

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 25th day of January, 2022, at 7:00 o'clock in the evening 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 "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

BELLMORE
Section 202-15

SHERMAN AVENUE (TH 559/21) West Side -
15 MINUTE PARKING - starting at a point
40 feet south of the south curblineline of
North Jerusalem Road then south for a
distance of 60 feet.

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

Dated: January 11, 2022
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

DONALD X. CLAVIN, JR.
Supervisor

KATE MURRAY
Town Clerk

Item #

1

Case #

30602

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 25th day of January, 2022, at 7:00 o'clock in the evening of that day to consider the enactment of a local law to amend Section 202-1 of the code of the Town of Hempstead to INCLUDE "PARKING OR STANDING PROHIBITIONS" at the following locations:

ELMONT

LEHRER AVENUE (TH 575/21) West Side - NO STOPPING HERE TO CORNER - starting at the north curbline of Steele Street north for a distance of 25 feet.

LEHRER AVENUE (TH 575/21) West Side - NO STOPPING HERE TO CORNER - starting at the south curbline of Steele Street south for a distance of 25 feet.

STEELE STREET (TH 575/21) North Side - NO STOPPING HERE TO CORNER - starting at the west curbline of Lehrer Avenue west for a distance of 30 feet.

STEELE STREET (TH 575/21) South Side - NO STOPPING HERE TO CORNER - starting at the west curbline of Lehrer Avenue west for a distance of 30 feet.

OCEANSIDE

FOXHURST ROAD (TH 570/21) South Side - NO STOPPING HERE TO CORNER - starting from the east curbline of Loftus Avenue east for a distance of 33 feet.

LOFTUS AVENUE (TH 570/21) East Side - NO STOPPING HERE TO CORNER - starting from the south curbline of Foxhurst Road south for a distance of 40 feet.

ROOSEVELT

BROOKSIDE AVENUE (TH 558/21) East Side - NO STOPPING HERE TO CORNER - starting at the south curbline of Cedar Street south for a distance of 25 feet.

Item # 2

Case # 30603

BROOKSIDE AVENUE (TH 558/21) East Side
- NO STOPPING HERE TO CORNER - starting
at the north curbline of Cedar Street
north for a distance of 30 feet.

CEDAR STREET (TH 558/21) South Side -
NO STOPPING HERE TO CORNER - starting
at the east curbline of Brookside
Avenue east for a distance of 30 feet.

CEDAR STREET (TH 558/21) North Side -
NO STOPPING HERE TO CORNER - starting
at the east curbline of Brookside
Avenue east for a distance of 30 feet.

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

Dated: January 11, 2022
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 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 25th day of January, 2022, at 7:00 o'clock in the evening of that day to consider the enactment of a local law to amend Section 197-5 of the code of the Town of Hempstead to INCLUDE "ARTERIAL STOPS" at the following locations:

OCEANSIDE WEIDNER AVENUE (TH 553/21) STOP - all traffic traveling eastbound on Kresse Street shall come to a full stop.

WANTAGH WOODSIDE DRIVE (TH 578/21) STOP - all traffic traveling eastbound on Terrace Road shall come to a full stop.

WOODSIDE DRIVE (TH 578/21) STOP - all traffic traveling eastbound on Valley Road shall come to a full stop.

WOODSIDE DRIVE (TH 578/21) STOP - all traffic traveling westbound on May Road shall come to a full stop.

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

Dated: January 11, 2022
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

DONALD X. CLAVIN, JR.
Supervisor

KATE MURRAY
Town Clerk

Item # 3

Case # 30604

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 25th day of January, 2022, at 7:00 o'clock in the evening 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

ESTELLE AVENUE - south side, starting at a point 15 feet east of the east curblineline of Stone Street, east for a distance of 20 feet.
(TH-554/21)

EMPORIA AVENUE - east side, starting at a point 197 feet south of the south curblineline of Atherton Avenue, south for a distance of 20 feet.
(TH-576/21)

GARDEN CITY SOUTH

YALE ROAD - east side, starting at a point 132 feet of the north of the north curblineline of Princeton Avenue, north for a distance of 16 feet.
TH-577/21)

ROOSEVELT

CEDAR STREET - south side, starting at a point 320 feet east of the east curblineline of Brookside Avenue, east for a distance of 20 feet.
(TH-558/21)

UNIONDALE

MARVIN AVENUE - west side, starting at a point 77 feet south of the south curblineline of Gerald Street, south for a distance of 20 feet.
(TH-436/21)

Item # 4
Case # 21527

DECATUR STREET - south side, starting at a point 240 feet west of the west curblineline of Emerson Street, west for a distance of 20 feet.
(TH-551/21)

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

BELLMORE

BERGEN STREET - east side, starting at a point 148 feet south of the south curblineline of Natta Boulevard, south for a distance of 20 feet.
(TH-350/90 - 12/11/90) (TH-552/21)

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

Dated: January 11, 2022
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

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Hempstead, Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on January 25, 2022 at 7:00 o'clock in the evening of that day for the purpose of considering the application of VALLEY STREAM GREEN ACRES, LLC AND BJ'S WHOLESALE CLUB, INC. to include an existing gasoline service station and install three (3) storage tanks two (2) 20,000 gallon tanks and one (1) 24,000 gallons located in Valley Stream, New York, New York:

An irregular parcel of land located on the e/si of Green Acres Road west approx. 1,000+/-' south of Sunrise Highway in the unincorporated area of Valley Stream in New York, County of Nassau, State of New York

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

All persons interested in the subject matter will be given an opportunity to be heard at the time and place above designated.

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

DONALD X. CLAVIN JR.
SUPERVISOR

KATE MURRAY
TOWN CLERK

Dated: January 11, 2022
Hempstead, N.Y.

Item # 5
Case # 30421

Case No.

Resolution No.

Adopted:

Council(wo)man

moved the following resolution's adoption:

RESOLUTION AUTHORIZING AND APPROVING THE TAX PLEDGE AND COLLECTION AGREEMENT RELATING TO THE FINANCING OF THE CONSTRUCTION OF ADDITIONS AND/OR ALTERATIONS AND IMPROVEMENTS TO THE OCEANSIDE LIBRARY AND MAKING CERTAIN OTHER DETERMINATIONS IN CONNECTION THEREWITH

WHEREAS, the Oceanside Library (the "Library"), an independent library that provides library services to the Oceanside School District (the "School District"), is undertaking a project consisting of the construction of additions and/or alterations and improvements to the existing library located at 30 Davison Avenue, Oceanside, New York (the "Project") ; and

WHEREAS, the Library is financing the Project through the issuance of bonds by the Dormitory Authority of the State of New York (the "Authority") pursuant to N.Y. Pub. Auth. Law §1680; and

WHEREAS, the Library, the School District, and the Authority request the Town authorize and agree to the attached Tax Pledge and Collection Agreement (the "Agreement") because the Town collects and disperses the school taxes for and to the School District; and

WHEREAS, the Town Attorney's Office reviewed the Agreement and recommends this Board authorize same for the benefit of the Library;

NOW, THEREFORE, BE IT

RESOLVED, the Agreement is authorized and approved, subject to and including such changes, insertions, omissions, and completion of blanks therein which may and will result from the bond sale; and be it further,

RESOLVED, the Town Comptroller is authorized to execute the Agreement on the Town's behalf after the bonds are sold; and be it further,

RESOLVED, the Town Comptroller and Receiver of Taxes are authorized to take any and all actions necessary in connection with the foregoing and all matters related thereto.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

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DATED: JANUARY 14, 2021

TAX PLEDGE AND COLLECTION AGREEMENT

THIS TAX PLEDGE AND COLLECTION AGREEMENT (this "Agreement"), dated as of March __, 2022, among OCEANSIDE LIBRARY, a free association library duly chartered by the Board of Regents of the State of New York and existing under the laws of the State of New York (the "State") to serve the residents of the School District (as hereinafter defined), having an office at 30 Davison Avenue, Oceanside, New York 11572 (the "Library"), the DORMITORY AUTHORITY OF THE STATE OF NEW YORK, a public benefit corporation of the State, having an office at 515 Broadway, Albany, New York 12207 (the "Authority"), the TOWN OF HEMPSTEAD, Nassau County, New York, a municipal corporation of the State having an office at One Washington Street, Hempstead, New York 11550 (the "Town"), the OCEANSIDE UNION FREE SCHOOL DISTRICT, a school district duly formed and existing under the laws of the State having an office at 145 Merle Avenue, Oceanside, New York 11572 (the "School District") and _____, a _____ authorized to accept and execute trusts, duly organized and validly existing under the laws of the _____, having an office at _____, the Trustee under the Resolutions (as hereinafter defined) (the "Trustee").

WITNESSETH

WHEREAS, the Library is undertaking a project consisting of the construction of additions and/or alterations and improvements to the existing library located at 30 Davison Avenue, Oceanside, New York (the "Project"); and

WHEREAS, in order to finance the Project, the Authority is issuing on the date hereof its \$ _____ Oceanside Library Revenue Bonds, Series 2022 (the "Bonds") pursuant to the Authority's Oceanside Library Revenue Bond Resolution and the Series Resolution Authorizing up to \$ _____ Oceanside Library Revenue Bonds, Series 2022, each adopted February 2, 2022 (collectively, the "Resolutions"); and

WHEREAS, the proceeds of the Bonds shall be loaned to the Library pursuant to a Loan Agreement dated as of February 2, 2022 by and between the Authority and the Library (the "Loan Agreement"); and

WHEREAS, pursuant to the Loan Agreement, the Library has agreed to pay, *inter alia*, principal, interest and redemption premium, if any, on the Bonds; and

WHEREAS, pursuant to Sections 259 and 260 of the Education Law of the State, the Board of Education of the School District, at the request of the Board of Trustees of the Library, the School District submitted a library bond proposition at the annual meeting and election of the School District (the "Annual School District Meeting and Election") duly held on June 9, 2020 and such proposition was approved by a majority of the qualified voters of the School District voting at such Annual School District Meeting and Election. Said library bond proposition authorized the Library to undertake the Project including the financing thereof and further authorized the School District to raise by levy of an annual tax on the real property located in the School District such amount as is necessary for Library services pursuant to the written contract between the Board of Education of the School District and the Library (the "Library Services Contract"), including the payment of the principal of and interest and redemption premium, if any, on bonds issued to finance the Project (such amount, together with all other amounts raised annually by tax upon the taxable property of the School District for Library purposes, the "Annual Tax"); and

WHEREAS, the Annual Tax levied against real property within the School District is to be collected by the Town, remitted to the School District and thereafter paid by the School District to the Library, consistent with the written contract between the School District and the Library, the applicable procedures of the Education Law and the Real Property Tax Law of the State and the tax levy and collection procedures recognized by the Library, the School District and the Town; and

WHEREAS, the Library has pursuant to the Loan Agreement assigned and pledged to the Authority the Public Funds (as defined in the Loan Agreement), including the Annual Tax, as more specifically set forth in the Loan Agreement; and

WHEREAS, Section 1680(33) of the Public Authorities Law authorizes and requires the School District and the Town to pay such Public Funds, including the Annual Tax, to the Authority pursuant to a certificate filed with the School District and/or the Town by the Authority;

NOW THEREFORE, the parties hereto hereby agree as follows:

ARTICLE I

DEFINITIONS; RULES OF CONSTRUCTION

Section 1.01 Definition of Terms. All capitalized terms used in this Agreement and not otherwise defined shall have the meanings assigned thereto in the Resolutions.

Section 1.02 Rules of Construction. Unless the context clearly indicates to the contrary, the following rules shall apply to the construction of this Agreement:

(a) Words importing the singular number shall include the plural number and vice versa.

(b) All references herein to particular articles or sections, unless otherwise provided, are references to articles or sections of this Agreement.

(c) The headings herein are solely for convenience of reference and shall not constitute a part of this Agreement nor shall they affect its meaning, construction or effect.

ARTICLE II

REPRESENTATIONS AND COVENANTS

Section 2.01 The Library hereby represents and warrants that:

(a) The Library is a not-for-profit corporation duly formed under the laws of the State operating as a free association library, is in good standing under the laws of the State and has full legal right, power and authority to execute, deliver and perform its obligations under this Agreement. This Agreement has been duly authorized, executed and delivered by the Library.

(b) Neither the execution and delivery of this Agreement nor the consummation of the transactions contemplated hereby nor the fulfillment of or compliance with the provisions this Agreement will conflict with or result in a breach of or constitute a default under any of the terms, conditions or provisions of any law or ordinance of the State or any political subdivision thereof or of the Library's charter or by-laws, as amended, or any corporate restriction or any agreement or instrument to which the Library is a party or by which it is bound, or result in the creation or imposition of any lien of any nature upon any of the property of the Library under the terms of any such law, ordinance, charter or by-laws, as amended, restriction, agreement or instrument, except for the security interest in Pledged Revenues (including the Public Funds and the Annual Tax) granted pursuant to the Loan Agreement.

(c) There is no action, suit, investigation or proceeding pending or, to the knowledge of the Library, threatened against the Library or any properties or rights of the Library before any court, arbitrator or administrative or governmental body which might result in any material adverse change in the business, condition or operations of the Library or which involves the possibility of materially adversely affecting the ability of the Library to comply with this Agreement.

(d) This Agreement constitutes a valid and legally binding obligation of the Library enforceable against the Library in accordance with its terms (subject to applicable bankruptcy, reorganization, insolvency, moratorium or similar laws affecting creditors' rights generally and subject, as to enforceability, to equitable principles of general application, regardless of whether enforcement is sought in a proceeding in equity or at law).

(e) The Library Services Contract remains in full force and effect as of the date of this Agreement.

Section 2.02 The Town hereby represents and warrants that:

(a) It possesses the power to execute, deliver and perform its obligations under this Agreement and has taken all necessary action to authorize such execution, delivery, and performance.

(b) Such execution, delivery and performance do not violate or conflict with any law applicable to it, any order or judgment of any court or other agency of government applicable to it or any of its assets or any contractual restriction binding on or affecting it or any of its assets.

(c) This Agreement constitutes a legal, valid and binding obligation of the Town, enforceable in accordance with its terms (subject to applicable bankruptcy, reorganization, insolvency, moratorium or similar laws affecting creditors' rights generally and subject, as to enforceability, to equitable principles of general application, regardless of whether enforcement is sought in a proceeding in equity or at law).

(d) Other than claims that may be brought from time to time pursuant to Article Seven of the New York State Real Property Tax Law, there is no litigation of any nature now pending or to the best of our knowledge threatened against the Town restraining or enjoining the collection of the Annual Tax, or in any manner questioning the authority or proceedings for the collection of the Annual Tax, or affecting the validity thereof; neither the corporate existence or boundaries of the Town nor the title of any of the present officers thereof to their respective offices is being contested; and that no authority or proceedings for the collection of the Annual Tax has or have been or will be repealed, revoked or rescinded by the Town.

Section 2.03 The School District hereby represents and warrants that:

(a) It possesses the power to execute, deliver and perform its obligations under this Agreement and has taken all necessary action to authorize such execution, delivery, and performance.

(b) Such execution, delivery and performance do not violate or conflict with any law applicable to it, any order or judgment of any court or other agency of government applicable to it or any of its assets or any contractual restriction binding on or affecting it or any of its assets.

(c) This Agreement constitutes a legal, valid and binding obligation of the School District, enforceable in accordance with its terms (subject to applicable bankruptcy, reorganization, insolvency, moratorium or similar laws affecting creditors' rights generally and subject, as to enforceability, to equitable principles of general application, regardless of whether enforcement is sought in a proceeding in equity or at law).

(d) There is no litigation of any nature now pending or threatened against the School District restraining or enjoining the levy or collection of the Annual Tax, or in any manner questioning the authority or proceedings for the levy or collection of the Annual Tax, or affecting the validity thereof; neither the corporate existence or boundaries of the

School District nor the title of any of the present officers thereof to their respective offices is being contested; and that no authority or proceedings for the levy and collection of the Annual Tax has or have been or will be repealed, revoked or rescinded by the School District.

(e) The referendum on June 9, 2020, at which the proposition authorizing the Annual Tax was submitted to the qualified voters, was duly called, held and conducted in accordance with applicable law, and said proposition was approved by the qualified voters of the School District voting thereat and remains effective.

(f) The School District will include as part of its annual budget the amount of the Annual Tax to be levied by Nassau County and collected by the Town for Library purposes.

Section 2.04 The Trustee hereby warrants and represents that:

(a) The Trustee has duly authorized, by all necessary actions, the execution and delivery of this Agreement and the performance of its obligations and the covenants hereunder and the consummation the transactions contemplated hereby; and

(b) This Agreement constitutes a legal, valid and binding obligation of the Trustee, enforceable against the Trustee in accordance with its terms (subject to applicable bankruptcy, reorganization, insolvency, moratorium or similar laws affecting creditors' rights generally and subject, as to enforceability, to equitable principles of general application, regardless of whether enforcement is sought in a proceeding in equity or at law).

ARTICLE III

DUTIES OF TRUSTEE

Section 3.01 Duties of Trustee. The Trustee hereby agrees to accept all amounts to be delivered to or held by the Trustee pursuant to the terms of this Agreement. The Trustee shall establish a segregated account into which it shall deposit all cash, instruments and securities received hereunder (the "Tax Receipts Account"), which Tax Receipts Account shall be held separate and apart from all other funds and accounts established pursuant to the Resolutions and all other accounts, if any, of the Library. The duties and responsibilities of the Trustee hereunder shall be determined solely by the express provisions of this Agreement, and no further duties or responsibilities shall be implied, provided, however, that nothing in this Agreement shall alter the duties and responsibilities of the Trustee under the Resolutions. The Trustee may rely and shall be protected in acting or refraining from acting upon any written notice, instruction or request furnished to it hereunder and believed by it to be genuine and to have been signed or presented by the proper party or parties. The rights, immunities and indemnities of the Trustee set forth in the Resolutions are hereby made applicable to this Agreement as if set forth in full herein.

ARTICLE IV

ASSIGNMENT, LEVY AND COLLECTION OF ANNUAL TAX

Section 4.01 Assignment of Annual Tax. The Library, in consideration of the issuance of the Bonds and for value received, the receipt of which is hereby acknowledged, has pursuant to the Loan Agreement granted to the Authority a security interest in the Pledged Revenues, including the Public Funds and the Annual Tax, as more specifically set forth in the Loan Agreement. The Library hereby directs the School District to pay the Annual Tax collected directly to the Trustee for application in accordance with this Agreement.

Section 4.02 Levy of Annual Tax.

(a) In accordance with Section 259 of the Education Law, until the Bonds have been paid in full or provision for such payment has been made, the Town agrees to collect, and the School District agrees to levy, or cause to be levied, the Annual Tax, in the aggregate annual amount which shall not be less than an amount necessary to satisfy the Library's obligation to pay amounts sufficient to pay the principal and sinking fund installments of and interest on the Bonds as set forth in Appendix A hereto (the "Debt Service Obligation"), and ordinary and extraordinary expenses of the Trustee and any other expenses necessary to make payments of principal and interest when due (the Debt Service Obligation and such additional expenses being collectively referred to as the "Annual Payment Obligation").

(b) The Library and the School District further agree in accordance with Section 259 of the Education Law that, until the Bonds have been paid in full, or provision for such payment has been made, they shall not take or authorize any action which would reduce the amount of the Annual Tax to an amount less than the Debt Service Obligation plus an amount necessary to cover the Library's costs of operations.

(c) Notwithstanding the foregoing, neither the Town nor the School District shall be liable for any error, negligence, delinquency, or failure on the part of the Authority, the Library or the Trustee to calculate and/or apply the Annual Tax in accordance with this Agreement or otherwise by virtue of its entering into this Agreement; and the Library agrees, to the extent permitted by law, to indemnify and hold harmless the Town and the School District in connection with any action or proceeding made directly or indirectly against the Town or the School District at any time Bonds are outstanding or deemed to be outstanding relating to this Agreement, including, without limitation, the reasonable costs of attorneys and other expenses incurred directly or indirectly by the Town or the School District in such action or proceeding. The obligations of the Town and the School District hereunder shall not constitute a guaranty of the payment of the principal or and interest on the Bonds by the Town or the School District, nor shall the Bonds be deemed to be obligations of the Town or the School District for any purpose.

(d) The Library and the School District shall confirm annually to Nassau County, New York (the "County"), prior to reporting the Annual Tax for Library purposes to the County, the amount of such Annual Tax for Library purposes.

Section 4.03 Collection and Payment of Annual Tax.

(a) Notwithstanding any payments made or to be made in the nature of the Annual Tax relating to payment of all tax bills sent prior to the date hereof, the Town hereby agrees to collect and to promptly remit the Annual Tax to the School District and the School District agrees to promptly remit the Annual Tax directly to the Trustee. In the event that there is in effect an agreement between the School District and the Library which establishes monthly installments of the Annual Tax, the School District shall remit such installments to the Trustee no later than the last business day of each month in which an installment is due the Library. The School District shall fulfill its obligation hereunder by remitting the Annual Tax to the Trustee at its address set forth in Section 6.01 herein, or at any other address established by the Trustee in accordance with that Section or, at the election of the School District, by wire transfer.

