 'Schipkaensis'	Upright Cherry Laurel
Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac
Rosa x 'Radrazz'	Knockout Rose
Spirea japonica 'Tracy'	Double Play Big Bang Spirea
Syringa x (Dwarf Varieties)	Dwarf Lilacs

Perennials / Ground Cover

Ajania pacifica	Ajania
Amsonia hubrichtii	Threadleaf Amsonia
Ceratostigma plumbaginoides	Plumbago
Gaillardia x grandiflora	Blanket Flower
Hemerocallis x	Daylily (Reblooming Varieties)
Heuchera villosa 'Citronelle'	Citronelle Coral Bells
Hypericum calycinum	St. John's Wort
Liriope muscari 'Big Blue'	Big Blue Lilyturf
Liriope muscari 'Variegata'	Variegated Lilyturf
Nepeta x fassenii 'Junior Walker'	Junior Walker Catmint
Perovskia atriplicifolia 'Little Spire'	Dwarf Russian Sage
Penstemon digitalis 'Dark Towers'	Purple Beardtongue
Salvia x superba 'Blue Hill'	Blue Hill Garden Sage
Sedum sp.	Sedum
Stachys byzantina '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 'Glauca' 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	Comr
	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.				
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.				
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	Comr
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	Comm
	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			
#	GUIDELINES	Yes	No	N/A	Comr
	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 Overlay District Design Guidelines Checklist		Meets Guideline			
#	GUIDELINES	Yes	No	N/A	Comm
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>				
	Decking and service areas should be screened from major streets and public spaces with dense				

Baldwin Mixed Use Zoning Overlay District Design Guidelines Checklist		Meets Guideline			
#	GUIDELINES	Yes	No	N/A	Comr
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.				

PCL XL error

Warning: IllegalMediaSize

CASE NO. 25843

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved
its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE GRANTING
OF THE APPLICATION OF SEWANHAKA HIGH SCHOOL FOR A
PARADE PERMIT FOR A PARADE TO BE HELD IN FLORAL PARK
& FRANKLIN SQUARE, NEW YORK, ON OCTOBER 05, 2019.
RAIN DATE: OCTOBER 12, 2019.

WHEREAS, Daisy Amaris of Floral Park, New York, Director Of Student
Activities for Sewanhaka High School, 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 Floral Park & Franklin Square, New York, on October 05, 2019, Rain Date:
October 12, 2019, from 1:00 PM to 2:00 PM and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the GRANTING of the aforesaid application of Daisy
Amaris, Director Of Student Activities for Sewanhaka High School, be and the
same is hereby RATIFIED AND CONFIRMED, subject to all the provisions of
Chapter 117 entitled Parades, Code of the Town of Hempstead

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

12

Case #

25843

CASE NO. 25843

RESOLUTION NO.

ADOPTED:

its adoption:

offered the following resolution and moved

RESOLUTION RATIFYING AND CONFIRMING THE GRANTING OF THE APPLICATION OF OUR LADY QUEEN OF PEACE PRAYER GROUP FOR A PARADE PERMIT FOR A PROCESSION HELD IN POINT LOOKOUT, NEW YORK, ON AUGUST 15, 2019.

WHEREAS, Penny Abbruzzese of Lynbrook, New York, Director of Our Lady Queen of Peace Prayer Group, New York has filed an application with the Town Clerk of the Town of Hempstead, for a Parade Permit for a Procession held in Point Lookout, New York, on August 15, 2019 from 6:15 PM to 7:30 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 Penny Abbruzzese, Director of Our Lady Queen of Peace Prayer Group, be and the same is hereby RATIFIED AND CONFIRMED, subject to all the provisions of Chapter 117 entitled Parades, Code of the Town of Hempstead

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

12

Case #

25843

CASE NO. 25843

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved
its adoption:

RESOLUTION GRANTING THE APPLICATION OF UNIONDALE
HIGH SCHOOL - SENIOR CLASS OF 2020 FOR A PARADE PERMIT
FOR A PARADE TO BE HELD IN UNIONDALE, NEW YORK, ON
SEPTEMBER 21, 2019.

WHEREAS, Dr. Diane Barton of Uniondale, New York, Assistant
Principal of Uniondale High School, 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 Uniondale, New York, on September 21, 2019 from 12:00 PM to 1:30 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 of the aforesaid application of Dr. Diane Barton,
Assistant Principal of the Uniondale High School, be and the same is hereby
GRANTED, subject to all the provisions of Chapter 117 entitled Parades, Code of
the Town of Hempstead

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 12
Case # 25843

CASE NO. 25843

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved
its adoption:

RESOLUTION GRANTING OF THE APPLICATION OF W.T.
CLARKE HIGH SCHOOL FOR A PARADE PERMIT FOR A PARADE
TO BE HELD IN WESTBURY, NEW YORK, ON OCTOBER 12, 2019.
RAIN DATE: OCTOBER 19, 2019.

WHEREAS, Timothy Voels of Westbury, New York, Principal of W.T. Clarke High School, 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 Westbury, New York, on October 12, 2019, Rain Date: October 19, 2019, from 12:00 PM to 1:00 PM and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the of the aforesaid application of Timothy Voels, Principal of W.T. Clarke High School, be and the same is hereby GRANTED, subject to all the provisions of Chapter 117 entitled Parades, Code of the Town of Hempstead

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 12
Case # 25843

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved

its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE GRANTING OF THE APPLICATION OF BALDWIN CHAMBER OF COMMERCE TO DISPLAY FIREWORKS CONDUCTED BY PYROTECHNICO FIREWORKS, INC. HELD AT BALDWIN PARK, BALDWIN, NEW YORK ON AUGUST 3, 2019. RAIN DATE: AUGUST 4, 2019.

WHEREAS, Baldwin Chamber of Commerce of Baldwin, New York, filed an application with the Town Clerk of the Town of Hempstead, to display fireworks conducted by Pyrotechnico Fireworks, Inc., P.O. Box 149 New Castle, PA 16103, held in Baldwin, New York, on August 3, 2019; Rain Date: August 4, 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 Baldwin Chamber of Commerce, 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 # 13

Case # 28045

CASE NO. 693

RESOLUTION NO.

RESOLUTION RE: REMOVING ESHA AHMED, DANIELLE ANZALONE AND THOMAS MCKEON FROM COMPANY ROLLS IN THE FRIENDSHIP ENGINE AND HOSE COMPANY, INC., MERRICK, NEW YORK.

ADOPTED:

offered the following resolution
and moved its adoption:

RESOLVED, that the action of FRIENDSHIP ENGINE AND HOSE COMPANY, INC., MERRICK, NEW YORK in removing ESHA AHMED, residing at [REDACTED], Merrick, New York 11566, DANIELLE ANZALONE, residing at [REDACTED], Merrick, New York 11566 and THOMAS MCKEON, residing at [REDACTED], N. Merrick, NY 11566 from the company rolls, be and the same hereby is ratified and approved.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 14
Case # 693

Case No.

Resolution No.

RE: BOND COVERING BRIAN F. O'CONNOR OF SANITARY
DISTRICT NO. 2, OF THE TOWN OF HEMPSTEAD, NEW YORK.

ADOPTED:

On the motion of _____ and adopted upon roll call , BE IT

RESOLVED, in accordance with the provisions of Section 214 of
Article 13 of the Town Law, the Bond No. 71574043 given by Brian F.
O'Connor with Western Surety Company in the sum of \$250,000.00 as
Commissioner in and for SANITARY DISTRICT NO. 2 TOWN OF HEMPSTEAD,
NEW YORK commencing August 01, 2019 and ending August 01, 2024, is
hereby approved as to form, manner of execution and sufficiency of survey
therein.

AYES:

NOES:

Item # 15

Case # 176

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION NAMING AN UN-NAMED STREET IN THE UNINCORPORATED AREA OF UNIONDALE, NEW YORK AND DESIGNATING A PROPERTY ADDRESS FOR THE PREMISES IDENTIFIED AS SECTION 44, BLOCK F, LOTS 182 AND 317E ON THE NASSAU COUNTY LAND AND TAX-MAP.

WHEREAS, Section 64(9) of the Town Law authorizes the Town Board to designate street names and numbers; and

WHEREAS, Nassau County is the owner of real property designated on the Nassau County Land and Tax Map as Section 44, Block F, Lots 182 and 317E (the "Property"); and

WHEREAS, construction has begun on the public/private project for the building of a new Nassau County Police Department Training and Intelligence Center at the Property; and

WHEREAS, the road accessing the project site has not been named; and

WHEREAS, the Nassau County Police Department Foundation (the "Applicant") has requested that the Town Board designate a street name and assign a street number for the Property; and

WHEREAS, the Applicant has requested that the road leading to the Property be designated as "Law Enforcement Way" and that the Property be designated as 1 Law Enforcement Way; and

WHEREAS, the Town has determined that, in the interest of promoting the health, safety and general welfare of Town residents, the street leading to the Property shall be known as Law Enforcement Way and that the Property be designated as 1 Law Enforcement Way (the "Street and Address Designation"); and

WHEREAS, the Uniondale Post Office has approved the Address Designation; and

WHEREAS, the Nassau County Fire Marshal rendered a determination that the designation would not impede optimum emergency response time; and

WHEREAS, the Town Board wishes to grant the Applicant's request for the Street and Address Designation.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Hempstead hereby authorizes and directs that the street on which the real property designated on the Nassau County Land and Tax Map as Section 44, Block F, Lots 182 and 317E be hereinafter identified as Law Enforcement

Item #

Case #

16

30162

Way and that the Property be assigned the following street address: 1 Law Enforcement Way, Uniondale, New York; and be it further

RESOLVED that the Town Board hereby authorizes and directs that all necessary action be taken by the Town's Department of Buildings and the Department of Highways to effectuate the foregoing; and be it further

RESOLVED that the Town Board hereby authorizes and directs the Town Clerk to notify the Nassau County Clerk, the Nassau County Engineer, the Applicant and the post-office department of the United States where said premises is located, within ten days to advise them of the Address Designation.

AYES:

NOES:

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE ANNUAL PAYMENT FOR
EMPLOYEES IN THE DEPARTMENT OF PARKS AND RECREATION
CERTIFIED IN PESTICIDE APPLICATION

WHEREAS, the Commissioner of the Department of Parks and Recreation requests that Parks and Recreation employees, John Kocienda and Greg Kolodinsky, who are each certified in pesticide application, should be compensated for providing such supplemental services to this Department at various Town Park facilities throughout the year; and

WHEREAS, John Kocienda and Greg Kolodinsky each pay a fee to hold their requisite certification and use their personal license to provide supplemental pesticide spraying and pest control services to the Town of Hempstead.

NOW, THEREFORE, BE IT

RESOLVED, that John Kocienda and Greg Kolodinsky each be compensated in the amount of \$1,200.00 respectively for such pesticide spraying and pest control services provided during the year 2019 and that the funds for these payments be paid out of and charged against the Department of Parks and Recreation Account Number #400-0007-71100-1010 (Salary and Wages).

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

19

Case #

28525
29712

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF
TOH CONTRACT#: 106A -2018 FOR
TELECOMMUNICATIONS CONSULTING SERVICES

WHEREAS, the Town of Hempstead (the "Town") is seeking qualified firms to provide further consulting services to the Town, related to its continuing involvement in permitting, regulating, and siting of telecommunications facilities; and

WHEREAS, the Division of Purchasing, on behalf of the Town, solicited proposals for TOH Contract#: 106A -2018, Telecommunications Permitting Matters; and

WHEREAS, proposals were received and opened, whereby the following companies submitted proposals: CityScape Consultants, Inc., 7050 West Palmetto Park Road, Boca Raton, Florida; LiRo Engineers, Three Aerial Way, Syosset, New York; and Richard A. Comi d/b/a The Center for Municipal Solutions 70 Cambridge Drive, Glenmont, New York, who has been providing such services to the Town since 2011; and

WHEREAS, following an evaluation of the aforementioned proposals, including interviews with the proposers under consideration, it has been determined that the proposal received from Richard A. Comi d/b/a The Center for Municipal Solutions, 70 Cambridge Drive, Glenmont, New York, 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 Richard A. Comi d/b/a The Center for Municipal Solutions at a cost of \$250/hour, with a 1/2 rate for travel time, and the cost of his work on wireless telecommunications applications paid by the applicants via escrow accounts maintained by the Town Comptroller, as required pursuant to Chapter 142 of the Town Code, with the contract commencing on October 1, 2019 and expiring on September 30, 2020, for a period of two years:

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards TOH Contract#: 106A-2018, Telecommunications Consulting Services, to Richard A. Comi d/b/a The Center for Municipal Solutions 70 Cambridge Drive, Glenmont, New York 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 Richard A. Comi d/b/a The Center for Municipal Solutions, 70 Cambridge Drive, Glenmont, New York; and be it further

RESOLVED, that the Comptroller is hereby authorized and directed to make payment of the monies due and owing in conjunction with this contract out of the appropriate account of the Department for which the Services have been performed.

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item # 18

Case # 28185

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING A RENEWAL
APPLICATION TO THE NYS OFFICE OF
CHILDREN AND FAMILY SERVICES (OCFS)
FOR A COMPREHENSIVE YOUTH PROJECT
FOR YOUTH OF THE TOWN OF HEMPSTEAD
AND YOUTH INITIATIVES FUNDING CATEGORIES**

WHEREAS, for several years the Town of Hempstead has entered into a comprehensive agreement with the NYS Office of Children and Family Services (OCFS) whereby the Town could be compensated by the NYS Office of Children and Family Services (OCFS) for 100% of the funds which the Town would expend for youth programs under the categories of Recreation, Youth Services and Youth Initiatives provided that such programs qualified under the NYS Office of Children and Family Services (OCFS) guidelines and quota formulas; and

WHEREAS, the NYS Office of Children and Family Services (OCFS) has mandated that the terms of such agreement shall conform to a fiscal year commencing on January 1, 2018 and terminating on December 31, 2018; and

WHEREAS, it is necessary for the Town to file an application to renew the agreement with the NYS Office of Children and Family Services for State Aid in the amount of \$170,231.00 for the NYS Office of Children and Family Services (OCFS) fiscal year commencing January 1, 2018 and terminating December 31, 2018; and

WHEREAS, the Town Board deems it to be in the public interest that such application be filed.

NOW, THEREFORE, BE IT

RESOLVED, that the Department of Planning & Economic Development is hereby authorized to participate in the NYS Office of Children and Family Services Youth Project based on a previously filed and executed comprehensive application in the amount of \$170,231.00 for the fiscal year commencing January 1, 2018 and terminating December 31, 2018.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item # 19

Case # 13584

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING THE SUPERVISOR
TO ENTER INTO A CONTRACT WITH HISPANIC
BROTHERHOOD OF ROCKVILLE CENTRE, INC.
FOR A GRANT IN THE SUM OF \$30,000.00 FOR
SERVICES TO YOUTH**

WHEREAS, Hispanic Brotherhood of Rockville Centre, Inc. having a principal office at 59 Clinton Avenue, Rockville Centre, New York, has since 1984 sponsored and operated programs that benefit the Latino youths in the Rockville Centre, Baldwin, Oceanside and Freeport areas; and

WHEREAS, the Hispanic Brotherhood of Rockville Centre, Inc., is making application to the Town of Hempstead for a grant of funds to assist it in the conduct of its after school tutorial program for Latino youths for January 1, 2019 through December 31, 2019, in the communities of Rockville Centre, Baldwin, Oceanside and Freeport areas; and

WHEREAS, this Town Board deems it to be in the public interest to approve said application made to the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to enter into a contract between the Town of Hempstead and the Hispanic Brotherhood of Rockville Centre, Inc., providing for a grant not to exceed the amount of THIRTY THOUSAND (\$30,000.00) DOLLARS to be used in its 2019 Latino youth program, and that said amount be paid to the Hispanic Brotherhood of Rockville Centre, Inc. and charged against the appropriate Community Development Block Grant account upon the submission of the appropriate claim form and required substantiation approved by the Commissioner of the Department of Planning and Economic Development.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Doc. No. 19-016

Item #

20

Case #

13584

CONTRACT FOR PERSONAL SERVICES

By and Between
TOWN OF HEMPSTEAD
And

HISPANIC BROTHERHOOD OF ROCKVILLE CENTRE, INC.

