

Town Board

Town of Hempstead

Petition

In the Matter of Application

Of

Frederick A. Jawitz, Acting Commissioner of Buildings
Of the Town of Hempstead

Against

Walter J. Illigasch
635 Warren Street
Baldwin, New York 11510

The petition of Frederick A. Jawitz, Acting Commissioner of Buildings of the Town Of Hempstead shows:

1. That pursuant to Local Law 92-1981, adopted October 27, 1981, effective date November 2, 1981, which repealed and reenacted Chapter 90 of the code of the Town of Hempstead entitled, "Dangerous Buildings and structures," petitioner submits the following:
2. The structure or structures located on premises designated as Section **60**, Block **17** and lot number (s) **118-119**, on the Land and Tax Map of the county of Nassau, are in a condition unsafe and dangerous to public safety.
3. All parties of interest have been apprised of the condition of the said structure and have been requested to correct the same. More than 60 days have elapsed since the aforementioned notice was given.
4. The parties in interest were advised that a hearing before this Town Board would take place on **April 26, 2022**.
5. As no effort to correct the existing unsafe and dangerous condition has been made, it is requested that this Town Board render a decision that the premises are unsafe and dangerous, a fire hazard and a public nuisance, and that the Acting Commissioner of Buildings forthwith **DEMOLISH AND REMOVE THE TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED TWO CAR GARAGE, AND REMOVE ALL LITTER AND DEBRIS FROM PROPERTY: LOCATED ON THE NORTH SIDE OF WARREN STREET, 360 FEET WEST OF MADISON STREET, BALDWIN, N.Y. 11510, A/K/A 635 WARREN STREET, BALDWIN, TOWN OF HEMPSTEAD IN ACCORDANCE WITH SURVEY RECOMMENDATIONS ATTACHED HERETO AND THAT THE TOWN BE REIMBURSED PURSUANT TO SECTION 90-13 OF THE CODE OF THE TOWN OF HEMPSTEAD.**

Item # 1

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE DEMOLITION AND REMOVAL OF THE TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED TWO CAR GARAGE AND DEBRIS FROM PREMISE: SAID PREMISE LOCATED ON THE NORTH SIDE OF WARREN STREET, 360 FEET WEST OF MADISON STREET. SECTION 60, BLOCK 17 AND LOT(S) 118-119, AKA 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," all parties in interest were advised of the existing condition of the structures located on the said captioned premises and;

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the two story wood frame one family dwelling with attached two car garage, located on the North side of Warren Street, 360 feet West of Madison Street, Section 60, Block 17 and Lot (s) 118-119, A/K/A 635 Warren Street, Baldwin, Town of Hempstead, New York is hereby deemed to be unsafe; and

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

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

In the Matter of Application

Of

Frederick A. Jawitz, Acting Commissioner of Buildings
Of the Town of Hempstead

Against

Patricia Sincinito
34 New Street
Lynbrook, New York 11563

The petition of Frederick A. Jawitz, Acting Commissioner of Buildings of the Town Of Hempstead shows:

1. That pursuant to Local Law 92-1981, adopted October 27, 1981, effective date November 2, 1981, which repealed and reenacted Chapter 90 of the code of the Town of Hempstead entitled, "Dangerous Buildings and structures," petitioner submits the following:
2. The structure or structures located on premises designated as Section **42**, Block **38** and lot number (s) **110 & 210**, on the Land and Tax Map of the county of Nassau, are in a condition unsafe and dangerous to public safety.
3. All parties of interest have been apprised of the condition of the said structure and have been requested to correct the same. More than 60 days have elapsed since the aforementioned notice was given.
4. The parties in interest were advised that a hearing before this Town Board would take place on **April 26, 2022**.
5. As no effort to correct the existing unsafe and dangerous condition has been made, it is requested that this Town Board render a decision that the premises are unsafe and dangerous, a fire hazard and a public nuisance, and that the Acting Commissioner of Buildings forthwith **DEMOLISH AND REMOVE THE ONE STORY WOOD FRAME ONE FAMILY DWELLING**, AND REMOVE ALL LITTER AND DEBRIS FROM PROPERTY: LOCATED ON THE **SOUTH SIDE OF SPERRY STREET WEST, 160 FEET WEST OF WEST BOULEVARD, EAST ROCKAWAY, N.Y. 11518, A/K/A 5 SPERRY STREET WEST, EAST ROCKAWAY, TOWN OF HEMPSTEAD** IN ACCORDANCE WITH SURVEY RECOMMENDATIONS ATTACHED HERETO AND THAT THE TOWN BE REIMBURSED PURSUANT TO SECTION 90-13 OF THE CODE OF THE TOWN OF HEMPSTEAD.

Item #

2

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE DEMOLITION AND REMOVAL OF THE ONE STORY WOOD FRAME ONE FAMILY DWELLING AND DEBRIS FROM PREMISE: SAID PREMISE LOCATED ON THE SOUTH SIDE OF SPERRY STREET WEST, 160 FEET WEST OF WEST BOULEVARD. SECTION 42, BLOCK 38 AND LOT(S) 110 & 210, AKA 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," all parties in interest were advised of the existing condition of the structures located on the said captioned premises and;

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the one story wood frame one family dwelling, located on the South side of Sperry Street West, 160 feet West of West Boulevard, Section 42, Block 38 and Lot (s) 110 & 210, A/K/A 5 Sperry Street West, East Rockaway, Town of Hempstead, New York is hereby deemed to be unsafe; and

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

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Town Board

Town of Hempstead

Petition

In the Matter of Application

Of

Frederick A. Jawitz, Acting Commissioner of Buildings
Of the Town of Hempstead

Against

25 Harrogate LLC c/o Gold & Gold PC
850 Third Avenue
New York, New York 10022

The petition of Frederick A. Jawitz, Acting Commissioner of Buildings of the
Town Of Hempstead shows:

1. That pursuant to Local Law 92-1981, adopted October 27, 1981, effective date November 2, 1981, which repealed and reenacted Chapter 90 of the code of the Town of Hempstead entitled, "Dangerous Buildings and structures," petitioner submits the following:
2. The structure or structures located on premises designated as Section **60**, Block **17** and lot number.(s) **152**, on the Land and Tax Map of the county of Nassau, are in a condition unsafe and dangerous to public safety.
3. All parties of interest have been apprised of the condition of the said structure and have been requested to correct the same. More than 60 days have elapsed since the aforementioned notice was given.
4. The parties in interest were advised that a hearing before this Town Board would take place on **April 26, 2022**.
5. As no effort to correct the existing unsafe and dangerous condition has been made, it is requested that this Town Board render a decision that the premises are unsafe and dangerous, a fire hazard and a public nuisance, and that the Acting Commissioner of Buildings forthwith **DEMOLISH AND REMOVE THE INGROUND SWIMMING POOL, AND REMOVE ALL LITTER AND DEBRIS FROM PROPERTY: LOCATED ON THE EAST SIDE OF HARROGATE STREET, 85 FEET NORTH OF OCEAN BOULEVARD, LIDO BEACH, N.Y. 11561, A/K/A 25 HARROGATE STREET, LIDO BEACH, TOWN OF HEMPSTEAD IN ACCORDANCE WITH SURVEY RECOMMENDATIONS ATTACHED HERETO AND THAT THE TOWN BE REIMBURSED PURSUANT TO SECTION 90-13 OF THE CODE OF THE TOWN OF HEMPSTEAD.**

Item #

3

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE DEMOLITION AND REMOVAL OF THE INGROUND SWIMMING POOL AND DEBRIS FROM PREMISE: SAID PREMISE LOCATED ON THE EAST SIDE OF HARROGATE STREET, 85 FEET NORTH OF OCEAN BOULEVARD. SECTION 60, BLOCK 17 AND LOT(S) 152, AKA 25 HARROGATE STREET, 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," all parties in interest were advised of the existing condition of the structures located on the said captioned premises and;

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the inground swimming pool, located on the East side of Harrogate Street, 85 feet North of Ocean Boulevard, Section 60, Block 17 and Lot (s) 152, A/K/A 25 Harrogate Street, Lido Beach, Town of Hempstead, New York is hereby deemed to be unsafe; and

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

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule of the State of New York, both as amended, a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 26th day of April, 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 and REPEAL "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

BALDWIN Section 202-5 CLAY STREET (TH 112/22) North Side - NO PARKING ANYTIME EXCEPT SATURDAYS, SUNDAYS & HOLIDAYS - starting at a point 123 feet west of the west curblines of Grand Boulevard then west for a distance of 59 feet.

MERRICK Section 202-11 MERRICK AVENUE (TH 109/22) West Side - TWO HOUR PARKING 9 AM TO 5 PM EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS - starting at a point 153 feet south of the south curblines of Horatio Avenue south for a distance of 32 feet.

STUYVESANT AVENUE (TH 73/22) South Side - TWO HOUR PARKING 8 AM TO NOON EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS - starting at the west curblines of Jefferson Street west for a distance of 50 feet.

WEST HEMPSTEAD Section 202-20 CHESTNUT STREET (TH 118/22) North Side - NO PARKING 7 AM TO 12 NOON EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS - starting from the east curblines of Woodfield Road east to the west curblines of Mulberry Lane.

CHESTNUT STREET (TH 118/22) South Side - NO PARKING 7 AM TO 12 NOON EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS - starting at a point 41 feet east of the east curblines of Woodfield Road then east for a distance of 148 feet.

CHESTNUT STREET (TH 118/22) South Side - NO PARKING 7 AM TO 12 NOON EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS - starting at a point 11 ~~feet~~ feet west of the west curblines of Mulberry Lane then west for a distance of 397 feet.

Case #

30661 4

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

MERRICK
Section 202-11

STUYVESANT AVENUE (TH 425/12) South Side - TWO HOUR PARKING 8 A.M. TO NOON EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS - starting at the west curblineline of Jefferson Street west for a distance of 97 feet. (Adopted 11/27/12)

WEST HEMPSTEAD
Section 202-20

CHESTNUT STREET - North and South Sides - NO PARKING 7 A.M. TO 12 NOON EXCEPT SATURDAY, SUNDAY AND HOLIDAYS - between Railroad Avenue and Woodfield Avenue. (Adopted 4/22/52)

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

Dated: April 5, 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 and repeal "REGULATIONS AND RESTRICTIONS" to limit parking at various locations.