(b) The parties hereto understand that (1) the Town presently collects the Annual Tax in two installments, the first half being due on October 1st of the "Fiscal Year" (as such term is defined in Section 5.01(b) hereof), and payable until November 10th without penalty, and the second half being due on April 1st of the Fiscal Year and payable until May 10th without penalty, and (2) there is presently in effect an agreement between the School District and the Library, whereby the School District and the Library have agreed that the Annual Tax collected by the Town during a particular Fiscal Year will be paid by the School District to the Library in twelve equal monthly payments, the first such monthly payment to commence on July 1 of such Fiscal Year.

Section 4.04 Request for Payment of Annual Tax to Library. In accordance with paragraph 1 of Section 259 of the Education Law, this Agreement shall be and shall be deemed to be a request and demand and a continuing request and demand to (i) the Town to collect and remit to the School District and (ii) the School District to pay over the Annual Tax as collected by the Town to the Trustee for the benefit and the account of the Library until the Bonds have been paid in full or provision for such payment has been made.

ARTICLE V

COVENANTS OF THE TRUSTEE

Section 5.01 Collection and Application of Funds. The Trustee covenants and agrees that from and after the date of this Agreement until the Bonds are paid in full:

(a) The Trustee shall establish the Tax Receipts Account for the deposit of moneys received pursuant to this Agreement (the "Tax Receipts") and shall immediately upon receipt thereof deposit all Tax Receipts into the Tax Receipts Account.

(b) (1) For any Tax Receipts transferred to the Tax Receipts Account prior to July 1, 2022, the Trustee shall promptly (but in no event later than three (3) business days following receipt) transfer those funds to the Library.

(2) Promptly upon receipt in the Tax Receipts Account of any Tax Receipts during any 12 month period beginning on July 1st and ending on the following June 30th (a "Fiscal Year"), and in no event later than three (3) business days following such receipt of a payment of Tax Receipts, the Trustee shall transfer from each payment to the Debt Service Fund the following (and transfer the balance from each payment to the Library): (A) for the 2022-23 fiscal year, commencing July 1, 2022, an amount equal to 1/8 of the annual Debt Service Obligation until such time as the sum of all Tax Receipts transferred to the Debt Service Fund during such Fiscal Year is equal to the Debt Service Obligation for such Fiscal Year, and (B) for the 2023-24 Fiscal Year and each Fiscal Year thereafter, an amount equal to 1/10 of the annual Debt Service Obligation until such time as the sum of all Tax Receipts transferred to the Debt Service Fund during such Fiscal Year is equal to the Debt Service Obligation for such Fiscal Year; provided, however, that:

(i) if as of November 1st of any Fiscal Year the sum of all Tax Receipts transferred to the Debt Service Fund during such Fiscal Year is less than the amount needed to pay the principal and sinking fund installments of and interest on the Bonds due on January 1st of such Fiscal Year, the Trustee shall thereafter transfer one hundred (100%) percent of Tax Receipts thereafter received in the Tax Receipts Account to the Debt Service Fund until such time as the sum of all Tax Receipts transferred to the Debt Service Fund during such Fiscal Year is equal to the amount needed to pay the principal and sinking fund installments of and interest on the Bonds due on January 1st of such Fiscal Year; and

(ii) if as of May 1st of any Fiscal Year the balance of Tax Receipts in the Debt Service Fund is less than the amount needed to pay the principal and sinking fund installments of and interest on the Bonds due on July 1st of such calendar year and the balance of the Annual Payment Obligation for such Fiscal Year, the Trustee shall thereafter transfer one hundred (100%) percent of Tax Receipts thereafter received in the Tax Receipts Account to the Debt Service Fund until such time as the sum of all Tax Receipts transferred to the Debt Service Fund during such Fiscal Year is equal to the amount needed to pay the principal and sinking fund installments of and interest on the Bonds due on July 1st of such calendar year and the balance of the Annual Payment Obligation for such Fiscal Year.

Following such time as the sum of all Tax Receipts transferred to the Debt Service Fund during any Fiscal Year is equal to the Annual Payment Obligation for such Fiscal Year, the Trustee shall promptly (but in no event later than three (3) business days following receipt) transfer any Tax Receipts thereafter received in the Tax Receipts Account to the Library.

(3) To the extent that the Library makes any payment directly to the Trustee pursuant to Section 9(a)(iv) or 9(a)(v) of the Loan Agreement, such payment shall be taken into account in determining whether the sum of all Tax Receipts transferred to the Debt Service Fund during such Fiscal Year is equal to the Annual Payment Obligation for such Fiscal Year.

(c) All transfers by the Trustee described in this Section 5.01 shall be in immediately available funds.

(d) The Trustee shall, at all times, maintain accurate books and records with respect to the moneys received pursuant to this Agreement. The Trustee shall, within fifteen (15) days after the end of each month during the term of this Agreement, furnish to the Library and the Authority a report on the status of the Tax Receipts Account showing at least the balance in the Tax Receipts Account as of the first day of the preceding month, the total of deposits to (including interest on investments, if any) and the total of disbursements from the Tax Receipts Account during such preceding month, the dates of such deposits and disbursements during such preceding month, and the balance in the Tax Receipts Account on the last day of the preceding month. The Trustee hereby agrees that the Library and the Authority shall have the right to audit the books and records of the Trustee relating to the Tax Receipts Account at any time, and from time to time, upon reasonable notice.

(e) Nothing herein shall be construed to limit the Library's obligations under the Loan Agreement.

ARTICLE VI

MISCELLANEOUS

Section 6.01 Notices. All notices, certificates and other communications hereunder shall be in writing. Any notice, certificate or other communication shall be sufficiently given and deemed given (i) if given by telecopy, when such telecopy is transmitted to the telecopy number specified below and the appropriate confirmation of receipt is received and (ii) if given by hand or reputable overnight delivery service or first-class mail, postage prepaid, addressed as specified below, when delivered:

To the Authority:

Dormitory Authority of the State of New York
515 Broadway
Albany, New York 12207
Attention: Manager, Accounting - Financial Management

To the Library:

Oceanside Library
30 Davison Avenue
Oceanside, New York 11572
Attention: Library Director

To the Town:
Town of Hempstead
One Washington Street
Hempstead, New York 11550
Attention: Town Comptroller

To the School District:
Oceanside Union Free School District
145 Merle Avenue
Oceanside, New York 11572
Attention: Superintendent of Schools

To the Trustee:

[]

[]

[]

Attention: []

Section 6.02 Binding Effect. This Agreement shall inure to the benefit of and shall be binding upon the parties and their respective successors and assigns.

Section 6.03 Severability. In the event any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

Section 6.04 Amendments, Changes and Modifications. This Agreement may not be amended, changed, modified, altered or terminated except in a writing executed by each of the parties hereto.

Section 6.05 Execution of Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 6.06 Applicable Law. This Agreement shall be governed by and construed exclusively by the applicable laws of the State of New York without regard or reference to its conflict of laws principles.

[Remainder of page left intentionally blank]

IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the date first above written.

OCEANSIDE LIBRARY

By: _____
Name:
Title:

TOWN OF HEMPSTEAD

By: _____
Name:
Title:

[_____],
as Trustee

By: _____
Name:
Title:

DORMITORY AUTHORITY OF THE
STATE OF NEW YORK

By: _____
Name:
Title:

OCEANSIDE UNION FREE SCHOOL
DISTRICT

By: _____
Name:
Title:

APPENDIX A

Debt Service Payment Schedule

Fiscal Year Ending June 30	Principal and Sinking Fund Installments	Interest Payments	Total Debt Service Obligation
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Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH TWO CAR ATTACHED GARAGE, LOCATED ON THE NORTH SIDE OF WARREN STREET, 360 FEET WEST OF MADISON STREET. SEC 54, BLOCK 435, AND LOT (S) 118, A/K/A 635 WARREN STREET, BALDWIN, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 635 Warren Street, Baldwin; and

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

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

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

WHEREAS, the services of 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 August 13, 2021, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to install twenty (20) linear feet of chain link fence, located at 635 Warren Street, Baldwin;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$400.00, the cost associated with the emergency services provided at 635 Warren Street, Baldwin, New York

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$650.00 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 # 2

Case # 6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE NORTH SIDE OF WASHINGTON STREET, 100 FEET WEST OF EASTERN PARKWAY. SEC 54, BLOCK 375, AND LOT (S) 1341-1342, A/K/A 1071 WASHINGTON STREET, BALDWIN, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 1071 Washington Street, Baldwin; and

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

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

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

WHEREAS, the services of 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 September 8, 2021, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to have fifty seven (57) square feet of garage door boarded, located at 1071 Washington Street, Baldwin;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$338.01, the cost associated with the emergency services provided at 1071 Washington Street, Baldwin, New York

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$588.01 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 # 2
Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN UNSAFE DEAD TREE, LOCATED ON THE PREMISES IMPROVED WITH A TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE, LOCATED ON THE WEST SIDE OF STEVEN ROAD, 60 FEET NORTH OF BERTHA DRIVE. SEC 54, BLOCK 581, AND LOT(S) 25, A/K/A 3500 STEVEN ROAD, BALDWIN, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the exterior property area located at 3500 Steven Road, Baldwin; and

WHEREAS, said inspection disclosed that contrary to NYS §302.1 of the New York State Property Maintenance Code and Chapter 90-1 of the Code of the Town of Hempstead regulations, an unsafe dead tree upon an abandoned building; and

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

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

WHEREAS, the services of Long Island Tree & Landscape Service Inc., PO Box 1531, Seaford, New York 11783, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 932-2017; and

WHEREAS, the Commissioner of the Department of Buildings directed Long Island Tree & Landscape Service Inc., for emergency removal of one (1) tree, located at 3500 Steven Road, Baldwin;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$2,050.00, the cost associated with the emergency services provided at 3500 Steven Road, Baldwin, New York

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$2,300.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 7

Case # 6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE WEST SIDE OF RANCH LANE, 370 FEET NORTH OF TOLL LANE. SEC 52, BLOCK 222, AND LOT (S) 17, A/K/A 52 RANCH 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 52 Ranch 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 September 12, 2021, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to use one (1) man hour for general clean up and provide and install four (4) lock and hasps, located at 52 Ranch Lane, Levittown;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$355.00, the cost associated with the emergency services provided at 52 Ranch 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 \$605.00 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 # 7
Case # 6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE NORTHWEST CORNER OF WOODS AVENUE AND ARNOLD AVENUE. SEC 38, BLOCK 389, AND LOT (S) 78, A/K/A 2766 WOODS AVENUE, OCEANSIDE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 2766 Woods Avenue, Oceanside; 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 July 2, 2021, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to have twenty four (24) square feet of windows boarded and provide and install one (1) lock and hasp, located at 2766 Woods Avenue, Oceanside;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$265.80, the cost associated with the emergency services provided at 2766 Woods Avenue, Oceanside, New York

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$515.80 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 # 7
Case # 6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE EAST SIDE OF RONALD PLACE, 134 FEET SOUTH OF JACKSON AVENUE. SEC 55, BLOCK 335, AND LOT (S) 100-101, A/K/A 40 RONALD 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 40 Ronald 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 July 27, 2021, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to have one (1) door re-secured, located at 40 Ronald Place, Roosevelt;

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 40 Ronald 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 \$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 # 7

Case # 6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY MASONRY FRAME COMMERCIAL BUILDING, LOCATED ON THE NORTHWEST CORNER OF UNIONDALE AVENUE AND JERUSALEM AVENUE. SEC 34, BLOCK 281, AND LOT (S) 12-13, A/K/A 576 UNIONDALE 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 576 Uniondale Avenue, Uniondale; and

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

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

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

WHEREAS, the services of Cipro 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 September 21, 2021, the Commissioner of the Department of Buildings directed Cipro Boarding Co., to have seventeen (17) square feet of doors boarded and use four (4) man hours to paint over graffiti, located at 576 Uniondale Avenue, Uniondale;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$371.81, the cost associated with the emergency services provided at 576 Uniondale Avenue, Uniondale, 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 \$871.81 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 # 7

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, DETERMINED TO BE UNFIT FOR HUMAN OCCUPANCY, LOCATED ON THE EAST SIDE OF COUNTISBURY AVENUE, 233 FEET SOUTH OF CAROLYN AVENUE. SEC 37, BLOCK 589, AND LOT (S) 14, A/K/A 26 COUNTISBURY AVENUE, 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 26 Countisbury Avenue, Valley Stream, 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 Cipro 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 August 11, 2021, the Commissioner of the Department of Buildings directed Cipro Boarding Co., to have twenty five (25) square feet of windows boarded and seventy eight (78) square feet of garage door boarded, located at 26 Countisbury Avenue, Valley Stream;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$760.79, the cost associated with the emergency services provided at 26 Countisbury Avenue, Valley Stream, New York

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$1,010.79 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 #

7

Case #

6542

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY HIGH RANCH WOOD FRAME ONE FAMILY DWELLING WITH TWO CAR BASEMENT GARAGE, LOCATED ON THE SOUTHEAST CORNER OF BAYPORT COURT AND BAYVIEW AVENUE. SEC 63, BLOCK 172, AND LOT (S) 1 & 2, A/K/A 3020 BAYPORT COURT, WANTAGH, 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 3020 Bayport Court, Wantagh; 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 August 16, 2021, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to use twelve (12) man hours to take down second (2nd) floor deck, stairs and support, haul away ten (10) cubic yards of debris, have forty four (44) square feet of doors boarded and provide and install two (2) lock and hasps, located at 3020 Bayport Court, Wantagh;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$1,752.92, the cost associated with the emergency services provided at 3020 Bayport Court, Wantagh, New York

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$2,002.92 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 # 7
Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, DETERMINED TO BE UNFIT FOR HUMAN OCCUPANCY, LOCATED ON THE WEST SIDE OF MULBERRY LANE, 200 FEET NORTH OF ELM STREET. SEC 35, BLOCK 401, AND LOT (S) 285, A/K/A 462 MULBERRY LANE, WEST HEMPSTEAD, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 462 Mulberry Lane, West Hempstead, 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 September 26, 2021, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to use three (3) man hours to screw doors shut, provide and install two (2) bolts to secure garage door and have sixty (60) square feet of doors boarded, located at 462 Mulberry Lane, West Hempstead;

WHEREAS, on September 30, 2021, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to have forty (40) square feet of doors boarded and provide and install two (2) lock and hasps, located at 462 Mulberry Lane, West Hempstead;

WHEREAS, on October 18, 2021, the Commissioner of the Department of Buildings directed Cipco Boarding Co., to remove and re-install one (1) door board for inspection, located at 462 Mulberry Lane, West Hempstead;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$1,433.00, the cost associated with the emergency services provided at 462 Mulberry Lane, West Hempstead, New York

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$1,683.00 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 #

7

Case #

6582

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE TWO STORY SPLIT LEVEL WOOD FRAME ONE FAMILY DWELLING WITH TWO CAR BASEMENT GARAGE, LOCATED ON THE NORTHEAST CORNER OF CRAMER COURT AND ST. PAULS STREET. SEC 36, BLOCK 523, AND LOT (S) 66, A/K/A 1081 CRAMER COURT, BALDWIN, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the unsafe structure located at 1081 Cramer Court, Baldwin, Town of Hempstead, New York; and

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 726-2019; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 1081 Cramer Court, Baldwin; and

WHEREAS, on September 9, 2021, Cashin Associates, P.C., performed verbal testimony at the Town Board Hearing with regard to the Chapter 90 report and has submitted a bill for services rendered, in the amount of \$275.00; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$275.00, the cost associated with such services provided regarding 1081 Cramer Court, Baldwin, New York.

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this Resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$525.00 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 #

8

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE ONE STORY WOOD FRAME ONE FAMILY DWELLING, LOCATED ON THE SOUTH SIDE OF SPERRY STREET WEST, 160 FEET WEST OF WEST BOULEVARD. SEC 42, BLOCK 38, AND LOT (S) 110 & 210, A/K/A 5 SPERRY STREET WEST, EAST ROCKAWAY, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the unsafe structure located at 5 Sperry Street West, East Rockaway, Town of Hempstead, New York; and

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 726-2019; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 5 Sperry Street West, East Rockaway; and

WHEREAS, on August 5, 2021, Cashin Associates, P.C., performed the surveying, architectural and engineering services directed by the Commissioner of the Department of Buildings and has submitted a bill for services rendered, in the amount of \$1,037.50; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$1,037.50, the cost associated with such services provided regarding 5 Sperry Street West, East Rockaway, 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 \$1,287.50 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:

Mem # 8

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE WITH INGROUND SWIMMING POOL, LOCATED ON THE WEST SIDE OF CAROUSEL LANE, 165 FEET NORTH OF RICHMOND ROAD. SEC 60, BLOCK 52, AND LOT (S) 4, A/K/A 19 CAROUSEL LANE, LIDO BEACH, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the unsafe structure located at 19 Carousel Lane, Lido Beach, Town of Hempstead, New York; and

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 726-2019; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 19 Carousel Lane, Lido Beach; and

WHEREAS, on August 12, 2021, Cashin Associates, P.C., performed the surveying, architectural and engineering services directed by the Commissioner of the Department of Buildings and has submitted a bill for services rendered, in the amount of \$1,300.00; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$1,300.00, the cost associated with such services provided regarding 19 Carousel Lane, Lido Beach, 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 \$1,550.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 8
Page # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE SOUTH SIDE OF LINDBERGH AVENUE, 441 FEET EAST OF OCEANSIDE ROAD. SEC 54, BLOCK 349, AND LOT (S) 10-12, A/K/A 192 LINDBERGH AVENUE, OCEANSIDE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the unsafe structure located at 192 Lindbergh Avenue, Oceanside, Town of Hempstead, New York; and

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 726-2019; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 192 Lindbergh Avenue, Oceanside; and

WHEREAS, on August 5, 2021, Cashin Associates, P.C., performed the surveying, architectural and engineering services directed by the Commissioner of the Department of Buildings and has submitted a bill for services rendered, in the amount of \$1,037.50; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$1,037.50, the cost associated with such services provided regarding 192 Lindbergh Avenue, Oceanside, New York.

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this Resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$1,287.50 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:

Mem # 8

Page # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE NORTHWEST CORNER OF WOODS AVENUE AND ARNOLD AVENUE. SEC 38, BLOCK 389, AND LOT (S) 78, A/K/A 2766 WOODS AVENUE, OCEANSIDE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the unsafe structure located at 2766 Woods Avenue, Oceanside, Town of Hempstead, New York; and

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 726-2019; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 2766 Woods Avenue, Oceanside; and

WHEREAS, on July 15, 2021, Cashin Associates, P.C., performed the surveying, architectural and engineering services directed by the Commissioner of the Department of Buildings and has submitted a bill for services rendered, in the amount of \$1,300.00; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$1,300.00, the cost associated with such services provided regarding 2766 Woods Avenue, Oceanside, New York.

