

**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 1<sup>st</sup> day of July, 2020, 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:

ELMONT  
Section 202-19

ROSSER AVENUE (TH 102/20) South Side -  
NO PARKING ON SUNDAYS AND HOLIDAYS -  
starting at a point opposite the west  
curbline of Lehrer Avenue west for a  
distance of 390 feet.

ROSSER AVENUE (TH 102/20) South Side -  
NO PARKING ON SUNDAYS AND HOLIDAYS -  
starting at a point opposite the east  
curbline of Werns Avenue west to the  
west curbline of Benson Avenue.

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

ELMONT  
Section 202-19

ROSSER AVENUE - South Side - NO PARKING  
ON SUNDAYS AND HOLIDAYS - from Lehrer  
Avenue to Benson Avenue.  
(Adopted 4/2/57)

ALL INTERESTED PERSONS shall have an opportunity to submit comments on said proposal(s), and by reason of public health regulations, all comments shall be limited to e-mails only, addressed to [publicresponse@tohmail.org](mailto:publicresponse@tohmail.org), and received not later than 4:45 p.m. on June 30, 2020. All comments must include your name and address, and identify the location.

Dated: June 9, 2020  
Hempstead, New York

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF HEMPSTEAD

DONALD X. CLAVIN, JR.  
Supervisor

KATE MURRAY  
Town Clerk

*Case # 30285*

**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 1<sup>st</sup> day of July, 2020, 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 "PARKING OR STANDING PROHIBITIONS" at the following locations:

ELMONT                      KIRKMAN AVENUE (TH 100/20) East Side -  
                                    NO STOPPING HERE TO CORNER - starting  
                                    at the north curbline of Rosser Avenue  
                                    north for a distance of 30 feet.

ALL INTERESTED PERSONS shall have an opportunity to submit comments on said proposal(s), and by reason of public health regulations, all comments shall be limited to e-mails only, addressed to publicresponse@tohmail.org, and received not later than 4:45 p.m. on June 30, 2020. All comments must include your name and address, and identify the location.

Dated: June 9, 2020  
                Hempstead, New York

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF HEMPSTEAD

DONALD X. CLAVIN, JR.  
Supervisor

KATE MURRAY  
Town Clerk

*Case #30286*

**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 1<sup>st</sup> day of July, 2020, 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:

SOUTH HEMPSTEAD	HEMPSTEAD AVENUE (TH 492/05) STOP - all traffic westbound on Willow Street shall come to a full stop. (Adopted 2/7/06)
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ALL INTERESTED PERSONS shall have an opportunity to submit comments on said proposal(s), and by reason of public health regulations, all comments shall be limited to e-mails only, addressed to [publicresponse@tohmail.org](mailto:publicresponse@tohmail.org), and received not later than 4:45 p.m. on June 30, 2020. All comments must include your name and address, and identify the location.

Dated: June 9, 2020  
Hempstead, New York

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF HEMPSTEAD

DONALD X. CLAVIN, JR.  
Supervisor

KATE MURRAY  
Town Clerk

Case # 30287

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 1<sup>st</sup> day of July, 2020, at 10:30 o'clock in the forenoon of that day, to consider the adoption of a resolution setting aside certain parking spaces for motor vehicles for the sole use of holders of special parking permits issued by the County of Nassau to physically handicapped persons at the following locations:

ELMONT

KIRKMAN AVENUE - west side, starting at a point 118 feet north of the north curblineline of Rosser Avenue, north for a distance of 20 feet.  
(TH-95/20)

KIRKMAN AVENUE - east side, starting at a point 30 feet north of the north curblineline of Rosser Avenue, north for a distance of 40 feet.  
(TH-100/20)

LYNBROOK

HUDSON COURT - east side, starting at a point 152 feet north of the north curblineline of Whitehall Street, north for a distance of 20 feet.  
(TH-105/20)

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

FRANKLIN SQUARE

DAFFODIL AVENUE - west side, starting at a point 290 feet south of the south curblineline of Roosevelt Street, south for a distance of 20 feet.  
(TH-222/11 - 10/04/11) (TH-106/20)

VAN BUREN AVENUE - south side, starting at a point 260 feet east of the east curblineline of Franklin Avenue, east for a distance of 20 feet.  
(TH-011/11 - 3/22/11) (TH-101/20)

Case # 21527

FARNUM BOULEVARD - south side, starting at a point 586 feet south of the south curblineline of Whiteside Avenue, southeast for a distance of 9 feet.  
(TH-88/14 - 5/20/14) (TH-98/20)

MAPLE DRIVE - south side, starting at a point 135 feet west of the west curblineline of Court House Road, west for a distance of 20 feet.  
(TH-96/20)

WEST HEMPSTEAD

ELM STREET - south side, starting at a point 64 feet east of the east curblineline of Hempstead Gardens Drive, east for a distance of 20 feet.  
(TH-97/20)

ALL INTERESTED PERSONS shall have an opportunity to submit comments on said proposal(s), and by reason of public health regulations, all comments shall be limited to e-mails only, addressed to [publicresponse@tohmail.org](mailto:publicresponse@tohmail.org), and received not later than 4:45 p.m. on June 30, 2020. All comments must include your name and address, and identify the location.

Dated: June 9, 2020  
Hempstead, New York

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF HEMPSTEAD

DONALD X. CLAVIN, JR.  
Supervisor

KATE MURRAY  
Town Clerk

**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 Town Meeting Pavilion, Hempstead Town Hall, Town Hall Plaza, One Washington Street, Village and Town of Hempstead, New York, on the 1st day of July, 2020, at 10:30 o'clock in the forenoon of that day, to consider a local law to create a new chapter 10E of the code of the Town of Hempstead entitled "Coronavirus Tax Relief" in relation to authorizing special tax deferments and authorizing installment payments during the COVID-19 state of emergency, as authorized by the laws of the State of New York.

The proposed local law is on file in the Office of the Town Clerk of the Town of Hempstead, Hempstead Town Hall, One 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  
June 9, 2020.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF HEMPSTEAD

KATE MURRAY  
Town Clerk

DONALD X. CLAVIN  
Supervisor

Case # 15511

CASE NO.

RESOLUTION NO.

Adopted: , 2020

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

**RESOLUTION ADOPTING A SEQRA NEGATIVE DECLARATION AND DETERMINATION OF NON-SIGNIFICANCE IN CONNECTION WITH THE PROPOSED AMENDMENT OF THE BUILDING ZONE ORDINANCE OF THE TOWN OF HEMPSTEAD, IN SO FAR AS TO ADD A NEW ARTICLE VIIB THEREOF, CREATING A NEW ZONING DISTRICT -- THE COASTAL CONSERVATION DISTRICT -WOODMERE CLUB**

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

**WHEREAS**, the Town Board is considering the adoption of an amendment of the Building Zone Ordinance of the Town of Hempstead to create a new zoning district -- the Coastal Conservation District - Woodmere Club (the "CC-WC District") in order to protect the Town against the adverse environmental impacts of potential future residential development of the Woodmere Golf Club property (the "Proposed Action"); and

**WHEREAS**, the Town Board has entered into a comprehensive study, in cooperation with the neighboring Villages of Woodsburgh and Lawrence, of the property currently owned and occupied by the Woodmere Golf Club (the "Woodmere Golf Club property"; the "Subject Property"), whether the Town's and Village's existing zoning regulations adequately protect against potential adverse environmental impacts of potential residential development of the currently open and undeveloped Woodmere Golf Club property under existing zoning regulations, and whether the Town and Villages should amend their zoning codes to protect against such potential adverse impacts; and

**WHEREAS**, pursuant to Article 8, Sections 1 and 2-a of the New York State Constitution, as effectuated by General Municipal Law Article 5-J, Section 119-u, Village Law Section 7- 741, and Town Law Section 284, the Town, and the contiguous Villages of Lawrence and Woodsburgh entered into an Intermunicipal Cooperation Planning and Land Use Regulation Agreement (the "IMA") with the purpose of undertaking mutually beneficial, shared and coordinated comprehensive planning and land use regulation for the Woodmere Club Property in order to promote intergovernmental cooperation, increase coordination and effectiveness of comprehensive planning and land use regulation, make more efficient use of infrastructure and municipal revenues and resources, as to enhance the protection of community resources which span municipal boundaries; and

**WHEREAS**, to respond to the significant anticipated potential adverse environmental impacts associated with a potential residential build-out under existing zoning regulations within the Woodmere Golf Club property, the proposed CC-WC District has been developed under the IMA between the Town of Hempstead, Village of Lawrence and Village of Woodsburgh, so as to provide for, and ensure, a coordinated comprehensive measure to protect against the potential adverse environmental impacts associated with a maximum residential build-out under existing zoning

regulations; and

**WHEREAS**, the Town Board has reviewed the criteria for determining environmental significance of such an action pursuant to 6 NYCRR 617.7(c); and

**WHEREAS**, the Town Board has received from its environmental consultants, and reviewed, an Expanded Environmental Assessment (the "EEA"); and

**WHEREAS**, the EEA was prepared by the Town's environmental consultants to assess the potential impacts associated with, and concerning the proposed amendment of the Building Zone Ordinance of the Town of Hempstead to create a new zoning district -- CC-WC District for the Woodmere Golf Club property, so as to permit this Board to take the necessary hard look at the potential environmental impacts of the Board's Proposed Action; and

**WHEREAS**, this Board finds that the EEA, prepared by its environmental consultants, augmented by information received at a public hearing from interested members of the public, has adequately identified in detail the potential adverse environmental impacts associated with both a potential residential build out of the Subject Property pursuant to the existing zoning regulations, and resulting from the Proposed Action, as well as the clear public benefits to be obtained, such that the Proposed Action will not result in significant adverse environmental impacts; and

**WHEREAS**, the EEA has documented for this Board the unique environmental resources of the area of the Woodmere Golf Club property; and within the proposed new CC-WC District, and provides an impact analysis of "build-out" potential under both existing zoning regulations and the proposed CC-WC District; and

**WHEREAS**, pursuant to the EEA, this Board has taken a hard look at, and examined the full range of potential impacts associated with residential conversion under both existing zoning regulations and the proposed new CC-WC District, focusing on numerous critical environmental factors (e.g., climate change, floodplain management, sea-level rise, open space preservation, aesthetics, impact on community character, compatibility with adjacent zoning, exacerbation of traffic congestion); and

**WHEREAS**, the analysis provided by the EEA has helped to refine the parameters of the proposed CC-WC District, and the Town's desire to balance potential residential development within the area of the Woodmere Club property with the protection of the critical environmental resources of the Woodmere Golf Club property; and

**WHEREAS**, the analysis provided by the EEA demonstrates that there will be potential significant adverse environmental impacts associated with a potential residential conversion of the Subject Property under existing zoning regulations within the Woodmere Club property on environmental and cultural resources, floodplain management, community character, open space/visual resources, and traffic congestion, among others, which will be reduced and mitigated to the greatest extent possible by the adoption of the proposed zoning amendment; and

**WHEREAS**, the analysis provided by the EEA demonstrates that the existing zoning regulations with respect to the Woodmere Club property are clearly inadequate to effectively manage this significant, valuable, uniquely environmentally sensitive coastal open space, and that the outdated existing zoning regulations do not contemplate the potential wholesale residential redevelopment of this critical open and environmentally sensitive area, the potential adverse environmental impacts on both the Woodmere Club property and the Town as a whole that such would bring, and the Town's and this Board's need, and indeed obligation, to recognize, and to protect against, the rapidly evolving threats to the environment (i.e., sea-level rise, storm severity and frequency, storm water run-off, etc.) of this unique coastal property and surrounding community; and



**WHEREAS**, the analysis provided by the EEA demonstrates that the proposed zoning regulations concerning a potential residential "build-out" under the proposed CC-WC District will not have a potential for any significant adverse environmental impacts, but, to the contrary, will significantly mitigate against the many significant adverse environmental impacts under existing zoning regulations; and

**WHEREAS**, the analysis provided by the EEA demonstrates that a potential residential build-out of the Woodmere Golf Club property under existing zoning regulations will result in significant adverse impacts associated with floodplain management. A traditional subdivision layout that seeks to maximize yield under existing zoning regulations a) would likely raise the grade of the majority of the Subject Property in order to comply with FEMA NFIP regulations, with existing grades falling significantly below NFIP Base Flood Elevations throughout much of the Subject Property; b) many areas within the Subject Property would require six feet of fill or more to meet the required BFE plus freeboard elevation; c) a preliminary engineering analysis has been performed to assess the impact of the use of this quantity of fill on the ability of the Subject Property to provide adequate flood water storage; d) comparing existing ground elevations, floodplain elevations, and the likely potential grading conditions and resulting elevations, a maximum-yield subdivision under existing zoning will potentially displace approximately 6,048,000 cubic feet (224,000 cubic yards) of flood water; e) for comparison purposes, this volume of floodwater equates to over 45,000,000 gallons of displaced floodwater, likely flowing into the immediate surrounding communities, potentially impacting homeowners and businesses with new flooding patterns and more significant flooding depths than have been experienced in past storm events; and

**WHEREAS**, the potential residential build-out under existing zoning regulations will result in significant adverse impacts to community character, for the Woodmere Club property serves as a defining element of local community character and is part of the last remaining open space in the area, the coastal views and existing tree cover on the Subject Property serves as one of the area's most important neighborhood environmental resources, and the loss of such benefits would have a significant adverse impact on the surrounding community; and

**WHEREAS**, the potential residential build-out under existing zoning will result in significant adverse impacts to open space and visual resources, and would result in the loss of nearly all open space at the Woodmere Club property, and, in addition, the loss of existing trees and vegetation, which would be replaced by potentially up to 285 new homes, all significantly adversely impacting upon the visual resources that help to define this unique coastal area and surrounding community; and

**WHEREAS**, the potential residential build-out under existing zoning regulations would result in significant adverse impacts on both commercial and residential traffic congestion on neighboring streets, including: intersection impacts at Broadway/Prospect Avenue and cause up to 78% more traffic during peak hours; and

**WHEREAS**, considering the anticipated 24-hour traffic volume under existing zoning regulations, a potential residential build-out under existing zoning regulations would increase traffic on Broadway by almost 20%, which will be significantly avoided or mitigated by the proposed zoning amendment; and

**WHEREAS**, construction traffic associated with such a potential residential build-out of the Subject Property, would be anticipated to last several years, and would also result in a significant number of truck trips over local roads which are already heavily taxed by existing commercial and residential traffic, which would be significantly reduced by the proposed zoning amendment; and

**WHEREAS**, along the coast, and particularly in low-lying coastal areas such as the Woodmere Club property, it is imperative that the Town, as steward of the environment and protector of the Town's community safety, health and welfare, act to protect the Town and surrounding communities against severe potential adverse impacts on this unique environmentally sensitive area; and

**WHEREAS**, the proposed amendment to Building Zone Ordinance to establish the CC-WC District will better align the Town's zoning regulations with existing state and federal environmental principles, provide coordinated floodplain management regulations, preserve area character, and protect the critical environmental resources spanning the Town of Hempstead and the adjacent contiguous Villages of Lawrence and Woodsburch; and

**WHEREAS**, the proposed CC-WC District is a more sustainable residential zoning district that will provide for contextual single-family development that is far more responsive to environmental, ecological, cultural, and physical conditions; and

**WHEREAS**, the proposed CC-WC District recognizes the unique environmental conditions that could affect both future development as well as the natural attributes and functions of the Subject Property; and

**WHEREAS**, in such a vulnerable low-lying community, the potential impact of climate change, significant sea-level rise, resulting in both a significant increase in flooding associated with typical rainfall events, as well as storm surge flooding from and severe storm events, are some of the most critical environmental issues that must be recognized, and are guarded against, by the Town in its proposed amendment to its zoning regulations; the proposed CC-WC District is designed to provide more effective measures to address these significant potential adverse environmental impacts; and

**WHEREAS**, in order to improve daily stormwater management, the proposed CC-WC District provides additional regulations related to stormwater storage and recharge, effectively requiring a volumetric design for an eight-inch rainfall event for the entire Subject Property /subdivision, as well as a volumetric design of a three-inch rainfall event per building lot; green infrastructure, such as rain gardens and bioswales are also incentivized; in addition, the proposed CC-WC District encourages the use of permeable pavement surfaces while further limiting impervious coverage on each proposed building lot; and

**WHEREAS**, in order to address the potential flooding from severe storms and coastal storm surges, the proposed CC-WC District provides for building lot layout that provides for a continuous perimeter coastal buffer area around the Subject Property (approximately 83 acres/70% of total site area); this coastal buffer area plays a critical role in providing flood storage and protection of existing development; and

**WHEREAS**, as the subject property spans the municipal boundaries of the Town and neighboring Villages, effective floodplain management at the Subject Property requires a coordinated approach for the entire property; the proposed CC-WC District provides for coordinated floodplain management among all three municipalities; and

**WHEREAS**, the proposed CC-WC district provides an opportunity to regulate the entire Subject Property as a whole, thereby reducing this potential for fill-induced local flood impacts; and

**WHEREAS**, understanding floodplain management guidance from Federal Emergency Management Agency (FEMA) and New York State Department of Environmental Conservation (NYS DEC), along with the existing floodplain regulations adopted by each municipality, the proposed CC-WC district recognizes that flood

prevention and mitigation is not limited to site-specific elevation, as it is currently regulated through the National Flood Insurance Program (NFIP), or to the limits of a municipal boundary; and