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

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

- | | |
|---|--|
| BALDWIN
Section 202-5 | CLAY STREET (TH 112/22) North Side – NO PARKING ANYTIME EXCEPT SATURDAYS, SUNDAYS & HOLIDAYS – starting at a point 123 feet west of the west curbline of Grand Boulevard then west for a distance of 59 feet. |
| MERRICK
Section 202-11 | MERRICK AVENUE (TH 109/22) West Side – TWO HOUR PARKING 9 AM TO 5 PM EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS – starting at a point 153 feet south of the south curbline of Horatio Avenue south for a distance of 32 feet. |
| | STUYVESANT AVENUE (TH 73/22) South Side – TWO HOUR PARKING 8 AM TO NOON EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS – starting at the west curbline of Jefferson Street west for a distance of 50 feet. |
| WEST HEMPSTEAD
Section 202-20 | CHESTNUT STREET (TH 118/22) North Side – NO PARKING 7 AM TO 12 NOON EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS – starting from the east curbline of Woodfield Road east to the west curbline of Mulberry Lane. |
| | CHESTNUT STREET (TH 118/22) South Side – NO PARKING 7 AM TO 12 NOON EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS – starting at a point 41 feet east of the east curbline of Woodfield Road then east for a distance of 148 feet. |
| | CHESTNUT STREET (TH 118/22) South Side – NO PARKING 7 AM TO 12 NOON EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS – starting at a point 11 feet west of the west curbline of Mulberry Lane then west for a distance of 397 feet. |
| Section 2. Chapter two hundred and two of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, said Section last amended by local law number eleven of two thousand twenty two is hereby amended by repealing therein "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations: | |
| MERRICK
Section 202-11 | STUYVESANT AVENUE (TH 425/12) South Side – TWO HOUR PARKING 8 A.M. TO NOON EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS – starting at the west curbline of Jefferson Street west for a distance of 97 feet. (Adopted 11/27/12) |
| WEST HEMPSTEAD
Section 202-20 | CHESTNUT STREET – North and South Sides – NO PARKING 7 A.M. TO 12 NOON EXCEPT SATURDAY, SUNDAY AND HOLIDAYS – between Railroad Avenue and Woodfield Avenue. (Adopted 4/22/52) |

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule of the State of New York, both as amended, a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 26th day of April, 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:

- ELMONT A STREET (TH 90/22) South Side - NO STOPPING ANYTIME - starting at a point 15 feet west of a point opposite the west curbline of Evans Avenue east then following the curve along Eureka Avenue for a distance of 125 feet.
- MERRICK MERRICK AVENUE (TH 109/22) West Side - NO STOPPING HERE TO CORNER - starting at the south curbline of Horatio Avenue south for a distance of 30 feet.
- NORTH BALDWIN BEECH STREET (TH 101/22) South Side - NO PARKING ANYTIME - starting at a point 14 feet east of the east curbline of Oakmere Drive then east for a distance of 100 feet.
- WEST HEMPSTEAD CHESTNUT STREET (TH 118/22) South Side - NO STOPPING HERE TO CORNER - starting at the east curbline of Woodfield Road east for a distance of 41 feet.

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

- ELMONT A STREET (TH 558/71) South Side - NO STOPPING ANYTIME - starting at a point opposite a point 15 feet west of the west curbline of Evans Avenue east then south along Eureka Avenue for a distance of 160 feet. (Adopted 2/29/72)

Item # 5

se # 30662

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

Dated: April 5, 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 and repeal "PARKING OR STANDING PROHIBITIONS" at various locations.

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

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

ELMONT A STREET (TH 90/22) South Side – NO STOPPING ANYTIME – starting at a point 15 feet west of a point opposite the west curbline of Evans Avenue east then following the curve along Eureka Avenue for a distance of 125 feet.

MERRICK MERRICK AVENUE (TH 109/22) West Side – NO STOPPING HERE TO CORNER – starting at the south curbline of Horatio Avenue south for a distance of 30 feet.

NORTH BALDWIN BEECH STREET (TH 101/22) South Side – NO PARKING ANYTIME – starting at a point 14 feet east of the east curbline of Oakmere Drive then east for a distance of 100 feet.

WEST HEMPSTEAD CHESTNUT STREET (TH 118/22) South Side – NO STOPPING HERE TO CORNER – starting at the east curbline of Woodfield Road east for a distance of 41 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 twelve of two thousand twenty two is hereby amended by including therein "PARKING OR STANDING PROHIBITIONS" at the following locations:

ELMONT A STREET (TH 558/71) South Side – NO STOPPING ANYTIME – starting at a point opposite a point 15 feet west of the west curbline of Evans Avenue east then south along Eureka Avenue for a distance of 160 feet. (Adopted 2/29/72)

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule of the State of New York, both as amended, a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 26th day of April, 2022, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Section 197-5 of the code of the Town of Hempstead to INCLUDE "ARTERIAL STOPS" at the following locations:

(NR) ISLAND PARK	SARATOGA BOULEVARD (TH 99/22) STOP - all traffic traveling southbound on New York Avenue shall come to a full stop.
	SARATOGA BOULEVARD (TH 99/22) STOP - all traffic traveling northbound on New York Avenue shall come to a full stop.
NORTH BELLMORE	HARVEY DRIVE (TH 89/22) STOP - all traffic traveling northbound on Greta Place shall come to a full stop.
NORTH MERRICK	CLIFF ROAD (TH 103/22) STOP - all traffic traveling northbound on Ash Place shall come to a full stop.
SEAFORD	ARLINGTON DRIVE (TH 96/22) STOP - all traffic traveling eastbound on Berrywood Drive shall come to a full stop.

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

Dated: April 5, 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 #

6

Case #

30663

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

- | | |
|------------------|---|
| (NR) ISLAND PARK | SARATOGA BOULEVARD (TH 99/22) STOP – all traffic traveling southbound on New York Avenue shall come to a full stop. |
| | SARATOGA BOULEVARD (TH 99/22) STOP – all traffic traveling northbound on New York Avenue shall come to a full stop. |
| NORTH BELLMORE | HARVEY DRIVE (TH 89/22) STOP – all traffic traveling northbound on Greta Place shall come to a full stop. |
| NORTH MERRICK | CLIFF ROAD (TH 103/22) STOP – all traffic traveling northbound on Ash Place shall come to a full stop. |
| SEAFORD | ARLINGTON DRIVE (TH 96/22) STOP – all traffic traveling eastbound on Berrywood Drive shall come to a full stop. |

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule of the State of New York, both as amended, a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 26th day of April 2022, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Section 202-52 of the code of the Town of Hempstead to REPEAL "BUS STOPS" at the following locations:

LEVITTOWN	HILLTOP ROAD - East Side - NO STOPPING BUS STOP - from the north curbline of Blue Spruce Road north for a distance of 80 feet. (Amended 5/24/60)
	HILLTOP ROAD - West Side - NO STOPPING BUS STOP - from the north curbline of Blue Spruce Road north for a distance of 82 feet. (Amended 5/24/60)
MERRICK	MERRICK AVENUE (TH 440/79) West Side - NO STOPPING BUS STOP - starting at the south curbline of Horatio Avenue south for a distance of 60 feet. (Adopted 3/11/80)

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

Dated: April 5, 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 # _____

Case # 30664

Town of Hempstead

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

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

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

LEVITTOWN

HILLTOP ROAD – East Side – NO STOPPING BUS STOP – from the north curblineline of Blue Spruce Road north for a distance of 80 feet. (Amended 5/24/60)

HILLTOP ROAD – West Side – NO STOPPING BUS STOP – from the north curblineline of Blue Spruce Road north for a distance of 82 feet. (Amended 5/24/60)

MERRICK

MERRICK AVENUE (TH 440/79) West Side – NO STOPPING BUS STOP – starting at the south curblineline of Horatio Avenue south for a distance of 60 feet. (Adopted 3/11/80)

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to 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 26th day of April, 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:

ELMONT

EUREKA AVENUE - west side, starting at a point 26 feet south of a point opposite the northeast curblineline of New York Avenue, south for a distance of 20 feet.
(TH-90/22)

FRANKLIN SQUARE

MADISON STREET - east side, starting at a point 70 feet north of the north curblineline of Benris Avenue, north for a distance of 20 feet.
(TH-117/22)

MERRICK

STUYVESANT AVENUE - south side, starting at a point 50 feet west of the west curblineline of Jefferson Street, west for a distance of 20 feet.
(TH-73/22)

UNIONDALE

GILROY AVENUE - east side, starting at a point 115 feet north of the north curblineline of Lindy Place, north for a distance of 20 feet.
(TH-93/22)

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

Item # 8
Case # 21527

OCEANSIDE

FIFTH STREET - east side, starting
at a point 126 feet north of the north
curbline of Cortland Avenue, north for
for a distance of 18 feet.
(TH-106/22)

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

Dated: April 5, 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 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 April 26th 2022 at 10:30 in the forenoon of that day to consider the enactment of Chapter 101C of the Code of the Town of Hempstead entitled "Temporary Moratorium of the CA-S Residence District".

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
April 5, 2022

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

KATE MURRAY
Town Clerk

DONALD X. CLAVIN, JR.
Supervisor

Item #

9

Case #

30668

Intro. No.:

Print No.:

Town of Hempstead

A local law to enact Chapter 101C of the Code of the Town of Hempstead entitled Temporary Moratorium of the CA-S Residence District.

Introduced by Council member Goosby

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

Section 1. Chapter 101C of the Code of the Town of Hempstead entitled Temporary Moratorium of the CA-S Residence District is enacted to read as follows:

Chapter 101C

Temporary Moratorium of the CA-S Residence District

§101C-1. Purpose

In 2008 the Town adopted Article XA of the Town of Hempstead Building Zone Ordinance ("BZO") entitled "CA-S Residence Districts." The stated purpose of the CA-S Residence District is "to solve a long-existing problematic use and at the same time provide higher density housing near a popular railroad station and bus route." The CA-S Residence District is a floating zone and is required to be located; (1) adjacent to a railroad station or railroad tracks adjoining the platform of such railroad station, (2) along a county or state roadway, (3) along a bus route, and (4) a minimum of 200 feet away from any property situated within a residential zoning district. In addition, in order to grant a change of zone to CA-S Residence District, the Town Board must make a finding that the parcel under consideration is located in a blighted area which includes significant criminal activity and is in need of redevelopment and that the incentive to increase density is in the best interest of the community in order to encourage redevelopment and thereby eliminate such blighted use or improve such blighted area.

The CA-S Residence District allows for multiple-family dwellings as well as retail, restaurant and personal services as part as a multiple-family development. The zoning district provides for a building area of up to 60% of the lot area, and density of up to 55 families per acre.

The Town Board is aware that there are concerns that since the enactment of the resolution creating the CA-S Residence District, the requirements for the application of the CA-S Residence District have not been strictly applied, which has led to large developments that have not met the goals or requirements of the CA-S Residence District. There are also concerns that to allow the continued development of large high-density projects throughout the Town of Hempstead will result in significant negative environmental impacts on, among other things, community character and quality of life, public infrastructure, police, fire and other emergency services, traffic, and special districts, and will therefore represent a threat to public health, safety and welfare.

The Town Board wishes to be able to consider proposals regarding potential amendments and/or alternatives to the CA-S Residence District and the Town of Hempstead BZO to insure the health, safety and welfare of the residents of the Town of Hempstead.

Given the reasons and facts set forth above, and until the aforementioned process is completed, the Town Board finds it necessary to impose a moratorium as set forth below. This action is necessary in order to protect the character, public health, safety and welfare of the residents who reside within a CA-S Residence District and the surrounding

area.

§101C-2. ENACTMENT OF A TEMPORARY MORATORIUM

Until one year from the effective date of this Local Law, after which this Local Law shall lapse and be without further force and effect and subject to any other Local Law adopted by the Town Board during the one year period, there shall be no acceptance, review or approval of an application for a change of zone to the CA-S Residence District and no agency, board, board officer or employee of the Town of Hempstead including but not limited to, the Town Board, the Zoning Board of Appeals, the Design Review Board, or the Building Inspector(s) issuing any approval or building permit pursuant to any provision of the Town of Hempstead BZO, shall accept any application, review any application, or issue, cause to be issued, or allow to be issued any approval, special exception, variance, site plan, or building permit, for any property within the CA-S Residence District which seeks an approval, variance or building permit, pursuant to the provisions of the CA-S Residence District, except as set forth herein.