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this Resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$1,550.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 8

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE ONE STORY WOOD FRAME COMMERCIAL BUILDING, LOCATED ON THE NORTHWEST CORNER OF NOSTRAND AVENUE AND JERUSALEM AVENUE. SEC 50, BLOCK M, AND LOT (S) 1, A/K/A 701 NOSTRAND 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 unsafe structure located at 701 Nostrand Avenue, Uniondale, Town of Hempstead, New York; and

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate structural surveying of the premises and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of Cashin Associates, P.C., 1200 Veterans Memorial Highway, #200, Hauppauge, New York, providing architectural and engineering work in connection with Chapter 90, as authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 726-2019; and

WHEREAS, the Commissioner of the Department of Buildings directed the firm to provide professional architectural and engineering services for a site survey and report, regarding 701 Nostrand Avenue, Uniondale; and

WHEREAS, on September 9, 2021, Cashin Associates, P.C., performed verbal testimony at the Town Board Hearing with regard to the Chapter 90 report and has submitted a bill for services rendered, in the amount of \$275.00; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$275.00, the cost associated with such services provided regarding 701 Nostrand Avenue, Uniondale, 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 \$775.00 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 #

8

Case #

6542

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION ACCEPTING THE PROPOSAL OF H2M ARCHITECTS AND ENGINEERS TO PROVIDE PROFESSIONAL SERVICES FOR THE PAVING AND DRAINAGE IMPROVEMENTS PROJECT AT THE OCEANSIDE TRANSFER STATION

WHEREAS, H2M Architects and Engineers having its principal offices located at 575 Broadhollow Road, Melville, New York, 11547 has submitted a proposal for professional engineering services in connection with the project to replace the floor slab at the Oceanside Transfer Station; and

WHEREAS, pursuant to said proposal they will perform the following tasks: topographic survey (\$6,300.00); pavement cores/soil borings (\$4,500.00); site engineering (\$13,800.00); bidding services (\$3,000.00); construction administration services(\$4,800.00); construction observation (\$6,900.00); and reproduction costs (\$1,000.00); and

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

WHEREAS, the Town Board upon recommendation of the Commissioner of Sanitation deems it in the public interest to accept this proposal;

NOW, THEREFORE, BE IT

RESOLVED, that all payments concerning such services are to be made and paid out of Refuse Disposal District Architects & Engineers Account #301-0006-03010-4157.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

* * * * *

Item #

9

Case #

26420

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:

<u>VEHICLE NUMBER</u>	<u>YEAR - MAKE/ MODEL</u>	<u>VEHICLE IDENTIFICATION NUMBER ("VIN")</u>
403	2003 FREIGHTLINER F80	1FVHBXCS83HL76863
411	2003 FREIGHTLINER F80	1FVHBXCS33HL76866
414	2003 FREIGHTLINER F80	1FVHBXCS93HL76886
415	2003 FREIGHTLINER F80	1FVHBXCS13HL76879
420	2003 FREIGHTLINER F80	1FVHBXCSX3HL76881
429	2005 FREIGHTLINER M2106	1FVHCYCS95HN89911
430	2005 FREIGHTLINER M2106	1FVHCYCS05HN89912
432	2008 FREIGHTLINER M2106	1FVHCYDJ08HZ74610
438	2008 FREIGHTLINER M2106	1FVHCYDJ48HZ74612
445	2011 INTERNATIONAL 7400	1HTWGAAT9BJ319739
478	2008 MACK MRU	1M2AV04C98M002730
479	2008 MACK MRU	1M2AV04C28M002729
481	2003 FREIGHTLINER F70	1FVABTAK03HL76904
521	2007 MACK LE6	1M2AC07C67M012048
610	2000 MACK RD6	1M2P296C5YM050391

; and

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

WHEREAS, the Department of Sanitation finds that these obsolete vehicles and equipment are most appropriately sold, at auction; and

WHEREAS, any equipment that cannot be sold shall be disposed of as scrap to Gershow Recycling, 71 Peconic Avenue, Medford, N.Y., pursuant to Contract #39A-2021 Yearly Requirements: Sale of Scrap Metal;

NOW THEREFORE BE IT

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

BE IT FURTHER

Item # 10

Case # 18081

RESOLVED, that monies received from the sale of said obsolete equipment be deposited by Comptroller into 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 AUTHORIZING THE RATIFICATION AND AFFIRMATION OF PREVIOUSLY EXECUTED SPORTS INSTRUCTOR AGREEMENTS IN CONJUNCTION WITH THE DEPARTMENT OF PARKS AND RECREATION 2022 WINTER/SPRING SPORTS ACTIVITIES PROGRAMMING

WHEREAS, the Town of Hempstead through its Department of Parks and Recreation hosts a wide variety of "Sports" instruction classes each Winter/Spring Season (collectively the "Town's 2022 Winter/Spring Sports Activities Program"); and

WHEREAS, in conjunction with the Town's 2022 Winter/Spring Sports Activities Program, the Department of Parks and Recreation has previously entered into a number of Sports Instructor Agreements each as more particularly identified on Schedule "A" attached hereto; and

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

WHEREAS, this Town Board find that the ratification and affirmation of the Sports Instructor Agreements respectively identified on Schedule "A" in conjunction with the Town's 2022 Winter/Spring Sports Activities Program is in the best interest of the Town.

NOW, THEREFORE, BE IT

RESOLVED, that each of the previously executed Sports Instructor Agreements identified on Schedule "A" be and hereby are ratified and affirmed; and

BE IT FURTHER

RESOLVED, that the Comptroller be and hereby is authorized to make payments under the aforementioned Sports Instructor Agreements from Parks and Recreation Account #400-007-71100-4151.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item # 11

Case # 11046

DEPT OF PARKS & RECREATION - WINTER/SPRING 2022 SPORTS INSTRUCTORS- SCHEDULE "A"

Instructor	Class	Fee
Nene Alameda	12 Aerobics classes (Merrick Clubhouse)	\$600.00
Catherine Cassatto-Baldari	12 Aerobics, 12 Cardio Sculpt, 12 Total Body classes (Echo Park)	\$1,800.00
Anthony Coscia	123 Classes: All Year Shape Up For Men (Echo Park)	\$6,150.00
Andrea Campbell-Genna	12 Classes Zumba Gold (Merrick)	\$600.00
Loraine Henry	12 Body Sculpting, 12 Kripalu Classes(Echo Park)	\$1,200.00
Edgar D. Hug	36 Tai Chi classes (Echo Park)	\$1,980.00
Meredith Heine	24 Zumba, 12 Body Sculpting, 12 Kickboxing classes, (Echo & Levittown Hall)	\$2,400.00
Francesca Lattanzio	12 Pound, 12 Boot Camp Classes (Lido)	\$1,200.00
Margaret Maher	12 Pilates, 12 Body Sculpting Classes (Merrick)	\$1,200.00
Elaina Marku	12 Pilates, 60 Kundalini Yoga Classes (Echo)	\$3,600.00
Rosemarie Martelli	24 Vinyasa Yoga(Merrick and Echo), 12 Hatha Yoga Classes(Echo)	\$1,800.00
Madeline McAndrews	12 Total Body, 12 Kundalini Yoga, 12 Pilates, 12 Body Sculpt Classes (Merrick)	\$2,400.00
Madeline McAndrews	12 Body Sculpting, 12 Kripalu Classes (Levittown Hall)	\$1,200.00
Madeline McAndrews	12 Cardio Sculpting, 12 Total Body (Echo Park)	\$1,200.00
Jeanette Morales	12 Zumba classes (Echo Park)	\$600.00
Carole Murphy	48 Aqua Exercise classes (Echo Park)	\$2,400.00
Michele L. Pome	24 Aqua Zumba/12 Yogalates classes (Echo Park)	\$1,800.00
Kathryn Quaranto	12 Aeorbic classes (Levittown Hall)	\$600.00
Cheryl Schrufer	48 classes: Aerobics, Total Body, Pilates (Levittown Hall)	\$2,400.00
Cheryl Schrufer	36 classes: Kickboxing, Aerobics, Pilates (Merrick)	\$1,800.00
Lorraine Trezza	24 classes Hatha Yoga Classes (Merrick)	\$1,200.00
Joyce Wolf	48 classes: ABS (Echo), Body Sculpt (Echo), Strength (Merrick)	\$2,400.00
Marely Corniel	24 classes: Yin Yoga, Ashtanga Yoga (Merrick)	\$1,200.00
Christina Farina	1 Day Youth Cheer Clinic May 14th, 2022 8AM-1PM (\$150 per Hour) (Speno Park)	\$750.00
Jeanine Pendergrass	6 Youth Hoop Fitness classes (Bluegrass Lane Park)	\$300.00
Lori D'Antonio	Youth Pickleball (\$45 per hour/2 classes-4/30 and 5/7) (Newbridge & Baldwin)	\$135.00
Robert Washington	45 classes: Youth Self Defense/Karate (Echo Park)	\$2,250.00
Edric Jordan	66 Youth Tennis classes (Seamans Neck, Oceanside, Baldwin)	\$2,310.00

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved it's

adoption:

**RESOLUTION RATIFYING AND AFFIRMING AN ACCESS AGREEMENT
BETWEEN THE TOWN OF HEMPSTEAD AND BRIGHTSIDE PRODUCTIONS, LLC**

WHEREAS, BRIGHTSIDE PRODUCTIONS, LLC ("Studio") previously requested permission from the Town to access the Town's Parking Lot Facility ("Lot") ("Mushroom" Area Parking) located at 630 Lido Boulevard, Lido Beach, NY 11561 for the purpose of utilizing the Lot as a staging area for the parking of crew vehicles, as well as for the setup of a catering tent, all in conjunction with its ongoing production activities at a nearby Town facility related to a certain audio-visual program, which is the subject of a longer term "License/Location Agreement" negotiated by the parties that commenced October 6, 2021 ; and

WHEREAS, the parties have agreed that the Town has provided the subject Access Agreement to the Studio permitting the Studio to access the Lot on January 24, 2022 and February 4, 2022, and/or for such substitute or additional date(s) as may be appropriate due to unpredictable weather conditions or other unforeseen circumstances as may be mutually agreed to by the Commissioner of the Department of Parks and Recreation ("Commissioner) and Studio, for the limited specific purpose of parking crew vehicles and setup of a catering tent; and

WHEREAS, the Studio has agreed to pay the Town a fee of Five Thousand Dollars (\$5,000.00) (the "Fee") for utilization of the Lot pursuant to the Access Agreement; and

WHEREAS, the Commissioner hereby recommends to this Town Board that the aforementioned Access Agreement be ratified and affirmed and that the Fee be allocated to future Town beach infrastructure improvement projects; and

WHEREAS, this Town Board finds that it would be in the Town's best interest to ratify and affirm the aforementioned Access Agreement with Brightside Productions, LLC and to allocate the associated Fee towards subsidizing certain future infrastructure improvements at the Town's beaches.

NOW, THEREFORE, BE IT

RESOLVED, that said Access Agreement between the Town and Brightside Productions LLC be and hereby is ratified and affirmed, including without limitation, the prior January 20, 2022 execution thereof on behalf of the Town by the Commissioner of the Department of Parks & Recreation; and

BE IT FURTHER

RESOLVED, that the Town Comptroller be and hereby is authorized to deposit the Fee into the Rental of Real Property Account (#403-007-0403-2410) and to allocate such Fee towards the subsidizing of certain future infrastructure improvements at Town beaches.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item # 12

29910

CASE NO.

RESOLUTION NO.:

Adopted:

Council
moved for its adoption:

offered the following resolution and

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

WHEREAS, the applicant, LS Oceanside LLC, has submitted to the Town of Hempstead an application for site plan approval for a 2.84 acre parcel of land located at 17 Neil Court, Oceanside, New York; and

WHEREAS, the purpose of the proposed site plan approval is to authorize the installation of drainage and pavement on an existing dirt and gravel lot for the purpose of motor vehicle inventory storage; and

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

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

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

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

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

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

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

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

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

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

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

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

Item # 14

Case # 30611

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

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board is "Lead Agency" for the proposed site plan approval for said parcel of land located in Oceanside, New York; and

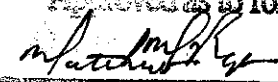
BE IT FURTHER

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

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

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

The foregoing resolution was adopted upon roll call as follows:

Approved as to form

Deputy Town Attorney
Dated 12/9/2021

AYES:

NOES:

CASE NO.

RESOLUTION NO.

Adopted:

offered

the following resolution and moved its adoption:

RESOLUTION APPROVING OVERALL LAYOUT SITE PLAN SUBMITTED BY DOMINICK MINERVA ON BEHALF OF LS OCEANSIDE LLC IN CONNECTION WITH BUILDING APPLICATION # 21-3917 FOR THE CONSTRUCTION OF AN ASPHALT PARKING LOT FOR VEHICLE STORAGE, LOCATED ON THE SOUTH SIDE OF NEIL COURT AND 795.24' WEST OF OCEANSIDE ROAD, OCEANSIDE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, heretofore, Dominick Minerva, on behalf of LS Oceanside LLC has submitted an application bearing # 21-3917, for the construction of an asphalt parking lot for vehicle storage located on the South side of Neil Court and 795.24' West of Oceanside Road, Oceanside, Town of Hempstead, New York; and

WHEREAS, in connection with such application and pursuant to the requirements of Section 305 of Article XXXI of the Building Zone Ordinance of the Town of Hempstead, said applicant has submitted a Site Plan, dated November 25, 2020, last revised September 22, 2021 and bearing the seal of Gary M. Rodolitz, P.E., License # 055705, University of the State of New York, which site plans show the use, dimensions, types and locations of each of the buildings, structures, or other improvements existing or proposed to be installed, erected or altered upon the site shown and the provisions proposed to be made for the facilities and improvements required by said Section 305 to be shown; and

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

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

NOW THEREFORE, BE IT

RESOLVED, that the overall site development plan submitted by Dominick Minerva on behalf of LS Oceanside LLC entitled Site Plan, dated November 25, 2020, last revised September 22, 2021 and bearing the seal of Gary M. Rodolitz, P.E., License # 055705, University of the State of New York, in connection with building application # 21-3917, for the construction of an asphalt parking lot for vehicle storage located on the South side of Neil Court and 795.24' West of Oceanside Road, Oceanside, Town of Hempstead, New York, be and the same is hereby approved.

The foregoing resolution was adopted upon role call as follows:

AYES:

NOES:

Item # 15

Case # 30611

Case No.

Resolution No.

Adopted:

Council(wo)man

moved the following resolution's adoption:

RESOLUTION AUTHORIZING AND APPROVING AN AGREEMENT WITH BLUESCOPE CONSTRUCTION, INC. TO PROVIDE DESIGN BUILD SERVICES RELATED TO THE CONSTRUCTION OF A PREFABRICATED BUILDING TO HOUSE ADVANCED OXIDATION TREATMENT SYSTEMS AND RELATED IMPROVEMENTS AT EAST MEADOW WELLS 5 AND 11, EAST MEADOW WATER DISTRICT, TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK

WHEREAS, the Department of Water desires to construct a prefabricated building to house an advanced oxidation process (AOP) system for water treatment on behalf of the East Meadow Water District at East Meadow Wells 5 and 11; and

WHEREAS, Sourcewell, a recognized government purchasing cooperative, has awarded BlueScope Construction, Inc, 1540 Genessee Street, Kansas City, MO 64102 ("BlueScope"), a contract for design-build services for prefabricated buildings of the type desired; and

WHEREAS, BlueScope proposes to design, fabricate, manufacture and construct a building meeting the desired specifications of the Department of Water for a price not to exceed \$ 1,400,173.00 (one million four hundred thousand one hundred seventy three dollars and no cents); and

WHEREAS, the Department of Water recommends this Board authorize and approve an agreement with BlueScope for said prefabricated building;

NOW, THEREFORE, BE IT

RESOLVED, an agreement and concomitant letter of intent with BlueScope for design-build services related to the construction of a prefabricated building at Wells 5 and 11 in the East Meadow Water District is authorized and approved, and the Commissioner of the Department of Water is authorized to execute said agreement and letter of intent on behalf of the Town of Hempstead and the East Meadow Water District; and

BE IT FURTHER RESOLVED that the Town Comptroller is directed to make payments to BlueScope Construction in an amount not to exceed \$\$ 1,400,173.00 (one million four hundred thousand one hundred seventy three dollars and no cents) from Acct. #8696-507-8696-5010.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 16

Case # 17527

CASE NO.

RESOLUTION NO.

Adopted

Councilperson
following resolution and moved its adoption:

offered the

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ANKER'S ELECTRIC SERVICE INC. FOR THE USE AND OCCUPANCY OF A PORTION OF TOWN-OWNED STORAGE PROPERTY LOCATED AT 1580-MERRICK ROAD, MERRICK, NEW YORK.

WHEREAS, pursuant to deeded rights, the Town of Hempstead (the "Town") owns a certain parcel of real property located at 1580-Merrick Road, Nassau County, Merrick, New York (the "Property"); and

WHEREAS, Anker's Electric Service, Inc. (hereinafter referred to as "Permittee"), 10 South 5th Street, Locust Valley, New York 11560 has requested permission from the Town to use and occupy a section of the Property consisting of approximately 4200 square feet (the "Parcel"), as described on the attached map, and subject to a proposal between the Town and the Permittee dated December 28, 2021 also attached hereto; and

WHEREAS, the Commissioner of General Services (the "Commissioner") has advised this Town Board that the Parcel located on the Property has the capacity to be used by the Permittee for a small office trailer, the storage of equipment and supplies, loading and unloading of materials, and associated requirements related to the Town of Hempstead Street Lighting Public Works Contract PW# 47-21 and subsequent Town of Hempstead Street Lighting Public Works contracts; and

WHEREAS, the Commissioner has recommended that that it is in the best interest of the Town to enter into an agreement (the "Permit Agreement") with the Permittee, whereby the Permittee will pay the Town a permit fee for the use and occupancy of the Parcel in the sum of \$600.00 per month commencing on January 1, 2022, and terminating upon notice by the Town that the Parcel is required for Town purposes; and

WHEREAS, this Board finds the permit fee to be fair and reasonable and further finds it to be in the best interest of the Town to authorize the Permit Agreement.

NOW, THEREFORE, BE IT

RESOLVED, the Permit Agreement is authorized; and be it further

RESOLVED, that upon execution of the Permit Agreement by the Permittee, and the submission of the required insurance, and approval thereof by the Town Attorney, the Supervisor be and he hereby is authorized to enter into an agreement with Anker's Electric Service, Inc., 10 South 5th Street, Locust Valley, New York 11560, for the use and occupancy of a certain parcel of real property located at the Town of Hempstead Department of General Services Facility, 1580-Merrick Road, Merrick, New York, as annexed on the attached map and to be made part of the Permit Agreement, commencing on January 1, 2022 and revocable at the will of the Town of Hempstead, at a permit fee of \$600.00 per month, in accordance with the terms and conditions of the Permit Agreement for use and occupation of Town owned property; and be it further

RESOLVED, that the Permittee's insurance, when approved by the Town Attorney as to form, be filed in the Town Clerk's office together with the Permit Agreement; and be it further

RESOLVED, that the check made out from the Permittee to the Town of Hempstead for the monthly Town permit fee as per the terms of the Permit Agreement be remitted to the Department of General Services Traffic Control / Street Lighting Division for deposit into Town of Hempstead Revenue Account: Rental of Real Property Account# 010-012-9000-2410.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 17

Case # 8143

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION RESCINDING RESOLUTION#: 1094-2021
AND AUTHORIZING THE AWARD OF
TOH CONTRACT#: 50A-2021 FOR:
OPERATION OF THE CONCESSION STAND AT THE
TOWN HALL CAFETERIA AND RESTAURANT

WHEREAS, the Division of Purchasing solicited proposals for TOH Contract#: 50-2021, Operation of the Concession Stand at the Town Hall Cafeteria and Restaurant; and

WHEREAS, Resolution 1094-2021 authorized the award of said contract to Green Apple Gourmet NY, Inc., 35-30 36th Street, New York, NY 11106; and

WHEREAS, Green Apple Gourmet NY, Inc., 35-30 36th Street, New York, NY 11106 has chosen not to advance said contract and the Town has determined that it is in the best interest of all parties to rescind said contract; and

WHEREAS, the Division of Purchasing solicited proposals for TOH Contract#: 50A-2021, Operation of the Concession Stand at the Town Hall Cafeteria and Restaurant; and

WHEREAS, said contract proposals were received and opened on November 10, 2021 whereby the following proposals were received:

<u>Name & Address of Proposers</u>	<u>Monthly License Fee (Year 1) –To the Town</u>
1) SARK Consulting, Inc. 259 North Beech Street Massapequa, NY 11758	\$2,400.00/month
2) Mohammed Z. Sharif c/o Mohizif Café & Restaurant, Inc. 729 Johnson Avenue Ronkonkoma, NY 11779	\$1.00/year

WHEREAS, following an evaluation of the aforementioned proposal, it has been determined that the proposal received by Mohammed Z. Sharif, c/o Mohizif Café & Restaurant, Inc., 729 Johnson Avenue, Ronkonkoma, NY 11779 is deemed responsive to and best meets the Town's needs; and

WHEREAS, the Town Board has determined that it is in the best interest of the residents of the Town to award the bid to Mohammed Z. Sharif, c/o Mohizif Café & Restaurant, Inc., 729 Johnson Avenue, Ronkonkoma, NY 11779. for said services; and

NOW, THEREFORE, BE IT

RESOLVED that Resolution 1094-2021 is hereby rescinded;

And, Be It Further

Item # 18

Case # 16412

RESOLVED, that the Town Board hereby awards TOH Contract#: 50A-2021, Operation of the Concession Stand at the Town Hall Cafeteria and Restaurant to Mohammed Z. Sharif, c/o Mohizif Café & Restaurant, Inc., 729 Johnson Avenue, Ronkonkoma, NY 11779,

And, Be It Further

RESOLVED, that the Town Board hereby authorizes the Commissioner of General Services to enter into and sign an agreement with Mohammed Z. Sharif, c/o Mohizif Café & Restaurant, Inc., 729 Johnson Avenue, Ronkonkoma, NY 11779 for the operation of the concession stand at the Town Hall Cafeteria and Restaurant;

And, be it Further

RESOLVED, that the Comptroller is hereby authorized and directed to deposit monies due and owing in conjunction with this contract, if any, into Rental of Real Property Account#: 010-0012-90000-2410.

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

* * * * *

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF:
PURCHASE CONTRACT#: 99-2021 FOR
PRE-EMPLOYMENT PHYSICAL EXAMS AND
OTHER EMPLOYEE MEDICAL SERVICES.