**WHEREAS**, FEMA notes that, "*Fill is prohibited within the floodway unless it has been demonstrated that it will not result in any increase in flood levels. Some communities limit the use of fill in the flood fringe to protect storage capacity or require compensatory storage.*" These flood risk mitigation measures effectively preserve the floodplain and surrounding areas; and

**WHEREAS**, the goal of managing a floodplain is not only to ensure that new development is reasonably safe from flooding but to address existing risks, to avoid increasing risk to others, and to sustain natural capacities to slow and diffuse flood flows. Reducing development in a flood-prone area allows the natural landscape to absorb more floodwaters, reduce flooding to adjacent areas, recharging groundwater and sustaining healthy ecosystem; and

**WHEREAS**, by implementing a coordinated, site-wide approach to flood mitigation (e.g., clustered residential development areas with continuous perimeter open space area with restrictions on the use of fill and tree removals in this area), the proposed CC-WC District regulations address the mitigation of potential adverse flood impacts in a coordinated manner across the whole Subject Property, consistent with FEMA's explanation of the effects of earthen fill within a Special Flood Hazard Area; and

**WHEREAS**, the proposed CC-WC District has been designed to preserve community character by utilizing a cluster or conservation-style development approach, to ensure that future residential density and character remains consistent between the Town's and neighboring Villages' zoning regulations, while also ensuring that a sufficient amount of the existing open space within in the Woodmere Club property is properly conserved; and

**WHEREAS**, the proposed cluster-style development for the Woodmere Club property will allow for the preservation of approximately 83 acres of perimeter open space (70% of total site area) throughout the Subject Property; and

**WHEREAS**, additional regulations related to tree removals and the use of earthen fill in the perimeter open space area will provide further protection to the area's community character; and

**WHEREAS**, the adoption of the proposed CC-WC District will preserve a significant portion of the Subject Property as open space and recognize the need to protect the area's visual resources; and

**WHEREAS**, the CC-WC District establishes an Open Space/Recreational Sub-District, which will effectively preserve approximately 83.3 acres or 70% of the Subject Property as unfragmented open space, achieved through clustering within the smaller Single-Family Residential Sub-District, in line with the general planning concept of a conservation subdivision; and

**WHEREAS**, in addition, as noted in the proposed Section 2.4 of the proposed amendment, this conservation subdivision approach aligns closely with NYS DEC regulations for tidal wetlands, particularly 6 NYCRR Part 661.6 Subsection 6, which provides for the clustering of residential uses as to allow enhanced buffering of sensitive coastal resources; and

**WHEREAS**, as such, the significant drainage and flood absorption capabilities associated with the existing golf course and natural areas would be retained in the

proposed new zoning District, and, in order to further protect open space and visual resources, the proposed regulations within the CC-WC district will further restrict tree removals and the use of fill/significant grading to preserve this area to the maximum extent practicable; and

**WHEREAS**, by adopting the proposed zoning amendment this Board will implement a measure that, consistent with balancing of social, economic, and environmental considerations, will minimize, to the maximum extent practicable, the potential adverse impacts of a potential residential build out under the existing Building Zone Ordinance; and

**WHEREAS**, based on all of the foregoing, and on due consideration of the recommendations of the consultants, and the members of the Board's personal knowledge of the Woodmere Golf Club property and surrounding neighborhoods in the Villages of Woodsburgh and Lawrence;

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Town Board declares itself Lead Agency for SEQRA purposes of the Proposed Action; and be it further,

**RESOLVED**, pursuant to Article 8 of the New York State Environmental Conservation Law and 6 NYCRR, Part 617.4 (SEQRA), the Proposed Action, which consists of the adoption of a proposed amendment of the Building Zone Ordinance of the Town of Hempstead to add a new Article VIIB thereof, creating a new zoning district -- CC-WC District -- is a "Type 1 Action"; and be it further,

**RESOLVED**, the Board finds the environmental documentation is complete, the Proposed Action will not result in significantly adverse environmental impacts, and adopt a Declaration of Non-significance and a Negative Declaration for the Proposed Action in consideration of the "Criteria for Determining Significance" contained in SEQRA Rule Part 617.7(a)-(c); and it is

**RESOLVED**, that the requirements of SEQRA have been met, and the SEQRA process has been satisfied and completed with this Declaration of Non-significance and Negative Declaration.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

CASE NO.

RESOLUTION NO.

Adopted:

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

**RESOLUTION ADOPTING THE PROPOSED AMENDMENT OF THE BUILDING ZONE ORDINANCE TO ADD A NEW CHAPTER VIIB FOR THE CREATION OF A NEW ZONING DISTRICT TO BE ENTITLED THE "COASTAL CONSERVATION DISTRICT - WOODMERE CLUB"**

**WHEREAS**, pursuant to Resolution No. \_\_\_\_\_, adopted \_\_\_\_\_, 20 \_\_\_\_\_, a public hearing was duly called, noticed for on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, at the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon of that day, to consider the proposed amendment of the Building Zone Ordinance of the Town of Hempstead to add a new chapter for the creation of a new zoning district to be entitled the "Coastal Conservation District -Woodmere Club"; and

**WHEREAS**, after due deliberation this Town Board finds it in the public interest to amend the Building Zone Ordinance of the Town of Hempstead, as aforesaid;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the amendment of the Building Zone Ordinance of the Town of Hempstead to add a new chapter for the creation of a new zoning district to be entitled the "Coastal Conservation District -Woodmere Club", is hereby adopted, such that it shall state as follows:

Article VIIB

Coastal Conservation District - Woodmere Club (CC-WC)

§ 76.17. Title.

This Article shall be known and cited as the "Coastal Conservation District - Woodmere Club (CC-WC)".

§ 76.18. Purpose.

- A. The purpose of this Article, in coordination with the contiguous neighboring Villages of Lawrence and Woodsburgh, is to regulate development in the environmentally sensitive coastal areas that span the municipal boundaries of the Town and the contiguous Villages of Lawrence and Woodsburgh, including the area occupied by the former Woodmere Club - allowing for the enhanced preservation and protection of the Town's and neighboring Villages' environmental, coastal, open space and cultural resources and the preservation of the residential neighborhoods - both within the unincorporated areas of the Town and neighboring incorporated Villages of Lawrence and Woodsburgh, in and about the former Woodmere Club.

In the low lying southern coastal areas of the Town and adjacent contiguous Villages there are located golf courses that have been in place for more than a century, which open

spaces provide not only recreation but a natural mitigation against adverse impacts on the environment and, therefore, the well-being and safety of the entire region.

Climate change is becoming the defining environmental issue of our time, particularly for vulnerable, low-lying coastal areas. This change has taken shape already, in the form of more frequent and intense storms, sea level rise and extreme flooding. It is no longer a future endeavor, but rather a sound planning imperative that the Town and the Villages of Woodsburgh and Lawrence, immediately address ongoing and future conditions, including greater risks of flooding presented by sea level rise and enhanced storm surge, inland flooding expected to result from increasingly frequent extreme precipitation events and the increased risk of compound flooding, resulting from simultaneous storm surge and heavy precipitation. Through proper and coordinated regulation, the Town intends to do its part in preserving the health, safety and well-being of residents in the area of the Woodmere Club and the surrounding community.

Along the coast, and particularly in low-lying coastal areas, it is imperative that the Town and the Villages, as stewards of the environment and protectors of their community safety, health and welfare, assure that flood risk mitigation measures effectively preserve the floodplain and surrounding areas. As the Department of Environmental Conservation has expressed, the goal of managing the floodplain is not only to ensure that new development is reasonably safe from flooding, but to address existing risks, to avoid increasing risk to others and to sustain natural capacities to slow and diffuse flood flows. Reducing development in flood-prone areas allows the natural landscape to absorb more floodwaters, reduce flooding to adjacent areas, recharge groundwater and sustain a healthy ecosystem.

As a result of declining golf participation and membership at 18-hole golf clubs, golf courses are closing, including The Woodmere Club. The land of The Woodmere Club ("The Woodmere Club Property") is approximately 118.4 acres in size and is located partially in the Town of Hempstead (approximately 55 acres) and partially in the adjacent contiguous Villages of Woodsburgh (approximately 40.5 acres) and Lawrence (approximately 22.9 acres).

As a result, this large and mostly open coastal area, spanning the boundaries of these three contiguous municipalities, is vulnerable to residential and commercial development, seriously threatening both this environmentally sensitive coastal area, and the well-being of the Town and Villages and the region as a whole, and which potential adverse impacts and loss of existing open space will not be adequately mitigated by existing and inconsistent zoning regulations in both the contiguous Town and Villages with respect to permissible development, lot size, lot coverage, density, building height and site-specific development regulations.

It is the belief of the Town, in coordination with the contiguous Villages, that, unless addressed, the loss of this

existing open space to over-development in the Town's environmentally sensitive coastal areas presents an immediate threat to the public health and safety of the Town, the adjacent Villages, and the region as a whole, and can best be mitigated, and the additional benefits accomplished, with the coordinated creation of matching complimentary Coastal Conservation District[s] in each municipality in conjunction with the adjacent contiguous Villages of Woodsburgh and Lawrence.

The Woodmere Club Property is located in a relatively vulnerable, low-lying coastal area, well within Special Flood Hazard Area (100-year floodplain) and the New York State Coastal Boundary Area. The Woodmere Club Property is also impacted by shallow groundwater conditions. The New York State Department of Environmental Conservation (N.Y.S. D.E.C.) has identified the presence of Significant Natural Communities and Rare Plants and Animals at The Woodmere Club Property. The Woodmere Club Property has also been identified by the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) as a potentially-archeologically sensitive area. Given the presence of these environmental and cultural resources, the Town intends to preserve a maximum amount of open space while regulating residential development to a lower level of density than that previously permitted within the Residence B district of the Town.

Additionally, it is the belief of the Town that this Article will be beneficial in protecting the character of nearby residential areas (as the Woodmere Club Property course extends into the Villages of Woodsburgh and Lawrence), by regulating overall residential density to ensure substantial consistency with the existing, and newly adopted, Town and Village zoning regulations. Cluster-style development will ensure that residential density remains consistent with neighboring Village regulations while also ensuring that much of the existing and protective open space in the Woodmere Club Property remains.

A traditional subdivision layout with a minimum lot size of one acre (43,560 square feet) within the 55-acre Town of Hempstead portion of the course would yield approximately 41 lots with no preservation of open space. As such, residential density within the Town's portion of the Woodmere Club Property would be equivalent to the density permitted by the adjacent one-acre zoning within the Villages of Woodsburgh and Lawrence. At the same time, the proposed cluster-style development for the Woodmere Club Property will allow for the preservation of approximately 83 acres/70% open space throughout the Woodmere Club Property. Sustainable design elements will be required in all residential development applications, incorporating a sustainable approach and low-impact development principles.

While the Town recognizes its responsibility to provide for a properly balanced and well-ordered plan of development and land uses within its community, it also recognizes that, in enacting local zoning, consideration must be given to regional needs and requirements, and that there must be a balancing of the local desire to maintain the status quo within the community and the greater public interest that regional needs be met.

The New York State General Municipal Law, Section 239-NN, indicates the intent and purpose of State of New York to encourage the coordination of land use development and regulation among adjacent municipalities in order that each adjacent municipality may recognize the goals and objectives of neighboring municipalities, and as a result development occurs in a manner which is supportive of the goals and objectives of the general area, and neighboring municipalities.

Pursuant to Article 8, Sections 1 and 2-a of the New York State Constitution, as effectuated by General Municipal Law Article 5-J, Section 119-u, Village Law Section 7- 741, and Town Law Section 284, the Town, the Village of Lawrence, and the Village of Woodsburgh agreed to coordinate regulation and entered into an Intermunicipal Cooperation Planning and Land Use Regulation Agreement (the "Intermunicipal Cooperation Agreement") with the purpose of undertaking mutually beneficial, shared and coordinated comprehensive planning and land use regulation for the Woodmere Club Property in order to promote intergovernmental cooperation, increase coordination and effectiveness of comprehensive planning and land use regulation, make more efficient use of infrastructure and municipal revenues and resources, as to enhance the protection of community resources which span municipal boundaries.

It is in that spirit, and pursuant to agreement of all three municipalities to work together and the Intermunicipal Cooperation Agreement, that the Town, in conjunction and coordination with the adjacent contiguous Villages of Woodsburgh and Lawrence, adopts and creates the Coastal Conservation District - Woodmere Club (CC-WC), for the Town of Hempstead.

The proposed Coastal Conservation District- Woodmere Club (CC-WC) district represents an intermunicipal plan that addresses current and future physical climate risk changes due to sea level rise, storm surge and flooding. The district recognizes these impacts in relation to the unique geographical setting of the property at the Woodmere Channel terminus, its historical and environmentally and ecologically sensitive setting, and the anticipated flood impacts associated with this location. The risks to both private and public, and existing and future development, from flooding in this location under current and anticipated future conditions, necessitates multi-jurisdictional regulation guided by preservation and protection. The CC-WC district incorporates climate change considerations, while preserving both existing development and infrastructure, as well as protecting future development, including development on the Club property, from the virtual certainty of increasing flood risks as time progresses.

The Coastal Conservation District - Woodmere Club establishes three Sub-Districts to ensure the preservation of existing open space and regulate development in a manner that's compatible with area zoning and development patterns. The Open Space/Recreation Sub-District and the Single-Family Residential Sub-District both include portions of the Town of Hempstead and the contiguous Villages of Woodsburgh and



Lawrence, while the Clubhouse/Hospitality Sub-District is located wholly within the Village of Woodsburgh. The three Sub-Districts are described in §76.25 of this Article.

- B. The Town Board finds that the creation of this zoning district, in harmony with the coordinated creation of a similar zoning district in the contiguous Villages of Woodsburgh and Lawrence, is in the public interest and that the provisions of these coordinated contiguous complimentary zoning districts in each municipality are in the interest of the protection and promotion of the public health, general welfare and safety of both the residents of the Town of Hempstead and contiguous Villages of Lawrence and Woodsburgh.

The creation of this district, in coordination with the contiguous municipalities is intended to preserve the Town's natural resources and environmental features, while also preserving community character and the economic value of other properties in the neighborhood in and about the former Woodmere Club. Special consideration is provided for sustainable design elements, which will help to mitigate flood impacts, preserve open space, decrease stormwater runoff, improve local water quality and reduce traffic impacts. The regulations contained within this Article have been designed to be compatible and complementary with other permitted land uses in the area and contiguous municipalities and protect the character of their existing and developed residential communities.

#### § 76.19. Applicability.

The intermunicipal Coastal Conservation District - Woodmere Club (CC-WC) shall apply to the land that comprises the privately-owned golf course commonly known as The Woodmere Club, and referred to herein as the Woodmere Club Property (Nassau County Land & Tax Map Section 41, Block F, Lots 37, 40, 48, 310, 123/3024 (Lot Grouping), 3028, 3030A/3030B (Lot Grouping), and 3032; Section 41, Block D, Lots 53 and 55; and Section 41, Block 72, Lot 1/3/4/5A/5B/6-9/11-12 (Lot Grouping)) (the "Property"). Acreages identified within this Article are based upon Nassau County Geographic Information Systems (GIS) 2018 Tax Parcel database.

The Building Zone Map of the Town of Hempstead shall be updated by the Town Engineering Department to reflect the lands which are by definition included within the CC-WC Coastal Conservation District - Woodmere Club.

In the CC-WC Coastal Conservation District - Woodmere Club, the following regulations shall apply.

#### § 76.20. Definitions.

**Lot coverage:** The horizontal area of a lot covered by the roof areas of all buildings and/or structures, in addition to all other impervious surfaces, including but not limited to driveways, parking areas, patios, terraces, permeable pavement and paver systems and other similar features.

**Permeable Pavement Surfaces:** Pervious hardscape surfaces that allow for the infiltration of water into soils,

helping to remove pollutants and recharge the water table. Examples of permeable pavement surfaces include pervious concrete, porous asphalt and permeable paving stones. Recycled concrete aggregate (RCA) shall not be permitted as the basecourse material. Open graded natural stone shall be used to facilitate storm water permeability.

**Smart Controller Technology:** An irrigation control system that reduces outdoor water use by monitoring and using information about site conditions (including, but not limited to soil moisture, rain, wind, slope, soil, plant type), and applying the correct amount of water based on those factors.

**Compensatory Storage:** A standard which preserves the ability of the floodplain to store water. Compensatory storage means that loss of flood storage due to buildings or fill in the floodplain is compensated for by providing an equal volume of storage to replace what is lost.

#### § 76.21. Master Plan Submission.

A conceptual development plan for the proposed development of the Property shall be filed simultaneously with the Town of Hempstead and the Villages of Woodsburgh and Lawrence for review purposes prior to the filing of a map or subdivision application with the Nassau County Planning Commission. The purpose of this procedure is to facilitate a coordinated review with the Town and Villages, including a conceptual subdivision layout for the three Sub-Districts. The conceptual subdivision layout shall include existing and conceptual proposed grading, proposed drainage for the lots and infrastructure, lot configuration, hospitality development proposal, and plans for maintenance of open space/common areas.

Upon receipt of the conceptual development plan, the Town and Villages shall review the plan for compliance with applicable zoning, subdivision and site-specific (including any performance standards and sustainable design) regulations in effect in the respective jurisdictions. Each municipality shall inform the applicant as to compliance with such regulations, within 45 days of receipt of the conceptual development plan, and may also provide comments regarding any relevant matter, including plans for maintenance of open space and common area.