§101C-3. DEFINITION OF "CA-S RESIDENCE DISTRICT"

The CA-S Residence District is hereby defined as any parcel within the Town of Hempstead which has been for which an application for change of zone to the CA-S Residence District is pending as well as any parcel within the Town of Hempstead which has been granted a change of zone to the CA-S Residence District.

§101C-4. EXCLUSIONS

This Local Law shall not apply:

- 1) to any person or entity who/which has, prior to the effective date of this Local Law, obtained all permits required for construction of a building on any property located in the CA-S Residence District, including later applications to repair or alter, but not enlarge, any such building otherwise prohibited during the period of this temporary moratorium.

§101C-5. AUTHORITY TO SUPERCEDE

To the extent and degree any provisions of this Local Law are construed as inconsistent with the provisions of Town Law sections 264, 265, 265-a, 267, 267-a, 267-b, 274-a, 274-b, and 276, this Local Law is intended pursuant to Municipal Home Rule Law sections 10(1)(ii)(d)(3) and section 22 to supersede any said inconsistent authority.

§101C-6. VARIANCE TO THIS MORATORIUM

Any person or entity suffering unnecessary hardship as that term is used and construed in Town Law section 267-b (2)(b), by reason of the enactment and continuance of this moratorium may apply to the Town Board for a variance exempting the person's or entity's premises or a portion thereof from the temporary moratorium and allowing issuance of an approval or permit, provided that the application for an approval or permit was received prior to the effective date of this local law.

Notwithstanding any other provision contained in the Town of Hempstead BZO, any application receiving a variance from this moratorium, shall also be required to receive site plan approval from the Town Board prior to the issuance of a building permit.

The Town Board shall not grant any variance from this moratorium or site plan approval until it has held a public hearing on the variance and site plan approval application.

§101C-7. SEVERABILITY

If any clause, sentence, paragraph, section, or part of this Local Law shall be

adjudged by any court of competent jurisdiction to be invalid, the judgment shall not impair or invalidate the remainder of this Local Law.

§101C-8. EFFECTIVE DATE

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

* * *

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule Law of the State of New York, as amended, a public hearing will be held in the Nathan L. H. Bennett Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Village and Town of Hempstead, New York, on April 26th 2022 at 10:30 in the forenoon of that day to consider the enactment of Chapter 101B of the Code of the Town of Hempstead entitled "Temporary Moratorium in the Baldwin Mixed Use Zoning Overlay District".

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
April 5, 2022

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

KATE MURRAY
Town Clerk

DONALD X. CLAVIN, JR.
Supervisor

Item #

10

Case #

30667

Intro. No.:

Print No.:

Town of Hempstead

A local law to enact Chapter 101B of the Code of the Town of Hempstead entitled Temporary Moratorium in the Baldwin Mixed Use Zoning Overlay District.

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

Section 1. Chapter 101B of the Code of the Town of Hempstead entitled Temporary Moratorium in the Baldwin Mixed Use Zoning Overlay District is enacted to read as follows:

Chapter 101B

Temporary Moratorium in the Baldwin Mixed Use Zoning Overlay District

§101B-1. Purpose

In December, 2019 a Final Generic Environmental Impact Statement (FGEIS) for proposed amendments to the Town of Hempstead Building Zone Ordinance (“BZO”) was accepted, which eventually led to the adoption of Article XLII of the Town of Hempstead BZO entitled “Baldwin Mixed-Use Overlay Zoning District (“B-MX”). The purpose of the B-MX Zoning Overlay District is to create a walkable, compact, transit oriented mixed-use downtown. The overlay district consists of about 87 acres containing approximately 185 individual tax lots.

Since the enactment of the resolution creating the B-MX Zoning Overlay District, concerns have been raised that the FGEIS did not take the requisite “hard look” at several potentially significant negative environmental impacts that could result from the development of multiple high-density mixed-use projects that are currently permissible under the B-MX Zoning District. Specifically, concerns have been raised as to the potential negative impacts on infrastructure, transportation, public safety and Special Districts.

Similarly, concerns have been raised that the permitted uses, lot and bulk controls and off-street parking requirements of the B-MX Zoning Overlay District, coupled with an expedited review process and “development bonus” could lead to the approval of large high-density projects that have not undergone a proper approval process to prevent significant negative environmental impacts. As a result, potential projects under the current provisions of the B-MX Zoning Overlay District could have significant negative impacts on, among other things, community character and quality of life, public infrastructure, police, fire and other emergency services, traffic, and special districts, and therefore represent a threat to public health, safety and welfare.

The Town Board wishes to be able to contemplate proposals as well as recommendations to consider potential amendments and/or alternatives to the Baldwin Mixed-Use Zoning Overlay District and the Town of Hempstead BZO to insure the health, safety and welfare of the residents of the Town of Hempstead.

Given the reasons and facts set forth above, and until the aforementioned process is completed, the Town Board finds it necessary to impose a moratorium as set forth below. This action is necessary in order to protect the character, public health, safety and welfare of the residents who reside within of the Baldwin Mixed-Use Zoning Overlay District and the surrounding area.

§101B-2. ENACTMENT OF A TEMPORARY MORATORIUM

Until one year from the effective date of this Local Law, after which this Local Law shall lapse and be without further force and effect and subject to any other Local Law adopted by the Town Board during the one year period, no agency, board, board officer or employee of the Town of Hempstead including but not limited to, the Town Board, the Zoning Board of Appeals, the Design Review Board, or the Building Inspector(s) issuing any approval or building permit pursuant to any provision of the Town of Hempstead BZO, shall accept any application, review any application, or issue, cause to be issued, or allow to be issued any approval, special exception, variance, site plan, or building permit, for any property within the Baldwin Mixed-Use Zoning Overlay District which seeks an approval, variance or building permit, pursuant to the provisions of the Baldwin Mixed-Use Zoning Overlay District, except as set forth herein.

§101B-3. DEFINITION OF "BALDWIN MIXED-USE ZONING OVERLAY DISTRICT"

The Baldwin Mixed-Use Zoning Overlay District is hereby defined as those areas identified as being in the Baldwin Mixed-Use Zoning Overlay District in a particular zoning map dated January 21, 2020, prepared by VHB Engineering, Surveying, Landscape Architecture and Geology, P.C., and entitled "Baldwin Mixed-Use Rezoning Map," as set forth in Section 431 of the Town of Hempstead BZO.

§101B-4. EXCLUSIONS

This Local Law shall not apply:

- 1) to any person or entity who/which has, prior to the effective date of this Local Law, obtained all permits required for construction of a building on any property located in the Baldwin Mixed-Use Zoning Overlay District, including later applications to repair or alter, but not enlarge, any such building otherwise prohibited during the period of this temporary moratorium.
- 2) to any permit or application for property that is within the Baldwin Mixed-Use Zoning Overlay District but is seeking an approval pursuant to the provisions of an underlying zoning district.

§101B-5. AUTHORITY TO SUPERCEDE

To the extent and degree any provisions of this Local Law are construed as inconsistent with the provisions of Town Law sections 264, 265, 265-a, 267, 267-a, 267-b, 274-a, 274-b, and 276, this Local Law is intended pursuant to Municipal Home Rule Law sections 10(1)(ii)(d)(3) and section 22 to supersede any said inconsistent authority.

§101B-6. VARIANCE TO THIS MORATORIUM

Any person or entity suffering unnecessary hardship as that term is used and construed in Town Law section 267-b (2)(b), by reason of the enactment and continuance of this moratorium may apply to the Town Board for a variance excepting the person's or entity's premises or a portion thereof from the temporary moratorium and allowing issuance of an approval or permit, provided that the application for an approval or permit was received prior to the effective date of this local law.

Notwithstanding any other provision contained in the Town of Hempstead BZO, any application receiving a variance from this moratorium, shall also be required to receive site plan approval from the Town Board prior to the issuance of a building permit.

The Town Board shall not grant any variance from this moratorium or site plan approval until it has held a public hearing on the variance and site plan approval application.

§101B-7. SEVERABILITY

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not impair or invalidate the remainder of this Local Law.

§101B-8. EFFECTIVE DATE

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

* * *

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule Law of the State of New York, as amended, a public hearing will be held in the Nathan L. H. Bennett Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Village and Town of Hempstead, New York, on April 26th 2022 at 10:30 in the forenoon of that day to consider the enactment of Chapter 101A of the Code of the Town of Hempstead entitled "Temporary Moratorium in the Neighborhood Business (NB) Overlay District for North Lawrence and Inwood".

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
April 5, 2022

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

KATE MURRAY
Town Clerk

DONALD X. CLAVIN, JR.
Supervisor

Item # 11

Case # 30666

Intro. No.:

Print No.:

Town of Hempstead

A local law to enact Chapter 101A of the Code of the Town of Hempstead entitled Temporary Moratorium in the Neighborhood Business (NB) Overlay District for North Lawrence and Inwood.

Introduced by Councilmember Goosby

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

Section 1. Chapter 101A of the Code of the Town of Hempstead entitled Temporary Moratorium in the Neighborhood Business (NB) Overlay District for North Lawrence and Inwood is enacted to read as follows:

Chapter 101A

Temporary Moratorium in the Neighborhood Business (NB) Overlay District for North Lawrence and Inwood

§101A-1. Purpose

In December, 2019 the Town adopted Article XLIII of the Town of Hempstead Building Zone Ordinance (“BZO”) entitled “Transit Oriented Development and Related Districts for North Lawrence and Inwood.” In adopting Article XLIII, the Town recognized that the action was a “Type I” action under the State Environmental Quality Review Act (“SEQRA”) but opted to proceed with an expanded environmental assessment as opposed to proceeding with the preparation of a more comprehensive Environmental Impact Statement. Ultimately, a negative declaration was adopted, as was Article XLIII of the Town of Hempstead Building Zone Ordinance. The adoption of Article XLIII created the “Transit Oriented Development (TOD) District for North Lawrence and Inwood” and two overlay districts; namely, the “Neighborhood (“NB”) Overlay District for North Lawrence and Inwood” and the “Residential Townhouse/Rowhouse (“TR”) Overlay District for North Lawrence and Inwood.”

The stated purpose of the NB Overlay District is “to meet the demand for mixed-use development incorporating housing and commercial uses in a walkable environment.” The NB Zoning Overlay District allows for buildings with various business uses on the ground floor and upper floors containing multiple-family dwellings. The NB Zoning Overlay District allows for up to 24 households per acre. In addition, the NB Zoning Overlay District provides an expedited review process by which applicants may submit their application to a Design Review Committee. The applicant is required to submit, among other things, conceptual, as opposed to fully engineered, site and landscape plans to the Design Review Committee. The Design Review Committee may then waive the site plan requirements of section 305 of the Town of Hempstead BZO, and allow the applicant to apply directly to the Building Department for a building permit.

Since the enactment of the resolution creating the NB Zoning Overlay District, concerns have been raised that the approval procedures for projects in the NB Zoning Overlay District do not represent best practices for ensuring that a “hard look” is taken at several potentially significant negative environmental impacts that could result from the development of multiple high-density mixed-use projects that are currently permissible under the NB Zoning Overlay District. Similarly, there are concerns that based on the expedited review process that limits public scrutiny, there will not be a proper examination of the cumulative effect that multiple projects are having or will have in the NB Zoning Overlay District.

Potential projects under the current provisions of the NB Zoning Overlay District could have significant negative impacts on, among other things, community character and quality of life, public infrastructure, police, fire and other emergency services, traffic, and special districts, and therefore represent a threat to public health, safety and welfare.