WHEREAS, the Town is required to utilize pre-employment and other medical services; and

WHEREAS, the Division of Purchasing solicited proposals for Town of Hempstead Purchase Contract#: 99-2021 for Pre-Employment Physical Examinations and Other Employee Medical Services; and

WHEREAS, proposals were received and opened on December 2, 2021 whereby the following companies submitted the listed proposals:

<u>NAME & ADDRESS</u>	<u>ITEMS</u>
1) Northwell Direct, Inc. 972 Brush Hollow Road Westbury, NY 11590	Various Items
2) National Claims Evaluations, Inc. 575 Jericho Turnpike, Suite 104 Jericho, NY 11753	Various Items
3) City Medical of Upper East Side, PLLC 1354 Avenue of the Americas, 8 th Floor New York, NY 10105	Various Items
4) Franklin Primary Medical Care, LLC 225 Nassau Boulevard, Suite B West Hempstead, NY 11552 ;and	Various Items

WHEREAS, following an evaluation of the aforementioned proposal, it has been determined that the proposal received by

1) City Medical of Upper East Side, PLLC 1354 Avenue of the Americas, 8 th Floor New York, NY 10105	All Items Proposed
2) Franklin Primary Medical Care, LLC 225 Nassau Boulevard, Suite B West Hempstead, NY 11552	All Items Proposed

are deemed responsive to and best meet the Town's needs; and

WHEREAS, the Town Board has determined that it is in the best interest of the residents of the Town to award the bid to:

1) City Medical of Upper East Side, PLLC 1354 Avenue of the Americas, 8 th Floor New York, NY 10105	All Items Proposed
--	--------------------

Item # 19

case# 19356

2) Franklin Primary Medical Care, LLC
225 Nassau Boulevard, Suite B
West Hempstead, NY 11552

All Items Proposed

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards TOH Contract#: 99-2021 for Pre-Employment Physical Examinations and Other Employee Medical Services to:

1) City Medical of Upper East Side, PLLC
1354 Avenue of the Americas, 8th Floor
New York, NY 10105

All Items Proposed

2) Franklin Primary Medical Care, LLC
225 Nassau Boulevard, Suite B
West Hempstead, NY 11552

All Items Proposed

And, Be It Further

RESOLVED, that the Comptroller is hereby authorized and directed to make payment regarding any monies due and owing in conjunction with this contract from the appropriate departmental 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 AUTHORIZING THE AWARD
OF A PRICE INCREASE OF TOH CONTRACT #: 60-2019 FOR
YEARLY REQUIREMENTS FOR:

Office & Duplicating Paper

WHEREAS, the Division of Purchasing solicited proposals for TOH
Contract#: 60-2019, Yearly Requirements for: Office & Duplicating Paper
and;

WHEREAS,
Vertiv Operating Company

was the successful bidder and was awarded a contract for the above referenced
services from 6/1/21 to 5/31/22 and;

WHEREAS, following an evaluation of the aforementioned contract it has been
determined that a price increase of this contract as contemplated in the specifications of
said bid solicitation is warranted for the period of 6/1/21 through 5/31/22 and;

WHEREAS, Vertiv Operating Company is requesting a nominal Price Increase
which is deemed reasonable and substantially due to provably increased costs and is in
compliance with all policies of the Town.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards a nominal price increase of TOH
Contract #: 60-2019 Yearly Requirements for: Office & Duplicating Paper for a period
from 6/1/21 through 5/31/22 to:

Vertiv Operating Co., 261 River Rd., Clifton, NJ 07014

And, be it further

RESOLVED, that the Comptroller is hereby authorized and directed to make
payment of the monies due and owing in conjunction with this contract for a period as
delineated, out of the Appropriate Town Wide Accounts.

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

* * * * *

Item # 20
29734

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING A PRICE INCREASE OF:
TOH CONTRACT#: 90-2019
FOR YEARLY REQUIREMENTS FOR:

Parts for Motor Powered Liftgates

WHEREAS, the Division of Purchasing advertised for TOH Contract#: 90-2019 for the Yearly Requirements for: Parts for Motor Powered Liftgates.

WHEREAS, Trius, Inc., is requesting a nominal price increase which is deemed reasonable and substantially due to increased costs and is in compliance with all policies of the Town;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards nominal price increase for TOH Contract #: 90-2019 for the Yearly Requirements for: Parts for Equipment

Trius, Inc., 458 Johnson Ave., PO Box 158, Bohemia, NY 11716

be it further,

RESOLVED, that Town Comptroller is hereby authorized to accept the nominal price increase and that payments be charged against all Appropriate Town Wide Department(s).

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

* * * * *

Item #

21

Case #

29734

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AWARDDING PURCHASE CONTRACT#: 106-2021
FOR THE YEARLY REQUIREMENTS FOR:
GENUINE REPLACEMENT PARTS FOR SANITATION TRUCK BODIES

WHEREAS, the Division of Purchasing advertised for Purchasing Contract#:106-2021 for the yearly requirements for: Genuine Replacement Parts for Sanitation Truck Bodies; and

WHEREAS, said bids were received and opened on December 2, 2021 whereby the following companies submitted the listed proposals;

<u>NAME</u>	<u>ITEM AWARD</u>
1) Vasso Waste Systems 159 Cook Street Brooklyn, NY 11206	Fee Schedule – Items: B, C, D, E
2) Empire Equipment Sales of L.I., Inc. d/b/a Long Island Sanitation Equipment Co. 1670 New Highway Farmingdale, NY 11735	Fee Schedule -- Item: A

And;

WHEREAS, it has been determined that the bid received by all vendors, delineating the items listed below, represent the lowest qualified bidder and best meets the needs of the residents; and

WHEREAS, the Division of Purchasing recommends said bid is in the best interest of the residents of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that Purchase Contract #: 106-2021 for the yearly requirements for: New Parts for Passenger Cars & Light Duty Trucks (Up To 1 Ton G.V. W.) be and is hereby awarded as follows; and

<u>NAME</u>	<u>ITEM AWARD</u>
1) Vasso Waste Systems 159 Cook Street Brooklyn, NY 11206	Fee Schedule – Items: B, C, D, E
2) Empire Equipment Sales of L.I., Inc. d/b/a Long Island Sanitation Equipment Co. 1670 New Highway Farmingdale, NY 11735	Fee Schedule – Item: A

;and

Item # 22

Case # 29734

BE IT FURTHER

RESOLVED, that monies due and owing in conjunction with this contract are to be made and paid out of the appropriate department designated expense accounts.

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

* * * * *

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD
OF AN EXTENSION & PRICE INCREASE OF TOH CONTRACT #11-2020
FOR YEARLY REQUIREMENTS FOR: Clay & Sand Mix for Baseball
Diamonds, Topsoil & other related items

And;

WHEREAS, the Division of Purchasing solicited proposals for TOH
Contract#: 11-2020, Yearly Requirements for: Clay & Sand Mix for Baseball Diamonds,
Topsoil & other related items and;

WHEREAS,

Barbato Nursery Corp.
Bittle & Sons, Inc.
Custom Golf Soil Solution

were the successful bidders and were awarded a contract for the above referenced
services from 3/2/20 to 2/28/21 and;

WHEREAS, following an evaluation of the aforementioned contract it has been
determined that an extension of this contract as contemplated in the specifications of said
bid solicitation and contract extension is warranted for the period of 3/2/20 through
2/28/22 and;

WHEREAS, the Town Board has determined that this extension can be granted
under the terms and conditions set forth and is in compliance with all applicable laws,
ordinances and policies of the Town;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards an extension of TOH Contract #:
11-2020 Yearly Requirements for: Clay & Sand Mix for Baseball Diamonds, Topsoil &
other related items for a period from 3/2/20 through 2/28/22 to:

Barbato Nursery Corp., 1600 Railroad Ave., Holbrook, NY 11741
Bittle & Sons, Inc., 1230 Station Rd., Medford, NY 11763
Custom Golf Soil Solution, 104 Rocky Point Rd., Middle Island, NY 11953

And, be it further

RESOLVED, that the Comptroller is hereby authorized and directed to make
payment of the monies due and owing in conjunction with this contract for a period as
delineated, out of the Appropriate Departmental Accounts.

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

* * * * *

Item #

23

Case #

29234

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING A PRICE INCREASE OF:
TOH CONTRACT#: 29-2020
FOR YEARLY REQUIREMENTS FOR:
CEMENT

WHEREAS, the Division of Purchasing advertised for TOH Contract#: 29-2020 for the Yearly Requirements for: Raw Materials

WHEREAS, Universal Ready Mix, Inc. is requesting a nominal price increase which is deemed reasonable and substantially due to increased costs and is in compliance with all policies of the Town;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards nominal price increase for TOH Contract #: 20-2020 for the Yearly Requirements for: Cement

Universal Ready Mix, Inc., 197 Atlantic Ave., Garden City Park, NY 11040

be it further,

RESOLVED, that Town Comptroller is hereby authorized to accept the nominal price increase and that payments be charged against all Town Wide Department(s).

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

* * * * *

Item # 24

Case # 29734

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD
OF AN EXTENSION & PRICE INCREASE OF TOH CONTRACT #68-2020
FOR YEARLY REQUIREMENTS FOR: Glass, Repair or Replace

And;

WHEREAS, the Division of Purchasing solicited proposals for TOH
Contract#: 68-2020, Yearly Requirements for: Glass, Repair or Replace
and;

WHEREAS,

Alert Glass & Architect Material Corp.

was the successful bidder and was awarded a contract for the above referenced
services from 9/1/20 to 8/31/21 and;

WHEREAS, following an evaluation of the aforementioned contract it has been
determined that an extension of this contract as contemplated in the specifications of said
bid solicitation and contract extension is warranted for the period of 9/1/21 through
8/31/22 and;

WHEREAS, the Town Board has determined that this extension can be granted
under the terms and conditions set forth and is in compliance with all applicable laws,
ordinances and policies of the Town;

WHEREAS, American Recreational Products is requesting a nominal Price
Increase which is deemed reasonable and substantially due to provably increased costs
and is in compliance with all policies of the Town.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards an extension and nominal price
increase of TOH Contract #: 68-2020 Yearly Requirements for: Glass, Repair or Replace
for a period from 9/1/21 through 8/31/22 to:

Alert Glass & Archit. Material Corp, 333 Spur Drive N., Bay Shore, NY 11706

And, be it further

RESOLVED, that the Comptroller is hereby authorized and directed to make
payment of the monies due and owing in conjunction with this contract for a period as
delineated, out of the Appropriate Departmental Accounts.

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

* * * * *

Item # 25

Page # 29734

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AWARDING PURCHASE CONTRACT #101-2021 FOR THE YEARLY REQUIRMENTS FOR DELIVERY, ACCEPTANCE AND DISPOSAL OF CONSTRUCTION AND DEMOLITION DEBRIS COLLECTED BY THE TOWN OF HEMPSTEAD

WHEREAS, the Director of Purchasing, on behalf of the Commissioner of Sanitation, advertised for the Yearly Requirements for Delivery, Acceptance and Disposal of Construction and Demolition Debris Collected By the Town of Hempstead; and

WHEREAS, said bids were received and opened on November 24, 2021 with the following results:

<u>Name and Address of Bidder</u>	<u>Bid Proposal Amount</u>
Westbury Paper Stock Corp. 173 School Street Westbury, New York 11590	Item 1 - \$102.44 per ton Total: \$1,024,400.00
Gershow Recycling Corp. 71 Peconic Avenue Medford, New York 11763	Item 1 - \$112.22 per ton Total \$1,122,200.00
Winter Brothers Hauling of L.I., LLC 1198 Prospect Avenue Westbury, New York 11590	Item 1 - \$133.59 per ton Total \$1,335,900.00

WHEREAS, for purposes of this bid the following applies:

Item 1 – Removal and disposal of construction and demolition debris from the Merrick and Oceanside Transfer Stations to the contractor’s facility;

Total- Based on an estimated yearly tonnage of 10,000 tons.

WHEREAS, it has been determined that the bid received by Westbury Paper Stock Corp., 173 School Street, Westbury, New York 11590 represents the lowest responsive bid which meets the qualifications proposed and is acceptable as stated; and

WHEREAS, the term of the agreement shall be upon award until December 31, 2022; and

WHEREAS, the Town at their sole option may offer two, one year extensions, however, said extension must be agreed upon by both parties; and

WHEREAS, the Commissioner of Sanitation recommends said contract be awarded to Westbury Paper Stock Corp.; and

WHEREAS, upon recommendation of the Commissioner, the Town Board deems it to be in the public interest to award this contract to Westbury Paper Stock Corp.;

NOW, THEREFORE, BE IT

Item # 26

Case # 29734

RESOLVED, that the Supervisor, be and is hereby authorized to award Purchase Contract #101-2021 for the Yearly Requirements for Delivery, Acceptance and Disposal of Construction and Demolition Debris Collected By the Town of Hempstead to Westbury Paper Stock Corp., 173 School Street, Westbury, New York 11590; and

BE IT FURTHER

RESOLVED, that all monies due and owing in connection with this contract shall be paid out of Refuse Disposal District Contract Disposal Fees Account #301-006-0301-4570.

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

* * * * *

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING A PRICE INCREASE OF:
TOH CONTRACT#: 59A-2019
FOR YEARLY REQUIREMENTS FOR:

PRINTED ENVELOPES

WHEREAS, the Division of Purchasing advertised for TOH Contract#: 59A-2019 for the Yearly Requirements for: Printed Envelopes

WHEREAS, Lorraine Gregory, Corp. is requesting a nominal price increase which is deemed reasonable and substantially due to increased costs and is in compliance with all policies of the Town;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards nominal price increase for TOH Contract #: 59A-2019 for the Yearly Requirements for: Paper

Lorraine Gregory Corp., 95-A Executive Dr., Edgewood, NY

be it further,

RESOLVED, that Town Comptroller is hereby authorized to accept the nominal price increase and that payments be charged against all Appropriate Town Wide Department(s).

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

* * * * *

Mem # 27

Case # 29134

CASE NO.

RESOLUTION NO.

Adopted:

 offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING AMENDMENT TO THE 2022 ADOPTED BUDGET TO DECREASE HIGHWAY FUND APPROPRIATED FUND BALANCE ACCOUNT AND TO ESTABLISH MOTOR VEHICLES EXPENSE ACCOUNT IN HIGHWAY#3 OPERATING FUND

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

041-0003-5130: HIGHWAY #3

DECREASE: 041-5990	Appropriated Fund Balance	\$500,000.00
ESTABLISH: 041-0003-5130-2500	Motor Vehicles	\$500,000.00

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 28
Case # 6460

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE TOWN COMPTROLLER
TO DISPOSE OF CERTAIN RECORDS

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

Claims & Warrants – Fiscal Year 2016 and prior
Purchase Orders, Contracts, Formal Bids and Related Documents – 2012 and prior
W-2 – 2021 and Prior

NOW, THEREFORE, BE IT

RESOLVED, By the Town Board of the Town of Hempstead, that the Town Comptroller is authorized to dispose of certain records on Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law as follows:

Claims & Warrants – Fiscal Year 2016 and prior
Purchase Orders, Contracts, Formal Bids and Related Documents – 2012 and prior
W-2 – 2021 and Prior

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

* * * *

Item # 29

Case # 4724

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE COMMISSIONER OF PUBLIC SAFETY TO DISPOSE OF CERTAIN RECORDS IN THE DEPARTMENT OF PUBLIC SAFETY.

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

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Hempstead that the Commissioner of Public Safety be and hereby is authorized to dispose of Correspondence, Incident Reports, Law Enforcement Reports, Alarm Records, Employee Time Records (Roll Calls), Employees' Time Cards, Sheets and Books, Building or Facility Security Records, Communications Log, Working Documents, Vehicle Readiness Checklist and Identification Card Records as per Retention and Disposition Schedule No. MU-1, pursuant to Part 185, Title of the Official Compilation of Codes, Rules and Regulations of the State of New York; and

BE IT FURTHER

RESOLVED, that the Commissioner of Public Safety be and hereby is authorized to dispose of the aforementioned records and files from the Department of Public Safety in accordance with the minimum legal retention periods set forth in New York State Records Retention and Disposition Schedule No. MU-1.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

30

Case #

4724

CASE NO.

RESOLUTION NO.

Adopted:

adoption:

Offered the following resolution and moved its

RESOLUTION AUTHORIZING THE ACTING COMMISSIONER OF THE
DEPARTMENT OF BUILDINGS TO DISPOSE OF CERTAIN RECORDS

WHEREAS, the Department of Buildings has requested permission to dispose of certain records herein below identified pursuant to Article 57-A of the Arts and Cultural Affairs of the State of New York.

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Hempstead that the Acting Commissioner of the Department of Buildings, he and he hereby is authorized to dispose of:

Abandoned Building Permit Applications, Prior to 2016
Daily, weekly, monthly and quarterly fiscal reports, prior to 2016
Master Plumber and Master Electrician records, prior to 2016
Administrative correspondence, prior to 2016
Closed Zoning/Housing and Structural complaint files, prior to 2016
(Zoning/Housing and Structural complaints prior to 2016 are retained as Electronic computer generated files)
Overtime payroll, prior to 2016
Bounced check file, prior to 2016
Seasonal/part-time payroll, prior to 2016
Time sheets, prior to 2016
Attendance slips, prior to 2016
Miscellaneous personnel claims, prior to 2016

Records as per Retention and Disposition Schedule No. LGS-1, pursuant to Part 185, Title of the Official Compilation of Code, Rules and Regulations of the State of New York; and BE IT FURTHER

RESOLVED, that the Acting Commissioner be and he hereby is directed to dispose of certain records of the Department of Buildings in accordance with the minimum legal retention periods set forth in the Records Retention and Disposal Schedule LGS-1 for the Town records.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 31

Case # 4724

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

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

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

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

WHEREAS, Hach Company in a proposal dated January 12, 2022 has offered to provide a Field Service Partnership Agreement for the Department's Water Information Management Solution Software for a yearly charge of \$5,699.60 to cover the period April 6, 2022 through April 5, 2023; and

WHEREAS, Hach Company in their proposal for a Field Service Partnership Agreement will provide basic software support and user licenses for this Water Information Management Solution Software covering the period April 6, 2022 through April 5, 2023; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of the Town of Hempstead Department of Water hereby is authorized to accept the proposal submitted by Hach Company, P.O. Box 389, 5600 Lindbergh Drive, Loveland, CO 80539; and

BE IT FURTHER RESOLVED that the Comptroller of the Town of Hempstead be and hereby is authorized and directed to make payment of \$5,699.60 for a Field Service Partnership Agreement for the Department's Water Information Management Solution Software covering the period April 6, 2022 through April 5, 2023 from Department of Water Account 500-006-8310-4030, Maintenance of Equipment.

The foregoing resolution was adopted upon roll call as follows.

AYES:

NOES:

Item # 32

Case # 22356

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution

and moved its adoption:

RESOLUTION AUTHORIZING THE COMMISSIONER OF INFORMATION AND TECHNOLOGY TO ACCEPT A PROPOSAL WITH COMPUTER INTEGRATED SERVICES, LLC (CIS) FOR PHISHING AND SOCIAL ENGINEERING TESTING UNDER NEW YORK STATE CONTRACT #PM020617F.

WHEREAS, Computer Integrated Services, LLC (CIS) 561 Seventh Avenue New York, New York 11018, has submitted a proposal ("the Proposal") for phishing and social engineering testing pursuant to New York State contract #PM020617F; and

WHEREAS, the terms of the proposal will provide phishing and social engineering testing, including reports to the Town of Hempstead ("the Town"); and

WHEREAS, the Commissioner of Information and Technology ("the Commissioner") deems the proposal to be in the best interest of the Town.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board authorizes the Commissioner to accept and execute the aforesaid proposal and/or such documents as may be required with Computer Integrated Services, LLC (CIS) 561 Seventh Avenue New York, New York 11018 under NYS Contract #PM020617F for the phishing and social engineering testing; and be it further

RESOLVED, the Comptroller is authorized and directed to make payment in the amount of \$41,400.00 from the Department of Information and Technology account 010-0001-16800-4151

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

33

Case #

14301

CASE NO. RESOLUTION NO.

Adopted:

Offered the following resolution and moved for its adoption:

RESOLUTION RATIFYING AND CONFIRMING PAYMENT
BY THE TOWN OF HEMPSTEAD TO RICHNER COMMUNICATIONS
FOR THE PUBLICATION OF ADVERTISEMENTS IN SEVERAL
COMMUNITY NEWSPAPERS

WHEREAS, Richner Communications., 2 Endo Boulevard, Garden City, New York 11530, agreed to publish advertisements in several community newspapers on December 16th, 2021 in order to disseminate public information for town residents for the sum of \$5,600. (Five thousand six hundred dollars).