#### § 76.22. Subdivision Map

No permit shall be issued for any building requiring a building permit unless the site is shown on a subdivision map approved by the Nassau County Planning Commission and any other jurisdiction with primary or concurrent subdivision jurisdiction, and filed in the Nassau County Clerk's office.

#### § 76.23. Interpretation; conflicts with other provisions.

- A. 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.

- B. 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.

§ 76.24. Severability.

If § 76.25 or § 76.26 of this Article shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall invalidate the remainder of this Article. If any other provision shall be so adjudged, it shall not invalidate the remainder of this Article. If there is found to be any imprecision, including but not limited to lot descriptions or acreage of total property, such will not invalidate this ordinance.

§ 76.25. Sub-Districts Established.

The Coastal Conservation District - Woodmere Club establishes three Sub-Districts to ensure the preservation of existing open space and regulate development in a manner that's compatible with area zoning and development patterns. The Open Space/Recreation Sub-District and the Single-Family Residential Sub-District both include portions of the Town of Hempstead and the contiguous Villages of Woodsburgh and Lawrence, while the Clubhouse/Hospitality Sub-District is located wholly within the Village of Woodsburgh. The three Sub-Districts of the Coastal Conservation District - Woodmere Club are provided in Figure 1 below and are described as follows:

A. Open Space/Recreation Sub-District:

Accounting for approximately 35.7 acres of the approximately 55-acre Town of Hempstead portion of the property (65% of the land area within the Town of Hempstead) and approximately 83.3 acres of the approximately 118.4-acre Woodmere Club (70% of total land area), the intent of the Open Space/Recreation Sub-District is to preserve critical coastal open space areas to the maximum practicable extent. These open space areas provide flood mitigation from storm surge, stormwater, and sea level rise, provide critical habitats for wildlife and contribute significantly to the unique community character of the area. In recognition of the flood mitigation provided by these open space areas, and the protection of existing development and infrastructure in the Town and the surrounding area, the use of fill shall be regulated by the restrictions specified herein. Within the Open Space/Recreational Sub-District, grading for the purposes of flood water storage, including Compensatory Storage requirements of the Village of Lawrence (Lawrence Village Code: Article V Construction Standards: §94-13 General Standards) and the Village of Woodsburgh (Woodsburgh Village Code: Article V Construction Standards: §77-15 General Standards), shall be permitted. In addition, within the Open Space/Recreational Sub-District, with the exception of areas associated for access, as defined in § 76.35(C) of this Article, any removal of trees greater than six-inch caliper, or raising of grade by more than 12 inches, requires an administrative approval by the Town Board pursuant to Town Code and the Building Zone Ordinance.

B. Single-Family Residential Sub-District:

The Single-Family Residential Sub-District (approximately 29.4 acres of the approximately 118.4-acre Woodmere Club Property, or 25% of total land area) comprises two distinct development clusters, one in the Town of Hempstead portion of The Woodmere Club Property (approximately 19.3 acres in size) and one straddling the boundaries of the Village of Woodsburgh and the Village of Lawrence portions of The Woodmere Club Property (approximately 10.1 acres in size). These clusters, zoned for residential housing (religious and educational uses permitted by special exception), will allow development that is compatible with the existing one-acre minimum lot zoning in the Village of Woodsburgh and the 40,000 square foot minimum lot zoning in the Village of Lawrence, while retaining significantly more open space than provided for in previous zoning and land use regulations.

C. Clubhouse/Hospitality Sub-District:

The Clubhouse/Hospitality Sub-District is limited to approximately 5.7 acres within the Village of Woodsburgh portion of The Woodmere Club Property. The intent of this Sub-District is to preserve and enhance the existing clubhouse of The Woodmere Club and its associated hospitality services, including the parking areas, athletic courts and outdoor swimming pool. This Sub-District is regulated entirely by the Village of Woodsburgh and is not subject to the regulations set forth in this Article.

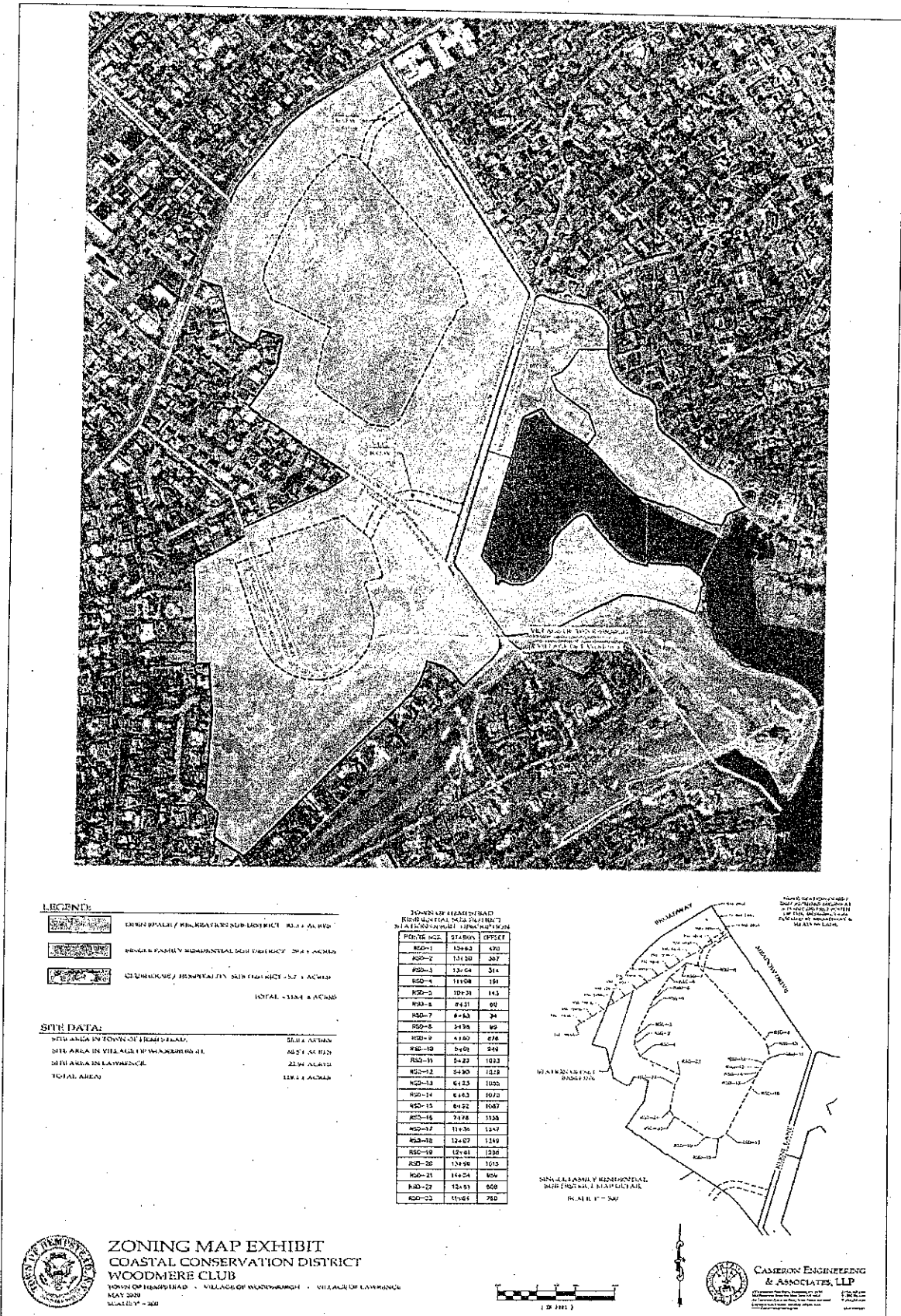


Figure 1: Coastal Conservation District - Woodmere Club Map

§ 76.26. Permitted uses.

- A. Within the Open Space/Recreation Sub-District, a building may be erected, altered or used and a lot or premises may be used for any of the following purposes, and for no other:
- 1) Golf course - private or semi-private, including practice golf areas such as putting greens and practice pitching/sand bunker areas.
  - 2) Passive parkland, including walking trails, nature observation areas and passive recreation features.

3) Accessory structures and uses, which are customarily incidental to any of the above-permitted uses, including maintenance buildings not greater than 500 square feet with a maximum height of 16 feet and pavilion/shelter areas not greater than 400 square feet with a maximum height of 16 feet, are permitted. Setbacks for accessory structures within the Open Space/Recreation Sub-District shall be 100 feet from both perimeter property lines and residential homes. Not more than one such accessory structure per seven acres is permitted in this Sub-District.

B. Within the Single Family Residential Sub-District, a building may be erected, altered or used and a lot or premises may be used for any of the following purposes, and for no other:

1) Single-family detached dwelling.

2) Accessory uses on the same lot with and customarily incidental to the above-permitted use, including a private garage, are permitted.

§ 76.27. Single-Family Residential Sub-District Regulations Established.

Given the sensitive environmental resources present at the Property, special consideration for residential development standards, including bulk regulations, spatial distances and sustainable design features are provided for the Single-Family Residential Sub-District within § 76.28 through § 76.43 below.

§ 76.28. Minimum lot area and width.

No dwelling or other building shall be constructed on a lot unless it contains an area of not less than 12,500 square feet and has a minimum street frontage of 100 feet and maintains a minimum 75-foot lot width for a minimum depth of 125 feet. Building lots located on a cul-de-sac shall have a minimum street frontage of 50 feet and a minimum lot width of 75 feet at a lot depth of 40 feet offset from the street line, and shall maintain a minimum lot width of 75 feet for a depth of 125 feet.

§ 76.29. Height.

No building shall be greater in height than two- and one-half stories, with a maximum height of 34 feet. Building height within a designated Special Flood Hazard Area shall be regulated by § 352(H) of the Town of Hempstead Building Zone Ordinance, except that the maximum height restriction of § 352(H) (3) shall be superseded by the maximum heights set forth in this § 76.29.

§ 76.30. Building area and lot coverage.

For a minimum lot size of 12,500 square feet, the building area shall not exceed 30% of the lot area. In no case shall a building area exceed 5,000 square feet, regardless of lot size. Overall, lot coverage shall not exceed 60% of the lot area. Sustainable design is required through the utilization of Town-approved Permeable Pavement surfaces, which shall account for a minimum of 50% of any additional lot coverage beyond the building area.

§ 76.31. Front yards.

- A. There shall be a front yard, the depth of which shall be set back at least 30 feet from the street line.
- B. In case of a corner lot, a front yard shall be required on each street, and notwithstanding the foregoing, each front yard shall be not less than 30 feet.

§ 76.32. Side yards.

There shall be two side yards, one on each side of the main building, the aggregate width of which shall be at least 30 feet. Neither side yard shall be less than 15 feet wide.

§ 76.33. Rear yards.

There shall be a rear yard, the depth of which shall be at least 40 feet.

§ 76.34. Sustainable Design.

- A. For all lots, impervious cover shall be reduced to the maximum extent practicable and follow the regulations set forth in § 76.30 (Building area and lot coverage) above.
- B. Each building lot shall provide for the collection, storage and recharge of stormwater on-site, with no surface or roof runoff being directed off of each individual lot, and, accounting for both roof and surface runoff, shall be sized, at a minimum, for the volumetric design of a three-inch rainfall event, based on the one-year, 24-hour storm event in New York State. Roof runoff will be piped underground, directly to storm water drywells, leaching galleys, and/or other accepted infiltration practice. The use of green infrastructure is encouraged. Green infrastructure such as rain gardens and bioswales or other green techniques approved by the Town Engineer will receive an additional credit of two-times the volume capacity provided up to a total reduction of one and one-half inches. The three-inch volumetric design is separate and in addition to any storm water capacity provided for as part of a real property subdivision map associated with the property.

Automatic irrigation systems utilizing Smart Controller Technology shall be required in all new residential construction. All automatic irrigation systems shall also have rain and soil moisture sensors.

§ 76.35. Subdivision regulations

- A. The requirements for subdivision development within the CC-WC Coastal Conservation District - Woodmere Club shall comply with all State and local regulations, including compliance with Nassau County Ordinance No. 46-2009 and Town Code § 181-19, and obtain all necessary approvals as required by law. Proposed public streets shall have a 50-foot right-of-way width and a paved roadway width of 30 feet, with sidewalk and curb design to be provided in accordance with County and Town requirements. Private streets shall have a 50-foot right-of-way width, and subject to approval of the Town Engineer, shall provide a paved roadway width of a minimum of 26 feet, with sidewalk and curb design, if any, commensurate

with those indicative of low-density communities. Maintenance of private roads, including snow removal and garbage pickup, shall not be the responsibility of the Town.

- B. There shall be perimeter open space view corridors, extending from an interior roadway to the perimeter of the residential lots, not less than 80 feet in width and provided at a minimum for each 500 feet of contiguous residential property.
- C. Dedicated rights-of-way providing access to the Property shall be provided at the following locations:
  - 1) Single-Family Residential Sub-District: Access right-of-way shall be provided off Meadow Drive (to be located 250 feet to the centerline of the new right-of-way south of Broadway) and off Keene Lane (to be located 280 feet to the centerline of the new right-of-way northwest of Rutherford Lane). Emergency access rights-of-way shall be provided at the southern terminus of Lotus Street and the north-western terminus of Tulip Street.
  - 2) Clubhouse/Hospitality Sub-District: An access right-of-way shall be provided at the intersection of Meadow Drive and Keene Lane. The requirements for subdivision development within the CC-WC Coastal Conservation District Woodmere Club Property shall comply with all State and local regulations, including compliance with Nassau County Ordinance No. 46-2009 and obtain all necessary approvals as required by law.
- D. Infrastructure costs associated with access and right-of-way improvements shall be addressed by the respective applicant(s), at the cost of the applicant(s) as determined at the time of an application made to the Nassau County Planning Commission.

§ 76.36. Permitted encroachments.

- A. The following encroachments are hereby permitted:
  - 1) Cornices, eaves, gutters, chimneys or bay windows projecting not more than 24 inches.
  - 2) Air-conditioning condenser units, emergency generators, basement stairs and basement areaways, projecting not more than 36 inches into one of the required side yards.
  - 3) Driveway piers not exceeding four feet in height.
  - 4) Exclusive of encroachments permitted under this section and structures approved by Board of Appeals grant, second-story additions above existing permitted one-story structures may project into any required yard, provided that they do not extend beyond the wall of the existing structure.

§ 76.37. Swimming pools

- A. Swimming pools are regulated by all of the requirements of Article XXV of the Building Zone Ordinance of the Town of Hempstead. Within the Coastal Conservation District - Woodmere Club, all provisions of Article XXV shall apply except for the regulations provided hereinafter.
- B. There shall be 10-foot side yard and 20-foot rear yard setbacks.



- C. Swimming pool terraces shall have 10-foot side yard and 20-foot rear yard setbacks.
- D. Cabanas shall comply with all requirements set forth in § 76.39 of this Article.

§ 76.38. Accessory buildings and structures.

- A. Accessory buildings may occupy not more than 18% of the required area of the rear yard up to an average height of 12 feet. The yard area occupied by such accessory building shall, however, be included in computing the maximum percentage of the lot area which may be built upon.
- B. Exclusive of an accessory private garage and a cabana permitted as an accessory to a swimming pool pursuant to § 76.33, only one structure can be erected and thereafter maintained, and such structure shall be erected on the ground and in the rear yard only and shall not exceed 144 square feet of floor area, nine feet in height maximum and 12 feet horizontally maximum, unless authorized as a special exception by the Board of Appeals.

§ 76.39. Fences.

No fence shall exceed six feet in height and shall be permitted on the rear lot line and those linear portions of the side lot lines enclosing a rear yard; provided, however, that the four-foot fencing does not extend beyond the front line of the house. Fencing shall not substantially obstruct line of sight and there shall be compliance with § 311 of Article XXXI of this ordinance, with respect to clear sight triangles.

§ 76.40. Signs.

Such signs which are authorized for single-family residences under the provisions of Article XXIV are permitted.

§ 76.41. Excavations.

No excavations for purposes other than the construction of a driveway, walk, a permitted wall or building or part thereof or accessory thereto, or to remove topsoil from one part of the lands of an owner to another part of the same premises, when such removal is necessary as an accessory use or improving said property, shall be made unless approved by the Board of Appeals.

§ 76.42. Transition

- A. Within 45 days of the effective date of this Article, unless a greater period is determined necessary, specific amendments to the Building Zone Map of the Town of Hempstead shall be prepared by the Department of Engineering or its designate, precisely identifying the area included in the CC-WC Coastal Conservation District - Woodmere Club.
- B. Notwithstanding the foregoing, this Article shall be fully applicable to all properties falling within the definition of CC-WC Coastal Conservation District - Woodmere Club immediately upon adoption of this Article and in accordance

with law, and any prior zoning district regulation or classifications are thereby immediately superseded.

and, **BE IT FURTHER,**

**RESOLVED**, that said amendment shall take effect according to law, and that the Town Clerk shall enter said amendment in the Minutes of the Town Board and the Ordinance Book and shall publish a copy of this resolution once in Newsday, a newspaper having a general circulation in the Town of Hempstead, and file in his office an affidavit of such publication.