The Town Board wishes to be able to consider proposals regarding potential amendments and/or alternatives to the NB Zoning Overlay District and the Town of Hempstead BZO to insure the health, safety and welfare of the residents of the Town of Hempstead.

Given the reasons and facts set forth above, and until the aforementioned process is completed, the Town Board finds it necessary to impose a moratorium as set forth below. This action is necessary in order to protect the character, public health, safety and welfare of the residents who reside within of the NB Zoning Overlay District and the surrounding area.

§101A-2. ENACTMENT OF A TEMPORARY MORATORIUM

Until one year from the effective date of this Local Law, after which this Local Law shall lapse and be without further force and effect and subject to any other Local Law adopted by the Town Board during the one year period, no agency, board, board officer or employee of the Town of Hempstead including but not limited to, the Town Board, the Zoning Board of Appeals, the Design Review Board, or the Building Inspector(s) issuing any approval or building permit pursuant to any provision of the Town of Hempstead BZO, shall accept any application, review any application, or issue, cause to be issued, or allow to be issued any approval, special exception, variance, site plan, or building permit, for any property within the NB Zoning Overlay District which seeks an approval, variance or building permit, pursuant to the provisions of the NB Zoning Overlay District, except as set forth herein.

§101A-3. DEFINITION OF "NEIGHBORHOOD BUSINESS (NB) OVERLAY DISTRICT"

The NB Zoning Overlay District is hereby defined as areas as set forth in section 433(C)(1) of the Town of Hempstead BZO.

§101A-4. EXCLUSIONS

This Local Law shall not apply:

- 1) to any person or entity who/which has, prior to the effective date of this Local Law, obtained all permits required for construction of a building on any property located in the NB Zoning Overlay District, including later applications to repair or alter, but not enlarge, any such building otherwise prohibited during the period of this temporary moratorium.
- 2) to any permit or application for property that is within the NB Zoning Overlay District but is seeking an approval pursuant to the provisions of an underlying zoning district.

§101A-5. AUTHORITY TO SUPERCEDE

To the extent and degree any provisions of this Local Law are construed as inconsistent with the provisions of Town Law sections 264, 265, 265-a, 267, 267-a, 267-b, 274-a, 274-b, and 276, this Local Law is intended pursuant to Municipal Home Rule Law sections 10(1)(ii)(d)(3) and section 22 to supersede any said inconsistent authority.

§101A-6. VARIANCE TO THIS MORATORIUM

Any person or entity suffering unnecessary hardship as that term is used and construed in Town Law section 267-b (2)(b), by reason of the enactment and continuance of this moratorium may apply to the Town Board for a variance excepting the person's or entity's premises or a portion thereof from the temporary moratorium and allowing issuance of an approval or permit, provided that the application for an approval or permit was received prior to the effective date of this local law.

Notwithstanding any other provision contained in the Town of Hempstead BZO, any application receiving a variance from this moratorium, shall also be required to receive site plan approval from the Town Board prior to the issuance of a building permit.

The Town Board shall not grant any variance from this moratorium or site plan approval until it has held a public hearing on the variance and site plan approval application.

§101A-7. SEVERABILITY

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not impair or invalidate the remainder of this Local Law.

§101A-8. EFFECTIVE DATE

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

* * *

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule Law of the State of New York, as amended, a public hearing will be held in the Nathan L. H. Bennett Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Village and Town of Hempstead, New York, on April 26th 2022 at 10:30 in the forenoon of that day to consider the enactment of Chapter 101 of the Code of the Town of Hempstead entitled "Temporary Moratorium in the Transit-Oriented Development District for North Lawrence and Inwood".

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
APRIL 5, 2022

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

KATE MURRAY
Town Clerk

DONALD X. CLAVIN, JR.
Supervisor

Item #

Case #

12
30665

Intro. No.:

Print No.:

Town of Hempstead

A local law to enact Chapter 101 of the Code of the Town of Hempstead entitled Temporary Moratorium in the Transit-Oriented Development District for North Lawrence and Inwood.

Introduced by Councilmember Goosby

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

Section 1. Chapter 101 of the Code of the Town of Hempstead entitled Temporary Moratorium in the Transit-Oriented Development District for North Lawrence and Inwood is enacted to read as follows:

Chapter 101

Temporary Moratorium in the Transit-Oriented Development District for North Lawrence and Inwood

§101-1. Purpose

In December, 2019 the Town adopted Article XLIII of the Town of Hempstead Building Zone Ordinance (“BZO”) entitled “Transit Oriented Development and Related Districts for North Lawrence and Inwood.” In adopting Article XLIII, the Town recognized that the action was a “Type I” action under the State Environmental Quality Review Act (“SEQRA”) but opted to proceed with an expanded environmental assessment as opposed to proceeding with the preparation of a more comprehensive Environmental Impact Statement. Ultimately, a negative declaration was adopted, as was Article XLIII of the Town of Hempstead Building Zone Ordinance. The adoption of Article XLIII created the “Transit Oriented Development (TOD) District for North Lawrence and Inwood” (“the TOD District”) and two overlay districts, namely the “Neighborhood (“NB”) Overlay District for North Lawrence and Inwood” and the “Residential Townhouse/Rowhouse (“TR”) Overlay District for North Lawrence and Inwood.”

The stated purpose of the TOD District is “to meet the demand for a housing prototype for residents, located in close proximity to mass transportation such as the Long Island Rail Road (LIRR) train stations, and to create and sustain a vibrant, attractive and economically flourishing hamlet area.” The TOD District is divided into 10 subdistricts, with 5 in North Lawrence and 5 in Inwood. The various subdistricts have various allowed ground floor permissible uses and prohibited uses and generally require that multi-family dwellings to be above the ground floor level. The TOD District allows for up to 60 households per acre and buildings up to 5 stories in height. In addition, the TOD District provides an expedited review process in which applicants may submit their application to a Design Review Committee. The applicant is required to submit, among other things, conceptual, as opposed to fully engineered, site and landscape plans to the Design Review Committee. The Design Review Committee may then waive the site plan requirements of section 305 of the Town of Hempstead BZO, and allow the applicant to apply directly to the Building Department for a building permit.

Since the enactment of the resolution creating the TOD District, concerns have been raised that the approval procedures for projects in the TOD District do not represent best practices for ensuring that a “hard look” is taken at several potentially significant negative environmental impacts that could result from the development of multiple high-

density mixed-use projects that are currently permissible under the NB Zoning Overlay District. Similarly, there are concerns that based on the expedited review process, that does not provide for a meaningful level of public scrutiny, will not properly examine the cumulative effect that multiple projects are having or will have in the TOD District.

Potential projects under the current provisions of the TOD District could have significant negative impacts on, among other things, community character and quality of life, public infrastructure, police, fire and other emergency services, traffic, and special districts, and therefore represent a threat to public health, safety and welfare.

The Town Board wishes to be able to consider proposals regarding potential amendments and/or alternatives to the TOD District and the Town of Hempstead BZO to insure the health, safety and welfare of the residents of the Town of Hempstead.

Given the reasons and facts set forth above, and until the aforementioned process is completed, the Town Board finds it necessary to impose a moratorium as set forth below. This action is necessary in order to protect the character, public health, safety and welfare of the residents who reside within of the TOD District and the surrounding area.

§101-2. ENACTMENT OF A TEMPORARY MORATORIUM

Until one year from the effective date of this Local Law, after which this Local Law shall lapse and be without further force and effect and subject to any other Local Law adopted by the Town Board during the one year period, no agency, board, board officer or employee of the Town of Hempstead including but not limited to, the Town Board, the Zoning Board of Appeals, the Design Review Board, or the Building Inspector(s) issuing any approval or building permit pursuant to any provision of the Town of Hempstead BZO, shall accept any application, review any application, or issue, cause to be issued, or allow to be issued any approval, special exception, variance, site plan, or building permit, for any property within the TOD District which seeks an approval, variance or building permit, pursuant to the provisions of the TOD District, except as set forth herein.

§101-3. DEFINITION OF “TRANSIT-ORIENTED DEVELOPMENT DISTRICT FOR NORTH LAWRENCE AND INWOOD”

The TOD District is hereby defined as areas as set forth in section 432(C) of the Town of Hempstead BZO.

§101-4. EXCLUSIONS

This Local Law shall not apply:

- 1) to any person or entity who/which has, prior to the effective date of this Local Law, obtained all permits required for construction of a building on any property located in the TOD District, including later applications to repair or alter, but not enlarge, any such building otherwise prohibited during the period of this temporary moratorium.

§101-5. AUTHORITY TO SUPERCEDE

To the extent and degree any provisions of this Local Law are construed as inconsistent with the provisions of Town Law sections 264, 265, 265-a, 267, 267-a, 267-b, 274-a, 274-b, and 276, this Local Law is intended pursuant to Municipal Home Rule Law sections 10(1)(ii)(d)(3) and section 22 to supersede any said inconsistent authority.

§101-6. VARIANCE TO THIS MORATORIUM

Any person or entity suffering unnecessary hardship as that term is used and construed in Town Law section 267-b (2)(b), by reason of the enactment and continuance of this moratorium may apply to the Town Board for a variance excepting the person's or entity's premises or a portion thereof from the temporary moratorium and allowing issuance of an approval or permit, provided that the application for an approval or permit was received prior to the effective date of this local law.

Notwithstanding any other provision contained in the Town of Hempstead BZO, any application receiving a variance from this moratorium, shall also be required to receive site plan approval from the Town Board prior to the issuance of a building permit.

The Town Board shall not grant any variance from this moratorium or site plan approval until it has held a public hearing on the variance and site plan approval application.

§101-7. SEVERABILITY

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not impair or invalidate the remainder of this Local Law.

§101-8. EFFECTIVE DATE

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

* * *

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

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution

And moved its adoption:

RESOLUTION GRANTING PERMISSION TO THE BALDWIN CHAMBER OF COMMERCE TO USE TOWN OF HEMPSTEAD PARKING FIELD BA-7, BALDWIN, NEW YORK FOR THE PURPOSE OF HOLDING THE BALDWIN FESTIVAL MAY 5, 2022 THROUGH MAY 8, 2022.

WHEREAS, the Baldwin Chamber of Commerce, 2485 Grand Avenue, Baldwin, New York 11510 Attention: Douglas Wiedmann has requested to use Town of Hempstead Parking Field BA-7, Baldwin, New York for the purpose of holding the Baldwin Festival May 5, 2022 through May 8, 2022 (the "Festival"); and

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

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to the Baldwin Chamber of Commerce, 2485 Grand Avenue, Baldwin, New York 11510 Attention: Douglas Wiedmann to use Town of Hempstead Parking Field BA-7, Baldwin, New York for the purpose of holding the Festival May 5, 2022 through May 8, 2022 and be it further

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

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

RESOLVED, that subject to the issuance of the Special Permit, amusement rides are to be set up after 7:00 p.m. on May 4, 2022 and removed by 6:00 a.m. on May 9, 2022.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

13

Case #

20915

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution

And moved its adoption:

RESOLUTION GRANTING PERMISSION TO NASSAU COUNTY LEGISLATOR DEBRA MULE TO USE TOWN OF HEMPSTEAD PARKING FIELD BA-9, BALDWIN, NEW YORK FOR THE PURPOSE OF HOSTING THE NASSAU HEALTH CARE CORPORATION MAMMOGRAPHY VAN ON APRIL 27, 2022.