WHEREAS, the Office of Communications and Public Affairs deems that it is in the public interest to encourage residents to support local businesses through various media outlets in an effort to increase awareness and heighten participation; and

WHEREAS, this Town Board deems that the publication of said advertisement in the above-stated publication is in the public interest of the Town of Hempstead;

WHEREAS, the community newspapers that have agreed to advertise are listed below

Baldwin Herald
Bellmore Herald Life
East Meadow Herald
Franklin Square/Elmont Herald
Freeport Herald Leader
Garden City News
Hempstead Beacon
Long Beach Herald
Lynbrook/East Rockaway Herald
Malverne/West Hempstead Herald
Merrick Herald Life
Nassau Herald
Oceanside/Island Park Herald
Rockville Centre Herald
Seaford Herald Citizen
The Jewish Star
Uniondale Beacon
Valley Stream Herald
Wantagh Herald Citizen

NOW, THEREFORE, BE IT

RESOLVED, that said payment to Richner Communications is hereby ratified and confirmed in the amount of \$5,600.00. The amount is to be charged against Account Number: 010-00012-9000-4151, Advertising and Promotion.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

34

Case #

6493

CASE NO:

RESOLUTION NO:

ADOPTED:

Offered the following resolution and moved its adoption:

**RESOLUTION RATIFYING AND CONFIRMING AN AGREEMENT
WITH A4 MEDIA AND DATA SOLUTIONS FOR VARIOUS MEDIA
OUTLET NOTICES AND ADVERTISEMENTS**

WHEREAS, the Office of Communications requires the ability to issue notices or advertisements for various programs and information the Town wishes to publicize; and

WHEREAS, A4 Media and Data Solutions, One Court Square West, Long Island City, NY 11101 can provide television and various media outlets for said purposes and has offered a pricing schedule for the same; and

WHEREAS, the Office of Communications wishes to avail itself of such media outlets for a term of one year beginning on January 1, 2022 and ending on December 31, 2022 and recommends accepting said proposal as in the best interest of the residents of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that the acceptance of a pricing agreement offered by A4 Media and Data Solutions for a one year term is hereby ratified and confirmed: and

BE IT FURTHER,

RESOLVED, that the Town Comptroller is authorized and directed that monies due and owing are to be paid out of the appropriate departmental accounts

The foregoing was adopted upon roll call as follows:

AYES:

NOES:

Item #

35

Case #

6473

Case No.

Resolution No.

Adopted:

Council(woman)

moved the following resolution's adoption:

**RESOLUTION AUTHORIZING AND
APPROVING A MASTER AGREEMENT
WITH BUSPATROL AMERICA LLC**

WHEREAS on August 6, 2019, the Governor of the State of New York signed into law amendments to the New York Vehicle and Traffic Law that authorize a New York county, County, town or village, by local law or ordinance, to install and operate photo violation monitoring systems on school buses for the purpose of recording violations; and

WHEREAS pursuant to Section 1174-a of the New York Vehicle and Traffic Law, the governing body of a county, County, town or village located within a County is authorized and empowered to adopt and amend a local law or ordinance establishing a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with section eleven hundred seventy-four of the Vehicle and Traffic Law when meeting a school bus marked and equipped as provided in subdivisions twenty and twenty-one-c of section three hundred seventy-five of this chapter and operated in such county, County, town or village, in accordance with the provisions of such Section 1174-a; and

WHEREAS pursuant to and, in accordance with, such Section 1174-a, the Town Board intends to adopt a new Chapter 186 of the Code of the Town of Hempstead (the "Local Law"), authorizing the Town to install and operate school bus photo violation monitoring systems on school buses within the Town (collectively with Section 1174-a, "the Law" or "the Stop Arm Law");

WHEREAS the Town intends to enter into agreement(s) with school districts ("Participating School Districts") within the Town authorizing the Town to contract with BusPatrol to install camera systems on school buses operated by or for such Participating School Districts, in order to use video monitoring of vehicles passing school buses to impose civil or other penalties on vehicle owners for violating any of the aforesaid provisions of law;

WHEREAS the Stop Arm Law further requires that vehicle owners who illegally overtake or pass stopped school buses are issued a notice of liability with a fine amount determined in accordance with the applicable law;

WHEREAS the installation of school bus monitoring cameras on school buses deters vehicle owners from overtaking and passing stopped school buses and reduces the incidence of possible injuries to students when riding school buses;

WHEREAS BusPatrol, LLC, 8540 Cinder Bed Road, Suite 400, Lorton, VA 22079 ("BusPatrol") is able to provide an innovative, turn-key, and comprehensive school bus camera system to protect students when riding school buses on customary routes;

WHEREAS pursuant to New York's "piggybacking" law, Section 103(16) of the New York General Municipal Law, the Town "may contract for such services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies, as may required by such political subdivision or district therein through the use of a contract let by the United States of America or any agency thereof, any state or any other political subdivision or district therein if such contract was let to the lowest responsible bidder or on the basis of best value in a manner consistent with this section and made available for use by other governmental entities";

WHEREAS the Hempstead Purchasing Guidelines establishes procedures for the award of contracts by the Town, consistent with the requirements in Section 103 of the New York General Municipal Law;

Item # 36
Page 1 of 2
Case # 30612

WHEREAS the Town determined that the Master Agreement between BusPatrol and Dutchess County, New York, dated September 24, 2021, (“Dutchess County Agreement”) is for the same or similar services as the Town desires from BusPatrol, is for the same or better pricing, and otherwise meets the criteria under Section 103(16) and the Town’s Purchasing Guidelines;

WHEREAS BusPatrol agrees to enter into a master agreement (the “Master Agreement”) with the Town under the terms and conditions set forth in the Dutchess County Agreement, except as expressly modified herein;

WHEREAS the Town represents that it will have the authority, in accordance with the Local Law, to enter into this Master Agreement with BusPatrol on behalf of the Participating School Districts within the Town, to establish the terms and conditions upon which counties may elect to allow BusPatrol to install, maintain and operate school bus photo monitoring systems within such counties, and does hereby award such Master Agreement to BusPatrol;

WHEREAS pursuant to the Local Law, Town will authorize BusPatrol to process violations as authorized by such Local Law and Section 1174-a;

WHEREAS Town reviewed the business and financial terms of this Master Agreement and confirms that the said terms and conditions are beneficial to the public interest and enhanced safety and security for the children and community at large;

NOW, THEREFORE, BE IT

RESOLVED, the Master Agreement is authorized and approved, including dates to be agreed upon in the future between BusPatrol and the Town as shown in the Master Agreement, and the Commissioner of Public Safety is authorized to execute the Master Agreement and any other documents necessary to effectuate the Master Agreement.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

MASTER AGREEMENT
between
BUSPATROL AMERICA, LLC
and
TOWN OF HEMPSTEAD
for a
SCHOOL BUS STOP ARM ENFORCEMENT PROGRAM

This Master Agreement (the "Agreement") is hereby made and entered into by and between BusPatrol America, LLC with its principle place of business at 8540 Cinder Bed Road, Suite 400, Lorton, VA 22079 ("BusPatrol" or "Contractor"), and Town of Hempstead One Washington Street, Hempstead, NY 11550 ("Town").

RECITALS

WHEREAS on August 6, 2019, the Governor of the State of New York signed into law amendments to the New York Vehicle and Traffic Law that authorize a New York county, County, town or village, by local law or ordinance, to install and operate photo violation monitoring systems on school buses for the purpose of recording violations; and

WHEREAS pursuant to Section 1174-a of the New York Vehicle and Traffic Law, the governing body of the Town is authorized and empowered to adopt and amend a local law or ordinance establishing a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with section eleven hundred seventy-four of the Vehicle and Traffic Law when meeting a school bus marked and equipped as provided in subdivisions twenty and twenty-one-c of section three hundred seventy-five of this chapter and operated in such town, in accordance with the provisions of such Section 1174-a; and

WHEREAS pursuant to and, in accordance with, such Section 1174-a, the Town shall adopt an ordinance (the "Local Law"), authorizing the Town to install and operate school bus photo violation monitoring systems on school buses within the Town (collectively with Section 1174-a, "the Law" or "the Stop Arm Law");

WHEREAS the Town intends to enter into agreement(s) with school districts ("Participating School Districts") within the Town authorizing the Town to contract with BusPatrol to install camera systems on school buses operated by or for such Participating School Districts, in order to use video monitoring of vehicles passing school buses to impose civil or other penalties on vehicle owners for violating any of the aforesaid provisions of law;

WHEREAS the Stop Arm Law further requires that vehicle owners who illegally overtake or pass stopped school buses are issued a notice of liability with a fine amount determined in accordance with the applicable law;

WHEREAS pursuant to and, in accordance with Section 1174-a, the Local Law establishes a fine of \$250 for a first violation, \$275 for a second violation committed within 18 months of the first violation, \$300 for a third violation or subsequent violation committed within 18 months of

two (2) previous violations, and an additional \$25 penalty for each violation for the failure to respond to a notice of liability within the prescribed time period;

WHEREAS the installation of school bus monitoring cameras on school buses deters vehicle owners from overtaking and passing stopped school buses and reduces the incidence of possible injuries to students when riding school buses;

WHEREAS BusPatrol is able to provide an innovative, turn-key, and comprehensive school bus camera system to protect students when riding school buses on customary routes;

WHEREAS pursuant to New York's "piggybacking" law, Section 103(16) of the New York General Municipal Law, the Town "may contract for such services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies, as may required by such political subdivision or district therein through the use of a contract let by the United States of America or any agency thereof, any state or any other political subdivision or district therein if such contract was let to the lowest responsible bidder or on the basis of best value in a manner consistent with this section and made available for use by other governmental entities;"

WHEREAS the Hempstead Purchasing Guidelines establishes procedures for the award of contracts by the Town, consistent with the requirements in Section 103 of the New York General Municipal Law;

WHEREAS the Town has determined that the Master Agreement between BusPatrol and Dutchess County, New York, dated September 24, 2021, ("Dutchess County Agreement") is for the same or similar services as the Town desires from BusPatrol, is for the same or better pricing, and otherwise meets the criteria under Section 103(16) and the Town's Purchasing Guidelines;

WHEREAS BusPatrol agrees to enter into an Agreement with the Town under the terms and conditions set forth in the Dutchess County Agreement, except as expressly modified herein;

WHEREAS the Town represents that it has or will have the authority, in accordance with the Local Law, to enter into this Master Agreement with BusPatrol on behalf of the Participating School Districts within the Town, to establish the terms and conditions upon which counties may elect to allow BusPatrol to install, maintain and operate school bus photo monitoring systems within such counties, and does hereby award such Master Agreement to BusPatrol;

WHEREAS pursuant to the Local Law, Town has or will authorize BusPatrol to process violations as authorized by such Local Law and Section 1174-a;

WHEREAS Town has reviewed the business and financial terms of this Agreement and confirms that the said terms and conditions are beneficial to the public interest and enhanced safety and security for the children and community at large; and

NOW THEREFORE, in consideration of the foregoing recitals, which are expressly incorporated herein, the mutual covenants and agreements set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Town and BusPatrol agree as follows:

The foregoing recitals are true and correct, and form an integral part of this Agreement and are contractual.

AGREEMENT

This Agreement is entered into pursuant to the piggybacking authority in Subdivision 16 of Section 103 of the New York General Municipal Laws, and the Town of Hempstead Purchasing Guidelines. Accordingly, all the terms, conditions, covenants and representations contained herein and in the Dutchess County Agreement and any amendments thereto, except as modified by this document, are hereby incorporated by reference and deemed to be a part of this Agreement as if fully set forth at length herein. The term and conditions of this Agreement shall supersede any inconsistent terms and conditions set forth in the Dutchess County Agreement.

A. DELETIONS

For purposes of this Agreement, the Dutchess County Agreement is expressly modified by deleting the following provisions:

1. All references to "Dutchess County" or "County" are hereby deleted.
2. Section 38.0, "Severance Pay," is hereby deleted.
3. Exhibit B, "Revenue Reconciliation And Disbursement Process," is hereby deleted in its entirety.

B. ADDITIONS

For purposes of this Agreement, the Dutchess County Agreement is expressly modified by adding:

1. All references to "Dutchess County" or "County" are hereby replaced with "Town of Hempstead" or "Town."
2. Section 5, "Payment," is hereby deleted and replaced with the following:

5.0 PAYMENT.

The parties agree that all amounts to be paid to BusPatrol for the performance of the services called for in this Contract will be paid from revenues from the civil penalties and fines collected from Violations generated through BusPatrol System, which will be processed and disbursed as follows:

- 5.1 Revenue Share. Contractor shall be paid a portion of all civil penalties and fines collected from Violations, including fines paid directly to Town or an Adjudicating Entity, which shall be disbursed 45% to the Contractor ("Contractor's Revenue Share") and 55% to Town ("Town's Revenue Share").
- 5.2 Monthly Revenue Report, Payment Authorization. Within 15 days following the end of each month, BusPatrol shall submit a report (the "Revenue Reconciliation Report") to the Town for review and approval, to authorize payment of the amounts owed to BusPatrol and Town in accordance with this Article 5. Town's approval of a Revenue Reconciliation Report shall authorize BusPatrol to disburse funds from the BusPatrol account established under Article 4. At a

minimum, the monthly Revenue Reconciliation Report shall include the following supporting information:

- 5.2.1 Total number of Violations issued during the previous month;
- 5.2.2 Total amount of revenue from fines and penalties collected from Violations during the previous month;
- 5.2.3 Total amount of BusPatrol's 45% Revenue Share Payment to be paid to BusPatrol, as determined in accordance with Article 5.2;
- 5.2.4 Total amount of Town's 55% Revenue Share Payment to be paid to School District, as determined in accordance with Article 5.2;

The Parties agree to work in good faith to reconcile any discrepancies in the amounts payable to any Party that are identified in the monthly Revenue Reconciliation Report.

5.3 Payment.

- 5.3.1 Within 5 calendar days of Town's approval of a monthly Revenue Reconciliation Report, BusPatrol will disburse the Revenue Share Payments as authorized by Town in the approved monthly Revenue Reconciliation Report.
- 5.3.2 All amounts payable under this Agreement shall be paid from the fines and penalties collected from Violations. In no event shall the Town bear any expense associated with the administration of this program if gross revenues from Violations over the entire term of this agreement (including any extension thereof) are insufficient to cover such expense.

5.4 Reimbursement Of Administrative And Adjudication-Related Expenses

The Contractor shall reimburse all administrative costs and adjudication-related expenses incurred by the Town and Adjudicating Entities directly in support of the Stop Arm Program, including, but not limited to, reporting costs; personnel costs for violation review; costs for newly-acquired furniture, equipment and computers acquired by the Town or Adjudicating Entities for review and adjudication activities; out of pocket expenses directly associated with Citations challenged in Adjudicating Entity courts; personnel costs for finance, accounting, and reporting staff in direct support of the Stop Arm Program; as well as other personnel costs associated with the contestation of tickets, such as scheduling, docket preparation, evidence disclosures, expert testimony and any other administrative support required by courts to assist it in adjudication of contested Citations ("Administrative Costs"). For purposes of this provision, "personnel costs" means an hourly amount to reimburse Town or Adjudicating Entity for actual time spent by an employee of Town or Adjudicating Entity in direct support of the Stop Arm Program. In no event shall Administrative Costs include (i) expenses not directly related to the administration of the Stop Arm Program, such as salary of judicial hearing officers, or (ii) expenses for any existing furniture, equipment, facilities or other items already in place prior to the execution of this agreement, or acquired by Town or Adjudicating Entity for use in support of other programs or activities. Before requesting reimbursement for any Administrative Costs, the Town and Adjudicating Entities will confer with the

Contractor to define the required level of administrative support needed to carry out the Stop Arm Program, and to determine whether the Contractor can provide an alternative means of providing the required administrative support, at the Contractor's expense. The parties will also confer to adjust the Administrative Costs in the event that any changes in the Stop Arm Program result in any change in the level of administrative support required, including but not limited to changes in the number of buses deployed or volume of Violations issued. The Town and Adjudicating Entities will make decisions about defined required levels of administrative support, to include administrative costs and adjudication-related expenses, at their sole discretion. The Town and Adjudicating Entities will submit an invoice for reimbursement of the defined Administrative Costs and containing such documentation as may be required by the Contractor on a quarterly basis. The Contractor shall have the right to request reasonable supporting documentation supporting such Administrative Costs.

3. The following Section is hereby added:

XX. Public awareness campaign and marketing administration and support.

The Contractor shall develop and bear all costs associated with initial and ongoing public awareness and education Stop Arm Program requirements within Stop Arm Laws, as well as additional Town policies and directives.

Prior to implementation of the Stop Arm Program, the Contractor shall present the Town with a comprehensive public awareness and education plan, including initial rollout and ongoing efforts to educate the public about the Stop Arm Laws and Stop Arm Program. All materials and content must be made accessible in accordance with Town language access policy. The Contractor plan, as well as all public awareness and education initiatives, materials, and content, must be approved in writing by the Town before implementation of the Stop Arm Program.

The Contractor's public awareness and education campaign ad expenditure over the term of the contract will be an amount equal to \$100 per bus, not to exceed \$200,000 over the term of the contract, and shall include an initial rollout as well as ongoing awareness efforts each year of the contract. Public awareness and education efforts shall be Town-wide, with PSAs and content disseminated in an equitable fashion.

Public awareness and education content shall be tailored to community-specific circumstances, including but not limited to language, cultural relevance, suburban/rural community character, and highway and traffic data.

The Town will annually, and on an ongoing basis, review and adjust the public awareness and education plan implemented by the Contractor. Subject to approval by the Town, public awareness and education materials provided by the Contractor shall include, but not necessarily be limited to:

- 1) **Roadway signage.** At such locations as will be directed by the Town, the Contractor shall install, maintain, and bear all expenses associated with roadway signage required by Stop Arm Laws, in conformance by New York State and local government law and with standards established in the Manual of Uniform Traffic Control Devices ("MUTCD"). The Contractor shall provide notification of all sign placement and the Town shall approve the sign placement and may direct the Contractor to place additional signs as may be required by law. This Contractor responsibility includes the process associated with applying for related state, County, township, and village permits and approvals to install and maintain roadway signage. The cost of any such permits and approvals shall be solely the responsibility of the Contractor.

- 2) **Public service announcements ("PSAs").** In an effort to educate the public about Stop Arm Laws and the Town Stop Arm Program, the Contractor shall develop, distribute, and bear all expenses associated with PSAs customized for the Town and its Stop Arm Program. The Town shall approve all PSAs before distribution and dissemination by the Contractor. The Town and the Contractor shall agree to dates by when PSAs must be submitted to the Town for review and by when PSAs shall begin being distributed, unless otherwise agreed upon by the parties.

- 3) **Television, digital, radio and print content.** The Contractor shall develop, distribute, and bear all expenses associated with print brochures and associated materials customized for the Town and its Stop Arm Program. The Town shall approve all PSAs before distribution and dissemination by the Contractor. The Contractor shall coordinate with designated Town communications staff to develop customized content for print, digital, television, radio and social media platforms. The Town and the Contractor shall agree to dates by when all materials must be submitted to the Town for review and by when all materials shall begin being distributed, unless otherwise agreed upon by the parties.

- 4) **Warning notice program.** The Contractor shall develop, implement, and bear all expenses associated with a warning notice program, customized for the Town and its Stop Arm Program. The Town shall approve the program prior to its implementation.

For the first thirty (30) days of the Stop Arm Program, the Contractor shall issue warning notices in lieu of Citations that impose monetary liability on alleged Stop Arm Law violators. The form and substance of the warning notices shall be approved by each Adjudicating Entity prior to dissemination. For the purposes of this subparagraph, the first thirty (30) days of the Stop Arm Program will commence on such date(s) when a school bus photo violation monitoring system is in operation in a school district pursuant to an agreement between the Town and a participating school district, unless otherwise agreed upon by the parties.

- 5) **Ongoing stakeholder meetings and community engagement.** The Contractor shall attend, prepare demonstration materials, present, and answer questions at Town stakeholder meetings in furtherance of the Town Stop Arm Program. Contractor demonstration materials shall be subject to Town approval prior to presentation or dissemination.
- 6) **Media relations.** The Contractor shall, at the request of designated Town communications staff, coordinate with the Town to promote the Town Stop Arm Program news media and attend press conferences.

4. Any notice or other mailing requirements to the Town shall be addressed to:

Department of Public Safety
200 N. Franklin Street
Hempstead, NY 11550

5. 12.0 Choice of Law, Venue is amended in so far as to choose the New York Supreme Court, Nassau County as the forum for any such dispute.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement for a School Bus Safety Camera Program between BusPatrol and Town, effective as of the date of the first Notice of Violation (the "Effective Date").

BUSPATROL:

BusPatrol America, LLC

By: _____
Name: Jean F. Souliere
Title: CEO, BusPatrol America LLC
Date: _____

TOWN:

Town of Hempstead, NY

By: _____
Name: Joseph Martelli
Title: Commissioner, Department of Public Safety
Date: _____

CASE NO.

RESOLUTION NO.