AGREEMENT made the _____ day of _____, 2019, by and between the Town of Hempstead (hereinafter "Town"), a domestic municipal corporation having its principal offices at One Washington Street, Hempstead, New York, and Hispanic Brotherhood of Rockville Centre, Inc. (hereinafter "Brotherhood") a non-profit corporation having its principal office at 59 Clinton Avenue, Rockville Centre, New York.

WITNESSETH THAT:

WHEREAS, the Brotherhood has conducted basic community services and programs for the benefit of youth in the communities on the South Shore; and

WHEREAS, the Brotherhood has requested the Town to provide a grant of THIRTY THOUSAND (\$30,000.00) DOLLARS to assist in the operation of its 2019 season; and

WHEREAS, the Town Board deeming it to be in the public interest to grant such request has authorized the Supervisor to enter into a contract between the Town and the Brotherhood;

NOW, THEREFORE, it is mutually agreed by and between the parties hereto as follows:

1. The Brotherhood agrees to continue its operations located at 59 Clinton Avenue, Rockville Centre, New York, during the term of this agreement.
2. The Brotherhood agrees to continue its basic community services and other programs for youth in the area of Rockville Centre and other surrounding areas on the South Shore;
3. The Brotherhood agrees that such youth programs will be supervised and directed by competent adult personnel.
4. The Brotherhood agrees that the programs and services shall be monitored and evaluated by the Department of Planning and Economic Development of the Town.
5. The Brotherhood agrees not to assign, transfer, or hypothecate this agreement or any interest therein in whole or in part by agreement or novation.
6. The Brotherhood agrees that it is, at all times shall be deemed to be an independent contractor and shall not in any manner by its actions or deeds commit the Town to any obligation irrespective of the nature thereof, and that the Brotherhood shall not, at any time, for any purpose, be deemed an agent, servant or employee of the Town.
7. The Brotherhood agrees to indemnify the Town of Hempstead, its agents, its servants and employees from any and all claims of liability for bodily injury and damage to property caused by the negligence of the agents, servants and employees of the Brotherhood resulting from its operation, use and maintenance of the facilities of the Brotherhood. In addition, the Brotherhood agrees, prior to the commencement of this agreement or any renewal thereof, at its own cost and expense, policies of insurance, insuring the Brotherhood and the Town of Hempstead against any claims from any and all persons for bodily injury and property damage. Such policies shall have limits with respect to personal injuries of \$1,000,000.00 per occurrence and shall also insure against property damage in the limit of \$100,000.00 in respect to any one accident. Certificates of Insurance duly reflecting this provision of this agreement shall be delivered by the Brotherhood simultaneously with the execution of this agreement.
8. The Brotherhood agrees that it shall at all times keep and maintain full and complete books and records of accounts in accordance with accepted accounting practices and such other records as may be prescribed by the Comptroller of the Town to reflect complete and true

accountability for the funds which the Town shall grant under the contract. The Brotherhood shall, upon expenditure of the grant, provide the Department of Planning and Economic Development with a detailed report of the expenditures made.

9. The Brotherhood agrees to report to the Department of Planning and Economic Development at such times and in such manner and form prescribed as to services performed pursuant to this agreement.

10. The Brotherhood agrees that in performance of its services it will comply with provisions of the Labor Law and Worker's Compensation Law of the State of New York if such may be applicable to its operations.

11. The Town agrees to pay the Brotherhood for the services provided by this agreement, up to the amount of THIRTY THOUSAND (\$30,000.00) DOLLARS.

12. It is expressly understood and agreed that the Town without prior notice may terminate this agreement if the operations conducted by the Brotherhood do not meet with the complete satisfaction of the Town Board for any reason whatsoever.

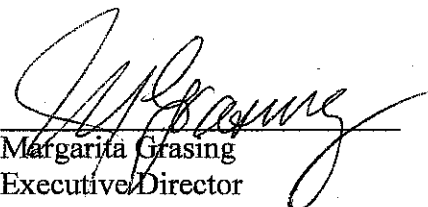
13. The terms of this agreement shall commence January 1, 2019 and terminate the 31st day of December 2019.

IN WITNESS WHEREOF, the parties, herein, have signed this Agreement the day and year first written above.

TOWN OF HEMPSTEAD

By: _____
Laura A Gillen
Supervisor

**HISPANIC BROTHERHOOD OF
ROCKVILLE CENTRE, INC.**

By: 
Margarita Grasing
Executive Director

STATE OF NEW YORK)
 ss:
COUNTY OF NASSAU)

On this day of , 2019, before me personally came LAURA A. GILLEN, to me known and known to be the Supervisor of the Town of Hempstead, Nassau County, New York and being by me duly sworn, did depose and say that she resides at 1 Washington Street, Hempstead, New York 11550; that she is the Supervisor of the Town of Hempstead, Nassau County, New York, and that she knows the corporate seal of said corporation; that the seal affixed to said agreement is such corporate seal; that it was so affixed by order of the Town Board of the Town Of Hempstead, Nassau County, New York, and that by like order she thereunto signed her name and official designation.

Notary Public

STATE OF NEW YORK)
 ss:
COUNTY OF NASSAU)

On this 5 day of August, 2019 before me personally came Margarita Casap, to me known, who being by me duly sworn did depose and say that (s)he resides at 551 Wateredge Ave, Baldwin, New York; that (s)he is the Executive Director of Hispanic Brotherhood of Rockville Centre, Inc., the association described in and which executed the foregoing instrument; and that it was so affixed by order of the Board of Directors of said association and that (s)he signed their name thereto by like order.

Marguerite F. Keller
Notary Public

MARGUERITE F. KELLER
NOTARY PUBLIC, State of New York
No. 01KE4988760
Qualified in Nassau County
Commission Expires November 18, 2024

Part II -- Terms and Conditions

1. Termination of Contract for Cause. If, through any cause, the consultant shall fail to fulfill in a timely and proper manner his obligations under this Contract, or if the Consultant shall violate any of the covenants, agreements, or stipulations of this Contract, the Municipality shall, thereupon, have the right to terminate this Contract by giving written notice to the Consultant of such termination and specifying the effective date thereof, at least five days before the effective date of such termination. In such event, all finished or unfinished documents, data, studies, and reports prepared by the Consultant under this Contract shall, at the option of the Municipality, become its property and the Consultant shall be entitled to receive just and equitable compensation for satisfactory work completed on such documents.

Notwithstanding the above, the Consultant shall not be relieved of liability to the Municipality for damages sustained by the Municipality by virtue of any breach of the Contract by the Consultant, and the Municipality may withhold any payments to the Consultant for the purpose of setoff until such time as the exact amount of damages due the Municipality from the Consultant is determined.

2. Termination for Convenience of Municipality. The Municipality may terminate this Contract any time by a notice in writing from the Municipality to the Consultant. If the Contract is terminated by the Municipality as provided herein, the Consultant will be paid an amount which bears the same ratio to the total compensation as the services actually performed bear to the total services of the Consultant covered by this Contract, less payments of compensation previously made. Provided, however, that if less than sixty-percent of the services covered by this Contract have been performed upon the effective date of such termination, the Consultant shall be reimbursed (in addition to the above payment) for that portion of the actual out-of-pocket expenses (not otherwise reimbursed under this Contract) incurred by the Consultant during the Contract period which are directly attributable to the uncompleted portion of the services covered by this Contract. If this Contract is terminated due to the fault of the Consultant, Section 1 hereof, relative to termination, shall apply.

3. Changes. The Municipality may, from time to time, request changes in the scope of the services of the Consultant to be performed hereunder. Such changes, including any increase or decrease in the amount of the Consultant's compensation, which are mutually agreed upon by and between the Municipality and the Consultant, shall be incorporated in written amendments to this Contract.

4. Personnel

a. The Consultant represents that he has, or will secure at this own expense, all personnel required in performing the services under this Contract. Such personnel shall not be employees of or have any contractual relationship with the Municipality.

b. All the services required, hereunder, will be performed by the Consultant or under his supervision and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under State and local law to perform such services.

c. No person who is serving sentence in a penal or correctional institution shall be employed on work under this Contract.

5. Anti-Kickback Rules. Salaries of architects, draftsmen, technical engineers, and technicians performing work under this Contract shall be paid unconditionally and not less often than once a month without deduction or rebate on any account except only such payroll deductions as are mandated by law or permitted by the applicable regulations issued by the Secretary of Labor pursuant to the "Anti-Kickback Act" of June 13, 1934, (48 Stat. 948; 62 Stat. 740; 63 Stat. 108; title U.S.C., section 874; and title 40 U.S.C., section 276C). The Consultant shall comply with all applicable "Anti-Kickback" regulations and shall insert appropriate provisions in all subcontracts covering work under this Contract to insure compliance by subcontractors with such relations, and shall be responsible for the submission of affidavits required of subcontractors thereunder except as the Secretary of Labor may specifically provide for variations of or exemptions from the requirements thereof.

6. Withholding of Salaries. If, in the performance of this Contract, there is any underpayment of salaries by the Consultant or by any subcontractor thereunder, the Municipality shall withhold from the Consultant out of payments due to him an amount sufficient to pay to employees underpaid the difference between the salaries required hereby to be paid and the salaries actually paid such employees for the total number of hours worked. The amounts withheld shall be disbursed by the Municipality for and on account of the Consultant or subcontractor to the respective employees to whom they are due.

7. Claims and Disputes Pertaining to Salary Rates. Claims and disputes pertaining to salary rates or to classifications of architects, draftsmen, technical engineers, and technicians performing work under this Contract shall be promptly reported in writing by the Consultant to the Municipality for the latter's decision which shall be final with respect thereto.

8. Equal Employment Opportunity. During the performance of this Contract, the Consultant agrees as follows:

a. The Consultant will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Consultant agrees to post in conspicuous place, available to employees and applicants for employment, notices to be provided by the Municipality setting forth the provisions of this nondiscrimination clause.

b. The Consultant will, in all solicitations or advertisements for employees placed by or on behalf of the Consultant, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

c. The Consultant will cause the foregoing provisions to be inserted in all subcontracts for any work covered by this Contract so that such provisions will be binding upon each subcontractor.

9. **Discrimination Because of Certain Labor Matters.** No person employed on the work covered by this Contract shall be discharged or in any way discriminated against because he has filed any complaint or instituted or caused to be instituted any proceedings or has testified or is about to testify in any proceedings under or relating to the labor standards applicable hereunder to his employer.

10. **Compliance With Local Laws.** The Consultant shall comply with all applicable laws, ordinances, and codes of the State and local governments, and shall commit no trespass on any public or private property in performing any of the work embraced by this Contract.

11. **Subcontracting.** None of the services covered by this Contract shall be subcontracted without the prior written consent of the Municipality. The Consultant shall be as fully responsible to the Municipality for the acts and omissions of his subcontractors, and of persons either directly or indirectly employed by him. The Consultant shall insert in each subcontract appropriate provisions requiring compliance with the labor standards provisions of this Contract.

12. **Assignability.** The Consultant shall not assign any interests in this Contract and shall not transfer any interest in the same (whether by assignment or novation) without the prior written approval of the Municipality. Provided, however, that claims for money due to be come due the Consultant from the Municipality under this Contract may be assigned to a bank, trust company, or other Financial institution, or to a Trustee in Bankruptcy, without such approval. Notice of any such assignment or transfer shall be furnished promptly to the Municipality.

13. **Interest of Member of the Municipality.** No member of the governing body of the Municipality, and no other public official, officer, employee, or agent of the Municipality who exercises any functions or responsibilities in connection with the carrying out the Community Development Block Grant Program activity to which this Contract pertains, shall have any personal interest, direct or indirect, in this Contract.

14. **Interest of Certain Federal Officials.** No member or Delegate to the Congress of the United States, and no Resident Commissioner, shall be admitted to any share or part of this Contract or to any benefit to arise herefrom.

15. **Interest of Consultant.** The Consultant covenants that he presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of his services hereunder. The Consultant further covenants that in the performance of this Contract no person having any such interest shall be employed.

16. **Access to Records.** The Municipality, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives shall have access to any books, documents, papers, and records of the Consultant which are directly pertinent to this Agreement for the purpose of making audit examination, excerpts, and transcriptions. The Consultant shall preserve all such records for the period identified in the Community Development Block Grant program regulations.

17. Section 3 Compliance in the Provision of Training, Employment and Business Opportunities.

a. The work to be performed under this Contract is on a project assisted under a program providing direct Federal financial assistance from the Department of Housing and Urban Development, is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701n. Section 3 requires that to the greatest extent feasible opportunities for training and employment be given lower income residents of the project area and contracts for work in connection with the project be awarded to business concerns which are located in, or owned in substantial part by persons residing in the area of the project.

b. The parties to this Contract will comply with the provisions of said Section 3 and the regulations issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR Part 135, and all applicable rules and orders of the Department issued thereunder prior to the execution of this Contract. The parties to this Contract certify and agree that they are under no contractual or other disability which would prevent them from complying with these requirements.

c. The Contractor will send to each labor organization or representative of workers with which he has a collective bargaining agreement or other contract or understanding. If any, a notice advising the said labor organization or workers' representative of his commitments under this Section 3 clause and shall post copies of the notice conspicuous places available to employees and applicants for employment or training.

d. The Contractor will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant for or recipient of Federal financial assistance, take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR Part 135. The Contractor will not subcontract with any subcontractor where it has notice of knowledge that the latter has been found in violation of regulations under 24 CFR Part 135 and will not let any subcontract unless the subcontractor has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.

18. Findings Confidential. All of the reports, information, data, etc., prepared or assembled by the Consultant under this Contract are confidential and the Consultant agrees that they shall not be made available to any individual or organization without the prior written approval of the City.

19. Copyright. No report, maps, or other documents produced in whole or in part under this Contract shall be the subject of an application for copyright by or on behalf of the Consultant.

20. Section 503, Handicapped (if \$2,500 or over). Affirmative Action for Handicapped Workers.

a. The Contractor will not discriminate against any employee or applicant for employment because of physical or mental handicap in regard to a position for which the employee or applicant for employment is qualified. The Contractor agrees to take affirmative action to employ, advance in employment and otherwise treat qualified handicapped individuals without discrimination based upon their physical or mental handicap in all employment practices such as the following: Employment, upgrading, demotion or transfer, recruitment, advertising,

layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

b. The Contractor agrees to comply with the rules, regulations, and relevant orders of the Secretary of Labor issued pursuant to the Act.

c. In the event of the Contractor's noncompliance with the requirements of this clause, actions for noncompliance may be taken in accordance with the rules, regulations, and relevant orders of the Secretary of Labor issued pursuant to the Act.

d. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices in a form to be prescribed by the Director, provided by or through the contracting officer. Such notices shall state the Contractor's obligation under the law to take affirmative action to employ and advance in employment qualified handicapped employees and applicants for employment, and the rights of applicants and employees.

e. The Contractor will notify each labor union or representative of workers with which it has a collective bargaining agreement or other contract understanding, that the Contractor is bound by the terms of Section 503 of the Rehabilitation Act of 1973, and is committed to take affirmative action to employ and advance in employment physically and mentally handicapped individuals.