WHEREAS, Debra Mule, Nassau County Legislator, 1550 Franklin Street, Mineola, New York 11501 (the "Legislator") has requested permission to use Town of Hempstead Parking Field BA-9, Baldwin, New York for the purpose of hosting the Nassau Health Care Corporation Mammography Van on April 27, 2022; and

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

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to the Legislator to use Town of Hempstead Parking Field BA-9, Baldwin, New York for the purpose of hosting the Nassau Health Care Corporation Mammography Van on April 27, 2022; and

BE IT FURTHER

RESOLVED, that in conducting said activity, the Nassau Health Care Corporation Mammography Van shall comply with all the provisions of the Code of the Town of Hempstead.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

13

Case #

20915

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution

And moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING PERMISSION GRANTED TO THE BELLMORE VOLUNTEER EXEMPT FIREMAN'S BENEVOLENT ASSOCIATION, INC. MUSTER TEAM TO USE TOWN OF HEMPSTEAD PARKING FIELD B-2, BELLMORE, NEW YORK FOR THE PURPOSE OF HOLDING A SPECIAL EVENT APRIL 16, 2022.

WHEREAS, the Bellmore Volunteer Exempt Fireman's Benevolent Association, Inc. Muster Team, 228 Pettit Avenue, Bellmore, New York 11710 Attention: John Scalesi, Jr., Captain had requested to use Town of Hempstead Parking Field B-2, Bellmore, New York for the purpose of holding a Special Event April 16, 2022; and

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

RESOLVED, that permission granted to the Bellmore Volunteer Exempt Fireman's Benevolent Association, Inc. Muster Team, 228 Pettit Avenue, Bellmore, New York 11710 Attention: John Scalesi, Jr., Captain to use Town of Hempstead Parking Field B-2, Bellmore, New York for the purpose of holding a Special Event April 16, 2022 is hereby ratified and confirmed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 13

Case # 20915

RESOLUTION NO.

CASE NO.

Adopted:

Offered the following resolution

And moved its adoption:

RESOLUTION GRANTING PERMISSION TO THE ELMONT CULTURAL CENTER, ELMONT, NEW YORK TO USE TOWN OF HEMPSTEAD PARKING FIELD E-6, ELMONT, NEW YORK FOR THE PURPOSE OF HOLDING A JUNETEENTH CULTURAL CELEBRATION/FESTIVAL ON JUNE 18, 2022.

WHEREAS, the Elmont Cultural Center, 70 Crystal Street, Elmont, New York 11003 Attention: Mimi Perre Johnson, has requested to use Town of Hempstead Parking Field E-6, Elmont, New York for the purpose of holding a Juneteenth Cultural Celebration/Festival on June 18, 2022 (the "Celebration"); and

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

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to the Elmont Cultural Center, 70 Crystal Street, Elmont, New York 11003 Attention: Mimi Perre Johnson to use Town of Hempstead Parking Field E-6, Elmont, New York for the purpose of holding the Celebration on June 18, 2022; and be it further

RESOLVED, that in conducting said activity, the Elmont Cultural Center shall comply with all the provisions of the Code of the Town of Hempstead.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

13

Case #

20915

CASE NO.

RESOLUTION NO.

Adopted:

and moved its adoption:

offered the following resolution

RESOLUTION GRANTING PERMISSION TO LEVITTOWN SPECIAL EVENTS, INC. LEVITTOWN, NEW YORK TO USE TOWN OF HEMPSTEAD PARKING FIELD L-2, LEVITTOWN, NEW YORK FOR THE PURPOSE OF HOLDING LEVITTOWN'S 75TH ANNIVERSARY CAR SHOW MAY 14, 2022 (RAINDATE MAY 15, 2022).

WHEREAS, Levittown Special Events, Inc., c/o Louise Cassano, Chair, P.O. Box 976, Levittown, New York 11756 has requested permission to use Town of Hempstead Parking Field L-2, Levittown, New York for the purpose of holding Levittown's 75th Anniversary Car Show May 14, 2022 (Raindate May 15, 2022) (the "Car Show"); and

WHEREAS, the Town Board deems it to be in the public interest to grant said permission, and BE IT

RESOLVED, that permission is hereby granted to Levittown Special Events, Inc., c/o Louise Cassano, Chair, P.O. Box 976, Levittown, New York 11756 to use Town of Hempstead Parking Field L-2, Levittown, New York for the purpose of holding the Car Show May 14, 2022 (Raindate May 15, 2022); and

BE IT FURTHER

RESOLVED, that in conducting said activity, Levittown Special Events, Inc. shall comply with all the provisions of the Code of the Town of Hempstead.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

13

Case #

20915

CASE NO. 25843

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved

its adoption:

RESOLUTION GRANTING THE APPLICATION OF EAST MEADOW
BASEBALL SOFTBALL ASSOCIATION FOR A PARADE PERMIT
FOR A PARADE TO BE HELD IN EAST MEADOW, NEW YORK,
ON MAY 7, 2022. RAIN DATE: MAY 14, 2022.

WHEREAS, Jeremy Webman of East Meadow, New York, President of
the Mini League, New York has filed an application with the Town Clerk of the
Town of Hempstead, for a Parade Permit for a Parade to be held in East Meadow,
New York, on May 7, 2022, Rain Date: May 14, 2022, from 9:00 AM to 11:00
AM and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the application of Jeremy Webman, President of Mini
League, be and the same is hereby GRANTED, subject to all the provisions of
Chapter 117 entitled Parades, Code of the Town of Hempstead

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 14

Case # 25843

CASE NO. 25843

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved

its adoption:

RESOLUTION GRANTING OF THE APPLICATION OF PARKWAY
ELEMENTARY SCHOOL FOR A PARADE PERMIT FOR A PARADE
TO BE HELD IN EAST MEADOW, NEW YORK, ON MAY 19, 2022.

WHEREAS, Janine Farinella of East Meadow, New York, Assistant
Principal at Parkway Elementary School, New York has filed an application with
the Town Clerk of the Town of Hempstead, for a Parade Permit for a Parade to be
held in East Meadow, New York, on May 19, 2022 from 9:45 AM to 10:30 AM
and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the application of Janine Farinella, Assistant Principal at
Parkway Elementary School, be and the same is hereby GRANTED, subject to all
the provisions of Chapter 117 entitled Parades, Code of the Town of Hempstead

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

14

Case #

25843

CASE NO. 25843

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved
its adoption:

RESOLUTION GRANTING THE APPLICATION OF BARNUM
WOODS ELEMENTARY SCHOOL FOR A PARADE PERMIT FOR A
PROCESSION TO BE HELD IN EAST MEADOW, NEW YORK, ON
JUNE 14, 2022.

WHEREAS, Gregory Bottari of East Meadow, New York, Principal at
Barnum Woods Elementary School, New York has filed an application with the
Town Clerk of the Town of Hempstead, for a Parade Permit for a Procession to be
held in East Meadow, New York, on June 14, 2022 from 9:45 AM to 11:00 AM
and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the application of Gregory Bottari, Principal at Barnum
Woods Elementary School, be and the same is hereby GRANTED, subject to all
the provisions of Chapter 117 entitled Parades, Code of the Town of Hempstead

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

14

Case #

25843

CASE NO. 25843

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved
its adoption:

RESOLUTION GRANTING THE APPLICATION OF MERRICK
AMERICAN LEGION POST #1282 FOR A PARADE PERMIT FOR A
PARADE TO BE HELD IN MERRICK, NEW YORK, ON MAY 30,
2022.

WHEREAS, Richard Ambrosino of Merrick, New York, Parade Chairman
for Merrick American Legion Post #1282, New York has filed an application with
the Town Clerk of the Town of Hempstead, for a Parade Permit for a Parade to be
held in Merrick, New York, on May 30, 2022 from 9:30 AM to 12:00 PM and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the application of Richard Ambrosino, Parade Chairman
of Merrick American Legion Post 1282, be and the same is hereby GRANTED,
subject to all the provisions of Chapter 117 entitled Parades, Code of the Town of
Hempstead

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

14

25843

CASE NO. 25843

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved
its adoption:

RESOLUTION GRANTING THE APPLICATION OF JWV POST 717
FOR A PARADE PERMIT FOR A PARADE TO BE HELD IN
OCEANSIDE, NEW YORK, ON MAY 30, 2022.

WHEREAS, Leonard Levine of Oceanside, New York, Organizer for the
JWV Post 717, New York has filed an application with the Town Clerk of the
Town of Hempstead, for a Parade Permit for a Parade to be held in Oceanside,
New York, on May 30, 2022 from 10:00 AM to 12:00 PM and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the application of Leonard Levine, Organizer of the
JWV Post 717, be and the same is hereby GRANTED, subject to all the provisions
of Chapter 117 entitled Parades, Code of the Town of Hempstead

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

14

Case #

25843

CASE NO. 25843

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved
its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE GRANTING OF
THE APPLICATION FOR WANTAGH LITTLE LEAGUE FOR A
PARADE PERMIT FOR A PARADE HELD IN WANTAGH, NEW
YORK, ON APRIL 9, 2022. RAIN DATE: APRIL 10, 2022.

WHEREAS, James Sensale of Wantagh, New York, Board Member for the
Wantagh Little League, New York has filed an application with the Town Clerk of
the Town of Hempstead, for a Parade Permit for a Parade to be held in Wantagh,
New York, on April 9, 2022, Rain Date: April 10, 2022, from 9:30 AM to 11:00
AM and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the GRANTING of the aforesaid application of James
Sensale, Board Member for the Wantagh Little League, be and the same is hereby
RATIFIED AND CONFIRMED, subject to all the provisions of Chapter 117
entitled Parades, Code of the Town of Hempstead

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

14

Case #

25843

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION ACCEPTING A PROPOSAL AND AWARDING
A RELATED FIREWORKS DISPLAY CONTRACT TO
STARFIRE CORPORATION

WHEREAS, on or about February 11, 2022, the Department of Parks and Recreation ("Department"), on behalf of the Town, advertised a Request for Proposals ("RFP") for the purposes of obtaining proposals from qualified professional fireworks display vendors to furnish a thrilling fifteen minute fireworks show at the respective conclusions of each of the Town's annual "Joint Salute to Independence Day and Veterans" and "Labor Day Spectacular" events (the "2022 Town Events"); and

WHEREAS, the Department received one timely filed Proposal submitted by the Starfire Corporation ("Starfire") which was carefully reviewed by a Town Evaluation Committee chaired by the Commissioner of the Department; and

WHEREAS, the Commissioner of the Department, on behalf of the aforementioned Town Evaluation Committee, hereby recommends to this Town Board that the aforementioned Proposal submitted by Starfire (with offices at 566 Theatre Rd., St. Benedict, PA 15773) be accepted and that a corresponding Fireworks Display Contract be awarded to Starfire in light of the following factors: (i) Starfire is an experienced and highly professional fireworks display company, having entertained millions of fans around the world for over forty years; (ii) Starfire provided extremely exciting fireworks displays at each of the Town's 2021 "Joint Salute to Independence Day and Veterans" and "Labor Day Spectacular" events (the "2021 Events"); and (iii) the aggregate Starfire Proposal fee of \$32,000 for the 2022 Events falls within the Department's budgetary parameters for the 2022 Events and reflects no increase in the fees paid by the Town to Starfire for the 2021 Events; and

WHEREAS, this Town Board finds it in the best interest of the Town to accept the subject Starfire Proposal for the 2022 Town Events and that a related specific contract be awarded to Starfire for the express purpose of carrying out the terms and conditions of said Proposal and related RFP.