The foregoing resolution was seconded by Council(wo)man  
\_\_\_\_\_ and adopted upon roll call as follows:

AYES:

NOES:

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY MASONRY FRAME COMMERCIAL BUILDING, LOCATED ON THE SOUTHEAST CORNER OF MILBURN AVENUE AND BERTHA DRIVE. SEC 54, BLOCK 590, AND LOT (S) 31, A/K/A 5 (AKA 8) MILBURN AVENUE, BALDWIN, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 5 (AKA 8) Milburn Avenue, Baldwin; and

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

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

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

WHEREAS, the services of Cipco Boarding Co., 342 Atlantic Avenue, East Rockaway, New York 11572, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 311-2020; and

WHEREAS, on April 15, 2020, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to use one (1) man hour for general clean up, have seventy one (71) square feet of windows boarded, one (1) man hole boarded, have nineteen (19) square feet of doors boarded and provide and install one (1) lock and chain, located at 5 (AKA 8) Milburn Avenue, Baldwin;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$807.50, the cost associated with the emergency services provided at 5 (AKA 8) Milburn Avenue, Baldwin, New York

WHEREAS, an additional charge of \$500.00 will be assessed in accordance with §90-9 of the Code of the Town of Hempstead;

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$1,307.50 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 1151

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE SOUTHEAST CORNER OF EVANS AVENUE AND UNION AVENUE. SEC 32, BLOCK 567, AND LOT (S) 44-45, A/K/A 94 EVANS AVENUE, ELMONT, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 94 Evans Avenue, Elmont; and

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

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

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

WHEREAS, the services of Cipco Boarding Co., 342 Atlantic Avenue, East Rockaway, New York 11572, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 311-2020; and

WHEREAS, on April 29, 2020, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to have thirty two (32) square feet of windows boarded and install one hundred fifty (150) linear feet of chain link fence, located at 94 Evans Avenue, Elmont;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$3,254.40, the cost associated with the emergency services provided at 94 Evans Avenue, Elmont, New York

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$3,504.40 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 1

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE, LOCATED ON THE SOUTHEAST CORNER OF WESTERVELT PLACE AND HEWLETT PARKWAY. SEC 39, BLOCK 97, AND LOT (S) 104, A/K/A 1255 WESTERVELT PLACE, HEWLETT, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 1255 Westervelt Place, Hewlett; and

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

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

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

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

WHEREAS, on January 29, 2020, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA M3 Development Group, to have one (1) window boarded, located at 1255 Westervelt Place, Hewlett;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$180.00, the cost associated with the emergency services provided at 1255 Westervelt Place, Hewlett, New York

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

NOW, THEREFORE, BE IT

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

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

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

Case #

1  
6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING, LOCATED ON THE EAST SIDE OF SPRING LANE, 173 FEET EAST OF BLUEJAY LANE, SEC 51, BLOCK 152, AND LOT (S) 32, A/K/A 23 SPRING LANE, LEVITTOWN, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 23 Spring Lane, Levittown; and

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

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

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

WHEREAS, the services of Cipco Boarding Co., 342 Atlantic Avenue, East Rockaway, New York 11572, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 311-2020; and

WHEREAS, on March 2, 2020, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to have one hundred thirty three (133) square feet of windows boarded, forty six (46) square feet of doors boarded and provide and install two (2) lock and hasps, located at 23 Spring Lane, Levittown;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$1,481.05, the cost associated with the emergency services provided at 23 Spring Lane, Levittown, New York

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$1,731.05 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:  
Item #

Case #

1  
6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE AND INGROUND SWIMMING POOL, LOCATED ON THE NORTH SIDE OF BRIGHTON WAY, 140 FEET WEST OF WYNSUM AVENUE, SEC 63, BLOCK 139, AND LOT (S) 29-31, A/K/A 119 BRIGHTON WAY, MERRICK, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 119 Brighton Way, Merrick; and

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

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

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

WHEREAS, the services of Cipco Boarding Co., 342 Atlantic Avenue, East Rockaway, New York 11572, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 311-2020; and

WHEREAS, on April 14, 2020, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to install ten (10) linear feet of chain link fence, located at 119 Brighton Way, Merrick;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$225.00, the cost associated with the emergency services provided at 119 Brighton Way, Merrick, New York

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$475.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

1

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE NORTH SIDE OF CEDAR STREET, 143 FEET WEST OF PENNSYLVANIA AVENUE. SEC 36, BLOCK 166, AND LOT (S) 34, A/K/A 12 CEDAR STREET, ROOSEVELT, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 12 Cedar Street, Roosevelt; and

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

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

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

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

WHEREAS, on January 9, 2020, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA M3 Development Group, to have one hundred forty six (146) square feet of windows boarded, located at 12 Cedar Street, Roosevelt;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$467.20, the cost associated with the emergency services provided at 12 Cedar Street, Roosevelt, New York

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$717.20 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

1

Case #

6542



CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING, LOCATED ON THE NORTH SIDE OF MCCLELLAN PLACE, 120 FEET WEST OF SHERMAN STREET, 929 FEET WEST OF PARK LANE. SEC 55, BLOCK L, AND LOT (S) 22-26, A/K/A 3 MCCLELLAN PLACE, ROOSEVELT, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 3 McClellan Place, Roosevelt; and

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

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

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

WHEREAS, the services of Cipco Boarding Co., 342 Atlantic Avenue, East Rockaway, New York 11572, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 311-2020; and

WHEREAS, on April 15, 2020, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to have sixty (60) square feet of windows boarded and fifty (50) square feet of doors boarded, located at 3 McClellan Place, Roosevelt;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$774.50, the cost associated with the emergency services provided at 3 McClellan Place, Roosevelt, New York

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$1,024.50 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

Case #

1

(64)

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE, LOCATED ON THE NORTHEAST CORNER OF SMITH STREET AND SUMMER AVENUE. SEC 50, BLOCK 427, AND LOT (S) 1, A/K/A 942 SMITH STREET, UNIONDALE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 942 Smith Street, Uniondale, New York; and

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

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

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

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

WHEREAS, on January 29, 2020, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA M3 Development Group, to have one (1) window boarded, located at 942 Smith Street, Uniondale;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$180.00, the cost associated with the emergency services provided at 942 Smith Street, Uniondale, New York

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

NOW, THEREFORE, BE IT

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

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

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 1

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY HIGH RANCH WOOD FRAME ONE FAMILY DWELLING WITH BASEMENT GARAGE, DETERMINED TO BE UNFIT FOR HUMAN OCCUPANCY, LOCATED ON THE WEST SIDE OF DITMAS AVENUE, 208 FEET SOUTH OF HAMPTON ROAD. SEC 50, BLOCK 453, AND LOT (S) 52, A/K/A 1008 DITMAS AVENUE, UNIONDALE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 1008 Ditmas Avenue, Uniondale, Town of Hempstead, New York; and

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

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

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

WHEREAS, the services of Cipco Boarding Co., 342 Atlantic Avenue, East Rockaway, New York 11572, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 311-2020; and

WHEREAS, on April 15, 2020, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to have twenty (20) square feet of doors boarded and provide and install two (2) lock and hasps, located at 1008 Ditmas Avenue, Uniondale;

WHEREAS, on April 27, 2020, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to have thirty (30) linear feet of chain link fence installed, located at 1008 Ditmas Avenue, Uniondale;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$869.00, the cost associated with the emergency services provided at 1008 Ditmas Avenue, Uniondale, New York

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$1,119.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 1

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY SPLIT LEVEL WOOD FRAME ONE FAMILY DWELLING WITH BASEMENT GARAGE, LOCATED ON THE NORTH SIDE OF FLANDERS DRIVE, 929 FEET WEST OF PARK LANE. SEC 39, BLOCK 572, AND LOT (S) 109, A/K/A 831 FLANDERS DRIVE, VALLEY STREAM, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 831 Flanders Drive, Valley Stream; and

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

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

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

WHEREAS, the services of Cipco Boarding Co., 342 Atlantic Avenue, East Rockaway, New York 11572, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 311-2020; and

WHEREAS, on April 16, 2020, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to have twenty seven (27) square feet of windows boarded and use one (1) man hour for general clean up, located at 831 Flanders Drive, Valley Stream;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$269.65, the cost associated with the emergency services provided at 831 Flanders Drive, Valley Stream, New York

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$519.65 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

Case #

1

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE, LOCATED ON THE NORTH SIDE OF MEAD LANE, 260 FEET EAST OF PALM LANE. SEC 45, BLOCK 453, AND LOT (S) 34, A/K/A 15 MEAD LANE, WESTBURY, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 15 Mead Lane, Westbury; and

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

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

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

WHEREAS, the services of Cipco Boarding Co., 342 Atlantic Avenue, East Rockaway, New York 11572, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 311-2020; and

WHEREAS, on March 27, 2020, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to repair one (1) fence, located at 15 Mead Lane, Westbury;

WHEREAS, on March 29, 2020, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to take down one hundred twenty feet (120') of chain link fence, located at 15 Mead Lane, Westbury;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$450.00, the cost associated with the emergency services provided at 15 Mead Lane, Westbury, New York

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$700.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

Item #

1

NOES:

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY BRICK AND MASONRY FRAME COMMERCIAL BUILDING, LOCATED ON THE SOUTHEAST CORNER OF BROADWAY AND NEPTUNE AVENUE. SEC 41, BLOCK 025, AND LOT (S) 53, A/K/A 945-955 (951) BROADWAY, WOODMERE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 945-955 (951) Broadway, Woodmere; and

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

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

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

WHEREAS, the services of Cipco Boarding Co., 342 Atlantic Avenue, East Rockaway, New York 11572, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 311-2020; and

WHEREAS, on April 14, 2020, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to have one hundred forty eight (148) square feet of windows boarded, use two (2) man hours of general clean up and provide and install three (3) lock and hasps, located at 945-955 (951) Broadway, Woodmere;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$1,352.60, the cost associated with the emergency services provided at 945-955 (951) Broadway, Woodmere, New York

WHEREAS, an additional charge of \$500.00 will be assessed in accordance with §90-9 of the Code of the Town of Hempstead;

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$1,852.60 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

Case #

1

6542

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE CONTINUATION OF  
A MAINTENANCE AGREEMENT WITH  
CGI TECHNOLOGIES AND SOLUTIONS, INC. ("CGI") FOR  
THE TOWN'S LOCAL GOVERNMENT FINANCE SYSTEM (LGFS)

WHEREAS, the Town recently began operation of its financial software processing under an Enterprise Resource Planning System provided by Oracle; and

WHEREAS, in accordance with good industry practices, the Town wishes to run its legacy LGFS system parallel with its new Oracle system for a period of time to ensure the Town's financial operations are secure; and

WHEREAS, pursuant to an agreement dated December 28, 1987 with CGI Technologies and Solutions Inc., 7 Hanover Square, 7<sup>th</sup> Floor, New York, NY 10004 "CGI", the Town of Hempstead is licensee of the Local Government Financial System (LGFS); and

WHEREAS, under the term of said agreement, Amendment No. 1 authorized under Resolution Number: 1848-2017, Amendment No. 2 authorized under Resolution Number: 785-2019, And Amendment No. 3 authorized under Resolution Number: 1235-2019, the Town of Hempstead has purchased licensing and maintenance services for said LGFS software; and

WHEREAS, the Town of Hempstead wishes to exercise an option to extend said maintenance services, as delineated in the agreement, for a term of July 1, 2020 through December 31, 2020 in an amount not to exceed One Hundred Three Thousand Six Hundred Twenty Dollars and Eighty Two Cents (\$113,583.82);

NOW, THEREFORE, BE IT

RESOLVED, that the Town Comptroller be and is hereby authorized to exercise the option to extend said maintenance services with CGI Technologies and Solutions Inc., 7 Hanover Square, 7<sup>th</sup> Floor, New York, NY 10004; and be it further

RESOLVED, that payment due and owing in an amount not to exceed One Hundred Three Thousand Six Hundred Twenty Dollars and Eighty Two Cents (\$103,620.82) be made and paid out of General Fund-Fees and Services Account No.: 010-0012-90000-4151

The foregoing was adopted upon roll call as follows:

AYES: ( )

NOES: ( )

\* \* \* \* \*

Item # 2

Case # 6085





CASE NO.

RESOLUTION NO.

Adopted:

resolution and moved its adoption: offered the following

RESOLUTION AUTHORIZING THE DISPOSAL OF OBSOLETE  
EQUIPMENT FROM THE DEPARTMENT OF CONSERVATION  
AND WATERWAYS

WHEREAS, the Commissioner of the Department of Conservation and Waterways advises the Town Board that the below delineated equipment should be declared obsolete and auctioned as per the regulations and guidelines of the Town of Hempstead Department of Purchasing;

Obsolete Vehicles:

1985 Chevy Pick up VIN 1GCGD34J8GF349650  
2001 Chevy Pick up VIN 1GCEK19V71E313992  
2002 Chevy Blazer VIN 1GNDDT13W22K209219  
2002 Chevy Pick up VIN 1GCEK19V62E277147  
1987 Chevy Box Truck VIN 1GCJP32J2H3310734  
1988 Chevy Box Truck VIN 1GCJP32J7J3311173  
1995 Ford Bucket Truck VIN 1FDLF47FXSEA19590  
2008 Chevy Pick up VIN 1GCCS14EX88127032  
2008 Ford Escape VIN 1FMCU49H98KB75408  
1997 GMC Box Truck VIN 1GDKP32Y4V3501905  
1987 Chevy Box Truck VIN 1GCJP32JXH3310710  
1987 Chevy Box Truck VIN 1GCP32J2H3325847

Obsolete Equipment:

1994 Peterbuilt Tractor VIN 1XP5DB9XRN344887  
1999 Mack Tractor VIN 1M1AD61Y8XW002697  
1998 Ford Dump VIN 1FDZW86F6WVA15710  
1986 Caterpillar VIN 8XC00130  
1989 Lorain Crane VIN 36-8-0251-09  
1987 Link Belt LS-5800  
1974 Gallion Crane VIN C80DH5002  
5KW Generator MEP OO2A- KZ17586  
Koehring 428 50582  
7- Crane Buckets  
Link Belt truck crane 25TJ07  
2- 2008 Freightliner Truck Cab M917A1MCS  
Link Belt Barge Crane HC-48  
8- Aluminum Dock Ramps assorted lengths

NOW, THEREFORE, BE IT

RESOLVED, that the Department of Conservation and Waterways be and hereby is authorized to declare the previous listed equipment obsolete; and

FURTHER RESOLVED, that monies received from auction of said obsolete equipment shall be deposited into the appropriate town fund.

The foregoing resolution was adopted upon roll call as follows:

AYES:

Item #

NOES:

Case #

4

12113









programs provided by the Town of Hempstead shall be extended to July 15, 2020; and, be it further:

RESOLVED, that in the event of a denial of any such application by the Nassau County Assessor, the Nassau County Assessor shall mail written notice of their denial of an exemption or abatement to the property owner and to the Receiver of Taxes of the Town of Hempstead, and the property owner may file a complaint with the board of assessment review within 30 days after receipt of the written notice, to be considered in accordance with law.

The foregoing resolution was adopted upon roll call as follow:

AYES:

NOES:

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE ACTIONS OF THE COMMISSIONER OF SANITATION IN RETAINING THE SERVICES OF RR PLUMBING/ROTO-ROOTER TO ASSESS THE SANITARY SEWER LINE FOR BLOCKAGES AND TO CLEAR SAME AT THE COLLECTON BUILDING AT THE MERRICK FACILITY

WHEREAS, on June 15<sup>th</sup> the Department discovered that the sanitary sewer system for the Collection Building at the Merrick Facility had a problem and was backing up which caused the Department to have to shut down the sewer ejection system which resulted in the inability to empty the septic tanks; and

WHEREAS, in the opinion of the Commissioner of Sanitation, failure to promptly address this problem could threaten the health and safety of town employees and residents and would otherwise constitute a public emergency within the meaning of General Municipal Law § 103(4); and

WHEREAS, RR Plumbing/Roto-Rooter, 241 Central Avenue, Farmingdale, New York 11735, was available to assess the problem and accomplish a temporary abatement; and

WHEREAS, the Commissioner of Sanitation, acting on behalf of the Town of Hempstead and the Town of Hempstead Refuse Disposal District, retained the services of the above-named contractor and said contractor inspected the line for blockages and has submitted an invoice for same; and

WHEREAS, the Town Board concurs in judging the above-described conditions as posing threats to public health and safety and otherwise constituting a public emergency within the meaning of General Municipal Law § 103(4);

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board finds that the conditions created by the blocked sanitary sewer line at the Collection Building at the Merrick Facility posed a threat to public health and safety and otherwise constituted a public emergency within the meaning of General Municipal Law § 103(4); and BE IT FURTHER

RESOLVED, that the Commissioner of Sanitation's action, described above, in retaining the services of RR Plumbing/Roto-Rooter, 241 Central Avenue, Farmingdale, New York 11735, for the purposes stated is hereby ratified and confirmed; and BE IT FURTHER

RESOLVED, that payment in the amount of \$2,617.00 be made and paid out of the Refuse Disposal District Building Maintenance Account #301-0006-03010-4090..

The foregoing resolution was adopted upon roll call as follows:

AYES: ( )

NOES: ( )

Item #

9

Case #

3212

CASE NO.

RESOLUTION NO.