21. Section 402. Veterans of the Vietnam Era (if \$10,000 or over), Affirmative Action of Disabled Veterans and Veterans of the Vietnam era.

a. The Contractor will not discriminate against any employee or applicant for employment because he or she is a disabled veteran or veteran of the Vietnam Era in regard to any position for which the employee or applicant for employment is qualified. The Contractor agrees to take affirmative action to employ, advance in employment and otherwise treat qualified disabled veterans and veterans of the Vietnam Era without discrimination based upon their disability or veteran status in all employment practices such as the following. Employment upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

b. The Contractor agrees that all suitable employment openings of the Contractor which exist at the time of the execution of this Contract and those which occur during the performance of this Contract, including those not generated by this Contract and including those occurring at an establishment of the Contractor other than the one wherein the Contract is being performed but excluding those of independently operated corporated affiliates, shall be listed at an appropriate local office of the State employment service system wherein the opening occurs. The Contractor further agrees to provide such reports to such local office regarding employment openings and hires as may be required, State and local government agencies holding Federal contracts of \$10,000 or more shall also list all their suitable openings with the appropriate office of the State employment service, but are not required to provide those reports set forth in paragraphs d. and e.

c. Listing of employment openings with the employment service system pursuant to this clause shall be made at least concurrently with the use of any other recruitment source or effort and shall involved the normal obligations which attach to the placing of a bona fide job order, including the acceptance of referrals of veterans and nonveterans. The listing of employment openings does not require the hiring of any particular job applicant or from any particular group

of job applicants, and nothing herein is intended to relieve the contractor from any requirements in Executive Orders or regulations regarding nondiscrimination in employment.

d. The reports required by paragraph b. of this clause shall include, but not be limited to, periodic reports which shall be filed at least quarterly with the appropriate local office or, where the Contractor has more than one hiring location in a State, with the central office of that State employment service. Such reports shall indicate for each hiring location (1) the number of individuals hired during the reporting period, (2) the number of nondisabled veterans of the Vietnam Era hired, (3) the number of disabled veterans of the Vietnam era hired, and (4) the total number of disabled veterans hired. The reports should include covered veterans hired for on-the-job training under 38 U.S.C. 1787. The Contractor shall submit a report within 30 days after the end of each reporting period wherein any performance is made on this Contract identifying data for each hiring location. The Contractor shall maintain at each hiring location copies of the reports submitted until the expiration of one year after final payment under the Contract, during which time these reports and related documentation shall be made available, upon request, for examination by any authorized representatives of the contracting officer of the Secretary of Labor. Documentation would include personnel records respecting job openings, recruitment and placement.

e. Whenever the Contractor becomes contractually bound to the listing provisions of this clause, it shall advise the employment service system in each State where it has establishments of the name and location of each hiring location in the State. As long as the Contractor is contractually bound to these provisions and has so advised the State system, there is no need to advise the State system of subsequent contracts. The Contractor may advise the State system when it is no longer bound by this contract clause.

f. This clause does not apply to the listing of employment openings which occur and are filled outside of the 50 states, the District of Columbia, Puerto Rico, Guam and the Virgin Islands.

g. The provisions of paragraphs b., c., d. and e. of this clause do not apply to openings which the Contractor proposes to fill from within his own organization or to fill pursuant to a customary and traditional employer-union hiring arrangement. This exclusion does not apply to a particular opening once an employer decides to consider applicants outside of his own organization or employer-union arrangement for that opening.

h. As used in this clause: (1) "All suitable employment openings" includes, but is not limited to, openings which occur in the following job categories: Production and nonproduction; plant and office; laborers and mechanics; supervisory and nonsupervisory; technical; and executive, administrative, and professional openings which are compensated on a salary basis of less than \$25,000 per year. This term includes full time employment, temporary employment of more than three days' duration, and part time employment. It does not include openings which the Contractor proposes to fill from within his own organization or to fill pursuant to a customary and traditional employer-union hiring arrangement nor openings in an educational institution which are restricted to students of that institution. Under the most compelling circumstances an employment opening may not be suitable for listing, including such situations where the needs of the government cannot reasonably be otherwise supplied, where listing would be contrary to national security, or where the requirements of living would otherwise not be for the interest of the government.

7

"Appropriate office of the State employment service system means the local office of the Federal-State national system of public employment offices with assigned responsibility for serving the area where the employment opening to be filled, including the District of Columbia, Guam, Puerto Rico, and the Virgin Islands.

"Openings which the Contractor proposes to fill from within his own organization" means employment openings for which no consideration will be given to persons outside the Contractor's organization (including any affiliates, subsidiaries, and the parent companies) and includes any openings which the Contractor proposes to fill from regularly established "recall" list.

"Openings which the Contractor proposes to fill pursuant to a customary and traditional employer-union hiring arrangement" means employment openings which Contractor proposes to fill from union halls, which is part of the customary and traditional hiring relationship which exists between the Contractor and representatives of his employees.

i. The Contractor agrees to comply with the rules, regulations, and relevant orders of the Secretary of Labor issued pursuant to the act.

j. In the event of the Contractor's noncompliance with the requirements of this clause, actions for noncompliance may be taken in accordance with the rules, regulations, and relevant orders of the Secretary of Labor issued pursuant to the act.

k. The Contractor agrees to post in conspicuous places, available to employees and applicant for employment, notices in a form to be prescribed by the Director, provided by or through the contracting officer. Such notice shall state the Contractor's obligations under the law to take affirmative action to employ and advance in employment qualified disabled veterans and veterans of the Vietnam Era for employment, and the rights of applicants and employees.

l. The Contractor will notify each labor union or representative of workers with which it has collective bargaining agreement or other contract understanding, that the Contractor is bound by the terms of the Vietnam Era Veterans Readjustment Assistance Act, and is committed to take affirmative action to employ and advance in employment qualified disabled veterans and veterans of the Vietnam Era.

m. The Contractor will include the provisions of this clause in every subcontract or purchase order of \$10,000 or more unless exempted by rules, regulation, or orders of the Secretary issued pursuant to the Act, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect of any subcontract or purchase order as the Director of the Office of Federal Contract Compliance Programs may direct to enforce such provision, including action for noncompliance.

22. General. The Consultant shall comply with all the requirements binding upon the Municipality as part of the Community Development Block Grant Agreement and found in the Federal Regulations, 24 CFR Part 570. The Consultant shall maintain all records identified therein, and make them available to the Municipality and the Secretary of HUD.

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE ATTENDANCE OF BOARD OF APPEALS AT THE LAND USE TRAINING PROGRAM FOR MUNICIPAL PLANNING AND ZONING OFFICIALS.

WHEREAS, Hofstra University Maurice A. Dean School of Law is hosting its Land Use Training Program for Municipal Planning and Zoning Officials, at the Hofstra University David S. Mack Hall, North Campus on October 7, 2019; and

WHEREAS, this Town Board deems it in the interest of the Town of Hempstead and the government thereof that the Board of Appeals, its Board Members, Secretary, its Counsel and its Counsel Emeritus be trained at this conference;

NOW, THEREFORE, be it

RESOLVED, that the attendance of is hereby authorized; and BE IT FURTHER

RESOLVED, that the registration fees totaling \$500 be paid to the Wilbur F. Breslin Center for Real Estate Studies at the Maurice A. Deane School of Law at Hofstra University from Budget Code 4040; and BE IT FURTHER

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

APPROVED AS TO FORM
CHIEF DEPUTY TOWN ATTORNEY
DATE 8/23/19

2019 AUG 25 A 11:30

TOWN OF HEMPSTEAD
TOWN CLERK

Item # 21
Case # 431

CASE NO.

RESOLUTION NO.

Adopted:
offered the following resolution and
moved its adoption:

RESOLUTION AUTHORIZING THE RENEWAL OF THE
LICENSE AGREEMENT WITH FILE TRAIL, INC

WHEREAS, pursuant to resolution number 292-2013 the Town of Hempstead entered into a License Agreement with File Trail, Inc., 1990 The Alameda, San Jose, California; and

WHEREAS, File Trail, Inc. is a sole source provider of a certain file tracking software and UHF RFID Technology; and has a number of items not available elsewhere; and

WHEREAS, the License Agreement provides for the annual renewals upon mutual consent of the parties; and

WHEREAS, the development, maintenance and support of the File Trail, Inc. technology requires specialized skill, training, expertise and use of professional judgment; and

WHEREAS, the RFID program offered by File Trail, Inc. is necessary to the proper operation of the Department of Buildings, it is in the best interests of the Town to renew this license agreement.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Buildings is authorized to renew the license agreement with File Trail, Inc. for the use, maintenance and support of tracking software and radio frequency identification technology for the Department of Buildings at a cost of \$14,892.67 to be paid from Department of Buildings Maintenance of Equipment Account number 030-002-3620-4030;

The foregoing resolution was adopted on roll call as follows:

AYES:

NOE

Item #

22

Case #

9740

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution

And moved its adoption:

RESOLUTION GRANTING PERMISSION TO NASSAU COUNTY LEGISLATOR KEVAN M. ABRAHAMS TO USE TOWN OF HEMPSTEAD PARKING FIELD BA-12, BALDWIN, NEW YORK FOR THE PURPOSE OF HOLDING AN ANNUAL COMMUNITY OUTDOOR MARKET ON OCTOBER 12, 2019 (RAINDATE OCTOBER 13, 2019).

WHEREAS, Kevan M. Abrahams, Nassau County Legislator, 1550 Franklin Avenue, Mineola, New York 11501 (the "Nassau County Legislator") has requested to use Town of Hempstead Parking Field BA-12, Baldwin, New York for the purpose of holding an annual Community Outdoor Market (the "Market") on October 12, 2019 (Rain date October 13, 2019); and

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

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to the Nassau County Legislator to use Town of Hempstead Parking Field BA-12, Baldwin, New York for the purpose of holding the Market and be it further

RESOLVED, that in conducting this activity, the Nassau County Legislator shall comply with all the provisions of the Code of the Town of Hempstead.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

23

Case #

20915

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution

And moved its adoption:

RESOLUTION GRANTING PERMISSION TO THE JOHN THEISSEN CHILDREN'S FOUNDATION, WANTAGH, NEW YORK TO USE TOWN OF HEMPSTEAD PARKING FIELD M-5, MERRICK, NEW YORK FOR THE PURPOSE OF HOLDING A CHARITY CAR SHOW ON SEPTEMBER 15, 2019.

WHEREAS, the John Theissen Children's Foundation, c/o John Theissen, Executive Director, 1881 Wantagh Avenue, Wantagh, New York 11793 has requested permission to use Town of Hempstead Parking Field M-5, Merrick, New York for the purpose of holding a Charity Car Show on September 15, 2019 (the "Car Show"); and

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

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to the John Theissen Children's Foundation, c/o John Thiessen, Executive Director, 1881 Wantagh Avenue, Wantagh, New York to use Town of Hempstead Parking Field M-5, Merrick, New York for the purpose of holding the Car Show on September 15, 2019 and be it further

RESOLVED, that in conducting said activity, the John Theissen Children's Foundation, shall comply with all the provisions of the Code of the Town of Hempstead.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

23

Case #

20915

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution

And moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING PERMISSION GRANTED TO MEMORIAL PRESBYTERIAN CHURCH, ROOSEVELT, NEW YORK TO USE TOWN OF HEMPSTEAD PARKING FIELD R-1, ROOSEVELT, NEW YORK FOR THE PURPOSE OF HOLDING HOPE DAY ON JUNE 1, 2019.

WHEREAS, the Memorial Presbyterian Church, 189 Babylon Turnpike, Roosevelt, New York 11575 Attention: Andrea Morgan-Eason, Coordinator, had requested to use Town of Hempstead Parking Field R-1, Roosevelt, New York for the purpose of holding Hope Day on June 1, 2019; and

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

NOW, THEREFORE, BE IT

RESOLVED, that permission granted to the Memorial Presbyterian Church, 189 Babylon Turnpike, Roosevelt, New York 11575 Attention: Andrea Morgan-Eason, Coordinator to use Town of Hempstead Parking Field R-1, Roosevelt, New York for the purpose of holding Hope Day on June 1, 2019 is hereby ratified and confirmed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

23

Case #

20915

RESOLUTION NO.

CASE NO.

Adopted:

Offered the following resolution

And moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING PERMISSION GRANTED TO THE SPANISH CHURCH OF GOD OF PROPHECY OF WESTBURY, WESTBURY, NEW YORK TO USE TOWN OF HEMPSTEAD PARKING FIELD R-1, ROOSEVELT, NEW YORK FOR THE PURPOSE OF HOLDING A GOSPEL ACTIVITY AUGUST 18, 2019 THROUGH AUGUST 19, 2019.

WHEREAS, The Spanish Church of God of Prophecy of Westbury, 25 Woodbury Road, Hicksville, New York 11801 Attention: Rene Morales, Pastor had requested to use Town of Hempstead Parking Field R-1, Roosevelt, New York for the purpose of holding a Gospel Activity August 18, 2019 through August 19, 2019 (the "Activity"); and

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

RESOLVED, that permission granted to The Spanish Church of God of Prophecy of Westbury, 25 Woodbury Road, Hicksville, New York 11801 Attention: Rene Morales, Pastor to use Town of Hempstead Parking Field R-1, Roosevelt, New York for the purpose of holding the Activity August 18, 2019 through August 19, 2019 is hereby ratified and confirmed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

23

Case #

20915

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF A BID FOR ROAD IMPROVEMENT- BELTAGH AVENUE, WANTAGH, TOWN OF HEMPSTEAD, NEW YORK, PW# 23-19

WHEREAS, the Commissioner of General Services (the "Commissioner") solicited bids for Reconstruction of Beltagh Avenue, Wantagh, Town of Hempstead, Nassau County, New York; PW# 23-19 (the "Project"); and

WHEREAS, pursuant to such solicitation, bids were opened and read in the office of the Commissioner on August 9, 2019; and

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

Valente Contracting Corp.	\$761,785.00
Roadwork Ahead	\$810,825.00
Pratt Brothers	\$860,120.00

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 \$761,785.00, 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 \$761,785.00.

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 \$761,785.00; 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 \$761,785.00 to be made from the Town Highway Capital Improvement Funds, Account No.: 9571-503-9571-5010.

AYES:

NOES:

Item # 24

Case # 30167

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution

and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR YEARLY REQUIREMENTS FOR PREVENTIVE MAINTENANCE AND SERVICING OF THREE RYOBI OFFSET PRESSES AND ONE AB DICK 9920 OFFSET PRESS, AS PER SPECIFICATIONS IN CONTRACT #76A-2019 IN THE DEPARTMENT OF GENERAL SERVICES, REPRODUCTION SERVICES DIVISION, TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK.

WHEREAS, the Director of Purchasing, on behalf of the Commissioner of the Department of General Services (the "Commissioner"), advertised for bids for the yearly requirements for Preventive Maintenance and Servicing of the Offset Presses, as per specifications in Contract #76A-2019, in the Department of General Services, Reproduction Services Division, Town of Hempstead, Nassau County, New York; and

WHEREAS, the following bids were received and referred to the Department of General Services, Reproduction Services Division for examination and report:

Jack L Popkin & Co., Inc.
125-10 84th Road
Kew Gardens, NY 11415 \$54,000.00 Total for three years

Mark Andy Products
201 W. Oakton Street
Des Plains, IL 60018 \$71,640.00 Total for three years

WHEREAS, the Commissioner recommends that the contract be awarded to the low bidder, Jack L. Popkin & Co., Inc., in the sum of \$18,000.00 (Eighteen Thousand Dollars) for the yearly requirements for three years for Preventive Maintenance and Servicing of the Offset Presses, as per specifications in Contract #76A-2019, in the Department of General Services, Reproduction Services Division, Town of Hempstead, Nassau County, New York (the "Contract"); and

WHEREAS, preventative maintenance and servicing of equipment (Offset Printing Presses) in use by the Department of General Services, Reproduction Services Division of the Town of Hempstead, County of Nassau, New York; includes the following:

- 1-3304HA 4 Color Press Serial No.1636
- 1-3304HA 4 Color Press Serial No.1523
- 1-3304HA 4 Color Press Serial No.1721
- 1-AB Dick 9920 Offset Press Serial No. 2471; and

WHEREAS, all equipment to be serviced quarterly, payable in arrears not to exceed \$18,000.00 per year, in use by the Department of General Services, Reproduction Services Division; and this agreement for Preventative Maintenance and Servicing of Equipment shall commence upon award for three years and must include the following below mentioned specifications for the above mentioned Offset Printing Presses and Accessory attachments, (i.e. water system chain delivery, second color heads, etc); and

WHEREAS, the price for annual maintenance/service contract for each year:

2019.....	\$18,000.00
2020.....	\$18,000.00
2021.....	\$18,000.00
3-Year Total.....	\$54,000.00

Item # 25
Case # 17437

WHEREAS, this Board finds it to be in the best interest of the Town to authorize the award of the Contract to Jack L. Popkin & Co., Inc. as recommended by the Commissioner.