Adopted:

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

RESOLUTION RETAINING MARK L. LIEBERMAN, ESQ., AS CONSULTANT WITH RESPECT TO THE LEGISLATURE OF THE STATE OF NEW YORK FOR THE 2022 SESSION.

WHEREAS, this Town Board deems it to be in the public interest to retain the services of a person familiar with legislature programs and procedures in order to effectively present to the Legislature of the State of New York the projects and proposals of the Town of Hempstead for the strengthening and broadening of Home Rule powers and in order to keep abreast of the projects and proposals emanating from the Legislature during the legislative session with respect to Town Government; and

WHEREAS, Mark L. Lieberman, Esq., of 500 North Broadway, Suite 124, Jericho, New York 11753, is duly qualified to perform said services;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Attorney is hereby authorized and directed to execute an Agreement to retain Mark L. Lieberman, Esq., as Legislative Consultant for the Town of Hempstead for the 2022 Legislature Session for the sum of \$36,000.00 including all expenses, payable in 12 equal installments of \$3,000.00, in arrears; and, BE IT FURTHER

RESOLVED, that said sum of \$36,000.00 shall be a charge against and paid out of General Town Fund-Fees and Services Account No. 010-012-9000-4151.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

37

Case #

23272

CASE NO.

RESOLUTION NO.

Adopted:

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

RESOLUTION RETAINING LJM RAD, LLC, AS CONSULTANT WITH RESPECT TO THE LEGISLATURE OF THE STATE OF NEW YORK FOR A PERIOD OF TWO (2) YEARS.

WHEREAS, this Town Board deems it to be in the public interest to retain the services of a person familiar with legislature programs and procedures in order to effectively present to the Legislature of the State of New York the projects and proposals of the Town of Hempstead for the strengthening and broadening of Home Rule powers and in order to keep abreast of the projects and proposals emanating from the Legislature during the legislative session with respect to Town Government; and

WHEREAS, LJM RAD, LLC, P.O. Box 38227, Albany, New York 12203, is duly qualified to perform said services;

NOW, THEREFORE, BE IT

RESOLVED, that the Chief of Staff is hereby authorized and directed to execute an Agreement to retain LJM RAD, LLC as Legislative Consultant for the Town of Hempstead for the 2022 and 2023 Legislature Sessions for the sum of \$120,000.00 plus expenses, payable in 24 equal installments of \$5,000.00, in arrears; and, BE IT FURTHER

RESOLVED, that said sum of \$120,000.00 shall be a charge against and paid out of General Town Fund-Fees and Services Account No. 010-012-9000-4151.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

38

Case #

30614

JILL ANN MOLLITOR

Education: *Nassau Community College – Garden City, N.Y.*
September, 1976 – May, 1978
Major: Liberal Arts (B.A.)

Carey High School, Franklin Square, N.Y.
Graduated June 1976

Experience:

Kellenberg Memorial H.S., Uniondale, N.Y. 2000 - Present

College Placement Office / Golf Outing Coordinator

Processed college applications through Naviance programing; coordinate on-site instant decision day for students

Facilitate golf outing with over 300 golfers, 500 total dinner guests – gross income over \$400,000 with a net income of \$215,000

Access Mortgages / Real Estate Agent, Floral Park, N.Y. 1996 - 2000

Still hold Real Estate License

Alley Pond Tennis Center, Queens Village, N.Y. 1989 - 1995

Manager / Tennis Instructor

Responsible for the day-to-day operation of an indoor 11 court facility, with 15 employees including teaching professionals, maintenance personnel and receptionists. Also taught private and group adult and junior lessons

Cunningham Tennis Club, Flushing, N.Y. 1984 – 1989

Manager / Tennis Instructor

Oversee the daily operation of 10 indoor tennis courts and a staff of 12. Organized the Junior Tennis Program with over 100 children ages 7 – 17. Taught adult and junior lessons

Meeker & Meeker Law Firm, Brooklyn, N.Y. 1976 – 1980

Clerical Position / Foreclosure Department

WA

Jerry Kornbluth, Ph.D.

Education

- 09/1979 Hofstra University, Hempstead, New York
Ph.D. in Educational Research & Evaluation
- 02/1970 Hofstra University, Hempstead, New York
M.B.A. in Scientific Decision-Making
- 06/1967 Bowling Green State University, Bowling Green, Ohio
B.S. in Statistics

Employment

- 9/2013-Present Nassau Community College, Dean of Professional Studies
- 1/2013-8/2013 Nassau Community College, Interim Dean for Nursing Allied Health Sciences
- 9/2009- 12/2012 Nassau Community College, Instructor of Mathematics and Chairperson of the Retention Committee
- 01/2005 - 12/2008 Interboro Institute, Vice President of Academic Affairs and Chief Academic Officer
- 12/2003- 12/2004 Briarcliffe College, Professor of Mathematics
- 12/2002 - 12/2003 Interboro Institute, Lead Instructor in Mathematics
- 06/1968 - Present Nassau Community College, Adjunct Full Professor of Mathematics, Statistics and Computer Sciences
- 06/1968 - 12/2001 Nassau Community College, Full Professor of Mathematics, Statistics and Computer Sciences. Retired Professor Emeritus
- 09/1988 - 02/2002 Queensborough Community College of CUNY, Adjunct Associate Professor in Business Department
- 09/1973 - 02/2002 Fiorello LaGuardia Community College of CUNY, Adjunct Associate Professor in Mathematics Department
- Spring 1983 Adjunct Full Professor at Bowie State Collage, Bowie, Maryland. Taught Introduction to Research to Masters Degree students
- 09/1984 Dissertation advisor to six Doctoral students at Union Graduate Center, Antioch, Ohio

Consultations

Projects Worked on Since September 1972

1. Complete statistical evaluations for Umbrellas II, IV, and V, 1972-1973. New York City Board of Education. Central Board Projects.
2. Complete statistical evaluations for District 27, Title I and State Urban Education Programs, 1972-1973
3. Headed and evaluation of Model Cities Program, Perth Amboy, New Jersey and Mount Vernon, New York, as a consultant to P/RA Research, Inc., 1905 Hempstead Turnpike, East Meadow, New York.
4. Project Manager for Nationwide Survey and Statistical Analysis of Federal School Lunch Program (USDA) under contract by the United States Department of Agriculture, 1974-1975
5. Headed evaluation of HEW Program, as a consultant to P/RA Research, Inc., 1905 Hempstead Turnpike, East Meadow, New York.
6. Community School District #9, Bronx, New York; involved in writing the research designs and all statistical work on the Title I and State Urban Educational Program, 1973-1974. New York City Board of Education.
7. Hempstead Public Schools, District #1, Hempstead, New York; directed the evaluation of the District's Title I Program "Directed Learning Program" (D.L.P.), 1973-1974
8. Community School District # 9, Bronx, New York; Project Director for the evaluation of the District's Title I Program, State Aid and Bilingual Programs, 1974-1975. New York City Board of Education.
9. Community School District # 9, Bronx, New York; developed a Management System for the District's Title I Programs, 1975-1979. New York City Board of Education.
10. P/RA Research, Inc.; Consultant to P/RA Research Inc., 1905 Hempstead Turnpike, East Meadow, New York, on project involving Affirmative Action Programs for ERDA and Hospital Survey for Consumer Products Safety Agency of the Federal Government.
11. Consultant to the Bathgate Coalition, Bronx, New York, in the area of Housing and Economic Development. Developed a comprehensive proposal for which the Coalition was awarded a \$30,000 Housing Grant from the New York State Neighborhood Preservation Department. Also, I worked with the Coalition members in developing a comprehensive plan, which was included in the overall South Bronx Plan, 1975-1987.
12. Consultant to Crotona Planning Council, Bronx, New York, in Housing and Economic Development.
13. Consultant to the Chairman of Community Planning Board #3, Bronx, New York; in developing strategies for the overall South Bronx Plan. Worked with City and Federal officials and members the community in order to guarantee the community participation elements in the New York City Charter, Sec. 197A
14. Project Director (Consultant) for evaluation of Community School District #9, Bronx, New York Chapter I Program, 1981-1987.

15. Consultant to Bramson-ORT College in the area of Academics and Retention. December 26 2009 - Sept. 2009
16. Consultant to City College of New York. Developed a Retention Plan for new incoming transfer students, 1/13-8/13.

Community Activities/Awards

1. Member of the Freeport Parent's advisory Committee on Title I Program, Freeport Public Schools, Freeport, New York, 1973-1975
2. Active member of the Freeport/Roosevelt Branch of the N.A.A.C.P., 1972-1977, 2014-Present
3. Educational Advisor to the Freeport Southwest Civic association, 1974-1975.
4. Presented with Outstanding Academic Service Award on June 17, 1976; Community School District #9, Bronx, New York.
5. Presented with plaque entitled, "In Recognition of Your Enthusiastic Support of Title I Programs." Community School District #9, Bronx, New York, on October 6, 1976.
6. Presented with Presidential Citation for Excellence from Community School District #9, Bronx, New York, June 1983.
7. Actively worked on Presidential Campaign of Jimmy Carter- Coordinator of the South Bronx (1976-1980)
8. Member of the Board of Trustees of New York Career Institute (NYCI) . A Two-Year for-profit College in New York City.(2009-2016)
9. Co-founder and Board Member of THE NEST @NCC, a Food Pantry serving students, staff and faculty at NCC since 2014.
10. Member of the Board of Directors of the Hispanic Brotherhood, 51 Clinton Ave. RVC, N.Y, Sept 2017-Present.
11. Member of the Board of Directors of The Long Island Hospitality Association (LIHA). Sept. 2017-Present.
12. Board Member of the LIPA/PSEG Community Advisory Board. March 2018-Present.

References

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution

and moved its adoption:

RESOLUTION APPOINTING DONALD F. MOLLITOR
TO THE TOWN OF HEMPSTEAD HOUSING
AUTHORITY

WHEREAS, a vacancy exists on the Town of Hempstead
Housing Authority; and

WHEREAS, the Town Board deems it in the public interest
that said vacancy be filled as hereinafter provided;

NOW, THEREFORE, BE IT

RESOLVED, that Donald F. Mollitor, Franklin square, NY
11010, be appointed for a term expiring August 20, 2024,
to the Town of Hempstead Housing Authority; and

BE IT FURTHER RESOLVED

RESOLVED, that the Town Clerk be and hereby is directed
to file with the Commissioner of Housing of the State of New
York, a certificate of such appointment.

The foregoing resolution was adopted upon roll call as
follows:

AYES:

NOES:

Item # 41

Case # 9789

DONALD F. MOLLITOR

EXPERIENCE:

January 2020 – Present

GENERAL MANAGER, MILL RIVER CLUB
OYSTER BAY, N.Y.

Responsible for daily operation of exclusive, diverse country club, on the North Shore of L.I. Club has annual sales of \$4.6 million plus F&B sales of \$2.2 million. Facilities include an 18 hole golf course with driving range, putting green and separate short game practice area; 5 har-tru tennis courts and 1 indoor court, pool area with locker rooms and snack bar. Clubhouse complete with Grill Room, Main D/R, Bar area, card rooms and locker rooms

October 2013 – December 2019

GENERAL MANAGER, THE SEAWANE CLUB
HEWLETT HARBOR, N.Y.

Report to Board of Governors, responsible for and oversee the daily operations of a first class, full service country club; complete with 350 membership families. F&B volume of \$2.8 million. Recently oversaw \$3million renovation of clubhouse main floor, \$2 million clubhouse infrastructure, men's locker room "wet area" and \$2 million employee housing complete renovation.

March 1999 – October 2013

GENERAL MANAGER, THE WOODMERE CLUB
WOODMERE, N.Y.

Responsible for the day to day operation and implementation of premier country club experience. Staff of 125 with 250 member families. Implemented staff training and team building sessions to help raise awareness of satisfying member expectations. Oversaw successful pool/snackbar renovation of \$1 million. F&B volume of \$1.75 million. Food & Beverage facilities include main dining room, seating for 300, grill room, 150 capacity, 19th hole, capacity of 60. MGWA's Club of the Year, 2012 highlighted the Woodmere Club's Centennial Celebration.

**PROFESSIONAL
ASSOCIATIONS &
ACCOMPLISHMENTS:**

*Club Managers Association of America (CMAA)
Metropolitan Club Managers Association (MCMA)
President MCMA 2001-02, Charity Chairman 1992 – 1999.
Metropolitan Club Foundation, Chairman 2003-04
2004 Absolut Club Manager of the Year, Region I
2007 Honoree, MCMA-AABR Charity Tournament*

REFERENCES

*Dennis Harrington, CCM - GM at Meadow Brook Club
Daniel Condon, Condon O'Meara McGinty & Donnelly
Jeffrey Greenfield, Past President, The Seawane Club.*

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution

and moved its adoption:

RESOLUTION APPOINTING PAUL S. DICOSIMO
TO THE TOWN OF HEMPSTEAD HOUSING
AUTHORITY

WHEREAS, a vacancy exists on the Town of Hempstead
Housing Authority; and

WHEREAS, the Town Board deems it in the public interest
that said vacancy be filled as hereinafter provided;

NOW, THEREFORE, BE IT

RESOLVED, that Paul S. DiCosimo, Lynbrook, NY, 11563, be
appointed for a term expiring August 20, 2025,
to the Town of Hempstead Housing Authority; and

BE IT FURTHER RESOLVED

RESOLVED, that the Town Clerk be and hereby is directed
to file with the Commissioner of Housing of the State of New
York, a certificate of such appointment.

The foregoing resolution was adopted upon roll call as
follows:

AYES:

NOES:

Item # 42

Case # 9189

PAUL A. DICOSIMO

*Housing
Authority*

DiCosimo General Contracting, President 1981-Present

Commercial contracting specializing in Supermarkets, Car Dealerships, and warehouses:

Construction and development professional with over 40 years General Contracting experience. An extensive portfolio of multi-million dollar projects including coordinating trades, developing partnerships, and building positive repour with architects, engineers, local officials, vendors, and clients. Versed in contract negotiations, project estimating, impending design issues, document preparation, building code and regulations, and material purchasing. Management from potential site assessment through construction.

KEY PROJECTS

Westbury Jeep Showroom & Service Dept.-Jericho; Levittown Ford; Grand Prix Subaru-Hicksville; South Shore Subaru Showroom and Service Dept.-Lindenhurst; Alfa Romeo Service Dept.-Westbury; Whole Sale Parts Warehouse-Hicksville; South Shore Jeep; Island Acura-Westbury; Queens Isuzu; Key Food Supermarket-Valley Stream; Western Beef Supermarkets-Elmont & Brooklyn; 452 Merrick Road-Oceanside

HONORS & ORGANIZATIONS

Mount Sinai South Nassau Building Committee Advisory Board, Oceanside, NY 2021-Present

Business Person of the Year, Lynbrook, NY-2011.

Business Award: Honorary Chief-NY Police Chief's Benevolent Association-2015

Hempstead Bay Power Squadron- Senior Member-1995-Present

Hempstead Bay Power Squadron-Safe Boating Instructor

ProBuild Long Island Advisory Board Member-2005-2012

SKILLS & Certifications

OSHA 30 Certification

U.S. Coast Guard-100 Ton Captain's License

Class "A" CDL License

Heavy Equipment Operator

Carpenter by trade

Microsoft Word, Microsoft Excel, Microsoft Outlook

References furnished upon Request

Case No.

Resolution No.

Adopted:

Council(wo)man

moved the following resolution's adoption:

**RESOLUTION APPOINTING JOHN J. REINHARDT III
TO THE SOUTH NASSAU WATER AUTHORITY
DISTRICT**

WHEREAS, New York State created the South Nassau Water Authority District (the "Authority") under N.Y. Public Authorities Law Article 5 Title 5-A, which takes effect on February 1, 2022; and

WHEREAS, N.Y. Pub. Auth. Law §1114-d(1) requires this Board to appoint three (3) members, who are residents serviced by the Authority, to the Authority's board of directors for two (2)-year terms; and

WHEREAS, John J. Reinhardt III, Merrick, NY, is a person qualified to serve on the Authority's board of directors;

NOW, THEREFORE, BE IT

RESOLVED, John J. Reinhardt III is appointed to the Authority's board of directors for a term to commence February 1, 2022 and end on January 31, 2024.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 43

Page 1 of 1
Case # 29592

PROFESSIONAL

Oct. 2008 – Present

Commissioner

Town of Hempstead Department of Water

- Manage all aspects of 60 MGD municipal water supply operation serving over 36K connections including:
 - Overseeing daily operations including production, treatment, distribution, metering, billing and testing ensuring compliance with Nassau County and New York State Departments of Health regulations.
 - Responsible for preparation of Department's operating budget.
 - Preparing \$10 million Annual Capital Construction Budget in response to findings of water quality test results and in anticipation of water quality trends.
 - Solicit proposals and bids for professional services and capital improvement projects, review proposals and bids and forward recommendations to Town Board for contract award.
 - Prepare and update Emergency Response Plan and Vulnerability Assessment in compliance with Department of Homeland Security Requirements.
 - Review new construction plans submitted to the Town for future development for compliance with Federal, County, State and Town regulations and issue letters of water availability accordingly.
 - Developed compliance plan to meet regulatory requirements and implement \$150 million dollar improvement plan related to 1,4 dioxane and other emerging contaminants.
 - Serve as advisor to Town Supervisor and Town Board on water related matters including review of budgets submitted to the Town by special taxing districts.

April 2006-Oct. 2008

Deputy Commissioner

Town of Hempstead Department of Water

- Provide general supervision and management over Department functions.
- Oversee all aspects of daily operations including production, treatment, distribution, metering, billing and testing ensuring compliance with Nassau County and New York State Departments of Health regulations.
- Responsible for preparation of Department's Emergency Response Plan.
- Review periodic water quality test results in order to plan and budget for future treatment needs.
- Review new construction plans submitted to the Town for future development for compliance with Federal, County, State and Town regulations and issue letters of water availability accordingly.
- Continue position on Town Stormwater Management Committee

June 2000-April 2006 Civil Engineer II
Town of Hempstead Department of Engineering

- Member and co-chair of Town Stormwater Management Committee. Coordinate multi-departmental effort to ensure compliance with Federal Phase II Stormwater regulations.
- Developed public education program presentation on stormwater.
- Responsible for coordination and review of all consultant designed storm water drain and road improvement projects let by the Department.
- Developed and manage Pavement Management Program for 1200 miles of town owned roadways.
- Prepare annual Department budget for presentation to Town Board.
- Supervise FEMA Flood Plain Management Program.
- Supervise tree planting and beautification program.
- Attend local community meetings as Department representative to provide information to, and answer questions of Town constituents.
- Field constituent questions/concerns via telephone

July 1994-June 2000 Various fulltime positions
Town of Hempstead Department of Engineering

- Held various positions of increasing responsibility including:
 - Engineering Helper
 - Construction Inspector I
 - Construction Inspector II

July 1992-July 1994 Engineering Helper (Seasonal)
Town of Hempstead Departments of Highway and Engineering

July 1985-July 1995 Assistant Manager
Brands Cycle and Fitness Center, Wantagh, New York

EDUCATION

Pratt Institute
Brooklyn, New York

- Bachelors of Engineering

Long Island Water Conference Education Program

- Regularly attend Water Conference education programs and seminars to remain current with new Federal and State water supply and treatment regulations.

MISCELLANEOUS

Jan 2020 – Present Town of Hempstead Grievance Review Committee – Chairman

- Review grievances brought by labor to determine if management has violated terms of a Collective Bargaining Agreement.

April 2017 – Present Town of Hempstead Disciplinary Review Board – Chairman

- Adjudicate disciplinary matters between the employees union on behalf of the employee and the employee's department.

- Oct 2017 – Present Town of Hempstead Educational and Higher Skills Training Committee
- Review employees applications for Town funding of educational expense for applicability to employment functions
- Sept. 2010-Feb 2016 Water Authority of Southeastern Nassau County
Member of Board of Directors and Secretary
- Charged with reviewing the feasibility for a public takeover of a private water supplier in order to reduce rates.
 - Prepared Request for Proposal for valuation services and feasibility study.
 - Held public meetings to listen to resident's concerns and explain the process, procedure and findings for the studies and reports.
 - Prepare policy documents for the Authority.
 - Prepare press releases announcing meetings and updating the public on the status of the Authority's progress.
- June 1994-June2001 Community Co-chairman North Bellmore Restoration Advisory Board
- Reviewed plans for the environmental clean-up of a 17 acre decommissioned US Army maintenance facility.
 - Made recommendations to United States Army Officials regarding clean-up standards.
 - Ran community wide meetings to keep residents informed of clean-up progress.
 - Issued press releases and addressed media inquiries regarding the environmental cleanup process.
- Supervising volunteer of former Friends for Long Islands Heritage
- Provided training to new volunteers at Friends special events.
 - Scheduled daily work coverage and break times for volunteers at interpretive merchandising and gaming venues.

REGISTRATIONS New York State Engineering in Training Certificate, 1993

Case No.

Resolution No.