Adopted:

Council offered the following resolution and moved its adoption as follows:

RESOLUTION AUTHORIZING THE SUPERVISOR TO RENEW THE TOWN'S FIRE, MULTI-PERIL, AND FLOOD INSURANCE POLICIES AND TO PAY THE ASSOCIATED PREMIUMS.

WHEREAS, the Town of Hempstead regularly maintains fire and multi-peril real property insurance, flood insurance on selected town and town special district properties; and

WHEREAS, the Town's existing insurance policy, the existing flood insurance policy all expire on June 30, 2020 and the Town is desirous of continuing such coverage; and

WHEREAS, the Town of Hempstead's insurance broker, Marsh, USA, Inc., has been successful in continuing the Town's real property and flood coverages with American International Group and subsidiaries/affiliates, 175 Water Street, New York, New York; and

WHEREAS, it is in the public's interest for the Town to maintain insurance coverage on selected town and town special district properties and to pay the premiums for such coverage;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute such document or documents necessary to obtain fire and multi-peril insurance coverage and excess flood insurance coverage on selected town and town special district locations, properties, equipment, and contents commencing July 1, 2020 with International Group and subsidiaries/affiliates for a one year term and to pay premiums for such insurance coverage to Marsh USA, Inc., P.O. Box 417724, Boston, MA 02241-7724 in the amount of \$903,439 with premiums to be paid out and charged to the the appropriate account as determined by the Town Comptroller.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

10

Case #

16452



CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution

and moved its adoption:

RESOLUTION AMENDING CONTRACT AND AUTHORIZING  
FINAL PAYMENT FOR THE NEW BATHHOUSE AT  
EAST MALL, TOWN PARK, POINT LOOKOUT, NY  
PW #34-17 PLUMBING CONTRACT

WHEREAS, the Town Board on August 7<sup>th</sup>, 2018 adopted Resolution No. 1112-2018, awarding a contract to ARA Plumbing Corp. 2182 Jackson Ave. Seaford, NY 11783 in the amount of \$197,517.00; 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 additional items of work as indicated below:

**Additional Items of Work**

Change Order

No.	Description	Amount
1.	Cost to remove existing concrete cement sidewalk.	\$5,398.63
2.	Cost to relocate and re-pipe the sand interceptor.	\$8,154.40
3.	Cost to remove existing flushometers, water closets and urinals.	\$16,967.15
4.	Cost to flush out fire hydrant, vales inside chase wall, and remove diaphragms.	\$2,358.80
5.	Cost to remove and replace six (6) acorn cartridges.	\$2,269.90
6.	Cost to make all necessary "touch-less" upgrades due to Covid-19.	\$23,147.77

WHEREAS, the Commissioner of the Department of Parks & Recreation deemed it essential to the public interest to maintain continuity in the construction progress of this contract; and

WHEREAS, the Commissioner of the Department of Parks and Recreation has advised the Town Board that the additional items of work will result in an increase of \$58,296.65 in the contract price and recommends that such additional sum be approved for payment by the Town Board; and

WHEREAS, it appears to this Town Board that said additional items of work were 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 ARA Plumbing Corp. the final contract price of \$255,813.65 and to amend the contract price to reflect the above described additional items of work necessary for the proper completion of the Plumbing Contract for the New Bathhouse at East Mall Town Park, Point Lookout, NY; said funds to be paid from Account Number 7872-509-7872-5010.

The foregoing resolution was adopted upon roll call as follows:

AYES:

Item # 11

NOES:

Case # 16905

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AMENDING RESOLUTION NO. 859-2010 AS AMENDED BY RESOLUTION NOS. 917-2011, 138-2012, 1428-2013, 1261-2014, 1363-2015 AND 84-2017 AUTHORIZING THE EMPLOYMENT OF H2M ARCHITECTS AND ENGINEERS AS CONSULTING ARCHITECTS AND ENGINEERS IN MATTERS CONCERNING MUNICIPAL SOLID WASTE ISSUES

WHEREAS, this Town Board did adopt Resolution No. 84-2017 which amended Resolution Nos. 1363-2015, 1261- 2014, 1428-2013, 138-2012, 917- 2011 and 859-2010 authorizing the employment of H2M Architects and Engineers having its principal offices located at 575 Broadhollow Road, Melville, New York, 11547 as consulting engineers in matters relating to surveying, mapping services, and inspection services in connection with the update of the Solid Waste Management Plan; architectural and design work at the Norman J. Levy Park and Preserve, the Oceanside Transfer Station and the Merrick Transfer Station, construction administration services and inspection services, environmental services and overseeing drainage improvements and electrical improvements at the Department facilities, as well as ground water and surface water monitoring at the Merrick and Oceanside facility and gas monitoring at the Oceanside facility, as well as a variety of other issues related to municipal solid waste and this necessitates an increase in the sum authorized to be expended; and

WHEREAS, H2M Architects and Engineers is duly qualified to perform said work and has proposed to perform same; and

WHEREAS, additional funding is required for the construction oversight services for the Merrick Facility Paving Project; and

WHEREAS, it appears to be in the public interest to provide for the engineering services and representation of all matters handled by H2M Architects and Engineers and to pay for such services;

NOW, THEREFORE, BE IT

RESOLVED, that all payments concerning such services are not to exceed fifty thousand dollars (\$50,000) in total for this resolution, and said payments are to be made and paid out of Refuse Disposal District Fees and Services Account #301-006-0301-4151.

The foregoing resolution was adopted upon roll call as follows:

AYES: ( )

NOES: ( )

\* \* \* \* \*

Item # 12

Case # 26420

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING PAYMENT TO TRIUS, INC. FOR FOUR  
MATERIAL SPREADERS

WHEREAS, the Department of Sanitation ordered four (4) EQ 78000-1 Tornado 1.5 Cubic Yard Capacity Material Spreaders from Trius, Inc., 458 Johnson Avenue, Bohemia, NY 11716; and

WHEREAS, said material spreaders were delivered and paid for pursuant to Purchase Order #89104; and

WHEREAS, an additional four (4) EQ 78000-1 Tornado 1.5 Cubic Yard Capacity Material Spreaders were delivered erroneously, however, after evaluating and assessing departmental needs for the upcoming winter season, it was determined that it would be prudent to accept delivery of these additional four (4) spreaders; and

WHEREAS, these parts were purchased under Invoice Number S1027119 for \$17,596.00, and

WHEREAS, it is deemed to be in the best interests of the Town of Hempstead that Trius, Inc., 458 Johnson Avenue, Bohemia, NY 11716 be paid for the materials spreaders purchased under the aforementioned invoice;

NOW, THEREFORE, BE IT

RESOLVED, that payment be and is hereby authorized to be made to Trius, Inc., 458 Johnson Avenue, Bohemia, NY 11716 for the sum of the Seventeen Thousand Five Hundred and Ninety Six Dollars (\$17,596.00); and

BE IT FURTHER RESOLVED, that payment be made and paid out of the Operating Fund Machinery Repairs Account No. 300-0006-81100-4550.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

13

Case #

2485

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE DISPOSAL OF OBSOLETE VEHICLES AND EQUIPMENT FROM THE DEPARTMENT OF SANITATION

WHEREAS, the Commissioner of Sanitation has advised this Board that certain inventory, as listed below, at the Department of Sanitation should be declared obsolete and disposed of:

2004	INTERNATIONAL	Garbage Truck	1HTWGAAR74J030589
2005	INTERNATIONAL	Garbage Truck	1HTWGAAR55J159075
2011	FORD	4DSD	3FAHP0HG4BR257512
2001	FORD	4DSD	1FAFP53211G265461
2007	JEEP	SUV	1J4GL48K27W696655
1996	FORD	VAN	1FTFE24Y5THB44706
2003	FREIGHTLINER	Garbage Truck	1FVHBXCS63HL76876
2003	FREIGHTLINER	Garbage Truck	1FVHBXCS13HL76865
2003	FREIGHTLINER	Garbage Truck	1FVHBXCS83HL76880
2003	FREIGHTLINER	Garbage Truck	1FVHBXCS93HL76869
2003	FREIGHTLINER	Garbage Truck	1FVHBXCS53HL76884
2003	FREIGHTLINER	Garbage Truck	1FVHBXCSX3HL76878
2003	FREIGHTLINER	Garbage Truck	1FVHBXCS03HL76887
2005	FREIGHTLINER	Garbage Truck	1FVHCYCS75HN89910
2008	FREIGHTLINER	Garbage Truck	1FVHCYDJ08HZ74607
2008	FREIGHTLINER	Garbage Truck	1FVHCYDJ68HZ74613
2003	FREIGHTLINER	Garbage Truck	1FVABTAK73HL76902
1990	MACK	SEMI-TRACTOR	1M2B132CXML002409
2000	MACK	SANDER	1M2K195C4YM015954
2003	FORD	PICKUP	1FTNF21L53EA10152
2001	FORD	4DSD	1FAFP532X1G265460

; and

WHEREAS, the storage of this equipment has become burdensome to the inventory systems and space available for storage; and

WHEREAS, the vehicles and equipment are not operable and the Department has removed any parts, that can be used for other vehicles and equipment, such that what is remaining is mostly metal; and

WHEREAS, the department of Sanitation finds that these obsolete vehicles and equipment are most appropriately sold, as scrap, to its contracted metal recycling dealer, Gershow Recycling, 71 Peconic Avenue, Medford, N.Y., pursuant to Contract #13A-2018 Yearly Requirements: Sale of Scrap Metal; and

Item # 14  
Case # 18081

WHEREAS, said equipment that cannot be sold as scrap metal shall be disposed of in an appropriate manner;

NOW THEREFORE BE IT

RESOLVED, that certain inventory, as delineated above, is hereby declared as obsolete; and BE IT FURTHER

RESOLVED, that monies received from the disposition of the obsolete equipment shall be deposited by the Comptroller in the appropriate account.

The foregoing was adopted upon roll call as follows:

AYES: ( )

NOES: ( )

\* \* \* \* \*

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION ACCEPTING THE PROPOSAL OF H2M ARCHITECTS AND ENGINEERS AS CONSULTING ARCHITECTS AND ENGINEERS FOR POST-CLOSURE GROUNDWATER, SURFACE WATER AND LANDFILL GAS MONITORING SERVICES FOR THE MERRICK AND OCEANSIDE LANDFILL FACILITIES

WHEREAS, H2M currently performs post closure groundwater and surface water monitoring services and landfill gas monitoring at the Department of Sanitation's Oceanside and Merrick facilities; and

WHEREAS, H2M is duly qualified to perform said work and has proposed to perform same; and

WHEREAS, H2M has submitted a proposal for post-closure monitoring services for the Oceanside facility for the period July 2020 to December 2020 for a cost of \$10,900.00; and

WHEREAS, H2M has submitted a proposal for post-closure monitoring services for the Merrick facility for the period July 2020 to December 2020 for a cost of \$13,725.00; and

WHEREAS, upon recommendation of the Commissioner, the Town Board deems it to be in the best interest of the Town to accept the two proposals for post-closure monitoring services at the Oceanside and Merrick facilities for the period July 2020 to December 2020 and authorize funding in the total amount of \$24,625.00.

NOW, THEREFORE, BE IT

RESOLVED, that the two proposals for post-closure monitoring services at the Oceanside and Merrick facilities for the period July 2020 to December 2020 are hereby accepted ; and BE IT FURTHER

RESOLVED that funding in the total amount of \$24,625.00 for these two proposals is hereby authorized; and BE IT FURTHER

RESOLVED, that all payments concerning such services are not to exceed twenty four thirty thousand six hundred and twenty-five dollars (\$24,625.00) for this resolution and said payments are to be made and paid out of Refuse Disposal Engineers & Architects Account #301-0006-03010-4157.

The foregoing resolution was adopted upon roll call as follows:

AYES: ( )

NOES: ( )

\* \* \* \* \*

Item # 15

Case # 26420

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

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

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

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

WHEREAS, the Town and Village have developed an Inter-Municipal Agreement which will be effective on January 1, 2020, (the "commencement date") and continue until December 31, 2024; and

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

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

NOW, THEREFORE, BE IT

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

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

The foregoing was adopted upon roll call as follows:

AYES: ( )

NOES: ( )

\* \* \* \* \*

Item # 16

Case # 27511

4690

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING THE RATIFICATION AND AFFIRMATION OF A LIGHT AND SOUND SYSTEM SERVICE AGREEMENT WITH EKO PRODUCTIONS IN CONJUNCTION WITH THE TOWN'S ANNUAL "SALUTE TO VETERANS" EVENT**

WHEREAS, the Town of Hempstead annually holds a "Salute to Veterans" event at Town Park Point Lookout which includes a live musical performance; and

WHEREAS, EKO Productions, with offices at 360 Commack Road, Deer Park, NY 11729, is in the business of supplying light and sound systems for band performances; and

WHEREAS, due to the fluid circumstances resulting from the ongoing COVID-19 Health Emergency, the Department of Parks and Recreation proceeded to retain the light and sound system services of EKO Productions for the Town's scheduled June 27, 2020 "Salute to Veterans" event for a total fee of \$13,525.00 in conjunction with the scheduled musical performance of Mike DelGuidice & Big Shot; and

WHEREAS, based on prior positive experiences with EKO Productions at previous Town musical performance events, the Commissioner of the Department of Parks and Recreation: (i) believes EKO Productions to be duly qualified; (ii) confirms that EKO Productions rendered professional quality light and sound services at the Town's June 27, 2020 "Salute to Veterans Event", and (iii) recommends that this Town Board ratify and affirm the previously executed Agreement with EKO Productions pursuant to which EKO provided light and sound system services in conjunction with the Town's June 27, 2020 "Salute to Veterans" event; and

WHEREAS, this Town Board finds that it would be in the Town's best interest to ratify and affirm the light and sound system services agreement with EKO Productions in conjunction with the Town's June 27, 2020 "Salute to Veterans" event.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board ratifies and affirms the prior Agreement with EKO Productions dated June 20, 2020 pursuant to which EKO Production provided the light and sound system at the Town's June 27, 2020 "Salute to Veterans" event; and

BE IT FURTHER

RESOLVED, that the Comptroller be and hereby is authorized to make payments under the aforementioned Agreement with EKO Productions from Parks and Recreation Account number #400-007-7110-4151.

The foregoing Resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 17

Case # 29910



CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE COMMISSIONER OF THE DEPARTMENT OF PARKS AND RECREATION TO EXECUTE A SERVICE AGREEMENT WITH LONG ISLAND MOTION PICTURE ARTS CENTER & MUSEUM IN CONJUNCTION WITH THE TOWN'S SUMMER OF 2020 DRIVE IN MOVIE SERIES

WHEREAS, the Department of Purchasing, on behalf of the Department of Parks and Recreation, advertised for bids for drive in movie services; and

WHEREAS, the bids submitted pursuant to such advertisement were opened and referred to the Department of Parks and Recreation for examination and report:

SCHEDULE OF MOVIES

Drive-In-Movies every Tuesday and Thursday starting July 7, 2020 and ending August 25,2020

<u>Week of</u>	<u>Tuesday</u>	<u>Thursday</u>
7/6	Echo	Anchor
7/13	Rath	Hewlett
7/20	Veterans	Western Beef (Roosevelt)
7/27	Oceanside	Niest Field
8/3	Newbridge	Echo
8/10	Seamans Neck	Anchor
8/17	Western Beef (Roosevelt)	Echo
8/24	Baldwin	Rath

Long Island Motion Picture Arts Center & Museum  
144 Davidson Avenue  
Oceanside, N.Y. 11572

<u>Price Per Film Showing</u>	<u>Total Price</u>
\$1,395.00	\$22,320.00

Outdoor Movies by ISH Events d/b/a ISH Events  
26 Cain Drive  
Plainview, N.Y. 11803

<u>Price Per Film Showing</u>	<u>Total Price</u>
\$1,500.00	\$24,000.00

Movies in the Moonlight  
200 S. Oakwood Drive  
Laure, N.Y. 11940

<u>Price Per Film Showing</u>	<u>Total Price</u>
\$1,950.00	\$31,200.00

and

WHEREAS, the Commissioner of the Department of Parks and Recreation has reported that the bid submitted by Long Island Motion Picture Arts Center & Museum 144 Davidson Avenue, Oceanside, N.Y. 11572, was the lower of the ~~three (3)~~ <sup>two (2)</sup> bids received, has recommended acceptance of said bid to the Town Board and it appears that said bidder is duly qualified.