NOW, THEREFORE, BE IT

RESOLVED, the Contract is hereby awarded to Jack L. Popkin Co., Inc., 125-10 4th Road, Kew Gardens, NY 11415 in the sum of \$18,000.00 (Eighteen Thousand Dollars) per year for a three (3) year total not to exceed \$54,000.00 (Fifty Four Thousand Dollars) for the years 2019, 2020 and 2021; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute the contract documents, and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED, the Office of the Town Attorney is hereby authorized and directed to supervise the execution of the contract documents, if any; and be it further

RESOLVED, the Comptroller is hereby authorized and directed to make payments under the Contract in the amount of \$18,000.00 (Eighteen Thousand Dollars) for 2019, \$18,000.00 (Eighteen Thousand Dollars) for 2020 and \$18,000.00 (Eighteen Thousand Dollars) for 2021 for total payments not to exceed \$54,000.00 for the three year term of the Contract, with payments made from Account Number 010-001-1490-4030 Maintenance & Service of Equipment.

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 1371-2015 AUTHORIZING THE EMPLOYMENT OF LOUIS K MCLEAN ASSOCIATES ENGINEERS AND SURVEYORS, P.C. FOR CONSULTING SERVICES PERTINENT TO PATH TO THE PARK- SHORE LINE IMPROVEMENTS IN SOUTH VALLEY STREAM TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK

WHEREAS, pursuant to Resolution 1371-2015 (the "Resolution"), duly adopted by the Town Board on November 10, 2015 the Town entered into an agreement (the "Original Agreement") with Louis K. McLean Associates Engineers and Surveyors, P.C. (the "Consulting Engineer") for Consulting Services Pertinent to Path to the Park- Shoreline Improvements in South Valley Stream (the "GOSR Project") with funding delivered through the New York Rising Community Reconstruction Program (NYRCR) within the New York State Governor's Office of Storm Recovery (GOSR) in the amount of \$443,100.00 (the "Contract Amount"); and

WHEREAS, the Commissioner of the Department of Engineering (the "Commissioner") has recommended that the Town amend the Resolution to provide for increased funding under the Original Agreement with the Consulting Engineer due to a necessary extension in the construction schedule of the GOSR Project to allow construction of alternate contract items authorized by GOSR (the "Additional Work"); and

WHEREAS, the Additional Work requires the Consulting Engineer to perform additional Construction Administration and Inspection services related to the GOSR Project which necessitates an increase in the Contract Amount under the Original Agreement with the Consulting Engineer by \$19,390.00 for a total not to exceed the cost of \$462,490.00 (the "Amendment"); and

WHEREAS, the additional funds required for the increase in funding are available through the GOSR NYRCR program; and

WHEREAS, the Commissioner has recommended that the Town Board amend the Resolution to authorize the Amendment to the Original Agreement; and

WHEREAS, upon the recommendation of the Commissioner, this Board finds it to be in the best interest of the Town to amend the Resolution to authorize the Amendment to the Original Agreement;

NOW THEREFORE, BE IT

RESOLVED, that the Resolution is amended and the Amendment to the Original Agreement be and hereby is authorized; and be it further

RESOLVED, that the Commissioner is authorized and directed to execute, on behalf of the Town, the Amendment, all as more particularly set forth in the Amendment, which shall be on file in the Office of the Town Clerk; and be it further

RESOLVED, the Comptroller be and hereby is authorized and directed to pay the additional costs of the Amendment in the amount of \$19,390.00 with a total cost not to exceed \$462,490.00 with payments to be made from GOSR Funds, Account No. 9555-503-9555-5010.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

26

Case #

29185

CASE NO.

RESOLUTION NO.

Adopted:

adoption:

Offered the following resolution and moved its

RESOLUTION ESTABLISHING CHANGE FUNDS FOR THE BUILDING
DEPARTMENT OF THE TOWN OF HEMPSTEAD AND RESCINDING ALL PRIOR
RESOLUTIONS APPERTAINING TO SAME

WHEREAS, the Department of Buildings of the Town of Hempstead requires change funds for use at various locations within the department; and

WHEREAS, it is necessary and advisable that numerous resolutions appertaining to the establishment of change funds heretofore adopted be rescinded;

NOW, THEREFORE, BE IT

RESOLVED, that change funds be established for use by the Department of Buildings at its Town Hall location to provide change at eight cash registers within the department in the amount of \$100.00 per register;

and, BE IT FURTHER

RESOLVED, that each such fund shall not be used as a petty cash fund for disbursement of small expenditures but will be maintained in cash at all times for the sole purpose of making change at the respective register within the Building Department set forth; and, BE IT FURTHER

RESOLVED, that all prior Town Board resolutions appertaining to the establishment of change funds for use by the Department of Buildings be and the same are hereby rescinded.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

27

Case #

8711

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution

and moved its adoption:

RESOLUTION AMENDING CONTRACT AND AUTHORIZING
FINAL PAYMENT FOR THE CONSTRUCTION OF THE
SPLASH PAD AT CAMP ANCHOR, LIDO BEACH,
NEW YORK, PW #7-18

WHEREAS, the Town Board on August 7th, 2018 adopted Resolution No. 1106-2018, awarding a contract to Laser Industries, Inc. PO BOX 315 Route 25, Ridge, NY 11961 for the Construction of the Splash Pad at Camp Anchor, Lido Beach, NY in the amount of \$275,000.00; and

WHEREAS, due to unforeseen conditions and circumstances subsequently encountered, it was necessary for the Commissioner of the Department of Parks and Recreation to effectuate one additional item of work as indicated below:

Additional Item of Work

Change Order

No.	Description	Amount
1.	Cost of labor and materials to relocate spray pad discharge line.	\$8,889.07

WHEREAS, the Commissioner of the Department of Parks and Recreation deemed the additional item of work necessary to satisfactorily complete the Camp Anchor Splash Pad project; and

WHEREAS, the Commissioner of the Department of Parks and Recreation has advised the Town Board that the additional item of work will result in an increase of \$8,889.07 in the contract price; and

WHEREAS, it appears to this Town Board that said additional item of work was necessary to satisfactorily complete the aforesaid project and that the price for such work is fair and reasonable.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of the Department of Parks and Recreation, along with the Comptroller, be and hereby are authorized to pay Laser Industries the final contract price of \$283,889.07 and to amend the contract price to reflect the above described additional item of work necessary for the proper completion of the contract for the Construction of the Splash Pad at Camp Anchor, Lido Beach, NY; said funds to be paid from Account Number 799K-509-799K-5010 and 7A21-509-7A21-5010.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 28

Case # 16531

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT WITH NASSAU BOCES FOR USE OF THE ROSEMARY KENNEDY CENTER BY THE ANCHOR FALL/WINTER WEEKEND PROGRAM

WHEREAS, the Town's ANCHOR fall/winter weekend program has historically rented the Nassau BOCES Rosemary Kennedy Center located in Wantagh, NY on multiple Saturdays in order to operate its various weekend recreational activities specifically designed for residents with special needs and/or physical disabilities; and

WHEREAS, ANCHOR received a Lease Agreement from Nassau BOCES that would grant ANCHOR access to the Rosemary Kennedy Center for a total of nine (9) Saturdays during the period October 1, 2019 through April 30, 2020 in exchange for a total rent payment of \$22,791.00; and

WHEREAS, the rental rate of \$22,791.00 for ANCHOR's use of the Rosemary Kennedy Center for its fall 2019 and winter 2020 program represents an increase over last year's comparable rate of \$17,950.00 charged the Town by Nassau BOCES; and

WHEREAS, in view of said rent increase ANCHOR checked into the possibility of renting less expensive suitable facility alternatives to the Rosemary Kennedy Center prior to the start of the ANCHOR fall/winter program but was unsuccessful in its search; accordingly, the Commissioner of the Department of Parks & Recreation hereby recommends to this Town Board that the Commissioner be duly authorized to sign lease agreement documentation committing the Town to pay Nassau BOCES the requested rental fees in conjunction with ANCHOR's use of the Rosemary Kennedy Center for its fall 2019 and winter 2020 programs; and

WHEREAS, this Town Board believes that it is in the best interests of the Town to approve the payment of the Nassau BOCES rental fees for the use of by ANCHOR of the Rosemary Kennedy Center in the aggregate amount of \$22,791.00.

NOW, THEREFORE BE IT

RESOLVED, that the Commissioner of the Department of Parks & Recreation, be and hereby is, authorized to sign lease agreement documentation agreeing to have the Town pay a total of \$22,791.00 in rental fees to Nassau BOCES in connection with ANCHOR's 2019/2020 fall/winter program; and

BE IT FURTHER

RESOLVED, that the Town Comptroller, be and hereby is, authorized to make rental fee payments to Nassau BOCES in the total amount of \$22,791.00 and to charge said fees to Parks & Recreation Fees and Services Account (#400-007-7110-4151)

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 29

Case # 16531

Case No.

Resolution No.

Adopted

offered the following resolution and moved its adoption as follows:

RESOLUTION AUTHORIZING THE TOWN OF HEMPSTEAD TO ACCEPT A DONATION IN THE AMOUNT OF \$10,000 FROM PACIFIC 2.1 ENTERTAINMENT AND ALLOCATE SAID DONATION TO SUBSIDIZE THE TOWN'S ANNUAL 2019 SUMMER CONCERT SERIES

WHEREAS, Pacific 2.1 Entertainment, with offices at 10201 West Pico Blvd., Los Angeles, CA 90035 and an independent third party without affiliation of any kind with the Town, recently sought and received permission from the Town to park "Pose" film crew production vehicles at the Town Park Point Lookout Parking Lot Facility; and

WHEREAS, the Department of Parks and Recreation has historically requested modest financial donations from companies seeking to park film production vehicles on Town of Hempstead Parks property; and

WHEREAS, with respect to the large number of "Pose" film crew production vehicles to be parked at the Town Park Point Lookout Parking Lot Facility on July 15, 2019 the Department of Parks and Recreation suggested and Pacific 2.1 Entertainment agreed to make a donation in the sum of \$10,000.00 (the "Donation") to the Town; and

WHEREAS, the Commissioner of the Department of Parks and Recreation respectfully recommends that this Town Board accept the Donation from Pacific 2.1 Entertainment and further recommends that said Donation be allocated for the benefit of the Town's Annual 2019 Concert Series; and

WHEREAS, the Town desires to accept the Donation for the purpose of subsidizing the funding of the Town's Annual 2019 Summer Concert Series.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Hempstead hereby agrees to accept the Donation from Pacific 2.1 Entertainment, for the express purpose of subsidizing the Town's Annual 2019 Summer Concert Series; and

BE IT FURTHER

RESOLVED, that the Commissioner of the Department of Parks and Recreation be and hereby is authorized to deposit the \$10,000.00 Donation into the Contributions Account (#400-007-7110-2705); and

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 30
Case # 21943

ADOPTED:

Councilman _____ offered the following resolution
and moved its adoption:

RESOLUTION AUTHORIZING TEMPORARY MILEAGE ALLOWANCE
FOR TWENTY FIVE SEASONAL EMPLOYEES ASSIGNED TO LOCATIONS
DISTANTLY LOCATED FROM TOWN MOTOR POOL FACILITIES.

WHEREAS, the Town of Hempstead has established a motor pool, where feasible, in order to eliminate the cost of mileage allowance reimbursement for Town employees previously required to use their personal automobiles in the performance of their official duties; and

WHEREAS, the Commissioner of the Department of Parks and Recreation has advised this Town Board that it is not feasible to provide motor pool transportation for twenty six (26) seasonal employees, assigned to the Department of Parks and Recreation, who required vehicular transportation in the performance of their official duties; and he therefore recommends authorization of mileage allowance in this instance; and

WHEREAS, this Town Board concurs that mileage allowance authorization is justified and necessary for this class of seasonal employees;

NOW, THEREFORE, BE IT

RESOLVED, that the following seasonal employees, assigned to the Department of Parks and Recreation, who are distantly located from Town motor pool facilities, that they be compensated pursuant to the Federally established IRS mileage reimbursement allowance for use of such automobile for performance of official duties during the span of time set-forth herein;

May 1, 2019 through October 31, 2019

Adams, Jennifer	Captain
Assande, Nicholas	Lieutenant
Calia, Gabriella	Senior Lieutenant
Cutrone, Stephanie	Captain
Conlon, Kristin	Pool Safety Supervisor 1
DeRose, Tami	Senior Lieutenant
Flynn, Kristen	Senior Lieutenant
Gilroy, Ann Marie	Pool Safety Supervisor 2
Hawkins, Annmarie	Pool Safety Supervisor 1
Judge, Holly	Captain
Lang, Colleen	Pool Safety Supervisor 1
Larkin, Gregory	Pool Safety Supervisor 1
Oliverio, Isabella	Instructor Lieutenant
McCarthy, Erin	Captain
McGovern, Stacey	Captain
McMahon, Karin	Pool Safety Supervisor 1
Murnane, Danielle	Pool Safety Supervisor 1
Musumeci, Samantha	Captain
O'Mara, Deidre	Lieutenant
Ryan, Daniel	Pool Safety Supervisor 3
Saad, Nicole	Senior Lieutenant
Sparrow, Alexandra	Senior Lieutenant
Tusa, Kayla	Captain
Wolfson, Melissa	Captain
Wicelinski, Michael	Captain
Witte, Linda	Pool Safety Supervisor 1

AND BE IT

FURTHER RESOLVED, that payment of reimbursement claims submitted by the twenty six (26) authorized employees be charged against the Department of Parks and Recreation Account No. 400-007-7110-4140; Auto Expense.

The forgoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 31

Case # 9

CASE NO.

RESOLUTION NO.

Adopted:

Council Member
and moved its adoption as follows:

offered the following resolution

RESOLUTION DECLARING CERTAIN EQUIPMENT OBSOLETE
AND ACCEPTING THE BID OF OPEX CORPORATION FOR THE
PURCHASE OF REPLACEMENT EQUIPEMENT AND RELATED
SOFTWARE LICENSES WITH A TRADE IN ALLOWANCE FOR
OBSOLETE EQUIPMENT

WHEREAS, the Town of Hempstead currently has in the Office of the Receiver of Taxes, four (4) high speed scanners/payment processing machines and related software which are utilized for the bulk processing of property tax payments, specifically

Two (2) Model 51
Two (2) AS 3690

Serial # 16406, 16407
Serial # A1714, A1715; and

WHEREAS, said equipment is over 15 years old and runs on software and operating systems which are obsolete and will no longer be supported by their manufacturer; and

WHEREAS, the Director of Purchasing Division, Office of Comptroller, on behalf of the Office of the Receiver of Taxes advertised for sealed bids under bid no. 17-2019 for replacement equipment; and

WHEREAS, the following sole bid in response to the solicitation was received and opened in the Department of Purchasing on July 31, 2019:

Opex Corporation
305 Commerce Drive
Moorestown, NJ 08057

		Price	total
2 ea	Falcon/adj height T-Stand 110V/NA	\$4650.00	\$9,300.00
2 ea	Falcon Base Machine (NA) 120V (including Windows 64 bit w/ bitlocker and 3 Job programing)	\$41,169.00	\$82,338.00
2 ea	Falcon MICR (plus)	\$4,850.00	\$9,700.00
2 ea	Falcon rear standard printer	\$625.00	\$1,250.00
2 ea	Falcon REF ID software	\$1,070.00	\$2,140.00
2 ea	Falcon VRS Tech. software	\$2,855.00	\$5,710.00
2 ea	Service Falcon/adj height T-Stand 110V	\$613.00	\$1,226.00
2 ea	Service Falcon Base Machine (NA)120V	\$6,638.00	\$13,276.00
2 ea	Service Falcon VRS Tech Annual license	\$603.00	\$1,206.00
2 ea	Service Falcon MICR + annual license fee	\$809.00	\$1,618.00
2 ea	trade in allowance for AS 3690	(-\$4,000.00)	(-\$8,000.00);

and

WHEREAS, the terms, conditions and specifications as set forth in formal bid no. 17-2019 shall remain the same and apply; and

WHEREAS it is in the best interest of the Town to accept the bid of Opex Corporation for this vital payment processing equipment and related software and maintenance; and

Item #

32

Case #

2964

WHEREAS the Receiver of Taxes recommends that the bid be awarded to Opex Corporation in accordance with the terms and specifications of formal bid no. 17-2019;

NOW THEREFORE, BE IT

RESOLVED, that the Receiver of Taxes or his Deputy Receiver of Taxes is authorized to execute all necessary documents to award the bid no. 17-2019 to Opex Corporation, 305 Commerce Drive, Moorestown, NJ 08057 for the purchase of equipment and related software and maintenance in accordance with formal bid #17-2019; and

BE IT FURTHER

RESOLVED, that the total cost of \$119,764.00 shall be charged to the Receiver of Taxes, capital projects account no. 7961-501-7961-5010.