Adopted:

Council(wo)man

moved the following resolution's adoption:

**RESOLUTION APPOINTING LAURA A. RYDER TO
THE SOUTH NASSAU WATER AUTHORITY DISTRICT**

WHEREAS, New York State created the South Nassau Water Authority District (the "Authority") under N.Y. Public Authorities Law Article 5 Title 5-A, which takes effect on February 1, 2022; and

WHEREAS, N.Y. Pub. Auth. Law §1114-d(1) requires this Board to appoint three (3) members, who are residents serviced by the Authority, to the Authority's board of directors for two (2)-year terms; and

WHEREAS, Laura A. Ryder, Lynbrook, NY, is a person qualified to serve on the Authority's board of directors;

NOW, THEREFORE, BE IT

RESOLVED, Laura A. Ryder is appointed to the Authority's board of directors for a term to commence February 1, 2022 and end on January 31, 2024.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

44

Case #

29590

Page 1 of 1

Professional Experience:

- Paralegal at the Law Firm of Ledwith & Atkinson 2000 to Present
 - Responsible for the day-to-day operations of law firm; preparation of legal documents; coordination of attorneys' court calendars; consultations with clients; maintain office accounting records, invoices, accounts receivables
- Incorporated Village of Lynbrook Trustee 2021 to Present
 - Elected to office March 2021
- Paralegal at the Law Firm of White, Quinlan, Staley & Ledwith 1993-2000

Education:

- Briarcliffe College 1992 to 1994
 - Associates Degree in Paralegal Studies

Skills:

- Proficient in WordPerfect, Microsoft Word, Excel, Public Speaking, Teamwork

Community Appointments/Awards:

- American Water Company Community Outreach Committee 2018-2020
 - Appointed to Committee which served to provide information to local community regarding American Water Company, its services and community relations
- Nassau County Police Commissioner's Council (CCC) 2018-Present
 - Representative of Legislative District 6; work with Police Commissioner to address the specific police issues within the community; disseminate information to Lynbrook Community
- Lynbrook 2018 Humanitarian of the Year
Selected by Mayor Alan Beach and Board of Trustees
- Lynbrook 2014 Woman of the Year
Selected by Mayor William Hendrick and Board of Trustees
- Lynbrook Cares Committee Chairperson 2019 to Present
- Lynbrook Oktoberfest Committee Co-Chairperson 2019 to Present
- Lynbrook Community Chest Chairperson 2012 to 2021
- Lynbrook 9-11 Memorial Chairperson 2006 to Present

- Lynbrook Architectural Review Board Member 2015 to 2020
- Lynbrook TV Host 2015 to Present
- Christopher's Hemophilia Committee Member 2008 to Present
- Lynbrook Beautification Committee Member 2003 - 2013
- Lynbrook Winter Celebration Committee Member 2003 - 2008
- Malverne School District SEPTA Board Member 2001-2006

Case No.

Resolution No.

Adopted:

Council(wo)man

moved the following resolution's adoption:

**RESOLUTION APPOINTING JOSEPH A. BAKER
TO THE SOUTH NASSAU WATER AUTHORITY
DISTRICT**

WHEREAS, New York State created the South Nassau Water Authority District (the "Authority") under N.Y. Public Authorities Law Article 5 Title 5-A, which takes effect on February 1, 2022; and

WHEREAS, N.Y. Pub. Auth. Law §1114-d(1) requires this Board to appoint three (3) members, who are residents serviced by the Authority, to the Authority's board of directors for two (2)-year terms; and

WHEREAS, Joseph A. Baker, Merrick, NY, is a person qualified to serve on the Authority's board of directors;

NOW, THEREFORE, BE IT

RESOLVED, Joseph A. Baker is appointed to the Authority's board of directors for a term to commence February 1, 2022 and end on January 31, 2024.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

45

Page 1 of 1

Case #

24592

Education

- Sanford H. Calhoun High School
Regents Diploma 1967

Employment

- Town of Hempstead Parks Department
Golf Course Starter (Part time) 2019 - Present
- New York State Court Officer 1982-2002
- New York State Marshal 1975-1982
- Town of Hempstead Parks Department
Foreman 1973-1975
- Town of Hempstead Department of Public Safety
Patrolman 1971-1973

Business Experience

- Bagel Express Commuter Shop
Owner 1983-2002
- Bagels & Butts Coffee Shop
Owner 1984-1990
- 3238 Realty Corp
Owner 1985-1992
- LIRR Newsstand
Owner 1990
- J Alan & Associates Private Security
Owner 1990-2019
- Brassfield's Deli
Owner 2002-2005

Community Involvement

- South Merrick Community Civic Association 2006 - Present
Founder & President
- Merrick Chamber of Commerce 2017 - Present
Board Member
- Historical Society of the Merricks 2021 - Present
President
- Police Commissioners Community Council 2017 - Present
Member

Awards

- Merchant of the Year 2002
Merrick Chamber of Commerce
- Person of the Year 2009
Long Island Herald
- Making a Difference Award 2010
Town of Hempstead
- Man of the Year 2018
Merrick Chamber of Commerce
- Making a Difference Award 2019
Town of Hempstead

Training

- New York State Correctional Academy 1979
- FBI Instructional and Combat Training 1981
- New York State Court Officer Academy Training 1982

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF
FORMAL BID #44-2021 FOR IPE DECKING MATERIAL.

WHEREAS, the Director of Purchasing, on behalf of the Department of Conservation and Waterways, solicited bids for Ipe decking material, Formal Bid #44-2021; and

WHEREAS, the following bids in response to the solicitation were received and opened in the Department of Purchasing on January 6, 2022:

Timber Holdings PO Box 4065 Concord, New Hampshire 03302	\$100,842.00
--	--------------

Preferred Construction, Inc. 47 Werman Court Plainview, New York 11803	\$378,800.00
--	--------------

WHEREAS, the Commissioner of the Department of Conservation and Waterways, after reviewing the bids, recommends the acceptance of the bid submitted by Timber Holdings, PO Box 4065, Concord, New Hampshire 03302, as the lowest responsible bidder at its bid price of One Hundred Thousand Eight Hundred Forty Two and 00/100 Dollars (\$100,842.00); and

WHEREAS, the Town Board after due deliberation desires to authorize the acceptance of the bid as recommended by the Commissioner.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards the bid to Timber Holdings, PO Box 4065, Concord, New Hampshire 03302, as the lowest responsible bidder at its bid price of One Hundred Thousand Eight Hundred Forty Two and 00/100 Dollars (\$100,842.00); and be it further

RESOLVED, that the Comptroller is authorized and directed to make payments in an amount not to exceed One Hundred Thousand Eight Hundred Forty Two and 00/100 Dollars (\$100,842.00) from the Department of Conservation and Waterways account code 7A88-506-7A88-5010.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

46

Case #

12113

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF
FORMAL BID#: 21A-2021 FOR:
NON-INVASIVE, NON-POWERED PORTABLE ACD
(AIRWAY CLEARANCE DEVICES)

WHEREAS, the Division of Purchasing, Office of the Town Comptroller advertised for Formal Bid#: 28-2021 for Non-Invasive, Non-Powered Portable ACD (Airway Clearance Devices); and

WHEREAS, Three (3) bids in response to the solicitation were received and opened in the Division of Purchasing on August 5, 2021 yielding the following bid proposals:

<u>NAME</u>	<u>PRICE (BASE BID)</u>
1) De Cho Ker, LLC 4880 Van Gordon Street, #200 Wheat ridge, CO 80033	\$ 21.05/unit
2) Thayer Medical 4575 South Palo Verde Road Tucson, AZ 85714	\$ 36.50/unit
3) Life Vac, LLC 120 Lake Avenue South, #26 Nesconset, NY 11767 ; and	\$ 45.00/unit

WHEREAS, After review it has been determined that the bid submitted by Life Vac, LLC, 120 Lake Avenue South, #26, Nesconset , NY 11767 is a local company producing the units needed on Long Island in Nesconset, NY; and

WHEREAS, the Deputy Town Comptroller for the Division of Purchasing, after said review, recommends the bid from Life Vac, LLC, 120 Lake Avenue South, #26, Nesconset , NY 11767 as in the best interest of the residents of the Town of Hempstead and be accepted;

NOW, THEREFORE, BE IT

RESOLVED, that Formal Bid#: 28-2021 for Non-Invasive, Non-Powered Portable ACD (Airway Clearance Devices) be and is hereby awarded to Life Vac, LLC, 120 Lake Avenue South, #26, Nesconset , NY 11767; and

BE IT FURTHER,

RESOLVED, that the Town Comptroller be and hereby authorized to make payments in an amount not to exceed Thirteen Thousand Five Hundred Dollars (\$13,500.00) from the Purchase of Light Equipment Account#: Number 700-0501-07000-5010-007B22

The foregoing resolution was adopted upon roll call as follows:

AYES: Item #

47

NOES:

Roll #

8397

CASE NO.

RESOLUTION NO.

ADOPTED:

_____ offered the following resolution and move its adoption:

RESOLUTION AMENDING RESOLUTION NO. 416-2021 AND RESTATING THE LIST OF DEPOSITORIES FOR TOWN MONIES

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

WHEREAS, by Resolution 416-21 the Town Board did make such designations;

And

WHEREAS, the Town Board has determined it to be in the public interest to restate the list of official depositories to reflect any changes contained there-in;

NOW, THEREFORE, BE IT

RESOLVED, that the banks and trust companies listed below shall receive all monies coming into the hands of town officers by virtue of their offices:

Bank of America
Bank United
Capital One
Citibank, N.A.
Dime Community Bank
Flushing Commercial Bank
Habib American Bank
Hanover Bank
HSBC Bank
JP Morgan Chase Bank
M & T Bank

Madison National Bank
New York Commercial Bank
People United Bank
Santander Bank
Signature Bank
Sterling National Bank
TD Bank
The First National Bank of Long Island
Valley National Bank
Wells Fargo Bank, N.A.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 48
Case # 2

Resolution – Amending Resolution No. 82 – 2022 Re: Various offices positions & occupations in the Town Government of the Town of Hempstead

Item # 249

Case # 7

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION DETERMINING PARCELS BENEFITED BY CONSTRUCTION OR RECONSTRUCTION OF SIDEWALK AREA IN; BALDWIN, BELLMORE, EAST MEADOW, EAST ROCKAWAY, ELMONT, FRANKLIN SQUARE, HEWLETT, INWOOD, LIDO BEACH, MERRICK, NORTH BALDWIN, NORTH BELLMORE, OCEANSIDE, POINT LOOKOUT, SEAFORD, UNIONDALE, VALLEY STREAM, WANTAGH, WEST HEMPSTEAD, WOODMERE

IN THE TOWN OF HEMPSTEAD, NASSAU COUNTY, NY, ADOPTING PROPOSED ASSESSMENT ROLL FOR THE COST THEREOF AND CALLING A PUBLIC HEARING THEREON.

WHEREAS, pursuant to the following Resolutions adopted by the Town Board:

<u>TOWN BOARD RESOLUTIONS</u>	<u>DATE</u>
6365	9/6/2016
7179	2/21/2017
581	4/24/2018
6365	4/2/2019
6365	11/12/2019

NOTICE WAS GIVEN TO ABUTTING PROPERTY OWNERS DIRECTING THEM TO CONSTRUCT OR RECONSTRUCT SIDEWALK AREA ON :

AMBROSE CT, ARCADIA AVE, ARDEN RD, BARBARA ST, BEDFORD AVE, BONNIE DR, CARNATION AVE, CHURCH AVE, CLAYTON RD, CLEARMEADOW DR, COLONY ST, COLUMBUS AVE, COURT ST, DEBRA PL, DEWEY ST E, FENIMORE AVE, FENWORTH BLVD, FREEMAN AVE, GARNER PL, GOLDENROD AVE, HAMILTON AVE, HAMPTON RD, HANCOCK ST, HARRIS AVE, HUNGRY HARBOR RD, IVANHOE DR, JEFFERSON ST, KEW AVE, LAGOON DR W, LAKEVIEW RD, LINCOLN ST, LINDEN BLVD, LINKS DR W, MCDONALD AVE, MEADOW RD, MINEOLA AVE, MONACO AVE, NOEL AVE, NORTH BLVD, ORIOLE AVE, PARK AVE, PENINSULA BLVD, ROCKWOOD AVE, SKILLMAN AVE, SUNSHINE AVE, WADLEIGH AVE, WARREN ST, WILLIAM PL

WHEREAS, the owner(s) who were so notified had failed to construct or reconstruct sidewalk area as required by such Notice and the Town Board has caused said sidewalks to be constructed or reconstructed; and

WHEREAS, such construction or reconstruction was completed by the Town at the Total cost of \$39,186.50 and which sum includes appropriate administrative fees, which amount has been paid by the Town of Hempstead, pursuant to resolution adopted by the Town Board, subject to assessment against the property benefited thereby pursuant to Chapter 181 (Part 1) Code of the Town of Hempstead, NOW THEREFORE, BE IT

RESOLVED, that the actual and completed cost of the construction and reconstruction of sidewalk area on the property hereinabove be assessed against the parcels benefited thereby pursuant to Chapter 181 (Part 1) Code of the Town of Hempstead, is hereby determined to be \$39,186.50 and, BE IT FURTHER

RESOLVED, that the parcel(s) listed in the assessment roll be attached hereto and made a part hereof under the heading "PARCELS BENEFITED" are the lots and parcels especially benefited by the said improvements as they appear on the Nassau County Land and Tax Map; and BE IT FURTHER

Item # 50

Case # 7179

RESOLVED, that the assessment roll attached hereto is hereby made a part hereof and shall constitute the completed assessment roll for such improvements under Chapter 181 (Part 1), Code of the Town of Hempstead and that the figures under the heading of "ASSESSMENT" on the same line with the said lot designations, is the amount assessed against said lots or parcels and that under the headline "PAID", and the Receiver of Taxes shall indicate the parcels of land for which assessments shall not have been paid before the return thereof to the Supervisor and that such assessment roll be forthwith filed with the Town Clerk; and, BE IT FURTHER

RESOLVED, that the assessment hereunder may be paid in one installment without penalty or interest, or at the option of the payer, in five (5) annual installments with interest thereon, if the benefit is in excess of \$100.00; and, BE IT FURTHER

RESOLVED, that the Town Board meet at the Town Board Room (Pavilion) of the Town Hall on Tuesday, at _____ in the forenoon of that day to hear and consider any objections which may be made to said assessment roll; and, BE IT FURTHER

RESOLVED, that the Town Clerk publish at least once not less than ten (10) or more than twenty (20) days before the time above specified, for said meeting in a newspaper published within the Town of Hempstead, a notice that said Assessment roll has been completed and that at the time and place above specified the Town Board will meet and hear to consider any objections which may be made thereto.

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

AYES:

NOES:

NOTICE OF COMPLETION OF ASSESSMENT ROLL FOR THE CONSTRUCTION OR RECONSTRUCTION OF SIDEWALK AREA ON:

AMBROSE CT, ARCADIA AVE, ARDEN RD, BARBARA ST, BEDFORD AVE, BONNIE DR, CARNATION AVE, CHURCH AVE, CLAYTON RD, CLEARMEADOW DR, COLONY ST, COLUMBUS AVE, COURT ST, DEBRA PL, DEWEY ST E, FENIMORE AVE, FENWORTH BLVD, FREEMAN AVE, GARNER PL, GOLDENROD AVE, HAMILTON AVE, HAMPTON RD, HANCOCK ST, HARRIS AVE, HUNGRY HARBOR RD, IVANHOE DR, JEFFERSON ST, KEW AVE, LAGOON DR W, LAKEVIEW RD, LINCOLN ST, LINDEN BLVD, LINKS DR W, MCDONALD AVE, MEADOW RD, MINEOLA AVE, MONACO AVE, NOEL AVE, NORTH BLVD, ORIOLE AVE, PARK AVE, PENINSULA BLVD, ROCKWOOD AVE, SKILLMAN AVE, SUNSHINE AVE, WADLEIGH AVE, WARREN ST, WILLIAM PL

In the TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK, and of meeting to hear and consider objections thereto.

PLEASE TAKE NOTICE THAT PURSUANT TO CHAPTER 181 (Part 1) CODE OF THE TOWN OF HEMPSTEAD, the Town Board of the Town of Hempstead has prepared and filed with the Town Clerk of said Town, the completed assessment roll for the construction or reconstruction of sidewalk area on:

AMBROSE CT, ARCADIA AVE, ARDEN RD, BARBARA ST, BEDFORD AVE, BONNIE DR, CARNATION AVE, CHURCH AVE, CLAYTON RD, CLEARMEADOW DR, COLONY ST, COLUMBUS AVE, COURT ST, DEBRA PL, DEWEY ST E, FENIMORE AVE, FENWORTH BLVD, FREEMAN AVE, GARNER PL, GOLDENROD AVE, HAMILTON AVE, HAMPTON RD, HANCOCK ST, HARRIS AVE, HUNGRY HARBOR RD, IVANHOE DR, JEFFERSON ST, KEW AVE, LAGOON DR W, LAKEVIEW RD, LINCOLN ST, LINDEN BLVD, LINKS DR W, MCDONALD AVE, MEADOW RD, MINEOLA AVE, MONACO AVE, NOEL AVE, NORTH BLVD, ORIOLE AVE, PARK AVE, PENINSULA BLVD, ROCKWOOD AVE, SKILLMAN AVE, SUNSHINE AVE, WADLEIGH AVE, WARREN ST, WILLIAM PL OF HEMPSTEAD, NASSAU COUNTY, NEW YORK, and

PLEASE TAKE FURTHER NOTICE that on
The Town Board will meet at the Board Room of the Town Hall Pavilion, Hempstead, New York at
o'clock to hear and consider any objections which may be made to said assessment roll.

DATE :

Hempstead, New York

Donald X. Clavin, Jr.
Supervisor
Town of Hempstead

CASE NO. 30607

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 "REGULATIONS & RESTRICTIONS" TO LIMIT PARKING AT VARIOUS LOCATIONS.

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

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

WHEREAS, has introduced a proposed local law known as Intro. No. 1-2022, Print No. 1 to amend the said Chapter 202 of the Code of the Town of Hempstead to include "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 February 15, 2022 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. 1-2022, Print No. 1, to amend Chapter 202 of the Code of the Town of Hempstead to include "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 #

51

Case #

30607

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 15th day of February, 2022, 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 "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

OCEANSIDE
Section

JOEL PLACE (TH 585/21) North Side - NO PARKING 7 AM TO 1 AM MONDAY - SUNDAY EXCEPT WITH PERMIT - starting from the east curbline of Lorna Place east to the west curbline of Eileen Road.

JOEL PLACE (TH 585/21) South Side - NO PARKING 7 AM TO 1 AM MONDAY - SUNDAY EXCEPT WITH PERMIT - starting from the east curbline of Lorna Place east to the west curbline of Eileen Road.

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

Dated: January 25, 2022
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 "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 seventy one of two thousand twenty one is hereby amended by including therein "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

OCEANSIDE
Section 202-13

JOEL PLACE (TH 585/21) North Side – NO PARKING 7 AM TO 1 AM MONDAY – SUNDAY EXCEPT WITH PERMIT – starting from the east curblane of Lorna Place east to the west curblane of Eileen Road.

JOEL PLACE (TH 585/21) South Side – NO PARKING 7 AM TO 1 AM MONDAY – SUNDAY EXCEPT WITH PERMIT – starting from the east curblane of Lorna Place east to the west curblane of Eileen Road.

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

CASE NO. 30608

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

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

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

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

WHEREAS, has introduced a proposed local law known as Intro. No. 2-2022, Print No. 1 to amend the said Section 202-1 of the Code of the Town of Hempstead to include and repeal "PARKING OR STANDING PROHIBITIONS" at various locations; NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York on February 15, 2022, 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. 2-2022, Print No. 1, to amend Section 202-1 of the Code of the Town of Hempstead to include and repeal "PARKING OR STANDING PROHIBITIONS" at various locations; and, BE IT FURTHER

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

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

52

Case #

30608

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 15th day of February, 2022, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Section 202-1 of the code of the Town of Hempstead to INCLUDE and REPEAL "PARKING OR STANDING PROHIBITIONS" at the following locations:

(NR) VALLEY STREAM ROSEDALE ROAD (TH 613/21) North Side -
NO STOPPING ANYTIME - starting 98 feet
west of the west curbline of Vanderbilt
Way east for a distance of 560 feet.

ROSEDALE ROAD (TH 613/21) North Side -
NO STOPPING HERE TO CORNER - starting
from the east curbline of Heatherfield
Road east for 50 feet.

HEATHERFIELD ROAD (TH 613/21) East Side
- NO STOPPING HERE TO CORNER - starting
from the north curbline of Rosedale
Road north for a distance of 550 feet.

HEATHERFIELD ROAD (TH 613/21) West Side
- NO STOPPING HERE TO CORNER - starting
from the north curbline of Rosedale
Road north for a distance of 30 feet.