Case # 29910 18

NOW, THEREFORE, BE IT

RESOLVED, that the bid from Long Island Motion Picture Arts Center & Museum, be accepted and approved and that the Commissioner of the Department of Parks & Recreation is hereby authorized to execute the associated service agreement

BE IT FURTHER

RESOLVED, that the Town Comptroller be and is hereby authorized to accept such bid and that payments be charged against Parks and Recreation Code 400-0007-71100-4151 – Fees & Services

The foregoing Resolution was adopted upon roll call as follows:

AYES:

NOES:

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF A BID PROPOSAL FOR ROAD IMPROVEMENT, FOWLER STREET- NORTH BELLMORE, TWIG LANE- LEVITTOWN, TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK, PW# 13-20

WHEREAS, the Commissioner of General Services (the "Commissioner") advertised for bids for Road Improvement, Fowler Street- North Bellmore and Twig Lane- Levittown, Town of Hempstead, Nassau County, New York, PW# 13-20 (the "Project"); and

WHEREAS, the bids submitted pursuant to such advertisement were opened and read in the office of the Commissioner on May 21, 2020; and

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

Metro Paving, LLC	\$683,440.00
Roadwork Ahead	\$719,975.00
Valente Contracting Corp.	\$731,565.00
Richard Grimm	\$764,365.00
Allen Industries	\$868,110.00
ASC Contracting	\$1,950,194.00

WHEREAS, the Commissioner of Engineering reported that the lowest bid was received from Metro Paving, LLC, 500 Patton Avenue, West Babylon, NY, 11704 in the sum of \$683,440.00 and recommended acceptance of said bid to the Town Board and it appears that said bidder is duly qualified; and

WHEREAS, consistent with the recommendation of the Commissioner of the Department of Engineering, the Town Board desires to authorize the Award of a Contract for the Project to Metro Paving, LLC, as the lowest responsible bidder at the bid price of \$683,440.00

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby Awards a Contract for the Project to Metro Paving, LLC, 500 Patton Avenue, West Babylon, NY, 11704, as the lowest responsible bidder at the bid price of \$683,440.00; and be it further

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

RESOLVED, that the Town Board authorizes the Commissioner of the Department of Engineering to execute, on behalf of the Town of Hempstead the Agreement with Metro Paving, and authorizes and directs the Comptroller to pay the actual cost of the Project in accordance with the Contract and in the amount not to exceed \$683,440.00 with payments to be made from the Town Highway Capital Improvement Funds, Account No.: 9571-503-9571-5010.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

19

Case #

21364



CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution  
and moved its adoption:

RESOLUTION AUTHORIZING THE TRANSFER OF  
MONIES RECEIVED BY THE TOWN OF  
HEMPSTEAD THROUGH THE "CARES ACT," TO  
FUND UNBUDGETED NECESSARY EXPENSES  
INCURRED DIRECTLY RELATED TO THE  
COVID-19 PANDEMIC.

WHEREAS, the COVID-19 pandemic is causing a significant  
public health emergency in the Town of Hempstead,  
particularly impacting the Towns ability to pay for  
unbudgeted expenses incurred directly related to the COVID-  
19 pandemic; and

WHEREAS, the Coronavirus Aid, Relief, and Economic  
Security Act ("CARES Act") provides federal funds to  
municipalities including the Town of Hempstead, to take  
actions necessary to respond to the public health emergency;  
and

WHEREAS, the Town Board has created a COVID 19 Committee  
to review and approve such expenditures. In their due  
diligence, the Committee has approved COVID 19 related  
expenditures by the Nassau County Industrial Development  
Agency and/or The Nassau County Local Economic Assistance  
Corporation for the reimbursement of Personal Protective  
Equipment Kits for small businesses located in the Town of  
Hempstead in the amount of \$2,000,000 that have been  
determined to be lawful, proper use of funds, in the public  
interest, and in compliance with the Treasury's promulgated  
guidance; and

Item # 21

Case # 30283

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING AMENDMENT TO THE 2020 ADOPTED BUDGET TO INCREASE GENERAL FUND ESTIMATED REVENUES, AN INCREASE TO GENERAL FUND APPROPRIATIONS, AN INCREASE TO THE GENERAL FUND UNDISTRIBUTED OTHER EXPENSE ACCOUNT AND THE INCREASE OF THE CARES ACT ASSISTANCE REVENUE ACCOUNT IN THE TOWN OF HEMPSTEAD GENERAL FUND UNDISTRIBUTED.

RESOLVED, that the Supervisor be and he hereby is authorized to effect the following:

010-0012-90000 GENERAL FUND - UNDISTRIBUTED:

INCREASE: 5100	ESTIMATED REVENUES	\$2,500,000
INCREASE: 9600	APPROPRIATIONS	\$2,500,000
INCREASE: 4790	OTHER EXPENSE	\$2,500,000
INCREASE: 4786	CARES ACT ASSISTANCE	\$2,500,000

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

22

Case #

30283

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved  
its adoption.

RESOLUTION AUTHORIZING ATTENDANCE OF TWO (2)  
TOWN OF HEMPSTEAD DEPARTMENT OF PUBLIC  
SAFETY EMPLOYEES AT A CHEMICAL AEROSOL  
PROJECTOR INSTRUCTOR COURSE TO BE GIVEN BY THE  
SECURITY EQUIPMENT CORPORATION.

WHEREAS, the Security Equipment Corporation is offering a chemical  
aerosol projector instructor course ("Train the Trainer") to Department of  
Public Safety employees; and

WHEREAS, this Town Board deems it in the best interest of the Town  
of Hempstead and the government thereof that said employees receive this  
specialized training as it will enable them to train the remaining employees of  
the Department of Public Safety;

NOW, THEREFORE, BE IT

RESOLVED, that the attendance of two (2) Public Safety employees at  
the chemical aerosol projector instructor course ("Train the Trainer") is hereby  
authorized; and BE IT FURTHER

RESOLVED, that their actual and necessary expenses in the amount  
of \$150.00 per person for a total sum of \$300.00 be paid to the Security  
Equipment Corporation, 747 Sun Park Drive, Fenton, Missouri, 63026,  
pursuant to the provisions of Section 77-b of the General Municipal Law of  
the State of New York, such expenses to be charged against and paid out of  
Department of Public Safety Account Number 010-002-3120-4040.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

23

Case #

13570

Case No.

Resolution No.

Adopted

offered the following resolution and moved its adoption as follows:

RESOLUTION RATIFYING AND CONFIRMING THE TOWN'S ACCEPTANCE OF A  
DONATION FROM MOUNT SINAI SOUTH NASSAU HOSPITAL CONSISTING OF  
HAND SANITIZER DISPENSERS

WHEREAS, as of June 22, 2020, Mount Sinai South Nassau Hospital has, in the interest of furthering an important public health initiative, generously donated to the Town forty (40) hand sanitizer dispensers for use at the Town's beaches, pools and golf courses and will additionally donate twenty (20) cases of sanitizer refills for such dispenser units; and

WHEREAS, the Town desires to ratify and confirm its acceptance of the aforementioned hand sanitizer units and refills from Mount Sinai South Nassau Hospital.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Hempstead hereby ratifies and confirms its prior acceptance of a generous donation from Mount Sinai South Nassau Hospital consisting of forty (40) hand sanitizer dispenses and twenty (20) refill cases for use at the Town's beaches, pools and golf courses.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 24

# 21943



CASE NO:

RESOLUTION NO:

Adopted:

Offered the following resolution

And moved its adoption:

RESOLUTION AUTHORIZING PAYMENT TO AND RATIFYING AND CONFIRMING THE EMPLOYMENT OF GENSERVE, INC. FOR THE EMERGENCY REPAIRS OF THE GENERATOR LOCATED AT THE TOWN OF HEMPSTEAD ANIMAL SHELTER.

WHEREAS, repairs were required in order to maintain adequate equipment necessary for the generator located at the Town of Hempstead Animal Shelter to provide a continuance of electrical power in the event of an outage; and

WHEREAS, the Town employed the services of GenServe Inc., having its principle offices located at 100 Newton Road, Plainview, New York 11803 in order to ensure proper equipment availability; and

NOW, THEREFORE, BE IT

RESOLVED, that the repairs made by GenServe Inc., to the generator located at the Town of Hempstead Animal Shelter are hereby ratified and confirmed; and

BE IT FURTHER,

RESOLVED that payments in an amount not to exceed \$3,046.92 (Three Thousand Forty Six Dollars and Ninety Two Cents) regarding said repairs are to be made and paid out of General Services Maintenance of Equipment Account Number 010-001-1490-4030.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

25

Case #

14619

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution  
and moved its adoption:

**RESOLUTION DECLARING VEHICLES OF THE DEPARTMENT  
OF GENERAL SERVICES, VEHICLE MAINTENANCE DIVISION,  
OBSOLETE AND AUTHORIZING DISPOSAL THEREOF.**

WHEREAS, the Commissioner of the Department of General Services (the "Commissioner") has advised this Board that certain vehicles (the "Vehicles") used by the Department of General Services, Vehicle Maintenance Division should be declared obsolete, as they are of little value and are no longer economically serviceable for their original purpose and have been replaced by new vehicles; and

WHEREAS, the Commissioner further advises that he believes that the Vehicles have salvage value; and

WHEREAS, the Commissioner recommends that the Vehicles, as described below, should be declared obsolete and disposed of after seeking receipt of salvage value:

Type	VIN #	Year
BUS E450	1FDXE45F12HBO1570	2002
CHEVY IMPALA	2G1WF52E229335521	2002
CHEVY IMPALA	2G1WF52EX29331457	2002
CHEVY MALIBU	1G1ZS57F37F276391	2007
FORD F550 B/TRUCK	1FDAF56PX3EC21029	2003
CHEVY MALIBU	1G1ZS57F87F276709	2007
CHEVY MALIBU	1G1ZS57F37F270980	2007
FORD F550 RACK	1FDAF56S13EB17968	2003

RESOLVED, upon recommendation of the Commissioner, this Board finds that it is in the best interest of the Town that the Vehicles be declared obsolete and disposed of after seeking receipt of salvage value.

NOW, THEREFORE, BE IT

RESOLVED, that the Vehicles are hereby declared obsolete in their primary function in the Department of General Services, Vehicle Maintenance Division, and the Department is hereby authorized to dispose of the Vehicles after seeking receipt of salvage value.

The foregoing resolution was adopted upon roll call as follows:

AYES

NOES: Item #

26

11776

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption as follows:

RESOLUTION APPROVING OFFICIAL UNDERTAKINGS PURSUANT TO SECTION 25 OF THE TOWN LAW.

WHEREAS, certain officials are required to file a surety company bonds or undertakings and those hereinafter mentioned have submitted such bonds or undertakings for approval of this Town Board; and

NOW, THEREFORE, BE IT

RESOLVED, that the following official bonds or undertakings submitted pursuant to Section 25 of the Town Law of the State of New York, be and they hereby are approved as to form, sufficiently and surety:

<u>OFFICIAL</u>	<u>AMOUNT</u>	<u>TERM</u>
Donald X. Clavin, Jr. Supervisor	\$100,000.00	Two years commencing January 1, 2020
Kate Murray Town Clerk	\$100,000.00	Two years commencing January 1, 2020
Gerald Marino Commissioner, Department of General Services	\$100,000.00	Two years commencing January 1, 2020
Thomas Toscano Commissioner, Department of Highways	\$100,000.00	Two years commencing January 1, 2020
Jeanine C. Driscoll Receiver of Taxes	\$400,000.00	Four years commencing January 1, 2020

; and BE IT FURTHER

RESOLVED, that each bond or undertaking approved by this resolution be filed in the Town Clerk's Office, and a copy thereof together with a copy of this resolution be filed in the Office of the County Clerk of Nassau County.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 27

Case # 29434 26589  
27105 2363  
30230

CASE NO. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_-2020

BOND RESOLUTION OF THE TOWN OF HEMPSTEAD, NEW YORK, ADOPTED \_\_\_\_\_, 2020, AUTHORIZING THE PAYMENT OF A SETTLED CLAIM BY THE TOWN IN THE FOLLOWING MATTER: *MICHAEL CARUCCI v. TOWN OF HEMPSTEAD and ANDREW P. CARBONE* (INDEX NO. 601096/2016, SUPREME COURT, NASSAU COUNTY), STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$715,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF \$715,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

The following resolution was offered by \_\_\_\_\_, who moved its adoption, seconded by \_\_\_\_\_ to wit:

THE TOWN BOARD OF THE TOWN OF HEMPSTEAD (THE "TOWN"), IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. Pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as "SEQRA"), the Town Board hereby determines that the object or purpose for which the bonds are herein authorized is a Type II Action, and that no further action is required to satisfy the requirements of SEQRA.

Section 2. The Town is hereby authorized to finance the costs associated with the payment of the following settled claim: *MICHAEL CARUCCI v. TOWN OF HEMPSTEAD and ANDREW P. CARBONE* (Index No. 601096/2016, Supreme Court, Nassau County) (the "Purpose"). The estimated maximum cost of said Purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$715,000, and said amount is hereby appropriated for such Purpose. The plan of financing includes the issuance of \$715,000 serial bonds of the Town to finance said appropriation and the levy and collection of taxes on all taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same become due and payable.

Section 3. Serial bonds of the Town in the principal amount not to exceed \$715,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), to finance said appropriation.

Section 4. The following additional matters are hereby determined and declared:

- (a) The Purpose is an object or purpose described in subdivision 33 of paragraph a of Section 11.00 of the Law and the period of probable usefulness of the Purpose is five (5) years; provided, however, that in the event the total amount of such settled claim and any other similar claims, judgments or awards falling due in a single fiscal year shall exceed one per centum of the average assessed valuation of real property

Item # \_\_\_\_\_ 28

in the Town, the applicable period of probable usefulness shall be ten (10) years; and provided further that in the event such settled claim and any other similar claims, judgments or awards falling due in a single fiscal year shall exceed two per centum of the average assessed valuation of real property in the Town, the applicable period of probable usefulness shall be fifteen (15) years.

- (b) The proceeds of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized.
- (c) This resolution shall constitute the declaration of the Town's "official intent" to reimburse expenditures authorized by Section 2 with proceeds of the bonds authorized by this resolution, or bond anticipation notes issued in anticipation of the sale of said bonds, as required by United States Treasury Regulation Section 1.150-2.
- (d) The maximum maturity of the bonds authorized by this resolution will not exceed five (5) years. It is hereby further determined that the foregoing is not an assessable improvement.

Section 5. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds as the same respectively become due and payable and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of said bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest on such bonds and any notes in anticipation thereof due and payable in such year. There shall annually be levied on all the taxable real property in the Town a tax sufficient to pay the principal of and interest on such bonds and any notes in anticipation thereof as the same become due and payable.

Section 6. Subject to the provisions of this resolution and subject to the provisions of the Law, the powers and duties of the Town Board relative to authorizing the issuance and sale of any notes in anticipation of the sale of the bonds herein authorized, including renewals thereof, determining whether to issue bonds with substantially level or declining annual debt service, prescribing the terms, form and contents of the bonds herein authorized, bond anticipation notes issued in anticipation of said bonds and the renewals thereof, and any other powers or duties pertaining to or incidental to the sale and issuance of the bonds herein authorized, bond anticipation notes issued in anticipation of said bonds and the renewals thereof, are hereby delegated to the Supervisor, as the chief fiscal officer of the Town.

Section 7. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or

proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. The foregoing resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the "Long Island Business News", a newspaper having a general circulation in the Town, which newspaper is hereby designated as the official newspaper of the Town for such publication.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor Donald X. Clavin, Jr.	voting	_____
Councilwoman Dorothy L. Goosby	voting	_____
Councilman Bruce A. Blakeman	voting	_____
Councilman Anthony P. D'Esposito	voting	_____
Councilman Dennis Dunne, Sr.	voting	_____
Councilman Thomas E. Muscarella	voting	_____
Councilman Chris Carini	voting	_____

The resolution was declared adopted.


AYES: \_\_\_\_\_ ( )

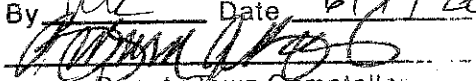
NAYS: \_\_\_\_\_ ( )

I, KATE MURRAY, Town Clerk of the Town of Hempstead, in the County of Nassau, State of New York (the "Town"), HEREBY CERTIFY that this is a true, complete and correct copy of the original bond resolution duly adopted by the Town Board of the Town at a meeting thereof held on the date set forth herein, and at which a quorum was present and acting throughout.

(SEAL)

\_\_\_\_\_  
Kate Murray, Town Clerk  
Town of Hempstead

  
MICHAEL J. CAPOBIANCO  
COMPTROLLER'S OFFICE  
BUDGET DIVISION

APPROVED,  
AS TO FORM  
By                      Date 6/1/20  
  
Deputy Town Comptroller

APPROVED AS TO FORM  
Charles O. Heine  
SENIOR DEPUTY TOWN ATTORNEY  
DATE 6/1/2020  
Doc #05-1299483.1

  
RICHARD A. RAMOS  
DEPUTY TOWN COMPTROLLER

**LEGAL NOTICE**  
**(ESTOPPEL)**

NOTICE IS HEREBY GIVEN that (i) the Town Board of the Town of Hempstead, in the County of Nassau, State of New York (the "Town"), at a meeting held \_\_\_\_\_, 2020, duly adopted the resolution, a summary of which is published herewith, which is not subject to a permissive referendum as provided in Article 7 of the Town Law of the State of New York and Local Finance Law Section 35.00(b)(4), and (ii) the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting the validity of such resolution is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

The Town Clerk of the Town of Hempstead, New York

BOND RESOLUTION OF THE TOWN OF  
HEMPSTEAD, NEW YORK, ADOPTED  
\_\_\_\_\_, 2020, AUTHORIZING THE  
PAYMENT OF A SETTLED CLAIM BY THE  
TOWN IN THE FOLLOWING MATTER:  
*MICHAEL CARUCCI v. TOWN OF  
HEMPSTEAD and ANDREW P. CARBONE*  
(INDEX NO. 601096/2016, SUPREME COURT,  
NASSAU COUNTY), STATING THE  
ESTIMATED MAXIMUM COST THEREOF IS  
\$715,000, APPROPRIATING SAID AMOUNT  
FOR SUCH PURPOSE AND AUTHORIZING  
THE ISSUANCE OF \$715,000 SERIAL BONDS  
OF SAID TOWN TO FINANCE SAID  
APPROPRIATION

Period of probable usefulness:

Five (5) years; provided, however, that in the event the total amount of such settled claim and any other similar claims, judgments or awards falling due and being paid in a single fiscal year shall exceed one per centum of the average assessed valuation of real property in the Town, the applicable period of probable usefulness shall be ten (10) years; and provided further that in the event such settled claim and any other similar claims, judgments or awards falling due and being paid in a single fiscal year shall exceed two per centum of the average assessed valuation of real property in the Town, the applicable period of probable usefulness shall be fifteen (15) years. The proposed maturity of the bonds authorized by the foregoing resolution will not exceed (5) years.