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 APPROVING A SITE PLAN SUBMITTED BY JOHN SCHIMENTI PC. ARCHITECT AIA, ON BEHALF OF 795 MERRICK INC. IN CONNECTION WITH BUILDING PERMIT APPLICATION NO. 201820665, FOR THE ADDITION, ALTERATIONS, SITE IMPROVEMENTS, AND CHANGE OF USE FROM ASSEMBLY SPACE TO A PUBLIC GARAGE, LOCATED ON THE WEST SIDE OF MERRICK AVENUE 697-FEET SOUTH OF PRIVADO ROAD, WESTBURY, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, heretofore, John Schimenti PC. Architect A.I.A., on behalf of 795 Merrick Inc. has submitted a building permit application bearing no. 201820665 for the addition, alterations, site improvements, and change of use from assembly space to a public garage, located on the west side of Merrick Avenue 697-feet south of Privado Road, Westbury, Town of Hempstead, New York.

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 a site plan entitled zoning and project data page A-001.00 dated December 5, 2018, third revision of February 22, 2019 bearing the seal of John Schimenti R.A. License no. 15046, 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 Nassau County DPW 239f and, the Commissioner of Buildings; and

WHEREAS, the Town Board, after giving due consideration to those matters required to be considered by them pursuant to 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;

NOW THEREFORE, BE IT

RESOLVED, that the site plan submitted by John Schimenti PC. Architect A.I.A. on behalf of 795 Merrick Inc., entitled, zoning and project data page A-001.00 dated December 5, 2018, third revision of February 22, 2019 bearing the seal of John Schimenti R.A. License no. 15046, University of the State of New York., for the construction of a for the addition, alterations, site improvements, and change of use from assembly space to a public garage, located on the west side of Merrick Avenue 697-feet south of Privado Road, Westbury, Town of Hempstead, be and the same is hereby approved.

The foregoing resolution was adopted upon role call as follows:

AYES:

NOES:

Item #

33

Case #

30166

Adopted:

Council
moved for its adoption:

offered the following resolution and

**RESOLUTION ADOPTING A S.E.Q.R. NEGATIVE DECLARATION
AND DETERMINATION OF NON-SIGNIFICANCE IN CONNECTION
WITH AN APPLICATION FOR SITE PLAN APPROVAL FOR A PARCEL
OF LAND LOCATED IN WESTBURY, NEW YORK**

WHEREAS, the applicant, Beechwood Merrick LLC, has submitted to the Town of Hempstead, an application for site plan approval for a 5.93 acre parcel of land located at 695 Merrick Avenue, Westbury , New York ; and

WHEREAS, the purpose of the proposed Site Plan Approval is to permit the construction of a six story Apartment Hotel with 237 units and parking for 479 cars ; and

WHEREAS, the applicant has submitted to the Town of Hempstead and Environmental Assessment Form (E.A.F.); and

WHEREAS, said E.A.F. has been reviewed by the Town Attorney of the Town of Hempstead and his staff and the significance of all environmental considerations, including those enumerated in 6NYCRR part 617.7 have been thoroughly evaluated to ascertain whether adverse environmental impacts will result; and

WHEREAS, the proposed action is an Unlisted Action as defined in 6NYCRR Part 617; and

WHEREAS, upon completion of said review, the Town Attorney has made a recommendation to the Town Board; and

WHEREAS, the Town Board, after due consideration of the recommendation of said Town Attorney considers the project to be an Unlisted Action and will not have a significant effect on the environment for the following reasons:

The Proposed Action will not result in any significant physical alterations to the site.

The Proposed Action will not have a significant adverse environmental impact on any Critical Environmental Area.

The Proposed Action will not have a significant adverse environmental impact on any unique or unusual land forms.

The Proposed Action will not have a significant adverse environmental impact on any water body designated as protected.

The Proposed Action will not have a significant adverse environmental impact on any non-protected existing or new body of water.

The Proposed Action will not have a significant adverse environmental impact on surface or groundwater quality or quantity.

The Proposed Action will not have a significant adverse environmental impact on or alter drainage flow or patterns, or surface water runoff.

The Proposed Action will not have a significant adverse environmental impact on air quality.

Item # 34

Case # 29933

The Proposed Action will not have a significant adverse environmental impact on any threatened or endangered species.

The Proposed Action will not have a significant adverse environmental impact on agricultural land resources.

The Proposed Action will not have a significant adverse environmental impact on aesthetic resources.

The Proposed Action will not have a significant adverse environmental impact on any site or structure of historic, prehistoric or paleontological importance.

The Proposed Action will not have a significant adverse environmental impact on the quantity or quality of existing or future open spaces or recreational opportunities.

The Proposed Action will not have any significant adverse environmental impact on existing transportation systems.

The Proposed Action will not have a significant adverse environmental impact on the community's sources of fuel or energy supply.

The Proposed Action will not have a significant adverse environmental impact as a result of objectionable odors, noise or vibration.

The Proposed Action will not have a significant adverse environmental impact on the public health and safety.

The Proposed Action will not have a significant adverse environmental impact on the character of the existing community.

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board is "Lead Agency" for the proposed Site Plan Approval for said parcel of land located in Westbury New York; and BE IT FURTHER

RESOLVED, that the proposed action is an Unlisted Action pursuant to Part 617.6 and will not have a significant adverse impact on the environment; and BE IT FURTHER

RESOLVED, that the Town Board hereby declares that a Declaration of Non-Significance in connection with the proposed Site Plan Approval is consistent with considerations of public interest; and BE IT FURTHER

RESOLVED, that the S.E.Q.R. process has been satisfied and completed with the completion of the above-mentioned review and duly approved Negative Declaration.

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 APPOINTING
WATSON G. DELL 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, one of whom shall be nominated by Senior Councilwoman Dorothy L. Goosby subject to confirmation by the Town Board pursuant to Town Code §35-25(a); and

WHEREAS, a vacancy exists on the Ethics Board; and

WHEREAS, pursuant to Town Code §35-25(a), Senior Councilwoman Dorothy L. Goosby nominates Watson G. Dell, a resident of Lakeview, to fill the vacancy; and

WHEREAS, this Town Board finds that Watson G. Dell is qualified and deserving of that appointment;

NOW, THEREFORE, BE IT

RESOLVED, Watson G. Dell is confirmed to the Board of Ethics for a term terminating on August 7, 2022.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

35

Case #

9803

Watson G. Dell

[REDACTED] Lakeview, NY 11570
[REDACTED]

Education

Mr. Dell graduated from South Broward High School and received an Associate of Arts degree from Broward Community College. He earned a Bachelor of Arts degree in Political Science from Florida International University and in 2011 he earned a Master of Arts degree in Political Science from Brooklyn College. He held the distinction of being the founder and president of the Lambda Tau Chapter of Phi Beta Sigma Fraternity, Inc. He also served as the founding member of the Greek council.

Community Involvement/Civic Engagement:

Mr. Dell made his home in Lakeview New York after his graduation from college. He has been a Lakeview resident since 1985.

Mr. Dell served as the president and coach of the Lakeview Little League. He served as vice president of the Lakeview Democratic Club. In 1993 he became the first African American elected to the Lakeview Fire District as a formidable Fire Commissioner. In 1996 he was reelected to the position. In 1993 he became a lifetime member of the NAACP and a silver member in 2002. His commitment to the educational development of youth prompted him to join the Superintendent Task Force for the Malverne School district from 1994-1996. He served on the Davison Avenue elementary school PTA and the Howard T. Herbert Middle school PTA. Mr. Dell served as an Assistant Football coach for Lakeview and several other communities.

Professional Experience

Mr. Dell served as the Chairman of the Board of Fire Commissioners for Lakeview, from 2002 – 2003. Mr. Dell has been employed by the Department of Treasury, Internal Revenue Service since 1986. He has held several positions, tax Examiner, manager and in 1990 Revenue Officer and presently he holds the position of Independent Administrative Reviewer. Mr. Dell is a staunch believer in workforce diversity and he is very involved in the Black Employment Program Committee which is spearheaded by the EEO/diversity program.

Military Service:

Mr. Dell proudly served his country in the United States Army and the Reserves for over ten years. During his time spent with the 306th Military Police Battalion in Uniondale NY, he received the prestigious Army Achievement Medal in 1995.

Awards and Recognition:

Mr. Dell received the prestigious Reverd Dr. Martin Luther King Jr. Community service award from the African American Black History Association in 1999. The Lakeview Branch of the National Association of Key Women of America awarded Mr. Dell their most prestigious Humanitarian Award in 2000. He received the NAACP Distinguished Service award in 2001. In 2005 Mr. Dell received the Clifford Collins community leader of the year award. In 2004 Mr. Dell received a prestigious community service award from his fraternity, Gamma Rho Sigma Chapter of Phi Sigma.

Memberships

Lakeview NAACP lifetime member.

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING ACCEPTANCE OF A FIELD SERVICE PARTNERSHIP AGREEMENT FROM HACH COMPANY FOR THE DEPARTMENT OF WATER'S WATER INFORMATION MANAGEMENT SOLUTION SOFTWARE.

WHEREAS, the Town of Hempstead Department of Water is now using Water Information Management Solution Software manufactured by Hach Company; and

WHEREAS, this Water Information Management Solution Software monitors and analyzes the Department's Water Distribution System to ensure New York State Health Department treatment guidelines are met; and

WHEREAS, Hach Company in a proposal dated July 11, 2019 has offered to provide a Field Service Partnership Agreement for the Department's Water Information Management Solution Software for a yearly charge of \$3,260.00 to cover the period August 10, 2019 through August 9, 2020; and

WHEREAS, Hach Company in their proposal for a Field Service Partnership Agreement will provide basic software support and user licenses for this Water Information Management Solution Software covering the period August 10, 2019 through August 9, 2020; and

WHEREAS, the Commissioner of the Town of Hempstead Department of Water deems said proposal to be fair and reasonable and in the public interest.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of the Town of Hempstead Department of Water hereby is authorized to accept the proposal submitted by Hach Company, 5600 Lindbergh Drive, Loveland, CO 80538, dated July 11, 2019; and

BE IT FURTHER RESOLVED that the Comptroller of the Town of Hempstead be and hereby is authorized and directed to make payment of \$3,260.00 for a Field Service Partnership Agreement for the Department's Water Information Management Solution Software covering the period August 10, 2019 through August 9, 2020 from Department of Water Account 500-006-8310-4030, Maintenance of Equipment.

The foregoing resolution was adopted upon roll call as follows.

AYES:

NOES:

Item #

36

Case #

1597

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution

and moved its adoption:

RESOLUTION AUTHORIZING THE PLACEMENT OF A CYBER LIABILITY INSURANCE POLICY FOR THE TOWN OF HEMPSTEAD.

WHEREAS, the Town of Hempstead (the "Town") previously issued Requests for Proposals (RFP) and awarded contracts for insurance consulting services and insurance brokerage services; and

WHEREAS, following a review of the Town's existing insurance policies, in consultation with the Town's insurance consultant, it was determined that the Town should mitigate its exposure in the event of a data breach or similar cyber related security breach; and

WHEREAS, the Town has received favorable pricing and a coverage quotation from Chubb Insurance Company, for cyber liability insurance for the period of September 3, 2019 through September 3, 2020 (the "Policy"); and

WHEREAS, the Town's insurance broker and the Town's insurance consultant have recommended placement of the Policy as quoted; and

WHEREAS, consistent with the aforementioned recommendation, the Town Board deems it to be in the best interest of the Town to authorize its insurance broker to place the Policy.

NOW, THEREFORE, BE IT

RESOLVED, that a cyber liability insurance policy be placed with Chubb Insurance Company for the period of September 3, 2019 through September 3, 2020; 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 \$36,641.00; and be it further

RESOLVED, that future procurements of cyber liability insurance policies shall be included in the coverage sought in the RFP process.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 37
Case # 16452

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AMENDING RESOLUTION NO 924-2019, WHICH AUTHORIZED THE AWARD OF TOH CONTRACT#:51-2019 TO REDLAND STRATEGIES FOR EMERGENCY MANAGEMENT CONSULTING SERVICES.

WHEREAS, pursuant to Resolution No. 924-2019, duly adopted at its meeting held on August 6, 2019 (the "Resolution"), the Town Board awarded an agreement to Redland Strategies, 519 Eighth Avenue, 16th Floor, New York, NY 10018, for emergency management, homeland security and public safety consulting services, for a term commencing on July 1, 2019 and terminating on June 30, 2020; and

WHEREAS, it is recommended that the term set forth in the Resolution be amended to commence on September 3, 2019 and terminate on September 2, 2020 (the "Amendment"); and

WHEREAS, this Board finds it to be in the best interest of the Town to authorize the Amendment.

NOW THEREFORE, BE IT,

RESOLVED, that the Resolution be and hereby is amended to modify the term of the agreement, which shall commence on September 3, 2019 and terminate on September 2, 2020; and be it further

RESOLVED, that all other aspects of the Resolution, which awarded TOH Contract#: 51-2019, Emergency Management Consulting Services, to Redland Strategies, 519 Eighth Avenue, 16th Floor, New York, NY 10018, at a cost not to exceed \$75,000.00, shall remain unchanged and in full force and effect.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 38

Case # 30159

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION MAKING APPOINTMENTS TO THE TOWN OF HEMPSTEAD TOWING ADVISORY COMMITTEE.

WHEREAS, the Town Board of the Town of Hempstead has heretofore established a Towing Advisory Committee (the "Committee"), comprised of a member of the Town Board, the Town Clerk or his/her designated representative, the Town Attorney or his/her representative, and two tow truck owners licensed by the Town of Hempstead, all of whom shall be appointed by and serve at the pleasure of the Town Board; and

WHEREAS, vacancies exist on the Committee; and

WHEREAS, pursuant to §183-16 of the Code of the Town of Hempstead (the "Town Code"), the Town Board hereby appoints the following individuals to the Committee to fill the vacancies:

<u>Name</u>	<u>Affiliation</u>
Anthony P. D'Esposito, Councilman	Town Board
Sylvia A. Cabana, Town Clerk	Office of the Town Clerk
Elizabeth Powers, Licensing Supervisor <i>(Town Clerk's Designated Representative)</i>	Office of the Town Clerk
Joseph J. Ra, Town Attorney	Office of the Town Attorney
Charles Kovit, Chief Deputy Town Attorney <i>(Town Attorney's Designated Representative)</i>	Office of the Town Attorney
Ronald Marciano	Burnside Collision
Joe Gemma	Gemma's Towing

; and

WHEREAS, the Town Board finds that the aforementioned individuals are qualified and deserving of the appointments.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board be and hereby does make the abovementioned appointments to the Committee.