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

NORTH WOODMERE ROSEDALE ROAD (TH 75/92) North Side -
NO STOPPING ANYTIME - starting 30 feet
west of the west curbline of Vanderbilt
Way east for a distance of 455 feet.
(Adopted 6/29/93)

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

Dated: January 25, 2022
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 seventy two of two thousand twenty one is hereby amended by including therein "PARKING OR STANDING PROHIBITIONS" at the following locations:

(NR) VALLEY STREAM

ROSEDALE ROAD (TH 613/21) North Side – NO STOPPING ANYTIME – starting 98 feet west of the west curbline of Vanderbilt Way east for a distance of 560 feet.

ROSEDALE ROAD (TH 613/21) North Side – NO STOPPING HERE TO CORNER – starting from the east curbline of Heatherfield Road east for 50 feet.

HEATHERFIELD ROAD (TH 613/21) East Side – NO STOPPING HERE TO CORNER – starting from the north curbline of Rosedale Road north for a distance of 550 feet.

HEATHERFIELD ROAD (TH 613/21) West Side – NO STOPPING HERE TO CORNER – starting from the north curbline of Rosedale Road north for a distance of 30 feet.

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

NORTH WOODMERE

ROSEDALE ROAD (TH 75/92) North Side – NO STOPPING ANYTIME – starting 30 feet west of the west curbline of Vanderbilt Way east for a distance of 455 feet. (Adopted 6/29/93)

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

CASE NO. 30609

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. 3-2022, 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 February 15, 2022, 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. 3-2022, 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:

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53

Case #

30609

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 seventy three of two thousand twenty one is hereby amended by including therein "ARTERIAL STOPS" at the following locations:

ELMONT

SEWANEE AVENUE (TH 560/21) STOP – all traffic traveling eastbound on Atherton Avenue shall come to a full stop.

SEWANEE AVENUE (TH 560/21) STOP – all traffic traveling westbound on Atherton Avenue shall come to a full stop.

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

CASE NO. 30610

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

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

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

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

WHEREAS, has introduced a proposed local law known as Intro. No. 4-2022, Print No. 1 to amend the said Section 197-13 of the Code of the Town of Hempstead to include and repeal "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at various locations; NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York on February 15, 2022 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. 4-2022, Print No. 1, to amend Section 197-13 of the Code of the Town of Hempstead to include and repeal "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at various locations; and, BE IT FURTHER

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

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

54

Case #

30610

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 15th day of February, 2022, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Section 197-13 of the code of the Town of Hempstead to INCLUDE and REPEAL "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at the following locations:

UNIONDALE GOODRICH STREET (TH 610/21) North Side -
NO STOPPING 8 AM TO 4 PM SCHOOL DAYS -
starting
75 feet west of the west curbline of
Chester Street west for a distance of 180
feet.

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

UNIONDALE GOODRICH STREET (TH 172/92) North Side -
NO STOPPING 8 AM TO 4 PM SCHOOL DAYS -
starting
75 feet west of the west curbline of
Chester Street west for a distance of 245
feet. (Adopted 1/12/93)

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

Dated: January 25, 2022
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

DONALD X. CLAVIN, JR.
Supervisor

KATE MURRAY
Town Clerk

CASE NO. 21527

RESOLUTION NO.

Adopted:

offered the following resolution
and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING
FOR THE PURPOSE OF ESTABLISHING AND
SETTING ASIDE CERTAIN PARKING SPACES
FOR MOTOR VEHICLES FOR THE SOLE USE
OF HOLDERS OF SPECIAL PARKING PERMITS
ISSUED BY THE COUNTY OF NASSAU TO
PHYSICALLY HANDICAPPED PERSON.

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

NOW, THEREFORE BE IT

RESOLVED, that a public hearing be held in the Town
Meeting Pavilion, Hempstead Town Hall, 1 Washington Street,
Hempstead, New York, on the 15th day of February, 2022, at
10:30 o'clock in the forenoon of that day, at which time
all persons interested shall be heard on the establishment
and setting aside of certain parking spaces for motor
vehicles for the sole use of holders of special parking
permits issued by the County of Nassau to physically
handicapped persons at the following locations:

EAST ATLANTIC BEACH

MOHAWK AVENUE - west side, starting
at a point 238 feet north of the
north curblineline of West Beach Street,
north for a distance of 20 feet.
(TH-611/21)

BELLEROSE TERRACE

239th STREET - west side, starting
at a point 189 feet south of the
south curblineline of Jamaica Avenue,
south for a distance of 14 feet.
(TH-615/21)

; and, BE IT FURTHER

RESOLVED, that the Town Clerk shall give notice of such
hearing by the publication thereof in a newspaper having a

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Case # 21527

general circulation in the Town of Hempstead, once at least ten days prior to the above-specified date of said hearing.

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

AYES:

NOES:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Section 202-48 of the Code of the Town of Hempstead entitled, "Handicapped Parking on Public Streets," a public hearing will be held in the Town Meeting Pavilion. Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 15th day of February, 2022, 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:

EAST ATLANTIC BEACH

MOHAWK AVENUE - west side, starting at a point 238 feet north of the north curblineline of West Beach Street, north for a distance of 20 feet.
(TH-611/21)

BELLEROSE TERRACE

239th STREET - west side, starting at a point 189 feet south of the south curblineline of Jamaica Avenue, south for a distance of 14 feet.
(TH-615/21)

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

Dated: January 25, 2022
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

DONALD X. CLAVIN, JR.
Supervisor

KATE MURRAY
Town Clerk

CASE NO.

RESOLUTION NO.

Adopted:

Council(wo)man

moved the following

resolution's adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A LOCAL LAW TO ENACT CHAPTER 186 OF THE CODE OF THE TOWN OF HEMPSTEAD ENTITLED "FAILURE TO STOP FOR SCHOOL BUSES".

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

WHEREAS, it is in the public interest to consider enacting Chapter 186 of the Code of the Town Of Hempstead entitled "Failure To Stop For School Buses"; and

WHEREAS, Council(wo)man _____ has introduced the proposed local law known as Intro. No. _____ -202__ Print No. _____, as aforesaid:

NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, New York on the 15th day of February 2022 at 10:30 A.M. at which time all interested persons shall be heard on the enactment of a local law known as Intro. No. _____ - 20__, Print No. _____, for the enactment of Chapter 186 of the Code of the Town Of Hempstead entitled "Failure To Stop For School Buses"; and, BE IT FURTHER

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

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

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56

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30613

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule Law of the State of New York, as amended, a public hearing will be held in the Nathan L. H. Bennett Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Village and Town of Hempstead, New York, on the 15th day of February, 2022 at 10:30 in the forenoon of that day, to consider the enactment of Chapter 186 of the Code of the Town Of Hempstead entitled "Failure To Stop For School Buses".

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

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

Dated: Hempstead, New York
January 25, 2022

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

KATE MURRAY
Town Clerk

DONALD X. CLAVIN, JR.
Supervisor

Intro. No.:

Print No.:

Town of Hempstead

A local law to enact Chapter 186 of the Code of the Town of Hempstead entitled Failure to Stop for School Bus.

Introduced by Council(wo)man _____

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

Section 1. Chapter 186 of the Code of the Town of Hempstead entitled Failure to Stop for School Buses is enacted to read as follows:

Chapter 186

Failure to Stop for School Buses

§ 186-1. Definitions.

For the purposes of this chapter, the following terms shall have the following meanings:

MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES or MUTCD — The manual and specifications for a uniform system of traffic control devices maintained by the Commissioner of the Department of Transportation pursuant to § 1680 of the New York Vehicle Traffic Law.

OWNER — Shall have the meaning provided in § 239 of the New York Vehicle and Traffic Law.

SCHOOL BUS PHOTO VIOLATION MONITORING SYSTEM — A device that is capable of operating independently of an enforcement officer which is installed to work in conjunction with a school bus stop-arm and which automatically produces two or more photographs, two or more microphotographs, a videotape or other recorded images of a vehicle at the time it is used or operated in violation of Subdivision (a) of § 1174 of the New York Vehicle and Traffic Law.

TOWN — the Town of Hempstead

TPVA — the Nassau County Traffic and Parking Violations Agency

§ 186-2. Program established.

A. There is hereby established, pursuant to § 1174-a of the New York State Vehicle and Traffic Law, a demonstration program imposing monetary liability on owners of vehicles for failure of the operators thereof to comply with § 1174 of the New York State Vehicle and Traffic Law when meeting a school bus marked and equipped as provided in Subdivisions 20 and 21-c of § 375 of the New York State Vehicle and Traffic Law in the Town.

B. Under such demonstration program the Town is hereby authorized to install and operate school bus photo violation monitoring systems which may be stationary or mobile, and which may be installed, pursuant to an agreement with a school district within the Town on school buses owned and/or operated by such school district; provided, however, that:

(1) No stationary school bus photo violation monitoring system shall be installed or operated by the Town, except on roadways under the jurisdiction of the

Town; and

(2) No mobile school bus photo violation monitoring system shall be installed or operated on any such school buses unless the Town and such school district enter into an agreement for such installation and operation.

C. To carry out the demonstration program, the Town is authorized to enter into agreements with school districts for the installation, maintenance and use of school bus photo violation monitoring systems, for the proper handling and custody of photographs, microphotographs, videotapes, other recorded images and data produced by such systems, and for the forwarding of such photographs, microphotographs, videotapes, other recorded images and data to the Town and/or TPVA, subject to the provisions of this section and N.Y. Veh. & Traf. Law § 1174-a.

D. Nothing in this chapter shall be construed to prevent the Town or school district at any time from withdrawing from or terminating an agreement for the installation, maintenance and use of school bus photo violation monitoring systems; provided, however, that the Town or the school district shall provide no less than thirty days' required notice to the other for such withdrawal, if any, prior to such withdrawal.

E. Cost of program and reports relating thereto.

(1) The total cost to the school district of the installation, maintenance and use of school bus photo violation monitoring systems pursuant to an agreement authorized by this local law shall be borne entirely by the Town.

(2) To the extent that the Town shall be required to issue any report to the state or any official thereof as a result of the adoption of this chapter and/or § 1174-a of the Vehicle and Traffic Law, the Town shall cause the same to be prepared pursuant to this chapter or applicable state law. Any agreement between the Town and a participating school district shall require the school district to provide any report required of the district, pursuant to § 1174-a of the Vehicle and Traffic Law, to the State or any official thereof.

F. Pursuant to § 1174-a (a)(3)(i) of the Vehicle and Traffic Law, any school district participating in the demonstration program shall be prohibited from accessing any photographs, microphotographs, videotapes, other recorded images and data from school bus photo violation monitoring systems but shall provide, pursuant to the agreement with the Town, as provided in this chapter, for the proper handling and custody of such photographs, microphotographs, videotapes, other recorded images and data produced by such systems, and for the forwarding of such photographs, microphotographs, videotapes, other recorded images and data to the Town and/or TPVA for the purpose of determining whether a motor vehicle was operated in violation of Subdivision (a) of § 1174 of the New York Vehicle and Traffic Law and imposing monetary liability on the owner of such motor vehicle therefor.

G. The agreement between the Town and the school district shall provide that photographs, microphotographs, videotapes, other recorded images and data produced by school bus photo violation monitoring systems shall be destroyed (a) 90 days after the date of the alleged imposition of liability if a notice of liability is not issued for such alleged imposition of liability pursuant to this chapter or (b) upon final disposition of a notice of liability issued pursuant to this chapter.

H. The Town shall adopt and enforce measures to protect the privacy of drivers, passengers, pedestrians and cyclists whose identity and identifying information may be captured by a school bus photo monitoring device. Such measures shall include:

(1) Utilization of necessary technologies to ensure, to the extent practicable, that photographs produced by such school photo violation monitoring systems shall not include images that identify the driver, the passengers, the contents of the vehicle, pedestrians and cyclists; provided, however, that no notice of

liability issued pursuant to this section shall be dismissed solely because a photograph or photographs allow for the identification of the contents of a vehicle, provided that the Town has made a reasonable effort to comply with the provisions of this subsection;

(2) A prohibition of the use or dissemination of vehicles' license plate information and other information and images captured by school bus photo violation monitoring systems except: (a) as required to establish liability under this section or collect payment of penalties; (b) as required by court order; or (c) as otherwise required by law;

(3) Oversight procedures to ensure compliance with the privacy protection measures required herein.

I. The Town's Traffic Control Division shall also undertake the installation of signage in conformance with standards established in the Manual of Uniform Traffic Control Devices. Such signage shall be installed at each roadway entrance of the jurisdictional boundaries of the Town giving notice that school bus photo violation monitoring systems are used to enforce restrictions on vehicles violating § 1174 of the New York Vehicle and Traffic Law. For the purposes of this subsection, the term "roadway" shall not include state expressway routes or state interstate routes but shall include controlled-access highway exit ramps that enter the boundaries of the Town.

§ 186-3. Penalties for Offenses.

An owner liable for a violation of Subdivision (a) of § 1174 of the New York Vehicle and Traffic Law pursuant to this chapter shall be liable for monetary penalties in accordance with the following schedule of fines and penalties:

A. \$250 for a first violation;

B. \$275 for a second violation both of which were committed within 18 months of the first violation;

C. \$300 for a third or subsequent violation all of which were committed within a period of 18 months; and

D. An additional penalty of \$25 for each violation for the failure to respond to a notice of liability within the prescribed time period.

§ 186-4. Notice of liability.

A. A notice of liability shall be sent as provided by state law by first-class mail to each person alleged to be liable as an owner for a violation of Subdivision (a) of § 1174 of the New York Vehicle and Traffic Law. Personal delivery on the owner shall not be required. A manual or automatic record of mailing prepared in the ordinary course of business shall be prima facie evidence of the facts contained therein. To the extent that state law does not preclude the Town from causing such mailing to be made, the Town shall undertake or cause to be undertaken such mailing.

B. A notice of liability shall contain the name and address of the person alleged to be liable as an owner for a violation of Subdivision (a) of § 1174 of the New York Vehicle and Traffic Law, the registration number of the vehicle involved in such violation, the location where such violation took place, the date and time of such violation and the identification number of the camera which recorded the violation or other document locator number.

C. A notice of liability shall contain information advising the person charged of the manner and the time in which he or she may contest the liability alleged in the notice. Such notice of liability shall also contain a warning to advise the persons charged that failure to contest in the manner and time provided shall be deemed an admission of liability and that a default judgment may be entered thereon.

§ 186-5. Owner Liability.

A. The owner of a vehicle shall be liable for a penalty imposed pursuant to this chapter if such vehicle was used or operated with the permission of the owner, express or implied, in violation of Subdivision (a) of § 1174 of the New York Vehicle and Traffic Law and such violation is evidenced by information obtained from a school bus photo violation monitoring system; provided, however, that no owner of a vehicle shall be liable for a penalty imposed pursuant to this chapter where the operator of such vehicle has been convicted of the underlying violation of Subdivision (a) of § 1174 of the New York State Vehicle and Traffic Law. For purposes of this chapter, there shall be a presumption that such vehicle was used and operated with the consent of the owner at the time it was used and operated in violation of Subdivision (a) of § 1174 of the New York Vehicle and Traffic Law.

B. If the owner receives a notice of liability pursuant to this chapter for any time period during which the vehicle was reported to the police as having been stolen, it shall be a valid defense to an allegation of liability for a violation of subdivision (a) of § 1174 of the New York Vehicle and Traffic Law pursuant to this chapter that the vehicle had been reported to the police as stolen prior to the time the violation occurred and had not been recovered by such time. For purposes of asserting the defense provided by this subsection, it shall be sufficient that a certified copy of the police report on the stolen vehicle be sent or delivered to TPVA.

C. An owner who is a lessor of a vehicle to which a notice of liability was issued pursuant to this chapter shall not be liable for the violation of subdivision (a) of § 1174 of the New York Vehicle and Traffic Law, provided that he or she complies with the provisions of § 1174-a of the New York Vehicle and Traffic Law and otherwise sends to the Town and TPVA a copy of the rental, lease or other such contract document covering such vehicle on the date of the violation, with the name and address of the lessee clearly legible, within 37 days after receiving a notice of liability, together with the information contained in the original notice of liability. Failure to send such information within the 37 day time period shall render the owner liable for the penalty prescribed by this chapter. Where the lessor complies with the provisions of this subsection, the lessee of such vehicle for purposes of this section, shall be deemed to be the owner of such vehicle on the date of such violation for the purposes of this section, shall be subject to liability for the violation of subdivision (a) of § 1174 of the New York Vehicle and Traffic Law pursuant to this chapter and shall be sent a notice of liability pursuant to § 186-4 of this chapter.

D. A certificate, sworn to or affirmed by a technician employed by the Town, or a facsimile thereof, based upon inspection of photographs, microphotographs, videotapes, other recorded images produced by a school bus photo violation monitoring system, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotapes, other recorded images evidencing such a violation shall be available for inspection in any proceeding to adjudicate the liability for such violation.

E. It shall be a defense to any prosecution for or allegation of a violation of Subdivision (a) of § 1174 of the New York Vehicle and Traffic Law pursuant to this chapter that such school bus stop-arms were malfunctioning at the time of the alleged violation.

F. For the purpose of informing and educating owners for motor vehicles in this Town pursuant to 1174-a of the New York Vehicle and Traffic Law, during the first thirty-day period in which a school bus photo violation monitoring system is in operation in a school district pursuant to an agreement between the Town and a participating school district under the provisions of this chapter, all owners of motor vehicles who would otherwise be held liable for failure of operators thereof to comply with § 1174 of the New York Vehicle and Traffic Law when meeting a school bus marked and equipped as provided in Subdivisions 20 through 21-c of § 375 of the New York Vehicle and Traffic Law shall be issued a written warning in lieu of a notice of liability.

§ 186-6. Adjudication of Liability.

Liability pursuant to the demonstration program established hereunder shall be imposed upon owners by TPVA pursuant to N.Y. General Municipal Law Article 14-B.

§ 186-7. Action for indemnification.

If the owner held liable for a violation of Subdivision (a) of § 1174 of the New York Vehicle and Traffic Law pursuant to this chapter was not the operator of the vehicle at the time of the violation, the owner may maintain an action for indemnification against the operator.

§ 186-8. Reporting requirements.

A. The Town shall develop and cause to be submitted an annual report on the results of the use of a school bus photo violation monitoring system to the Governor, the temporary president of the Senate and the speaker of the Assembly on or before June 1 of each year in which the demonstration program is operable. Such report shall include any information required by § 1174-a(m) of the New York Vehicle and Traffic Law to be included as a result of the enactment of this chapter. The Town shall also provide a copy of this report to TPVA.

B. Pursuant to the requirements of § 1174-a of the New York State Vehicle and Traffic Law, the Town shall request TPVA report at least annually to the Town on the quality of the adjudication process and its results including the total number of hearings scheduled, rescheduled, and held; the total number of persons scheduled for such hearings; the total number of cases where fines were paid on or before the hearing date; and the total number of default judgments entered.

§ 186-9. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this chapter or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this chapter, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§ 186-10. When effective.

This chapter shall take effect immediately upon full compliance with all the requisite statutes and laws applicable to its adoption and promulgation.

* * *

Section 2. This law shall be immediately effective upon filing with the Secretary of State.

CASE NO.

RESOLUTION NO.

RESOLUTION CALLING A PUBLIC HEARING ON THE
PETITION OF SDL BELLMORE, LLC FOR REZONING THE
PROPERTY AT BELLMORE, NEW YORK.

ADOPTED:

offered the following resolution and moved its
adoption:

RESOLVED, that a public hearing be held February 15,
2022 at 10:30 o'clock in the forenoon of that day in the
Town Meeting Pavilion, Hempstead Town hall, 1 Washington
Street, Hempstead, New York, to consider the application of
SDL BELLMORE, LLC. for a change of zoning district from
Residence B to Residence CA situated in Bellmore, New York,
and BE IT

FURTHER RESOLVED, that the Town Clerk be and hereby is
directed to publish notice thereof once at least ten (10)
days prior to date of hearing in Long Island Business News.

The foregoing resolution was adopted upon roll call as
follows:

AYES:

NOES:

Item #

57

Case #

30297

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to the provisions of of the Building Zone Ordinance of the Town of Hempstead, that a public hearing will be held by the Town Board on February 15, 2022 at 10:30o'clock in the forenoon of that day in the Town Meeting Pavillion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, for the purpose of considering the application of SDL BELLMORE ,LLC for a change of zoning district from Residence B to Residence CA situated in Bellmore, New York

A rectangular parcel located on the e/si of Bellmore Rd. approx.367.39's/of Linwood Ave. consisting of approx. 1.43 acres. situated in Bellmore, Town of Hempstead, County of Nassau, State of New York.

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

All persons interested in the subject matter will be given an opportunity to be heard at the time and place above designated.

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

DONALD X. CLAVIN JR.
SUPERVISOR

KATE MURRAY
TOWN CLERK

Dated: January 25, 2022
Hempstead, N.Y.