Class of objects or purposes:

The costs associated with the payment of the following settled claim: *MICHAEL CARUCCI v. TOWN OF HEMPSTEAD and*

*ANDREW P. CARBONE* (Index No.  
601096/2016, Supreme Court,  
Nassau County).

Amount of obligations to be issued: \$715,000 serial bonds.

A complete copy of the bond resolution summarized above shall be available for public inspection during normal business hours at the Office of the Clerk of the Town of Hempstead, at Town Hall, 1 Washington Street, Hempstead, New York.

Dated: \_\_\_\_\_, 2020  
Hempstead, New York



**ESTOPPEL CERTIFICATE OF THE TOWN CLERK**

I, KATE MURRAY, Town Clerk of the Town of Hempstead, in the County of Nassau, State of New York (the "Town"), HEREBY CERTIFY as follows:

That a resolution of the Town Board of said Town entitled:

"BOND RESOLUTION OF THE TOWN OF HEMPSTEAD, NEW YORK, ADOPTED \_\_\_\_\_, 2020, AUTHORIZING THE PAYMENT OF A SETTLED CLAIM BY THE TOWN IN THE FOLLOWING MATTER: *MICHAEL CARUCCI v. TOWN OF HEMPSTEAD and ANDREW P. CARBONE* (INDEX NO. 601096/2016, SUPREME COURT, NASSAU COUNTY), STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$715,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF \$715,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION"

was adopted on \_\_\_\_\_, 2020, and such resolution contained an estoppel clause as permitted by Section 80.00 of the Local Finance Law of the State of New York (the "Law") and that a notice setting forth the information required by Section 81.00 of the Law together with a summary of such resolution was published as required by law.

To the best of my knowledge, no action, suit or proceeding contesting the validity of the obligations authorized by such resolution was commenced within twenty (20) days from the date of publication of such resolution and notice, or at any other time since said publication.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this \_\_\_\_ day of \_\_\_\_\_, 2020.

---

Kate Murray, Town Clerk  
Town Of Hempstead





Resolution – Amending Resolution No. 80-2020 Re: Various offices,  
position & occupations in the Town Government of the Town of  
Hempstead.

Item # 30

Case # 7

CASE NO. 30293

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, Councilman Blakeman has introduced a proposed local law known as Intro. No. 29-2020, 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 August 4, 2020 at 10:30 o'clock in the forenoon of that day, at which time all interested persons shall be heard on the proposed enactment of a local law known as Intro. No. 29-2020, 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 # 31*  
*Case # 30293*

**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 4<sup>th</sup> day of August, 2020, 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:

UNIONDALE Section 202-12	BROOKSIDE AVENUE (TH 72/20) West Side - NO PARKING 10 AM TO 6 PM EXCEPT SUNDAY - starting at a point 60 feet south of the south curblineline of Hillside Court south for a distance of 28 feet.
-----------------------------	---

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

MERRICK Section 202-11	ORR STREET (TH 364/15) East Side - NO PARKING 10 AM TO 4 PM EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS - starting at a point 138 feet south of the south curblineline of Merrick Rd., south for a distance of 30 feet. (Adopted 9/21/15)
---------------------------	--

ALL INTERESTED PERSONS shall have an opportunity to submit comments on said proposal(s), and by reason of public health regulations, all comments shall be limited to e-mails only, addressed to [publicresponse@tohmail.org](mailto:publicresponse@tohmail.org), and received not later than 4:45 p.m. on August 3, 2020. All comments must include your name and address, and identify the location.

Dated: July 1, 2020  
Hempstead, New York

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF HEMPSTEAD

DONALD X. CLAVIN, JR.  
Supervisor

KATE MURRAY  
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 ten of two thousand twenty is hereby amended by including therein "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

UNIONDALE  
Section 202-12

BROOKSIDE AVENUE (TH 72/20) West Side – NO PARKING 10 AM TO 6 PM EXCEPT SUNDAY – starting at a point 60 feet south of the south curblin of Hillside Court south for a distance of 28 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 ten of two thousand twenty is hereby amended by repealing therein "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

MERRICK  
Section 202-11

ORR STREET (TH 364/15) East Side – NO PARKING 10 AM TO 4 PM EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS – starting at a point 138 feet south of the south curblin of Merrick Rd., south for a distance of 30 feet.  
(Adopted 9/21/15)

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

CASE NO. 30294

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 "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. 30-2020, Print No. 1 to amend the said Section 202-1 of the Code of the Town of Hempstead to include "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 August 4, 2020, at 10:30 o'clock in the forenoon of that day, at which time all interested persons shall be heard on the proposed enactment of a local law known as Intro. No. 30-2020, Print No. 1, to amend Section 202-1 of the Code of the Town of Hempstead to include "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 # 37  
Case # 30294



**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 4<sup>th</sup> day of August, 2020, 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 "PARKING OR STANDING PROHIBITIONS" at the following locations:

UNIONDALE

BROOKSIDE AVENUE (TH 72/20) West Side -  
NO STOPPING HERE TO CORNER - starting  
at the south curbline of Hillside Court  
south for a distance of 45 feet.

ALL INTERESTED PERSONS shall have an opportunity to submit comments on said proposal(s), and by reason of public health regulations, all comments shall be limited to e-mails only, addressed to [publicresponse@tohmail.org](mailto:publicresponse@tohmail.org), and received not later than 4:45 p.m. on August 3, 2020. All comments must include your name and address, and identify the location.

Dated: July 1, 2020  
Hempstead, New York

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF HEMPSTEAD

DONALD X. CLAVIN, JR.  
Supervisor

KATE MURRAY  
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 "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 eleven of two thousand twenty is hereby amended by including therein "PARKING OR STANDING PROHIBITIONS" at the following locations:

UNIONDALE

BROOKSIDE AVENUE (TH 72/20) West Side – NO STOPPING HERE TO CORNER – starting at the south curblineline of Hillside Court south for a distance of 45 feet.

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

CASE NO. 30295

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. 31-2020, 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 August 4, 2020, at 10:30 o'clock in the forenoon of that day, at which time all interested persons shall be heard on the proposed enactment of a local law known as Intro. No. 31-2020, 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 # 33

Case # 30295

**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 4<sup>th</sup> day of August, 2020, 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:

SALISBURY                      CYPRESS LANE EAST (TH 111/20) STOP - all traffic traveling southbound on Cobalt Lane shall come to a full stop.

WANTAGH                      MANCHESTER ROAD (TH 117/20) STOP - all traffic traveling northbound on Earl Street shall come to a full stop.

WOODMERE                      DUSTON ROAD (TH 118/20) STOP - all traffic traveling southbound on Longview Road shall come to a full stop.

OAKLEIGH ROAD (TH 118/20) STOP - all traffic traveling eastbound on Duston Road shall come to a full stop.

ALL INTERESTED PERSONS shall have an opportunity to submit comments on said proposal(s), and by reason of public health regulations, all comments shall be limited to e-mails only, addressed to publicresponse@tohmail.org, and received not later than 4:45 p.m. on August 3, 2020. All comments must include your name and address, and identify the location.

Dated: July 1, 2020  
Hempstead, New York

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF HEMPSTEAD

DONALD X. CLAVIN, JR.  
Supervisor

KATE MURRAY  
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 twelve of two thousand twenty is hereby amended by including therein "ARTERIAL STOPS" at the following locations:

SALISBURY

CYPRESS LANE EAST (TH 111/20) STOP – all traffic traveling southbound on Cobalt Lane shall come to a full stop.

WANTAGH

MANCHESTER ROAD (TH 117/20) STOP – all traffic traveling northbound on Earl Street shall come to a full stop.

WOODMERE

DUSTON ROAD (TH 118/20) STOP – all traffic traveling southbound on Longview Road shall come to a full stop.

OAKLEIGH ROAD (TH 118/20) STOP – all traffic traveling eastbound on Duston Road shall come to a full stop.

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

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF ASHLEY BEHRENS AS ASSISTANT DIRECTOR OF ANIMAL SHELTER AND CONTROL, IN THE DEPARTMENT OF GENERAL SERVICES, ANIMAL SHELTER AND CONTROL DIVISION, 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 Ashley Behrens has passed the examination for the position Assistant Director of Animal Shelter and Control, Civil Service List No. 69-051, and is eligible for appointment thereto,  
NOW, THEREFORE BE IT

RESOLVED, that Ashley Behrens, now serving as Assistant Director of Animal Shelter and Control, Competitive, Provisional, in the Department of General Services, Animal Shelter and Control Division, be and hereby is appointed Assistant Director of Animal Shelter and Control, Competitive, Permanent, with no change in salary, by the Commissioner of the Department of General Services and ratified by the Town Board of the Town of Hempstead effective July 2, 2020, 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 SARALYN BJORNEBY, AS  
CLERK LABORER IN THE OFFICE OF THE  
RECEIVER OF TAXES.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that Saralyn Bjorneby be and hereby is appointed  
Clerk Laborer, Non Competitive, Grade 9, Start Step (A), \$42,421, in the Office of the Receiver of  
Taxes, by the Receiver of Taxes and ratified by the Town Board of the Town of Hempstead effective  
July 2, 2020 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: REASSIGNMENT OF JARRET FINLEY,  
LABORER I, FROM THE DEPARTMENT OF  
GENERAL SERVICES, ANIMAL SHELTER AND  
CONTROL DIVISION TO THE DEPARTMENT  
OF GENERAL SERVICES, CEMETERY  
DIVISION.

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

RESOLVED, that Jarret Finley, Laborer I, be and hereby is reassigned  
from the Department of General Services, Animal Shelter and Control Division to the Department of  
General Services, Cemetery Division, with no change in salary, by the Commissioner of the  
Department of General Services and ratified by the Town Board of the Town of Hempstead, effective  
July 2, 2020.

AYES:

NOES:



RESOLUTION NO:

CASE NO:

ADOPTED:

RE: REASSIGNMENT OF MARCIA MINER, OFFICE SERVICES ASSISTANT, FROM THE DEPARTMENT OF GENERAL SERVICES, ADMINISTRATION TO THE DEPARTMENT OF GENERAL SERVICES, CEMETERY DIVISION.

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

RESOLVED, that Marcia Miner, Office Services Assistant, be and hereby is reassigned from the Department of General Services, Administration to the Department of General Services, Cemetery Division, with no change in salary, by the Commissioner of the Department of General Services and ratified by the Town Board of the Town of Hempstead, effective July 2, 2020.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: REASSIGNMENT OF KENNETH MORRISON,  
MAINTENANCE MECHANIC I, FROM THE  
DEPARTMENT OF GENERAL SERVICES,  
ANIMAL SHELTER AND CONTROL DIVISION  
TO THE DEPARTMENT OF GENERAL  
SERVICES, BUILDINGS AND GROUNDS  
DIVISION.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that Kenneth Morrison, Maintenance Mechanic I, be and hereby is reassigned from the Department of General Services, Animal Shelter and Control Division to the Department of General Services, Buildings and Grounds Division, with no change in salary, by the Commissioner of the Department of General Services and ratified by the Town Board of the Town of Hempstead, effective July 2, 2020.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: PROVISIONAL REAPPOINTMENT OF  
DEVAUGHN OREE AS INSTRUMENT  
WORKER, IN THE DEPARTMENT OF  
ENGINEERING.

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

RESOLVED, that Devaughn Oree, now serving as Instrument  
Worker, Competitive, Provisional, in the Department of Engineering, be and hereby is  
provisionally reappointed as Instrument Worker, Competitive, Provisional, with no change in  
salary, by the Commissioner of the Department of Engineering and ratified by the Town Board of  
the Town of Hempstead effective July 2, 2020.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF CHAD SPINOCCIA AS  
EQUIPMENT OPERATOR II, IN THE  
DEPARTMENT OF SANITATION.

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

RESOLVED, that Chad Spinoccia, now serving as Recycling Worker II, in the Department of Sanitation, be and hereby is appointed Equipment Operator II, Non Competitive, Grade 12, Step 7 (H), with no change in salary, 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 July 2, 2020, 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: REASSIGNMENT OF DENNIS VELA, LABORER  
I, FROM THE DEPARTMENT OF GENERAL  
SERVICES, ANIMAL SHELTER AND CONTROL  
DIVISION TO THE DEPARTMENT OF  
GENERAL SERVICES, CEMETERY DIVISION.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that Dennis Vela, Laborer I, be and hereby is reassigned from the Department of General Services, Animal Shelter and Control Division to the Department of General Services, Cemetery Division, with no change in salary, by the Commissioner of the Department of General Services and ratified by the Town Board of the Town of Hempstead, effective July 2, 2020.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: AMENDMENT OF RESOLUTION  
NO. 512/24-2020, JOHN RAGANO, IN THE  
OFFICE OF THE TOWN COMPTROLLER.

On motion made by

the following resolution was adopted upon roll call:

WHEREAS, Resolution No. 512/24-2020 states an incorrect effective date

NOW, THEREFORE, BE IT

RESOLVED, that the resolution should read "effective June 17, 2020"

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: AMENDMENT OF RESOLUTION  
NO. 512/29-2020, LOUIS TUFARELLI, IN THE  
DEPARTMENT OF HUMAN RESOURCES.

On motion made by

the following resolution was adopted upon roll call:

WHEREAS, Resolution No. 512/29-2020 states an incorrect effective date

NOW, THEREFORE, BE IT

RESOLVED, that the resolution should read "effective July 20, 2020"

AYES:

NOES:

7/1/2020

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



CASE NO. 28619  
30283

RESOLUTION NO. 837-2020

Adopted: July 1, 2020

Senior Councilwoman Goosby offered the following resolution and moved its adoption:

Resolution Authorizing The Grant Of Emergency Funds To Long Island Harvest Food Bank To Assist With Expanding Their "Harvest To Home Meal Delivery Service" To Senior Citizens, Veterans, And Other Vulnerable Populations Within The Town Of Hempstead, Necessitated By The Coronavirus Public Health Threat.

**WHEREAS**, the COVID-19 pandemic is causing a significant public health emergency in the Town of Hempstead, particularly impacting senior citizens, veterans, and other vulnerable populations within the Town of Hempstead; and

**WHEREAS**, the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") provides federal funds to municipalities including the Town of Hempstead, to take actions necessary to respond to the public health emergency including but not limited to expenses related to food delivery to residents, including, senior citizens, veterans, and other vulnerable populations, to mitigate the impact of the COVID-19 public health emergency; and

**WHEREAS**, the Town Board has determined that this is a proper expenditure to undertake on behalf of at-risk senior citizens, veterans, and other vulnerable residents of the Town of Hempstead; and

**WHEREAS**, Long Island Harvest Food Bank is a 501(c)(3) organization that is an established and recognized regional food bank, operating in the Town of Hempstead, that is ready, willing and able to accept funds and use them to provide prepared meal deliveries under their "Harvest to Home" program to at-risk senior citizens, veterans, and other vulnerable populations within the Town of Hempstead, on an emergency basis from July 1, 2020 to December 30, 2020; and

**WHEREAS**, under the written proposal submitted by Long Island Harvest Food Bank they shall deliver prepared meals to seniors, veterans, and other vulnerable populations located within the Town of Hempstead in an amount of not less than 750 Town of Hempstead households per week; 15,000 duplicated households with 30,000

meals through the end of December of 2020; and, at a total cost of up to \$2,110,000.00;  
and

**WHEREAS**, the Office of the Town Attorney has reviewed the aforementioned written proposal of Long Island Harvest Food Bank, and recommends to the Town Board that the grant of funds be made available as aforesaid:

**NOW, THEREFORE, BE IT:**

**RESOLVED**, that the Comptroller of the Town of Hempstead be and hereby is authorized to provide funds to Long Island Harvest Food Bank in the amount not in excess of \$2,110,000.00, as described above; and be it further

**RESOLVED**, that the Comptroller shall make such funds available upon presentation to him of all documentation he may deem necessary to confirm the lawful and proper use of the funds; and be it further

**RESOLVED**, that such documentation shall include a statement by a person in authority in Long Island Harvest Food Bank, acceptable to the Town Attorney, stating that they agree that in the event the Federal Government determines that the expenditure of the funds, or any part thereof, was in any manner improper and determines to demand the return of the funds, or any part thereof, Long Island Harvest Food Bank shall be legally responsible for reimbursement to the Town of the amount equal to the amount of funds obligated to be returned, and Long Island Harvest Food Bank shall hold the Town harmless; be it further

**RESOLVED**, that any legal impediment to the foregoing is hereby superseded and overridden, pursuant to the emergency declaration issued by the Supervisor on March 16, 2020, which remains in effect; and be it further

**RESOLVED**, that all such funds shall be paid out of 010-0012-90000-4790.

The foregoing resolution was adopted upon roll call as follow:

AYES: SEVEN (7)

NOES: NONE (0)

CASE NO. 17356  
30283

RESOLUTION NO. 838-2020

Adopted: July 1, 2020

Senior Councilwoman Goosby offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH LENCO DIAGNOSTIC LABORATORIES TO PROVIDE COVID-19 RELATED TESTING AND/OR ON-SITE MOBILE TESTING TO TOWN OF HEMPSTEAD EMPLOYEES TO BE PAID FROM MONIES RECEIVED BY THE TOWN THROUGH THE "CARES ACT."