AYES:

NOES:

Item # 39

Case # 30171

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION MAKING APPOINTMENTS TO THE TOWN OF HEMPSTEAD TAXICAB ADVISORY COMMITTEE.

WHEREAS, the Town Board of the Town of Hempstead has heretofore established a Taxicab Advisory Committee (the "Committee"), comprised of a member of the Town Board and representatives of the Town Clerk's office, the Town Attorney's office and the taxicab owners licensed by the Town of Hempstead, all of whom shall be appointed by and serve at the pleasure of the Town Board; and

WHEREAS, vacancies exist on the Committee; and

WHEREAS, pursuant to §185-14 of the Code of the Town of Hempstead (the "Town Code"), the Town Board hereby appoints the following individuals to the Committee to fill the vacancies:

<u>Name</u>	<u>Affiliation</u>
Anthony P. D'Esposito, Councilman	Town Board
Sylvia A. Cabana, Town Clerk	Office of the Town Clerk
Dolores Sedacca, Deputy Town Clerk	Office of the Town Clerk
Gaspare Tumminello, Deputy Town Clerk	Office of the Town Clerk
Elizabeth Powers, Licensing Supervisor	Office of the Town Clerk
Charles Kovit, Chief Deputy Town Attorney	Office of the Town Attorney
Lawrence Blessinger, Jr.	All Island Transportation, All Island Yellow, Taxi Latino and Ollie's Taxi & Airport Service
Steven Berry, as attorney in fact for Anne Verity	Dawson's taxi

; and

WHEREAS, the Town Board finds that the aforementioned individuals are qualified and deserving of the appointments.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board be and hereby does make the abovementioned appointments to the Committee.

AYES:

NOES:

Item # 40

Case # 30172

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
PROGRESSIVE INSURANCE COMPANY AS SUBROGEE OF
MELVIN HERRERA-BAIRES IN THE AMOUNT OF
\$8,829.72.

WHEREAS, Progressive Casualty Insurance Company as subrogee of (a/s/o) Melvin Herrera-Baires, by its attorney Feldman & Feldman, L.L.P. with offices at in Smithtown, New York, made a claim against the Town of Hempstead when Progressive's insured Melvin Herrera-Baires 2008 GMC motor vehicle was in a collision with a Town of Hempstead Highway Department truck on Cedar Swamp Road in Glen Head, New York on February 6, 2018; and

WHEREAS, a legal action was initiated by Progressive Casualty Insurance Company a/s/o Melvin Herrera-Baires in the District Court of Nassau County to recover damages to its insured, Melvin Herrera-Baires, motor vehicle; and

WHEREAS, prior to trial, a proposal was made between Feldman & Feldman, L.L.P., as attorneys for Progressive casualty Insurance Company a/s/o Melvin Herrera-Baires, and the Claims Service Bureau of New York Inc., the claims representatives for the Town of Hempstead, to settle this claim in the amount of \$8,829.72; and

WHEREAS, Feldman & Feldman, L.L.P. as attorneys for Progressive Casualty Insurance Company have 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. 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 Progressive Casualty Insurance Company for an accident occurring on February 6, 2019 in amount \$8,829.71 in full and final settlement 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 #

41

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 ENCOMPASS INSURANCE COMPANY OF
AMERICA AS SUBROGEE OF CHRISTINE ROTOLA
IN THE AMOUNT OF \$23,364.03.

WHEREAS, Encompass Insurance Company of America as subrogee of (a/s/o) Christine Rotola, with offices in Dallas, Texas, made a claim against the Town of Hempstead for No-Fault/Personal Injury Protection (PIP) benefits paid on behalf of its insured, Christine Rotola for medical expenses injured for personal injuries Christine Rotola sustained when the 2013 Infiniti motor vehicle she was operating was in collision with a Highway Department vehicle on Newbridge Road in North Bellmore on July 22, 2015; and

WHEREAS, subsequent to making this claim, a proposal was made between Encompass Insurance Company of America a/s/o Christine Rotola and the Claims Service Bureau of New York Inc., the claims representatives of the Town of Hempstead, to settle this No-Fault/PIP claim in the amount of \$23,364.03; and

WHEREAS, the Claims Service Bureau of New York Inc., and the Office of the Town Attorney recommend that this settlement be approved for payment 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 settle the No-Fault/PIP claim of Encompass Insurance Company of America a/s/o Christine Rotola in the amount of \$23,364.03 regarding an accident occurring on July 22, 2015, said amount to be paid out of the Part Town-Highway Tort Liability Account.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 41

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 TONIA SWENSEN BRENDEL AND PHILIP BRENDEL IN THE AMOUNT OF \$45,000.00

WHEREAS, Tonia Swenson Brendel and Philip Brendel, by their attorney, Rodriguez and Nathan, PLLC, with offices in Rockville Centre, New York, made a claim against the Town of Hempstead for personal injuries sustained by Tonia Swensen Brendel when she fell on a path at Norman J. Levy Park and Preserve in Merrick, New York on April 24, 2016; and

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

WHEREAS, prior to jury selection for a trial, a proposal was made between Rodriguez and Nathan, PLLC, attorneys for Tonia Swenson Brendel and Philip Brendel and the Town of Hempstead trial counsel, to settle the personal injury claim of Tonia Swenson Brendel in the amount of \$45,000.00; and

WHEREAS, Rodriguez and Nathan, PLLC, attorneys for Tonia Swenson Brendel and Philip Brendel, 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 Tonia Swenson Brendel and related claim of Philip Brendel in the amount of \$45,000.00, regarding an accident occurring on April 24, 2016, said amount to be paid out of the Sanitation Operating Fund Tort Liability Account.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

41

Case #

10889

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution
and moved its adoption as follows:

RESOLUTION AUTHORIZING PAYMENT SETTLING
PENDING LITIGATION WITH DOUBLE EAGLE
GOLF, INC.

WHEREAS, there is a pending matter of litigation in Nassau County Supreme Court involving the Town of Hempstead and Double Eagle Golf, Inc., c/o Sunshine, Isaacson & Hecht, LLP, 390 N. Broadway, Suite 200, Jericho, N.Y. 11753, under Index no 604281/2017, relating to Lido Beach Golf Course; and

WHEREAS, after due negotiation between the parties, the Town Attorney recommends that the Town Board approve and authorize a full settlement of this matter; and

WHEREAS, the Town is in possession of a general release in favor of the Town of Hempstead, executed on behalf of Double Eagle Golf, Inc. by Angelo Belli, and executed individually by Angelo Belli, Richard Belli and Lucien Clerico, in exchange for payment by the Town to Double Eagle Golf, Inc., in the amount of \$85,000.00:

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Hempstead is authorized to pay to Double Eagle Golf, Inc., c/o Sunshine, Isaacson & Hecht, LLP, 390 N. Broadway, Suite 200, Jericho, N.Y. 11753 in the amount of \$85,000.00, to be paid out of General Fund account no. 010-001-1910-4007; and be it further

RESOLVED, that the Town Attorney is hereby authorized and directed to do any act and execute any document necessary to effectuate such payment.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 41

Case # 10889

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

Item # 42

Case # 7

CASE NO. 30163

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. 61-2019, 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 24, 2019 at 7:00 o'clock in the evening of that day, at which time all interested persons shall be heard on the proposed enactment of a local law known as Intro. No. 61-2019, 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# 43
Case# 30163

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

Dated: September 3, 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 forty four of two thousand nineteen is hereby amended by including therein "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

ELMONT
Section 202-19

HERBERT AVENUE (TH 201/19) West Side – TWO HOUR PARKING 10 AM TO 6 PM – starting at a point 222 feet south of the south curbline of Chelsea Street south for a distance of 22 feet.

MERRICK
Section 202-11

EAST GARFIELD STRET (TH 386/19) North Side – NO STOPPING ANYTIME 9 AM TO 4 PM EXCEPT SATURDAYS, SUNDAYS, AND HOLIDAYS – starting at a point 119 feet east of the east curbline of Merrick Avenue east for a distance of 76 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 forty four of two thousand nineteen is hereby amended by repealing therein "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

ELMONT
Section 202-19

H STREET (TH 511/06) South Side – NO PARKING 10 PM TO 6 AM – starting at a point 174 feet west of the west curbline of Meacham Avenue west for a distance of 62 feet. (Adopted 2/6/07)

MERRICK
Section 202-11

EAST GARFIELD STREET (TH 386/19) North Side – NO STOPPING 9 AM TO 4 PM EXCEPT SATURDAYS, SUNDAYS, AND HOLIDAYS – starting at a point 108 feet east of the east curbline of Merrick Avenue east for a distance of 90 feet. (Adopted 8/23/66)

WEST HEMPSTEAD
Section 202-20

ELM STREET (TH 760/03) South Side – NO PARKING EXCEPT SATURDAYS, SUNDAYS, AND HOLIDAYS – starting at a point 214 feet east of the east curbline of Hempstead Avenue east for a distance of 52 feet. (Adopted 8/9/05)

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

CASE NO. 30164

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. 62-2019, 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 24, 2019, at 7:00 o'clock in the evening of that day, at which time all interested persons shall be heard on the proposed enactment of a local law known as Intro. No. 62-2019, 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 # 44

Case # 30164

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 24th day of September, 2019, at 7:00 o'clock in the evening 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:

EAST MEADOW MERRICK AVENUE (TH 362/19) West Side -
NO STOPPING HERE TO CORNER - starting
at the north curblines of Van Buren
Avenue north for a distance of 40 feet.

MERRICK AVENUE (TH 362/19) West Side -
NO STOPPING HERE TO CORNER - starting
at the south curblines of Van Buren
Avenue south for a distance of 32 feet.

ELMONT HERBERT AVENUE (TH 201/19) West Side -
NO STOPPING ANYTIME - starting at a
point 244 feet south of the south
curblines of Chelsea Street south for a
distance of 34 feet.

GARDEN CITY SOUTH EUSTON ROAD SOUTH (TH 371/19) East Side
- NO STOPPING ANYTIME - starting at a
point 70 feet south of the south
curblines of Princeton Avenue south for
a distance of 41 feet.

INWOOD MAIDEN LANE (TH 344/19) West Side - NO
PARKING ANYTIME - starting at a point
156 feet west of the west curblines of
Henry Street then going north then west
for a distance of 55 feet.

MERRICK EAST FARFIELD STREET (TH 386/19) North
Side - NO STOPPING HERE TO CORNER -
starting at the west curblines of Arms
Avenue west for a distance of 28 feet.

LITTLE WHALENECK ROAD (TH 376/19) East
Side - NO STOPPING HERE TO CORNER -
starting at the north curblines of
Anding Avenue north for a distance of
64 feet.

LITTLE WHALENECK ROAD (TH 376/19) West Side - NO STOPPING ANYTIME - starting at a point 160 feet north of a point opposite the north curbline of Anding Avenue south following the curve for a distance of 237 feet.

OCEANSIDE

BUNGALOW PLACE (TH 366/19) South Side - NO STOPPING HERE TO CORNER - starting at the east curbline of Lawson Boulevard east for a distance of 30 feet.

ROOSEVELT

BABYLON TURNPIKE (TH 378/19) East Side - NO STOPPING HERE TO CORNER - starting at the north curbline of Putnam Avenue north for a distance of 50 feet.

PUTNAM AVENUE (TH 359/19) South Side - NO PARKING ANYTIME - starting at a point 182 feet east of the east curbline of Babylon Turnpike east for a distance of 50 feet.

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

ELMONT

HERBERT AVENUE (TH 201/19) West Side - NO STOPPING ANYTIME - starting at a point 244 feet south of the south curbline of Chelsea Street south for a distance of 34 feet. (Adopted 7/2/19)

MERRICK

LITTLE WHALENECK ROAD (TH 394/15) West Side - NO STOPPING ANYTIME - starting at a point 50 feet north of a point opposite the north curbline of Anding Ave., then south following the curve eastbound for a distance of 147 feet. (Adopted 9/21/15)

NORTH MERRICK

LITTLE WHALENECK ROAD (TH 237/63) East Side - NO STOPPING HERE TO CORNER - starting at the north curbline of Anding Avenue north for a distance of 30 feet. (Adopted 8/13/63)

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

Dated: September 3, 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 forty five of two thousand nineteen is hereby amended by including therein "PARKING OR STANDING PROHIBITIONS" at the following locations:

EAST MEADOW

MERRICK AVENUE (TH 362/19) West Side – NO STOPPING HERE TO CORNER – starting at the north curblineline of Van Buren Avenue north for a distance of 40 feet.

MERRICK AVENUE (TH 362/19) West Side – NO STOPPING HERE TO CORNER – starting at the south curblineline of Van Buren Avenue south for a distance of 32 feet.

ELMONT

HERBERT AVENUE (TH 201/19) West Side – NO STOPPING ANYTIME – starting at a point 244 feet south of the south curblineline of Chelsea Street south for a distance of 34 feet.

GARDEN CITY SOUTH

EUSTON ROAD SOUTH (TH 371/19) East Side – NO STOPPING ANYTIME – starting at a point 70 feet south of the south curblineline of Princeton Avenue south for a distance of 41 feet.

INWOOD

MAIDEN LANE (TH 344/19) West Side – NO PARKING ANYTIME – starting at a point 156 feet west of the west curblineline of Henry Street then going north then west for a distance of 55 feet.

MERRICK

EAST FARFIELD STREET (TH 386/19) North Side – NO STOPPING HERE TO CORNER – starting at the west curblineline of Arms Avenue west for a distance of 28 feet.

LITTLE WHALENECK ROAD (TH 376/19) East Side – NO STOPPING HERE TO CORNER – starting at the north curblineline of Anding Avenue north for a distance of 64 feet.

LITTLE WHALENECK ROAD (TH 376/19) West Side – NO STOPPING ANYTIME – starting at a point 160 feet north of a point opposite the north curblineline of Anding Avenue south following the curve for a distance of 237 feet.

OCEANSIDE

BUNGALOW PLACE (TH 366/19) South Side – NO STOPPING HERE TO CORNER – starting at the east curblineline of Lawson Boulevard east for a distance of 30 feet.

ROOSEVELT

BABYLON TURNPIKE (TH 378/19) East Side – NO STOPPING HERE TO CORNER – starting at the north curblineline of Putnam Avenue north for a distance of 50 feet.

PUTNAM AVENUE (TH 359/19) South Side – NO PARKING ANYTIME – starting at a point 182 feet east of the east curblineline of Babylon Turnpike east for a distance of 50 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 forty five of two thousand nineteen is hereby amended by repealing therein "PARKING OR STANDING PROHIBITIONS" at the following locations:

ELMONT HERBERT AVENUE (TH 201/19) West Side – NO STOPPING ANYTIME – starting at a point 244 feet south of the south curbline of Chelsea Street south for a distance of 34 feet. (Adopted 7/2/19)

MERRICK LITTLE WHALENECK ROAD (TH 394/15) West Side – NO STOPPING ANYTIME – starting at a point 50 feet north of a point opposite the north curbline of Anding Ave., then south following the curve eastbound for a distance of 147 feet. (Adopted 9/21/15)

NORTH MERRICK LITTLE WHALENECK ROAD (TH 237/63) East Side – NO STOPPING HERE TO CORNER – starting at the north curbline of Anding Avenue north for a distance of 30 feet. (Adopted 8/13/63)

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

CASE NO. 30165

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. 63-2019, 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 24, 2019, at 7:00 o'clock in the evening of that day, at which time all interested persons shall be heard on the proposed enactment of a local law known as Intro. No. 63-2019, 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 # 45
Case # 30165

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 24th day of September, 2019, at 7:00 o'clock in the evening 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:

LEVITTOWN	SPRING LANE (TH 101/19) STOP - all traffic traveling southbound on Tusk Lane shall come to a full stop.
	SPRING LANE (TH 101/19) STOP - all traffic traveling northbound on Tusk Lane shall come to a full stop.
MERRICK	OAK BROOK AVENUE (TH 343/19) STOP - all traffic traveling southwest on Silver Birch Road shall come to a full stop.
(NR) VALLEY STREAM	HUNGRY HARBOR ROAD (TH 169/19) STOP - all traffic traveling northbound on Golf Drive shall come to a full stop.
WEST HEMPSTEAD	BRADLEY STREET (TH 353/19) STOP - all traffic traveling eastbound on Paramount Court 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: September 3, 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 forty six of two thousand nineteen is hereby amended by including therein "ARTERIAL STOPS" at the following locations:

LEVITTOWN SPRING LANE (TH 101/19) STOP – all traffic traveling southbound on Tusk Lane shall come to a full stop.