NOW, THEREFORE BE IT

RESOLVED, that the aforementioned Starfire Corporation Proposal be and hereby is accepted and the Commissioner of the Department of Parks and Recreation be and is hereby authorized to negotiate and execute a corresponding Fireworks Display Contract with Starfire Corporation; and

BE IT FURTHER

RESOLVED, that the Town Comptroller, be and hereby is, authorized to issue payments to Starfire Corporation in accordance with the terms and conditions of said Fireworks Display Contract, with said payments to be charged to Department of Parks and Recreation "Fees and Services" Account # 400-007-7110-4151.

The foregoing Resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item # 15

Case # 30205

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution

And moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF A BID
TO GTX CONSTRUCTION ASSOCIATES, CORP.
FOR INTERIOR DOOR REPLACEMENT AT THE
TOWN OF HEMPSTEAD ANIMAL SHELTER, WANTAGH,
TOWN OF HEMPSTEAD, NASSAU COUNTY,
NEW YORK PW #52-21.

WHEREAS, the Commissioner of the Department of General Services (the "Commissioner") publicly solicited bids, for Interior Door Replacement at the Town of Hempstead Animal Shelter, Wantagh, Town of Hempstead, Nassau County, New York PW #52-21 (the "Project"); and

WHEREAS, the following sole bid was received and opened in the Commissioner's office on March 18, 2022:

GTX Construction Associates, Corp.
80 Henry Street
Freeport, New York 11520 \$35,875.00

WHEREAS, after review of the bid, the Commissioner has recommended that the contract for the project be awarded to the sole bidder, GTX Construction Associates, Corp., 80 Henry Street, Freeport, New York 11520 (the "Contractor") as the sole responsible bidder at its bid price of \$35,875.00 (Thirty Five Thousand Eight Hundred Seventy Five Dollars); and

WHEREAS, consistent with the Commissioner's recommendation, the Town Board desires to authorize the award of a contract to the Contractor for the Project.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards a contract to the Contractor for the Project, as the sole responsible bidder, at its bid price of \$35,875.00 (Thirty Five Thousand Eight Hundred Seventy Five Dollars); and be it further

RESOLVED, that upon the execution of the contract by the Contractor, and submission of the required performance bond and insurance, and approval thereof by the Town Attorney, the Commissioner, on behalf of the Town of Hempstead, is authorized to execute said contract; and be it further

RESOLVED, the bidder's performance bond and insurance, when approved by the Town Attorney as to form, and a copy of the executed agreement, be filed in the Office of the Town Clerk; and

Item # 16

Case # 14619

RESOLVED, that the Comptroller is authorized and directed to pay the cost of the Project in accordance with the contract with payments to be made as follows: \$30,647.35 (Thirty Thousand Six Hundred Forty Seven Dollars and Thirty Five Cents) from 2018 Animal Shelter Kennel Door Replacement Account Number 7A12-502-7A12-5010 and \$5,227.65 (Five Thousand Two Hundred Twenty Seven Dollars and Sixty Five Cents) from 2019 Animal Shelter Building Upgrades Account Number 7A57-502-7A57-5010 for a total of \$35,875.00 (Thirty Five Thousand Eight Hundred Seventy Five Dollars).

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD
OF AN EXTENSION OF TOH CONTRACT #: 20-2021 FOR
YEARLY REQUIREMENTS FOR:

Pumping of Cesspools & Portable Toilets

WHEREAS, the Division of Purchasing solicited proposals for TOH
Contract #: 20-2021, Yearly Requirements for: Pumping of Cesspools & Portable
Toilets; and

WHEREAS,
Russell Reid Waste Hauling & Disposal

was the successful bidder and was awarded a contract for the above referenced
services from 5/1/21 through 4/30/22 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 award is warranted for the period of 5/1/22 thru 4/30/23; 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 #:
20-2021, Yearly Requirements for: Pumping of Cesspools & Portable Toilets from a
period from 5/1/22 through 4/30/23 to:

- Russell Reid Waste Hauling & Disposal, 200 Smith St., Keasbey, NJ 08832

and be it further

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

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

* * * * *

Item # 17

Case # 29734

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF
PURCHASE CONTRACT#: 120-2021 FOR
REPLACEMENT PARTS AND LABOR FOR PASSENGER CARS AND SUVs

WHEREAS, the Division of Purchasing solicited proposals for TOH Purchase Contract#: 120-2021 for Replacement Parts and Labor for Passenger Cars and SUVs; and

WHEREAS, proposals were received and opened on December 30, 2021 whereby the following companies submitted the listed proposals:

<u>Name & Address of Proposers</u>	<u>Proposal</u>
1. Robert Chevrolet, Inc. 236 South Broadway Hicksville, NY 11801	ITEM D: Fee Schedule/Parts & Service
2. Neville Fleet Service 37 Denton Avenue New Hyde Park, NY 11040	ITEMS A-F: Fee Schedule/Parts & Service
3. Hempstead Ford Lincoln 301 North Franklin Street Hempstead, NY 11550	ITEM A: Fee Schedule/Parts & Service
4. Victor Ogiste d/b/a Quick Roadside Service 15 Sheridan Place Roosevelt, NY 11575	ITEMS A-F: Fee Schedule/Parts & Service

;and

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

<u>Name & Address of Proposers</u>	<u>Proposal</u>
1. Robert Chevrolet, Inc. 236 South Broadway Hicksville, NY 11801	ITEM D: Fee Schedule/Parts & Service
2. Neville Fleet Service 37 Denton Avenue New Hyde Park, NY 11040	ITEMS B,C,E & F: Fee Schedule/Parts & Service
3. Hempstead Ford Lincoln 301 North Franklin Street Hempstead, NY 11550	ITEM A: Fee Schedule/Parts & Service

best meets the Town's needs; and

WHEREAS, the Town Board has determined that it is in the best interest of the Town to award the contract to the three vendors listed for the services;

Item # 18
Case # 29734

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards TOH Purchase Contract#: 120-2021 for Replacement Parts and Labor for Passenger Cars and SUVs to:

<u>Name & Address of Proposers</u>	<u>Proposal</u>
1. Robert Chevrolet, Inc. 236 South Broadway Hicksville, NY 11801	ITEM D: Fee Schedule/Parts & Service
2. Neville Fleet Service 37 Denton Avenue New Hyde Park, NY 11040	ITEMS B,C,E & F: Fee Schedule/Parts & Service
3. Hempstead Ford Lincoln 301 North Franklin Street Hempstead, NY 11550 ;and	ITEM A: Fee Schedule/Parts & Service

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 from the appropriate department 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
PURCHASE CONTRACT#: 21-2022 FOR
ARMED GUARD SERVICES

WHEREAS, the Division of Purchasing solicited proposals for TOH Purchase Contract#: 21-2022 for Armed Guard Services; and

WHEREAS, proposals were received and opened on March 10, 2022 whereby the following companies submitted the listed proposals:

Name & Address of Proposers	Proposal
1. Upfront Security Associates, LLC 536 Broad Holllow Road Suite B40 Melville, NY 11747	\$57.50/Pick-Up
2. Dandridge & Associates, Inc. 5 Dr. Marquise Drive Thiells, NY 10984 ;and	\$52.00/Pick-Up

WHEREAS, following an evaluation of the aforementioned proposals it has been determined that the proposal received by Dandridge & Associates, Inc., 5 Dr. Marquise Drive, Thiells, NY 10984 best meets the needs of the residents of the Town; and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards TOH Purchase Contract#: 21-2022 for Armed Guard Services to Dandridge & Associates, Inc., 5 Dr. Marquise Drive, Thiells, NY 10984; 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 from the appropriate departmental accounts.

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

* * * * *

Item # 19

Case # 29734

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF
PURCHASE CONTRACT#: 22-2022 FOR
PARTS & LABOR FOR TYMCO HEAVY DUTY SWEEPERS

WHEREAS, the Division of Purchasing solicited proposals for TOH Purchase Contract#: 22-2022 for Parts & Labor for Tymco Heavy Duty Sweepers; and

WHEREAS, proposals were received and opened on April 7, 2022 whereby the following companies submitted the listed proposals:

Name & Address of Proposers	Proposal
1. Trius, Inc. 458 Johnson Avenue Bohemia, NY 11716	Item A: List Price/Tymco 2021 Item B: \$130.00/Hour Item C: \$195.00/Hour Item D: \$130.00/Hour Item E: \$220.00/Hour Item F: \$220.00/Hour

;and

WHEREAS, following an evaluation of the aforementioned proposals it has been determined that the proposal received by Trius, Inc. 458 Johnson Avenue, Bohemia, NY 11716 best meets the Town's needs; and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards TOH Purchase Contract#: 22-2022 for Parts & Labor for Tymco Heavy Duty Sweepers to Trius, Inc. 458 Johnson Avenue, Bohemia, NY 11716; 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 from the appropriate departmental accounts.

The foregoing was adopted upon roll call as follows:

AYES: ()

NOES: ()

* * * * *

Item # 20

Case # 29734

Case No.

Resolution No.

Adopted

offered the following resolution and moved its adoption as follows:

RESOLUTION AMENDING RESOLUTION NO. 497-2022 TO CORRECT A CERTAIN CLERICAL ERROR

WHEREAS, Resolution No. 497-2022 was duly adopted by this Town Board on April 5th, 2022 for contract #03-2022 Landscaping and Maintenance3 at 9/11 Memorial, Surrounding Parking Lot, and Various Parks Department facilities; and

WHEREAS, pursuant to said Resolution, the Town of Hempstead Purchasing Department generated Contract#03-2022; and

WHEREAS, upon subsequent review, the Department of Parks and Recreation has determined that as a result of an inadvertent clerical error, the Resolution did not fully reflect certain pertinent line item details of the lowest bid and accordingly, the Commissioner of the Department of Department hereby respectfully recommends that the subject Resolution be amended in order to more completely describe the lowest bid; and

WHEREAS, this Town Board finds that it is in the public interest to amend Resolution No. 497-2022 for the limited purpose of adding certain details to the lowest bid as set forth immediately below;

Green Velvet Landscape Contracts, Inc.
31 Moffit Boulevard
Bayshore, N.Y. 11706

Spring Clean-Up (late March-April) (Thatch & rake lawn; remove leaves)	\$ 1,800.00
Cutting of lawn area weekly throughout the growing season (approx. April-October), edging of lawn area borders, cultivation of shrub beds as required (14 weeks), per visit.	\$ 950.00
Final Fall Cleanup (once late November – December)	\$ 1,750.00
Shrub, Pruning, Shearing (June/July-Fall)	\$ 750.00
Weed preventative in beds (Spring & Summer)	\$ 1,600.00
Pre-Emergent crabgrass control x 3	\$ 1,350.00
Broadleaf weed control: 1 application	\$ 600.00
Fertilization, 3 applications	\$ 1,500.00
Lime application: Spring/Fall	\$ 600.00
Insecticide	\$ 450.00
Fungicide (as required)	\$ 450.00
Aeration (as required)	\$ 2,000.00
Over Seeding (as required) Spring, Summer, Fall	\$ 1,800.00
Spray Weed Killer (bricks, gravel areas cobblestones) mulch area 2 times	\$ 487.50