WHEREAS, the COVID-19 pandemic is causing a significant public health emergency in the Town of Hempstead rendering it in the public interest for the Town to enter into an Agreement for COVID-19 testing and/or on-site mobile testing of Town Employees; and

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") provides federal funds to municipalities including the Town of Hempstead, to take actions necessary to respond to the public health emergency including but not limited to expenses related to COVID-19 testing and/or on-site mobile testing of Town employees; and

WHEREAS, LENCO Diagnostic Laboratories with offices located at 1857 86<sup>th</sup> Street, Brooklyn, NY is ready willing and able to perform such services, and has presented to the Town a Memorandum of Understanding provided for COVID-19 related testing and/or on-site mobile testing of Town Employees for the amount to cover the cost of the test, which is \$25.00 for COVID-19 IgG testing and \$25.00 for COVID-19 IgM testing, except there shall be no fee if it is covered by the Employee's health insurance; and

WHEREAS, the Town Attorney has reviewed the said Memorandum of Understanding and finds that its provisions are lawful and proper, protecting the interests of the Town of Hempstead and further that these are proper expenses under the "CARES Act"; and

WHEREAS, the Town Board has determined that the Memorandum of Understand is in the public interest;

**NOW THEREFORE BE IT:**

**RESOLVED**, that the Supervisor is authorized, as his discretion, to execute the Agreement with LENCO Diagnostic Laboratories with offices located at 1857 86th Street, Brooklyn, NY to provide COVID-19 testing and/or on-site mobile testing of Town employees as provided therein; be it further:

**RESOLVED**, that the Comptroller shall make such funds available upon presentation to him of all documentation he may deem necessary to confirm the lawful and proper use of the funds, with invoices which sufficiently demonstrate that the funds were used for COVID-19 testing/and/or on-site mobile testing of Town employees incurred as a result of the COVID-19 public health emergency which was not covered by the Employee's insurance, be it further:

**RESOLVED**, that any legal impediment to the foregoing is hereby superseded and overridden, pursuant to the emergency declaration issued by the Supervisor on March 16, 2020, which remains in effect, be it further:

**RESOLVED**, that all such funds shall be paid out of account no. 010-0012-90000-4790.

The foregoing resolution was adopted upon roll call as follow:

AYES: SEVEN (7)

NOES: NONE (0)

CASE NO. 6085  
30283

RESOLUTION NO. 839-2020

Adopted: July 1, 2020

Senior Councilwoman Goosby offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT#: 33-2020 FOR  
PROTECTIVE SURGICAL MASKS & GLOVES-COVID-19 TO:  
VARIOUS VENDORS

WHEREAS, the Division of Purchasing, Office of the Town Comptroller advertised for sealed bids for Contract #33-2020 for Protective Surgical Masks & Gloves-Covid-19; and

WHEREAS, thirty-eight (38) bids in response to the solicitation were received and opened in the Division of Purchasing on June 5, 2020, yielding the following top four (4) results:

<u>NAME</u>	<u>PRICE</u>
1) Digitalight Systems, Inc. 3562 Dixie Highway Stuart, FL 34997	Fee Schedule per Item
2) GK Trading, LLC 30 Technology Drive Warren, NJ 07059	Fee Schedule per Item
3) LFB3, LLC 40 Wall Street New York, NY 10005	Fee Schedule per Item
4) Nexus Medical, LLC 108 Trailmoore, Suite #: 6 Fredericksburg, TX 78624	Fee Schedule per Item

;and

WHEREAS, the initial term of the award shall be for a period of one year, beginning upon award of the contract, with the option for two (2) one (1) year extensions; and

WHEREAS, the Deputy Town Comptroller for the Division of Purchasing, recommends the bids from the four (4) vendors listed herein be accepted and in the best interest of the residents of the Town of Hempstead; and

NOW, THEREFORE, BE IT

RESOLVED, that Contract #: 33-2020 for Protective Surgical Masks & Gloves-COVID-19 be and is hereby awarded to the four (4) vendors listed here-in; and

BE IT FURTHER, RESOLVED, that the Town Comptroller be and hereby authorized to make payments from the appropriate Departmental account code.

The foregoing resolution was adopted upon roll call as follows:

AYES: SEVEN (7)

NOES: NONE (0)

CASE NO. 6085  
30283

RESOLUTION NO. 840-2020

Adopted: July 1, 2020

Senior Councilwoman Goosby offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT#: 48-2020 FOR  
PERSONAL PROTECTIVE EQUIPMENT (PPE) KITS-COVID-19 TO:  
VARIOUS VENDORS

WHEREAS, the Division of Purchasing, Office of the Town Comptroller advertised for sealed bids for Contract #: 48-2020 for Personal Protective Equipment (PPE) Kits-Covid-19; and

WHEREAS, sixteen (16) bids in response to the solicitation were received and opened in the Division of Purchasing on June 26, 2020, yielding the following top result:

<u>NAME</u>	<u>PRICE</u>
1) Complete Packaging & Shipping Supplies, Inc. 1200 Shames Drive, Suite A Westbury, NY 11590	\$276.23 per Kit ITEM 1: Hand Sanitizer: \$29.99 ea. ITEM 2: Masks: \$8.00/box of 50 ITEM 3: Gloves: \$15.00/box of 100 ITEM 4: Thermometer: \$39.00/ea. ITEM 5: Wipes: \$85.00/Canister of 400 ITEM 6: Face Shield: \$2.00/ea.

;and

WHEREAS, the initial term of the award shall be for a period of one year, beginning upon award of the contract, with the option for two (2) one (1) year extensions; and

WHEREAS, the Deputy Town Comptroller for the Division of Purchasing, recommends the bid from Complete Packaging & Shipping Supplies, Inc., 1200 Shames Drive, Suite A, Westbury, NY 11590 be accepted and in the best interest of the residents of the Town of Hempstead; and

NOW, THEREFORE, BE IT

RESOLVED, that Contract #: 48-2020 for Personal Protective Equipment (PPE) Kits-Covid-19 be and is hereby awarded to the Complete Packaging & Shipping Supplies, Inc., 1200 Shames Drive, Suite A, Westbury, NY 11590; and

BE IT FURTHER, RESOLVED, that the Town Comptroller be and hereby authorized to make payments from the appropriate COVID-19 related funds.

The foregoing resolution was adopted upon roll call as follows:

AYES: SEVEN (7)

NOES: NONE (0)

Case No. 30139  
30283

Resolution No. 841-2020

Adopted: July 1, 2020

Councilwoman Goosby offered the following resolution and moved its adoption:

RESOLUTION AMENDING RESOLUTION NO 643-2019 AUTHORIZING THE EXECUTION OF AGREEMENTS WITH ENGINEERING FIRMS FOR ON-CALL CONSULTING SERVICES FOR COVID-19 RELATED ENGINEERING STUDIES OF TOWN OF HEMPSTEAD INSTALLATIONS, INFRASTRUCTURE, AND FACILITIES TO BE PAID FROM MONIES RECEIVED BY THE TOWN THROUGH THE "CARES ACT."

**WHEREAS**, pursuant to Resolution 643-2019, duly adopted by the Town Board on June 11, 2019 the Town entered into an Agreement (the "Original Agreement") with H2M Architects and Engineers to prepare Engineering Related Studies of said various projects, properties: and

**WHEREAS**, the COVID-19 pandemic is causing a significant public health emergency in the Town of Hempstead rendering it in the public interest for the Town to study, from an engineering standpoint, the improvements to Town installations, infrastructure and facilities to render safe the usage of same in the COVID-19 pandemic environment; and

**WHEREAS**, as such, there is an urgent need for Emergency Mitigation Measures for Town installations, infrastructure and facilities due to the current COVID-19 Pandemic and the Commissioner recommends amending Resolution 643-2019 to increase the Contract Amount under the Original Agreement by an amount not to exceed \$1,000,000 to be used exclusively for such COVID-19 related improvements (the "Amendment"); and

**WHEREAS**, the Town Board finds it to be in the best interest of the Town to authorize the Amendment;

**NOW, THEREFORE, BE IT:**

**RESOLVED**, that the Amendment be and hereby is authorized; and be it further

**RESOLVED**, 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 costs of the Amendment, not to exceed \$1,000,000.00 upon presentation to him of all documentation he may deem necessary to confirm the lawful and proper use of the funds, with invoices which sufficiently demonstrate that the funds were used for COVID-19 mitigation studies necessitated by the COVID-19 public health emergency; and be it further:

**RESOLVED**, that any legal impediment to the foregoing is hereby superseded and overridden, pursuant to the emergency declaration issued by the Supervisor on March 16, 2020, which remains in effect, be it further:

**RESOLVED**, that all such funds shall be paid out of account no. 010-0012-90000-4790.

The foregoing resolution was adopted upon roll call as follows:

AYES: SEVEN (7)

NOES: NONE (0)



Adopted: July 1, 2020

Councilwoman Goosby offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF A BID PROPOSAL FOR 2020 PEDESTRIAN ACCESS RAMP INSTALLATION PROGRAM, TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK, PW# 11-20

WHEREAS, the Commissioner of General Services (the "Commissioner") advertised for bids for 2020 Pedestrian Access Ramp Installation Program, Town of Hempstead, Nassau County, New York, PW# 11-20 (the "Project"); and

WHEREAS, the bids submitted pursuant to such advertisement were opened and read in the office of the Commissioner on May 27, 2020; and

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

Valente Contracting Corp.	\$1,064,075.00
Roadwork Ahead	\$1,370,750.00
The Landtek Group, Inc.	\$1,430,800.00
Aventura Corp.	\$1,899,950.00
J. Anthony Ent.	\$3,329,880.00

WHEREAS, the Commissioner of Engineering reported that the lowest bid was received from Valente Contracting Corp., 77 Jackson Avenue, Mineola, NY, 11501 in the sum of \$1,064,075.00 and recommended acceptance of said bid to the Town Board and it appears that said bidder is duly qualified; and

WHEREAS, consistent with the recommendation of the Commissioner of the Department of Engineering, the Town Board desires to authorize the Award of a Contract for the Project to Valente Contracting Corp., as the lowest responsible bidder at the bid price of \$1,064,075.00

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby Awards a Contract for the Project to Valente Contracting Corp., 77 Jackson Avenue, Mineola, NY, 11501, as the lowest responsible bidder at the bid price of \$1,064,075.00; 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 actual cost of the Project in accordance with the Contract and in the amount not to exceed \$1,064,075.00 with payments to be made from the Town Highway Capital Improvement Funds, Account No.: 9578-503-9578-5010.

The foregoing resolution was adopted upon roll call as follows:

AYES: SEVEN (7)

NOES: NONE (0)

Adopted: July 1, 2020

Councilwoman Goosby offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AMENDMENT TO A CERTAIN MEMORANDUM OF AGREEMENT NEGOTIATED BY THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC., RELATIVE TO EMPLOYEES LEAVING SERVICE BETWEEN May 23, 2020 TO June 26, 2020 AS AUTHORIZED BY TOWN BOARD RESOLUTION NUMBER 664-2020

WHEREAS, the Civil Service Employees Association (CSEA) AFSCME, AFL/CIO LOCAL 1000 by and through its Town of Hempstead Local 880 (the "Union") and the Town of Hempstead are desirous of offering a retirement incentive to town employees (but not elected officials, members of paid boards and commissions or employees terminated for cause); and,

WHEREAS, the Parties entered into an Amended Agreement by resolution number 664-2020 dated May 19, 2020 offering a retirement incentive to full-time employees (excluding elected officials, members of paid boards and commissions or employees terminated for cause) who notify the Department of Human Resources no later than close of business on June 22, 2020 of their intent to leave Town service and be off of payroll no later than June 26, 2020; and,

WHEREAS, the Parties wish to amend the dates set forth in paragraphs (a) and (b) of the May 19, 2020 Amended Memorandum of Agreement;

WHEREAS, the Union has presented the Town Board with a fully executed copy of the Amended Memorandum of Agreement, in a form deemed sufficient by the Town Attorney;

NOW, THEREFORE, BE IT

RESOLVED, that paragraph (a) of the Amended Memorandum of Agreement dated May 19, 2020 and passed by resolution number 664-2020 is hereby amended only insofar that the final date of notification to Human Resources is changed from June 22, 2020 to August 24, 2020 and the final date by which the employee must be off payroll is changed from June 26, 2020 to August 28, 2020; and

RESOLVED, paragraph (b) of the Amended MOA dated May 19, 2020 and passed by resolution number 664-2020 is hereby amended only insofar that such payment shall be made no later than November 2, 2020.

BE IT FURTHER RESOLVED, that Supervisor be and hereby is authorized to execute the Amended Memorandum of Agreement; and

BE IT FURTHER RESOLVED, that the Amended Memorandum of Agreement shall become effective on the date on which the Supervisor executes the Amended Memorandum and it is filed in the Office of the Town Clerk; and,

The foregoing resolution was adopted upon roll call as follow:

AYES: SEVEN (7)

NOES: NONE (0)

Adopted: July 1, 2020

Councilwoman Goosby offered the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING THE RATIFICATION AND AFFIRMATION OF AN ARTIST ENGAGEMENT AGREEMENT WITH ALMOST QUEEN INC. IN CONJUNCTION WITH THE TOWN'S ANNUAL "SALUTE TO VETERANS" EVENT**

**WHEREAS**, the Town of Hempstead annually holds a "Salute to Veterans event at Town Park Point Lookout which includes a live musical performance; and

**WHEREAS**, pursuant to Resolution NO. 3199-2020 adopted by this Town Board on February 25, 2020, the Town entered into an Artist Engagement Agreement with "Mike DelGuidice & Big Shot" (the "Big Shot Contract") to perform at this year's "Salute to Veterans" Event scheduled for June 27, 2020; and

**WHEREAS**, the parties to the Big Shot Contract mutually agreed on June 25, 2020 to cancel the Big Shot Contract as a result of New York State's recently implemented quarantine order which effectively precluded Mike DelGuidice traveling from Florida to New York to perform at this year's "Salute to Veterans" Event; and

**WHEREAS**, as a result of this literally last minute cancellation of the Big Shot Contract, the Department of Parks & Recreation proceeded to promptly execute a replacement Artist Engagement Agreement with Almost Queen Inc. (the "Almost Queen Contract") to perform at this year's "Salute to Veterans" Event for a performance fee of \$20,000.00; and

**WHEREAS**, the Commissioner of the Department of Parks & Recreation recommends to this Town Board that it ratify and affirm the previously executed Almost Queen Contract in light of the extenuating circumstances resulting in the cancellation of the Big Shot Contract; and

**WHEREAS**, this Town Board finds that it would be in the Town's best interest to ratify and affirm the Almost Queen Contract in conjunction with the Town's June 27, 2020 "Salute to Veterans" Event.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board hereby ratifies and affirms the previously executed Almost Queen Contract pursuant to which Almost Queen musically performed at the Town's June 27, 2020 "Salute to Veterans" Event; and

**BE IT FURTHER**

**RESOLVED**, that the Comptroller be and hereby is authorized to make payments under the aforementioned Almost Queen Contract from Parks and Recreation Account number 400-007-7110-4151.

The foregoing resolution was adopted upon roll call as follows:

AYES: SEVEN (7)

NOES: NONE (0)

CASE NO. 27868

RESOLUTION NO. 845-2020

Adopted: July 1, 2020

Councilwoman Goosby Offered the following resolution and moved its adoption:

RESOLUTION AMENDING THE AWARD OF PURCHASE CONTRACT # 08A-2019  
FOR EMPLOYEE ASSISTANCE PROGRAM (LECSA EAP & SAP)

WHEREAS, Resolution 816-2019, "RESOLUTION AUTHORIZING THE AWARD OF PURCHASE  
CONTRACT # 08A-2019 FOR EMPLOYEE ASSISTANCE PROGRAM (LECSA EAP & SAP)" was  
adopted on July 2, 2019;

WHEREAS, the Town Board would like to amend said Resolution 816-2019; to reflect a  
change in the Account No. as follows:

NOW, THEREFORE, BE IT

RESOLVED, that Resolution 816-2019, "RESOLUTION AUTHORIZING THE AWARD OF  
PURCHASE CONTRACT #08A-2019 FOR EMPLOYEE ASSISTANCE PROGRAM (LECSA EAP & SAP)"

Is hereby amended as follows:

RESOLVED, that the Director of Human Resources is hereby authorized to execute the  
Agreement with Labor Education and Community Services Agency, Inc. 390 Rebro Drive,  
Hauppauge, NY to provide an employee assistance program for the period of 7/1/2019 through  
6/30/2020 and that payment for such program be made to Labor Education and Community Services  
Agency, Inc. in the amount of \$52,000.00 to be paid in two (2) installments of \$26,000.00 from  
General Fund Department - Human Resources Account No. 010-0001-1430-4151.

The following resolution was adopted upon roll call as follows:

AYES: SEVEN (7)

NOES: NONE (0)