SPRING LANE (TH 101/19) STOP – all traffic traveling northbound on Tusk Lane shall come to a full stop.

MERRICK OAK BROOK AVENUE (TH 343/19) STOP – all traffic traveling southwest on Silver Birch Road shall come to a full stop.

(NR) VALLEY STREAM HUNGRY HARBOR ROAD (TH 169/19) STOP – all traffic traveling northbound on Golf Drive shall come to a full stop.

WEST HEMPSTEAD BRADLEY STREET (TH 353/19) STOP – all traffic traveling eastbound on Paramount Court 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. 64-2019, 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 24, 2019, at 7:00 o'clock in the evening of that day, at which time all interested persons shall be heard on the proposed enactment of a local law known as Intro. No. 64-2019, 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# 46
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 24th day of September, 2019, at 7:00 o'clock in the evening 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:

EAST MEADOW

PROSPECT AVENUE (TH 511/80) North Side -
NO STOPPING BUS STOP - starting at the
east curblineline of Linda Drive east for a
distance of 60 feet. (Adopted 4/1/81)

PROSPECT AVENUE (TH 511/80) South Side -
NO STOPPING BUS STOP - starting at the
west curblineline of Coakley Street west for
a distance of 60 feet. (Adopted 4/1/81)

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

Dated: September 3, 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 seven of two thousand nineteen is hereby amended by repealing therein "BUS STOPS" at the following locations:

EAST MEADOW

PROSPECT AVENUE (TH 511/80) North Side – NO STOPPING BUS STOP – starting at the east curblineline of Linda Drive east for a distance of 60 feet. (Adopted 4/1/81)

PROSPECT AVENUE (TH 511/80) South Side – NO STOPPING BUS STOP – starting at the west curblineline of Coakley Street west for a distance of 60 feet. (Adopted 4/1/81)

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

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution
and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A LOCAL
LAW TO CREATE A NEW SUBSECTION "E" OF SECTION
121-3 OF CHAPTER 121 OF THE TOWN CODE, IN
RELATION TO ENACTING A BLANKET PROHIBITION ON THE
SALE OF E-LIQUID FLAVORED TOBACCO PRODUCT.

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

WHEREAS, it is in the public interest to consider the
enactment of a local law to create a new Subsection "E" of
Section 121-3 of Chapter 121 of the Town Code, in relation
to enacting a blanket prohibition on the sale of e-liquid
flavored tobacco product; and

WHEREAS, _____ has introduced the
proposed local law known as Intro. No. _____ -2019 Print No.
1, as aforesaid:

NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town
Meeting Pavilion, Hempstead Town Hall, 1 Washington Street,
Village and Town of Hempstead, New York on the _____ day of
_____, 2019 at _____ o'clock in the _____ of that day
at which time all interested persons shall be heard on the
enactment of a local law known as Intro. No. _____ -2019,
Print No. 1, to create a new Subsection "E" of Section 121-
3 of Chapter 121 of the Town Code, in relation to enacting
a blanket prohibition on the sale of e-liquid flavored
tobacco product; 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 #

47

Case #

29691

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 the day of , 2019, at o'clock in the of that day, to consider the enactment of a local law to create a new Subsection "E" of Section 121-3 of Chapter 121 of the Town Code, in relation to enacting a blanket prohibition on the sale of e-liquid flavored tobacco product.

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

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

Dated: Hempstead, New York
 , 2019

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

SYLVIA A. CABANA
Town Clerk

LAURA A. GILLEN
Supervisor

Intro. No.

Print No.

Town of Hempstead

A local law to create a new Subsection "E" of Section 121-3 of Chapter 121 of the Town Code, in relation to enacting a blanket prohibition on the sale of e-liquid flavored tobacco product

Introduced by:

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

Section 1. Subsection "E" of Section 121-3 of Chapter 121 of the Town Code, is hereby created and shall read as follows:

Chapter 121
Sale of Tobacco Products, Liquid Nicotine,
and Electronic Cigarettes

* * *

§ 121-3 Prohibited acts.

* * *

E. Commencing on January 1, 2020, the sale or offer for sale, by any person, business or any tobacco business as defined in the New York State Public Health Law, of any e-liquid flavored tobacco product is prohibited as provided herein.

- (1) The term "e-liquid flavored tobacco product" means any e-liquid tobacco product for use with an electronic aerosol delivery system, that contains a constituent that imparts a characterizing flavor.
- (2) Prohibited characterizing flavors include, but are not limited to, tastes or aroma relating to any bubble gum, fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, menthol, mint, wintergreen, herb, or spice.
- (3) There shall be a rebuttable presumption that a tobacco product is a prohibited e-liquid flavored tobacco product if a manufacturer or any of the manufacturer's agents or employees, in the course of their agency or employment, has made a statement or claim directed to consumers or to the

public that the e-liquid tobacco product has or produces a characterizing flavor including, but not limited to, text, color, and/or images on the product's labeling or packaging that are used to explicitly or implicitly communicate that the e-liquid tobacco product has a characterizing flavor.

Section 2. This local law shall become effective immediately upon filing with the secretary of state.

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A LOCAL LAW TO AMEND CHAPTER 86 OF THE CODE OF THE TOWN OF HEMPSTEAD ENTITLED "BUILDING CONSTRUCTION ADMINISTRATION."

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

WHEREAS, it is in the public interest to consider the enactment of a local law to amend Chapter 86 of the Code of the Town of Hempstead entitled "Building Construction Administration" in order to strengthen the restrictions on Building Department employees from engaging in activities which are inconsistent with, or create a conflict of interest with, their duties or with the interests of the Building Department; and

WHEREAS, _____ has introduced the proposed local law known as Intro. No. _____-2019 Print No. 1, as aforesaid; and

NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, New York on the 24th day of September, 2019 at 7:00 o'clock in the evening of that day at which time all interested persons shall be heard on the enactment of a local law known as Intro. No. _____-2019, Print No. 1, to amend Chapter 86 of the Code of the Town of Hempstead entitled "Building Construction Administration" in order to strengthen the restrictions on Building Department employees from engaging in activities which are inconsistent with, or create a conflict of interest with, their duties or with the interests of the Building Department; 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 #

48

Case #

14509

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 24th day of September, 2019 at 7:00 o'clock in the evening of that day, to consider the enactment of a local law to amend Chapter 86 of the Code of the Town of Hempstead entitled "Building Construction Administration" in order to strengthen the restrictions on Building Department employees from engaging in activities which are inconsistent with, or create a conflict of interest with, their duties or with the interests of the Building Department. The proposed local law is on file in the Office of the Town Clerk of the Town of Hempstead, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, where the same may be inspected during office hours.

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

Dated: Hempstead, New York
September 3, 2019

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

SYLVIA A. CABANA
Town Clerk

LAURA A. GILLEN
Supervisor

Town of Hempstead

A LOCAL LAW AMENDING CHAPTER 86 OF THE CODE OF THE TOWN OF HEMPSTEAD ENTITLED "BUILDING CONSTRUCTION ADMINISTRATION."

Introduced by:

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 86 of the Code of the Town of Hempstead entitled "Building Construction Administration" in order to strengthen the restrictions on Building Department employees from engaging in activities which are inconsistent with, or create a conflict of interest with, their duties or with the interests of the Building Department.

Section 2.

Chapter 86 of the Town Code entitled "Building Construction Administration" is hereby amended to read as follows:

§ 86-4 Restrictions on employees.

No officer or employee of the Building Department shall engage in any activity inconsistent with, **or which constitutes a conflict of interest with, his/her** duties or with the interests of the Building Department; nor shall [b]he/she, during the term of his/her employment:

- A. [; b]Be engaged directly or indirectly, supervise, or be financially interested, in any building business, in the furnishing of labor, materials, supplies or appliances for the construction, alteration, demolition or maintenance of a building, structure, service, or system, or in the preparation of plans or of specifications thereof within the unincorporated area of the Town of Hempstead, except[ing] that this provision shall not prohibit any officer or employee from engaging in any such activities in connection with the construction of a building or structure owned by him/her for his/her own personal use [or]and occupancy, and not constructed for sale.**
- B. Examine, inspect, pass upon, sign-off or approve any plans, specifications, work, construction, materials, or appliances, upon which he/she is or has been directly or indirectly engaged, or in which he/she has or may have had any interest, share, or investment, or in which a Relative (as defined in Chapter 38 of the Town Code), dependent or member of his or her household, or a Relative of his or her spouse, or a spouse of his or her child or sibling has an ownership interest.**
- C. Direct, or seek to influence, a subordinate employee which such officer or employee supervises, to engage in any of the prohibited conduct described in Subsection A and B hereof.**
- D. It is the intent of these provisions to prohibit impropriety and the appearance of impropriety.**

Section 3.

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

AGREEMENT

This agreement made and entered into this ____ day of _____, 2019 by and between RICHARD A. COMI d/b/a THE CENTER FOR MUNICIPAL SOLUTIONS (herein after referred to as Consultant) (mailing address: 70 Cambridge Drive, Glerfmont, New York 12077) party of the first part, and the TOWN OF HEMPSTEAD, NEW YORK (hereinafter referred to as Client) (mailing address; _____ party of the second part.

Consultant and Client, for the consideration named, hereby agree as follows:

1. PURPOSE

Client hereby retains Consultant for the purpose of assisting, advising and representing Client on matters relating to all issues involving Wireless Telecommunications Facilities. Including, but not limited to, reviewing and analyzing applications received by Client for Wireless Telecommunications Facilities. Client may also retain Consultant for assisting, advising and representing Client on any other matter that Client deems appropriate. The consultant is not a real estate broker or agent. All real estate brokerage services, if any, shall be performed by the Client or the Client's attorney.

2. SPECIFIC SERVICES: SERVICES DURING PROCESSING OF APPLICATIONS

The Consultant shall furnish appropriate Wireless Telecommunications Facilities siting assistance and advice to Client and Client officials involved in the processing of applications for Wireless Telecommunications Facilities, and, in connection therewith, shall:

- (a) Review all applications filed with Client for Wireless Telecommunications Facilities;
- (b) Assist and advise Client as regards all applications, to include attending meetings with the Applicants and/or Client's staff and/or officials as required;
- (c) Recommend in writing to Client whether a particular application should be approved or disapproved, and set forth in writing the reasons for such approval or disapproval; and,
- (d) Inspections of the construction of the facility and in writing recommend when/if the certificate of compliance should be issued.
- (e) Consultant shall, in conjunction with the Client's Municipal Attorney, assist in the negotiation of all leases for the use of Client-owned property or facilities by wireless communications entities or persons at its normal hourly rate, with such cost to be paid out of the Applicant's escrow deposit or a written commitment by the potential lessee to reimburse the Client for the cost reasonably incurred on behalf of Client.

3. TIMES AND ATTENDANCE: COOPERATION BY CLIENT

Consultant shall perform the services described herein in as expeditious a manner as is reasonably possible and with due consideration of the time requirements of Client. Client recognizes that the timing of the performance of Consultant's services may be affected by previous commitments to other clients (including the delivery of promised services and work product and previously scheduled meetings), and situations normally and traditionally deemed to be matters of a force majeure nature, including those influenced by the weather, strikes, or power outages.

Client agrees to cooperate with Consultant, as needed, and to provide Consultant with copies of any records, documents and other information needed for the fulfillment of this agreement on a timely basis. Client further agrees to provide Consultant with access to appropriate officials and/or employees of Client, as may be needed in the fulfillment of the agreement. Moreover, both parties understand and agree that mutual accountability and responsiveness is critical to the successful completion of the project, and therefore both shall always make their best faith efforts to be accountable and promptly responsive to each other.

4. COMPENSATION

In payment for the services to be performed hereunder by Consultant, Client shall make payments to the Consultant as follows:

- (a) For the services to be performed by the Consultant pursuant to paragraph 2 hereof, Client shall pay Consultant its normal published hourly rate (which is \$250.00 per hour) for each hour of time devoted by Consultant to the performance of such services, provided, however, that for time traveling by Consultant in conjunction with the performance of such services Client shall pay Consultant only 50% of the Consultant's normal published rate. The Local Ordinance shall require an applicant to pay, in advance of any work related to the application or the application process, a sum to be put into an escrow account to assure that Client is reimbursed by the applicant for the amounts payable by Client hereunder to the Consultant. All other services requested by Client and provided by Consultant shall also be performed at the hourly rate as noted above.

(b) Consultant shall invoice Client regularly, but no less frequently than monthly, after services have been performed, for any compensation payable pursuant to paragraph 5(b) of this agreement. Such invoices shall be due and payable upon receipt, but in no case later than thirty (30) days.

5. REIMBURSEMENT FOR EXPENSES

For services performed hereunder, Client shall reimburse Consultant, for out-of-pocket expenses for the following items:

(a) Travel-related costs such as airfare, car rental, night lodging accommodations and meals consumed while on-site or enroute; (b) Expedited or overnight delivery service; (c) Any other reasonably necessary expenses directly related and attributable to the fulfillment of this agreement.

Consultant's requests for expense reimbursement shall be included in Consultant's invoice at actual cost, with no markup.

6. TERM OF AGREEMENT; TERMINATION

This agreement shall be for a period of a minimum of two (2) years commencing on the date set forth at the top of page one (1) of this agreement. In the event that the Consultant refuses or fails to provide services hereunder with due diligence, or is guilty of a substantial violation of any provision of this agreement, Client shall send Consultant written notice that the Consultant has thirty (30) days to cure said default; and, if at the end of said thirty (30) day period Consultant has not cured said default, this agreement may be terminated. After the two (2) year period, the agreement will continue automatically on a month-to-month basis, unless terminated in writing by either party with sixty (60) days notices.

7. STATUS OF CONSULTANT

Consultant and Client agree that in the performance of Consultant's services hereunder, Consultant shall not be deemed to be an employee of Client for any purpose whatsoever, nor act under Color of State.

8. NOTICES

Any and all notices, invoices, and payments required hereunder shall be addressed to the parties at their respective addresses set forth in page 1 hereof, or to such other address as may hereafter be designated in writing by either party hereto.

9. CONSTRUCTION OF AGREEMENT

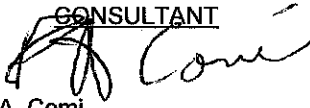
This agreement shall be construed and interpreted in accordance with the Laws of the State of New York.

10. COMPLETE AGREEMENT; MODIFICATION

There are no terms, conditions or obligations other than those contained herein, and there are no written or verbal statements or representations, warranties or agreements with respect to this Agreement that have not been embodied herein.


This agreement constitutes the complete understanding of the parties with respect to the subject matter hereof. No modification or amendment of any provisions of this agreement shall be valid unless in writing and signed by both parties.

IN WITNESS THEREOF, the Consultant and Client by individuals duly authorized to do so, have signed this agreement, the day and year first above written.

By: CONSULTANT

R.A. Comi
The Center for Municipal Solutions

CLIENT
By: _____

(printed)
Title: _____

~~PROVIDED AS TO FORM~~

CHIEF DEPUTY TOWN ATTORNEY
8/15/19

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution
and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING FOR
THE PURPOSE OF ESTABLISHING AND 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.