Item #

21

Case #

29734

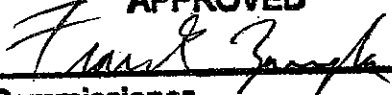
NOW, THEREFORE, BE IT

RESOLVED that Resolution No. 497-2022 be and hereby is amended for the limited purpose of setting forth certain additional details to the line items of the lowest bid reflected in said Resolution and that with the exception of such limited revisions, Resolution No. 497-2022 shall otherwise remain in full force and effect.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

APPROVED


Commissioner
Dept.-Parks & Recreation
Date 4/14/22

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF
PURCHASE CONTRACT#: 97A-2021 FOR
VETERINARY SERVICES (OFF-SITE)

WHEREAS, the Town is seeking an off-site veterinary services; and

WHEREAS, the Division of Purchasing solicited proposals for TOH Purchase Contract#: 97A-2021 for Veterinary Services (Off-Site); and

WHEREAS, proposals were received and opened on December 16, 2021 whereby the following companies submitted the listed proposals:

<u>Name & Address of Proposers</u>	<u>Proposal</u>
1. NVA Central Veterinary Associates, LLC d/b/a Central Veterinary Associates 73 West Merrick Road Valley Stream, NY 11580	Fee Schedule/Service
2. Wantagh Veterinary Hospital, PC d/b/a Wantagh Animal Hospital 1416 Wantagh Avenue Wantagh, NY 11793	Fee Schedule/Service
3. PetVet Care Centers (New York), LLC d/b/a New York Veterinary Specialty & Emergency Center 2233 Broadhollow Road Farmingdale, NY 11735 ;and	Fee Schedule/Service

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

<u>Name & Address of Proposers</u>	<u>Proposal</u>
1. NVA Central Veterinary Associates, LLC d/b/a Central Veterinary Associates 73 West Merrick Road Valley Stream, NY 11580	Fee Schedule/Service
2. Wantagh Veterinary Hospital, PC d/b/a Wantagh Animal Hospital 1416 Wantagh Avenue Wantagh, NY 11793	Fee Schedule/Service
3. PetVet Care Centers (New York), LLC d/b/a New York Veterinary Specialty & Emergency Center 2233 Broadhollow Road Farmingdale, NY 11735 ;and	Fee Schedule/Service

best meets the Town's needs; and

Item # 22

Case # 21646

WHEREAS, the Town Board has determined that it is in the best interest of the Town to award the contract to the three vendors listed for the services;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards TOH Purchase Contract#: 97A-2021 for Veterinary Services (Off-Site) to

<u>Name & Address of Proposers</u>	<u>Proposal</u>
1. NVA Central Veterinary Associates, LLC d/b/a Central Veterinary Associates 73 West Merrick Road Valley Stream, NY 11580	Fee Schedule/Service
2. Wantagh Veterinary Hospital, PC d/b/a Wantagh Animal Hospital 1416 Wantagh Avenue Wantagh, NY 11793	Fee Schedule/Service
3. PetVet Care Centers (New York), LLC d/b/a New York Veterinary Specialty & Emergency Center 2233 Broadhollow Road Farmingdale, NY 11735	Fee Schedule/Service

; and be it further

RESOLVED, that the Comptroller is hereby authorized and directed to make payment of the monies due and owing in conjunction with this contract, if any, from Animal Shelter Health Account Number: 010-002-3510-4900.

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 BID FOR THE CONSTRUCTION OF WELLHEAD TREATMENT FOR EMERGING CONTAMINANTS AND ORGANICS AT UNIONDALE WELLS 5 AND 6 – GENERAL CONSTRUCTION UNIONDALE WATER DISTRICT, TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK PW#1-22 REBID

WHEREAS, the Commissioner of General Services solicited bids for the Contract for the Construction of Wellhead Treatment for Emerging Contaminants and Organics at Uniondale Wells 5 and 6 –General Construction Uniondale Water District, Town of Hempstead, Nassau County, New York PW #1-22 Rebid (the “Contract”); and

WHEREAS, the bids submitted pursuant to such advertisement were opened and read in the office of the Commissioner of General Services on March 31, 2022, and

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

<u>Bidder</u>	<u>Bid as Read</u>	<u>Corrected Bid Price</u>
Stalco Construction, Inc.	\$ 2,326,000.00	
J. Anthony Enterprises, Inc.	\$ 2,421,000.00	
W.H.M. Plumbing and Heating	\$ 2,500,000.00	
East End Mat., d/b/a East End Group	\$ 2,585,299.00	
Phillip Ross Industries, Inc.	\$ 2,820,000.00	
LoDuca Associates, Inc.	\$ 2,744,330.00	\$268,754,257.00

; and

WHEREAS, after a review of the bids, it was determined that there was a unit price calculation error resulting in the correction of one bid which did not affect the status of the low bidder; and

WHEREAS, the Commissioner of the Department of Water has recommended that the Contract be awarded to Stalco Construction, Inc as the lowest responsible bidder for the bid price not to exceed the amount of \$ 2,326,000.00; and

WHEREAS, consistent with the Commissioner of the Department of Water’s recommendation, the Town Board desires to authorize the award of the Contract to Stalco Construction, Inc. for the bid price.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards the Contract to Stalco Construction, Inc., 1316 Motor Parkway, Islandia, New York 11749, as the lowest responsible bidder at its bid price of \$2,326,000.00; AND BE IT FURTHER

RESOLVED, that upon execution of the contract by Stalco Construction, Inc. and submission of the required bidder’s performance bond and insurance, and approval thereof by the Town Attorney, the Commissioner of the Department of Water be and he is hereby authorized to execute the Contract on behalf of the Town of Hempstead; AND BE IT FURTHER

RESOLVED, that the bidder’s performance bond and insurance, when approved by the Town Attorney as to form, be filed in the Town Clerk’s Office with the Contract; and BE IT FURTHER

Item # 23
Case # 9455

RESOLVED, that the Comptroller hereby is authorized and directed to make payments in accordance with the Contract executed by the successful bidder from the following accounts in the amounts shown; Uniondale Water District Acct no. 8700-507-8700-5010 for an amount not to exceed \$2,326,000.00 (Two Million three hundred twenty-six thousand dollars and no cents)

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

CASE NO.

RESOLUTION NO.

ADOPTED

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE CONSTRUCTION OF WELLHEAD TREATMENT FOR EMERGING CONTAMINANTS AND ORGANICS AT UNIONDALE WELLS 5 AND 6 – ELECTRICAL CONSTRUCTION UNIONDALE WATER DISTRICT, TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK PW#2-22 REBID

WHEREAS, the Commissioner of General Services solicited bids for the Contract for the Construction of Wellhead Treatment for Emerging Contaminants and Organics at Uniondale Wells 5 and 6 –Electrical Construction Uniondale Water District, Town of Hempstead, Nassau County, New York PW #2-22 Rebid (the “Contract”); and

WHEREAS, the bids submitted pursuant to such advertisement were opened and read in the office of the Commissioner of General Services on March 31, 2022, and

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

<u>Bidder</u>	<u>Bid as Read</u>
Palace Electrical Contractor, Inc	\$ 2,074,000.00
Welsbach Electrical Corp. of LI	\$ 2,162,200.00
Hinck Electrical Contractor, Inc.	\$ 2,178,800.00
Bancker Electric	\$ 2,193,025.00
Haugland Energy Group	\$ 2,203,388.00
Eldor Contracting Corp.	\$ 2,347,000.00
Commander Electric, Inc.	\$ 2,360,000.00

; and

WHEREAS, the Commissioner of the Department of Water has recommended that the Contract be awarded to Palace Electrical Contractor, Inc. as the lowest responsible bidder for the bid price not to exceed the amount of \$ 2,074,000.00; and

WHEREAS, consistent with the Commissioner of the Department of Water’s recommendation, the Town Board desires to authorize the award of the Contract to Palace Electrical Contractor, Inc. for the bid price.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards the Contract to Palace Electrical Contractor, Inc., 3558 Park Avenue, Wantagh, New York 11793, as the lowest responsible bidder at its bid price of \$2,074,000.00; AND BE IT FURTHER

RESOLVED, that upon execution of the contract by Palace Electrical Contractor, Inc. and submission of the required bidder’s performance bond and insurance, and approval thereof by the Town Attorney, the Commissioner of the Department of Water be and he is hereby authorized to execute the Contract on behalf of the Town of Hempstead; AND BE IT FURTHER

RESOLVED, that the bidder’s performance bond and insurance, when approved by the Town Attorney as to form, be filed in the Town Clerk’s Office with the Contract; and BE IT FURTHER

Item # 24
Case # 9455

RESOLVED, that the Comptroller hereby is authorized and directed to make payments in accordance with the Contract executed by the successful bidder from the following accounts in the amounts shown; Uniondale Water District Acct no. 8700-507-8700-5010 for an amount not to exceed \$2,074,000.00 (Two Million seventy-four thousand dollars and no cents)

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

CASE NO.

RESOLUTION NO.

ADOPTED

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE CONSTRUCTION OF WELLHEAD TREATMENT FOR EMERGING CONTAMINANTS AND ORGANICS AT UNIONDALE WELLS 5 AND 6 – PLUMBING CONSTRUCTION UNIONDALE WATER DISTRICT, TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK PW#3-22 REBID

WHEREAS, the Commissioner of General Services solicited bids for the Contract for the Construction of Wellhead Treatment for Emerging Contaminants and Organics at Uniondale Wells 5 and 6 –Plumbing Construction Uniondale Water District, Town of Hempstead, Nassau County, New York PW #3-22 Rebid (the “Contract”); and

WHEREAS, the bids submitted pursuant to such advertisement were opened and read in the office of the Commissioner of General Services on March 31, 2022, and

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

<u>Bidder</u>	<u>Bid as Read</u>
Phillip Ross Industries, Inc.	\$ 4,310,000.00
Bensin Contracting, Inc.	\$ 4,639,800.00
W.H.M. Plumbing and Heating	\$ 4,860,920.00
Atlantic Wells, Inc.	\$ 4,974,000.00

; and

WHEREAS, the Commissioner of the Department of Water has recommended that the Contract be awarded to Phillip Ross Industries, Inc. as the lowest responsible bidder for the bid price not to exceed the amount of \$ 4,310,000.00; and

WHEREAS, consistent with the Commissioner of the Department of Water’s recommendation, the Town Board desires to authorize the award of the Contract to Phillip Ross Industries, Inc. for the bid price.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards the Contract to Phillip Ross Industries, Inc., 88 Duryea Rd, Suite 204, Melville, New York 11747, as the lowest responsible bidder at its bid price of \$ 4,310,000.00; AND BE IT FURTHER

RESOLVED, that upon execution of the contract by Phillip Ross Industries, Inc. and submission of the required bidder’s performance bond and insurance, and approval thereof by the Town Attorney, the Commissioner of the Department of Water be and he is hereby authorized to execute the Contract on behalf of the Town of Hempstead; AND BE IT FURTHER

RESOLVED, that the bidder’s performance bond and insurance, when approved by the Town Attorney as to form, be filed in the Town Clerk’s Office with the Contract; and BE IT FURTHER

RESOLVED, that the Comptroller hereby is authorized and directed to make payments in accordance with the Contract executed by the successful bidder from the following accounts in the amounts shown; Uniondale Water District Acct no. 8700-507-8700-5010 for an amount not to exceed \$ 4,310,000.00 (Four Million three hundred ten thousand dollars and no cents)

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 25
Case # 9455

CASE NO.

RESOLUTION NO.