WHEREAS, pursuant to Section 202-48 of the Code of
the Town of Hempstead, the Town Board may, from time to
time, hold public hearings to establish and set aside
public places, streets or portions of streets within the
Town as parking spaces for the sole and exclusive use of
holders of valid special parking permits issued by the
County of Nassau to physically handicapped persons;

NOW, THEREFORE BE IT

RESOLVED, that a public hearing be held in the Town
Meeting Pavilion, Hempstead Town Hall, Washington Street,
Hempstead, New York, on the day of , 2019, at
o'clock in the of that day, at which time
all persons interested shall be heard on the establishment
and setting aside of 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:

BALDWIN

THOMAS AVENUE - north side, starting
at a point 75 feet west of the west
curbline of Milburn Avenue, west for
a distance of 20 feet.
(TH-306/19)

GRAND TERRACE AVENUE - south side,
starting at a point 200 feet east of
the east curbline of Grand Avenue,
east for a distance of 20 feet
(TH-314/19)

EAST MEADOW

ADELAIDE COURT - north side, starting
at a point 247 feet east of the east
curbline of East Meadow Avenue, east
for a distance of 20 feet.
(TH-321/19)

Item #

49

Case #

21527

ELMONT

ARCADIAN AVENUE - west side, starting at a point 121 feet north of the north curbline of "S" Street, north for a distance of 20 feet.
(TH-333/19)

FRANKLIN SQUARE

COMMONWEALTH STREET - west side, starting at a point 207 feet north of the north curbline of Fenworth Boulevard, north for a distance of 20 feet.
(TH-278/19)

INWOOD

WALCOTT AVENUE - west side, starting at a point 93 feet south of the south curbline of Merrill Place, following the curve, then west for a distance of 20 feet.
(TH-286/19)

OCEANSIDE

NANTUCKET LANE - east side, starting at a point 438 feet east of the east curbline of Skillman Avenue, south for a distance of 20 feet.
(TH-318/19)

UNIONDALE

GREENGROVE AVENUE - west side, starting at a point 220 feet south of the south curbline of Braxton Street, then south for a distance of 18 feet.
(TH-268/19)

GREENGROVE AVENUE - west side, starting at a point 275 feet south of the south curbline of Braxton Street, south for a distance of 20 feet.
(TH-289/19)

VALLEY STREAM

ARCADIAN AVENUE - east side, starting at a point 107 feet north of the north curbline of "S" Street, north for a distance of 20 feet.
(TH-326/19)

WANTAGH

HICKORY STREET - north side, starting at a point 210 feet west of the west curblineline of Wantagh Avenue, west for a distance of 20 feet.
(TH-291/19)

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

ELMONT

KIRKMAN AVENUE - east side, starting at a point 63 feet south of the south curblineline of Kiefer Avenue, south for a distance of 24 feet.
(TH-22/96 - 6/18/96) (TH-269/19)

FRANKLIN SQUARE

CATHEDRAL AVENUE - north side, starting at a point 78 feet west of the west curblineline of New Hyde Park Road, west for a distance of 17 feet.
(TH-274/18 - 9/20/18) (TH-282/19)

OCEANSIDE

TILROSE AVENUE - north side, starting at a point 15 feet opposite the south east curblineline of Stevens Street, west for a distance of 20 feet.
(TH-136/19 - 6/11/19) (TH-136(B)/19)

; and, BE IT FURTHER

RESOLVED, that the Town Clerk shall give notice of such hearing by the publication thereof once in a newspaper having a general circulation in the Town of Hempstead, once at least ten days prior to the above-specified date of said hearing.

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

AYES:

NOES:

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 day of , 2019, at o'clock in the 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:

BALDWIN

THOMAS AVENUE - north side, starting at a point 75 feet west of the west curbline of Milburn Avenue, west for a distance of 20 feet.
(TH-306/19)

GRAND TERRACE AVENUE - south side, starting at a point 200 feet east of the east curbline of Grand Avenue, east for a distance of 20 feet
(TH-314/19)

EAST MEADOW

ADELAIDE COURT - north side, starting at a point 247 feet east of the east curbline of East Meadow Avenue, east for a distance of 20 feet.
(TH-321/19)

ELMONT

ARCADIAN AVENUE - west side, starting at a point 121 feet north of the north curbline of "S" Street, north for a distance of 20 feet.
(TH-333/19)

FRANKLIN SQUARE

COMMONWEALTH STREET - west side, starting at a point 207 feet north of the north curbline of Fenworth Boulevard, north for a distance of 20 feet.
(TH-278/19)

INWOOD

WALCOTT AVENUE - west side, starting at a point 93 feet south of the south curbline of Merrill Place, following the curve, then west for a distance of 20 feet.

(TH-286/19)

OCEANSIDE

NANTUCKET LANE - east side, starting at a point 438 feet east of the east curbline of Skillman Avenue, south for a distance of 20 feet.

(TH-318/19)

UNIONDALE

GREENGROVE AVENUE - west side, starting at a point 220 feet south of the south curbline of Braxton Street, then south for a distance of 18 feet.

(TH-268/19)

GREENGROVE AVENUE - west side, starting at a point 275 feet south of the south curbline of Braxton Street, south for a distance of 20 feet.

(TH-289/19)

VALLEY STREAM

ARCADIAN AVENUE - east side, starting at a point 107 feet north of the north curbline of "S" Street, north for a distance of 20 feet.

(TH-326/19)

WANTAGH

HICKORY STREET - north side, starting at a point 210 feet west of the west curbline of Wantagh Avenue, west for a distance of 20 feet.

(TH-291/19)

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

ELMONT

KIRKMAN AVENUE - east side, starting at a point 63 feet south of the south curbline of Kiefer Avenue, south for a distance of 24 feet.

(TH-22/96 - 6/18/96) (TH-269/19)

FRANKLIN SQUARE

CATHEDRAL AVENUE - north side, starting at a point 78 feet west of the west curbline of New Hyde Park Road, west for a distance of 17 feet.

(TH-274/18 - 9/20/18) (TH-282/19)

OCEANSIDE

TILROSE AVENUE - north side, starting at a point 15 feet opposite the south east curbline of Stevens Street, west for a distance of 20 feet.

(TH-136/19 - 6/11/19) (TH-136(B)/19)

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

Dated: Hempstead, New York
 , 2019

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

LAURA A. GILLEN
Supervisor

SYLVIA A. CABANA
Town Clerk

CASE NO.

RESOLUTION NO.

Adopted:

Council offered the following resolution and moved its adoption:

RESOLUTION AND ORDER CALLING A PUBLIC HEARING ON THE IMPROVEMENT AND ADOPTION OF CERTAIN ROADS WITHIN ISLAND PARK (BARNUM ISLE) INTO THE TOWN OF HEMPSTEAD HIGHWAY SYSTEM.

WHEREAS, the Commissioner of the Town of Hempstead Department of Engineering, has proposed an improvement project that includes certain non-maintained roads which proposed improvements consist of reconstruction, raising of roadways and improvement to the storm water drainage system as part of a Governor's Office of Storm Recovery Project in Island Park (Barnum Isle) and has requested that the Town Board hold a public hearing regarding their improvement and has prepared a topographic survey and the line and grades to be established; 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;

Item #

50

Case #

30169+
S 30168

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board adopt the following order:

At a meeting of the Town Board of the Town of Hempstead, Nassau County, New York, held at the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, New York, on the day of , 2019.

P R E S E N T:

Hon. Laura A. Gillen, Supervisor
Dorothy L. Goosby
Bruce A. Blakeman
Erin King Sweeney
Anthony P. D'Esposito
Dennis Dunne, Sr.
Thomas E. Muscarella,

Council Members.

A B S E N T:

----- X

IN THE MATTER

- of -

**ORDER CALLING
PUBLIC HEARING**

THE IMPROVEMENT OF CERTAIN NON-MAINTAINED
ROADS WITHIN ISLAND PARK (BARNUM ISLE)
TOWN OF HEMPSTEAD, COUNTY OF NASSAU,
STATE OF NEW YORK

----- X

WHEREAS, the Commissioner of the Town of Hempstead Department of Engineering, has proposed an improvement project that includes certain non-maintained roads and the adoption of those roads into the Town of Hempstead Highway system which proposed improvements consist of reconstruction, raising of roadways and improvements to the storm water drainage system as part of a Governor's Office of Storm Recovery Project in Island Park (Barnum Isle) and has requested that the Town Board hold a public hearing regarding such upgrades; and

WHEREAS, said Commissioner has submitted to the Town Board an estimate of cost relating to said improvements together with a topographic survey and lines of grade to be established; 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

ORDERED, that a public hearing be held by this Town Board at the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, New York, on the 24th day of September, 2019, at 7:00 o'clock in the evening of the day, on the improvement of certain non-maintained road consisting of the improvement and raising of Decatur Place (south of Seaview Avenue), Tuttle Place (west of Decatur Place), Atlantic Place North (southeast of Broadway) and Atlantic Place South (southeast of Broadway) Barnum Isle, Island Park, New York consisting of the raising of roadways and improvements to storm water drainage system the cost of which will be paid entirely from funds provided by the New York State Governor's Office of Storm Recovery.

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
September 3 , 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

and, BE IT FURTHER

RESOLVED, that the Town Clerk be and she hereby is authorized and directed to publish a copy of the Order, once in a newspaper having a general circulation within the Town of Hempstead, at least once and not less than ten (10) nor more than twenty (20) days before the date set for such public hearing, and, further, to post said notice of public hearing on the signboard of the Town.

The foregoing resolution was seconded by Council

and adopted upon roll call as follows:

AYES:

NOES:

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 "SAINT MATTHIAS CHURCH", 2856 JERUSALEM
AVENUE, NORTH BELLMORE, NY, SEC 56, BLOCK 359,
LOT 110 BE DESIGNATED AN HISTORICAL LANDMARK.

WHEREAS, the Landmarks Preservation Commission of the Town of
Hempstead has recommended that the "Saint Matthias Church", Sec 56, Block 359,
Lot 110, North Bellmore, 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 Saint Matthias Church,
North Bellmore, New York;

NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 2nd day of October,
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 Saint Matthias Church, Sec 56, Block
359, Lot 110, North Bellmore, 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 # 51
Case # 22572

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, Town of Hempstead, New York, on the 2nd day of October, 2019, at 10:30 o'clock in the forenoon of that day to review the recommendation of the Town of Hempstead Landmark Preservation Commission that the "Saint Matthias Church", 2856 Jerusalem Avenue, North Bellmore, New York, Section 56, Block 359, Lot 110 be designated an Historical Landmark.

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

Dated: Hempstead, New York
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.

RESOLUTION CALLING PUBLIC HEARING ON APPLICATION OF 7-ELEVEN, INC. FOR PERMIT TO INCLUDE EXISTING GASOLINE SERVICE STATION WITHIN THE "GSS" DISTRICT AT NORTH BELLMORE, NEW YORK.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLVED, that a public hearing will be held October 2, 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 7-ELEVEN INC. to permit and demolish the (2) two existing one -story buildings and construct a new 1-story, 2,580' of convenience store with fuel canopy, four(4) multiple product dispensers providing eight(8) fueling stations and associated underground tanks additional site work for parking and landscaping and a trash enclosure are also proposed located in North Bellmore, New York:

and BE IT

FURTHER RESOLVED, that the Town Clerk be and hereby is directed to publish notice thereof once a week for two successive weeks in Long Island Business News.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 52
Case # 30047

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to the provisions of of the Building Zone Ordinance of the Town of Hempstead, that a public hearing will be held by the Town Board of said Town on at October 2, 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 7-ELEVEN INC. to permit and demolish the (2) two existing one - story buildings and construct a new 1-story, 2,580' of convenience store with fuel canopy, four (4) multiple product dispensers providing eight (8) fueling stations and associated underground tanks additional site work for parking and landscaping and a trash enclosure are also proposed located in North Bellmore, New York:

A rectangular-shaped parcel of property having a lot area of 17,684.71' and improved with two (2), 1-story buildings the premises maintains 178.36' of frontage along the north side of Jerusalem Ave and 100.07' of frontage along the east side of Bellmore Road situated in North Bellmore, Town of Hempstead, County of Nassau, State of New York.

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

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

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

LAURA A. GILLEN
SUPERVISOR

SYLVIA A. CABANA
TOWN CLERK

Dated: September 3, 2019
Hempstead, N.Y.

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF PETER BROWN AS
CONFIDENTIAL ASSISTANT TO TOWN
CLERK, IN THE OFFICE OF THE TOWN
CLERK.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that Peter Brown be and hereby is appointed as Confidential Assistant to Town Clerk, in the Office of the Town Clerk, Exempt, Ungraded, at an annual salary of \$47,000, by the Town Clerk and ratified by the Town Board of the Town of Hempstead, subject to satisfactory completion of pre-employment criteria, effective September 4, 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: REINSTATEMENT OF ENRIQUE FIGUEROA
AS RECYCLING WORKER I, IN THE
DEPARTMENT OF SANITATION.

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

RESOLVED, that Enrique Figueroa be and hereby is reinstated as
Recycling Worker I, Labor Class, Grade 10, Step 4 (E), \$52,981, in the Department of Sanitation,
pursuant to NYS Civil Service Law Section 71 and ratified by the Town Board of the Town of
Hempstead effective September 4, 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: APPOINTMENT OF ROBERT LONGIARU AS
CONSERVATION AIDE, IN THE DEPARTMENT
OF CONSERVATION AND WATERWAYS,
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 Robert Longiaru has passed the examination for the position of Conservation Aide, Civil Service List No. 66-648, and is eligible for appointment thereto, NOW, THEREFORE, BE IT

RESOLVED, that Robert Longiaru, now serving as Laborer I, in the Department of Conservation and Waterways, be and hereby is appointed Conservation Aide, Competitive, Permanent, Ungraded, at an annual salary of \$55,990, from the civil service list, in the Department of Conservation and Waterways, by the Commissioner of the Department of Conservation and Waterways and ratified by the Town Board of the Town of Hempstead effective September 4, 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: APPOINTMENT OF MARC MERCADO AS
EQUIPMENT OPERATOR III, IN THE
DEPARTMENT OF HIGHWAY, BUDGET CODE
5110.

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

RESOLVED, that Marc Mercado, now serving as Equipment Operator I, in the Department of Highway, Budget Code 5110, be and hereby is appointed Equipment Operator III, Non Competitive, Grade 14, Step 11 (L), Salary \$83,049, in the Department of Highway, Budget Code 5110, by the Commissioner of the Department of Highway and ratified by the Town Board of the Town of Hempstead effective September 4, 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: APPOINTMENT OF JAMES VOULOUKOS AS
GROUNDSKEEPER I, IN THE DEPARTMENT
OF PARKS AND RECREATION.

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

RESOLVED, that James Vouloukos, now serving as Laborer II, in the Department of Parks and Recreation, be and hereby is appointed Groundskeeper I, Non Competitive, Grade 13, Step 9 (J), \$74,407, in the Department of Parks and Recreation, by the Commissioner of the Department of Parks and Recreation and ratified by the Town Board of the Town of Hempstead effective September 4, 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: APPOINTMENT OF JANET WEISS AS CLERK
LABORER, IN THE DEPARTMENT OF
CONSERVATION AND WATERWAYS.

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

RESOLVED, that Janet Weiss, now serving as Office Aide, in the Department of Conservation and Waterways, be and hereby is appointed Clerk Laborer, Non Competitive, Grade 9, Step 6 (G), \$55,454, in the Department of Conservation and Waterways, by the Commissioner of the Department of Conservation and Waterways and ratified by the Town Board of the Town of Hempstead effective September 4, 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: APPOINTMENT OF FAUSTO ZUNIGA AS
RECYCLING WORKER II, IN THE
DEPARTMENT OF SANITATION.

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

RESOLVED, that Fausto Zuniga, now serving as Recycling Worker I, in the Department of Sanitation, be and hereby is appointed Recycling Worker II, Non Competitive, Grade 12, Step 7 (H), \$63,222, 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 September 4, 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:

9/3/2019

In addition there are (7) Seven Resolutions for various types of Leaves of Absence.