Adopted:

_____ offered the following resolution
and moved its adoption:

RESOLUTION AUTHORIZING THE REPURPOSING
OF FUNDS RECEIVED BY THE TOWN THROUGH
THE "CARES ACT" WHICH WERE PREVIOUSLY
GRANTED TO RECIPIENTS TO ASSIST THEM
IN PAYING FOR UNBUDGETED NECESSARY
EXPENSES INCURRED DIRECTLY RELATED TO
THE COVID-19 PANDEMIC.

WHEREAS, the COVID-19 pandemic caused a significant
public health emergency in the Town of Hempstead,
particularly impacting various entities within the Township,
in their ability to pay for unbudgeted expenses incurred
directly related to the COVID-19 pandemic; and

WHEREAS, the Coronavirus Aid, Relief, and Economic
Security Act ("CARES Act") provides federal funds to
municipalities including the Town of Hempstead, to take
actions necessary to respond to the public health emergency
including but not limited to assistance in payment of
unbudgeted necessary expenses incurred by these entities due
to the COVID-19 public health emergency; and

WHEREAS, the Town Board granted funds from the "CARES
Act" to various entities within the Township ("Recipient
Entities") to assist with this hardship for expenses
incurred by December 31, 2021 in accordance with the "CARES
Act"; and

WHEREAS, certain Recipient Entities have confirmed that
they are unable to utilize all the funding that was granted
to them (hereinafter referenced as "excess funding") in the
aggregate amount of \$168,180.44; and

WHEREAS, the excess funding may be repurposed; and

Item #

26

Case #

30283

WHEREAS, the Town Board believes it is in the best interest of the public to repurpose the excess funding; and

NOW THEREFORE BE IT:

RESOLVED, that the excess funding that Recipient Entities will not and have not utilized will be repurposed and made available, as appropriate in due course, to cover unbudgeted necessary expenses incurred directly related to the COVID-19 pandemic by the Town and/or other eligible Recipient Entities to be determined, be it further:

RESOLVED, that the Comptroller shall make such funds available upon presentation to him of all documentation he may deem necessary to confirm the lawful and proper use of the funds, with invoices which sufficiently demonstrate that the funds were used for proper unbudgeted direct expenses incurred as a result of the COVID-19 public health emergency, be it further:

RESOLVED, that such documentation shall include an executed grant of funds agreement signed by a person in authority, acceptable to the Town Attorney, stating that they agree that in the event the Federal Government determines that the expenditure of the funds, or any part thereof, was in any manner improper and determines to demand the return of the funds, or any part thereof, the Recipient Entity shall be legally responsible for reimbursing the Town of the amount equal to the amount of funds obligated to be returned, and the Recipient Entity shall hold the Town harmless, be it further:

RESOLVED, that any legal impediment to the foregoing is hereby superseded and overridden, pursuant to the emergency declaration issued by the Supervisor on March 16, 2020,

and/or any other applicable law or declaration, which remains in effect, be it further:

RESOLVED, that all such funds shall be paid out of 010-0001-14200-4158.

The foregoing resolution was adopted upon roll call as follow:

AYES:

NOES:

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and
moved its adoption:

RESOLUTION AUTHORIZING AMENDMENT TO THE 2021 ADOPTED BUDGET
TO INCREASE GENERAL FUND ESTIMATED REVENUES, AN INCREASE TO
GENERAL FUND APPROPRIATIONS, AN INCREASE TO THE GENERAL FUND TOWN
ATTORNEY LEGAL SERVICES EXPENSE ACCOUNT AND AN INCREASE OF THE
CARES ACT ASSITANCE REVENUE ACCOUNT IN THE TOWN OF HEMPSTEAD
GENERAL FUND UNDISTRIBUTED.

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

010-0012-90000 GENERAL FUND - UNDISTRIBUTED:

INCREASE: 5100	ESTIMATED REVENUES	\$	1
INCREASE: 9600	APPROPRIATIONS	\$	168,180
INCREASE: 4786	CARES ACT ASSISTANCE	\$	1

010-0001-14200 GENERAL FUND - TOWN ATTORNEY:

INCREASE: 4158	LEGAL SERVICES	\$	168,180
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The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 29

Case # 1147
30283

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING ACCEPTANCE OF A BID
AND AWARDING CORRESPONDING CONTRACT #13-
2022 FOR YEARLY REQUIREMENTS FOR GEESE
MANAGEMENT PROGRAM AT VARIOUS TOWN PARKS
AND CERTAIN OTHER TOWN OF HEMPSTEAD
FACILITIES

WHEREAS, the Department of Purchasing, on behalf of the Department of Parks and Recreation, advertised for bids for geese management services for various Town Park locations as well as certain additional Town facilities; and

WHEREAS, the following two bids were received in response to the advertisement for bids and were referred to the Department of Parks and Recreation for examination and report:

- | | |
|---|--|
| 1. Geese Chasers Long Island NY, LLC.
25 Oak Meadow Road
Commack, N.Y. 11725 | Total service fee for three year
term for geese management
services at 16 Town facilities:
\$396,000.00 |
| 2. Long Island Geese Control, Inc.
308 W. Main Street
LL Suite 2
Smithtown, NY 11787 | Total service fee for three year
term for geese management
services at 16 Town facilities:
\$593,120.00 |

and;

WHEREAS, the Commissioner of the Department of Parks and Recreation recommends acceptance of the bid submitted by Geese Chasers Long Island NY, LLC., 25 Oak Meadow Road, Commack, N.Y. 11725, as being the lowest bidder and being to be duly qualified.

NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned bid from Geese Chasers Long Island NY, LLC., be accepted and approved and that the Commissioner of the Department of Parks and Recreation be and hereby is authorized to negotiate and execute a corresponding contract with Geese Chasers Long Island NY, LLC.; and

BE IT FURTHER

RESOLVED, that the Town Comptroller be and is hereby authorized to make associated payments to Geese Chasers Long Island NY, LLC., from Parks and Recreation Code 400-007-7110-4151

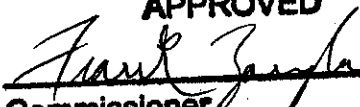
Item # 30

Case # 27326

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

APPROVED


Commissioner
Dept. Parks & Recreation
Date 4/4/00

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE ANNUAL DISPOSAL OF OBSOLETE RECORDS FROM THE OFFICE OF THE RECEIVER OF TAXES

WHEREAS, the Office of the Receiver of Taxes retains certain correspondence, accounting, tax collection and other general records that the office accumulates in the regular course of business; and

WHEREAS, the Office of Receiver of Taxes has maintained and stored these records for at least the minimum required period of time as required by Section 57.25 of the Arts & Cultural Affairs Law and Part 185, Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York, and

WHEREAS the Receiver requests this Town Board to authorize the disposal of certain records herein below identified as required by Article 57-A of the Arts & Cultural Affairs Law of the State of New York; now

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Hempstead, that the Receiver of Taxes be and hereby is authorized to dispose of the following records:

- Office Administration
 - Correspondence 53 (b) (2015 records)
 - Duplicate copy of records (2019, 2020 records)
- Fiscal
 - Audit 472 c, 473 (2015 records)
 - Banking and Investment 475, 476, 477, 478, 479, 480, 481, 482 (2014, 2019, 2020 records)
 - Budget 489 (2015 records)
 - Claims and Warrants 495 (2015 records)
 - General Accounting and Misc. 502, 505, 506, 512, 519, 521 (2015 records)
 - Purchasing 546, 550 (2015 records)
 - Reports 555 (2015 records)
- Personnel/Civil Service
 - Personnel 638, 641(2015 records)
- Taxation and Assessment
 - Taxation 1047a, b, c, d, 1048, 1049 b (2015 records)

as indexed on Retention and Disposition Schedule for New York Local Government Records (LSG-1), pursuant to Section 57.25 of the Arts & Cultural Affairs Law and Part 185, Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York.

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 RATIFYING AND AFFIRMING AN ARTIST ENGAGEMENT AGREEMENT WITH LUCILU PRODUCTIONS, INC. IN CONJUNCTION WITH THE TOWN'S ANNUAL "SALUTE TO VETERANS" EVENT

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

WHEREAS, the Town wishes to retain the musical performance services of Revisiting Creedence for the Town's scheduled June 25, 2022 "Salute to Veteran's" event for a total fee of \$35,000.00; and

WHEREAS, the Commissioner of the Department of Parks and Recreation recommends to this Town Board that the retention of the musical performance services of Revisiting Creedence in conjunction with the Town's June 25, 2022 "Salute to Veterans" event be approved and that it accordingly ratify and affirm the Commissioner's prior execution of an Artist Engagement Agreement with LuciLu Productions, Inc., agent for Revisiting Creedence, for that stated purpose; and

WHEREAS, this Town Board has determined that the retention of Revisiting Creedence to perform at the Town's June 25, 2022 "Salute to Veterans" event is in the Town's best interest.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of the Department's prior execution of an Artist Engagement Agreement with LuciLu Productions, Inc. for the specific purpose of retaining the musical performance services of Revisiting Creedence at the Town's June 25, 2022 "Salute to Veteran's" event be, and hereby is, ratified and affirmed; and

BE IT FURTHER

RESOLVED, that the Comptroller be and hereby is authorized to make payments under said Artist Engagement Agreement from Parks and Recreation Account number # 400-0007-71100-4151 in an amount not to exceed \$35,000.00.

The foregoing Resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

32

Case #

29910

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE RATIFICATION AND AFFIRMATION OF A LIGHT AND SOUND SYSTEM SERVICE AGREEMENT WITH EKO PRODUCTIONS IN CONJUNCTION WITH THE TOWN'S 2022 ANNUAL "SALUTE TO VETERANS" EVENT

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

WHEREAS, EKO Productions, with offices at 360-C Commack Road, Deer Park, NY 11729, operates a well-established business of supplying light and sound systems for band performances; and

WHEREAS, the Department of Parks and Recreation ("Department") recently secured the professional light and sound system services of EKO Productions for the Town's scheduled June 25, 2022 "Salute to Veterans" event for a total fee of \$13,645 .00 in conjunction with the musical performance of Revisiting Creedence; and

WHEREAS, based on prior positive experiences with EKO Productions at previous Town musical performance events, the Commissioner of the Department of Parks and Recreation: (i) believes EKO Productions to be duly qualified; and (ii) recommends that this Town Board ratify and affirm the previously executed Agreement with EKO Productions pursuant to which EKO will provide light and sound system services in conjunction with the Town's scheduled June 25, 2022 "Salute to Veterans" event; and

WHEREAS, this Town Board finds that it would be in the Town's best interest to ratify and affirm the light and sound system services Agreement with EKO Productions in conjunction with the performance of Revisiting Creedence at the Town's upcoming June 25, 2022 "Salute to Veterans" event.

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby ratifies and affirms the Department's prior execution of the aforementioned Agreement with EKO Productions dated March 24, 2022, pursuant to which EKO Production will provide the light and sound system at the Town's June 25, 2022 "Salute to Veterans" event featuring Revisiting Creedence; and

BE IT FURTHER

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

The foregoing Resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 33

Case # 29910

APPROVED

Frank Zangla
Commissioner
Dept.-Parks & Recreation
Date 4/6/22

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE TOWN OF HEMPSTEAD TO ACCEPT A DONATION IN THE AMOUNT OF \$12,500.00 FROM THE EAST ATLANTIC BEACH TAXPAYERS ASSOCIATION FOR THE PURPOSE OF CONTRIBUTING TO THE FUNDING OF THE PURCHASE AND INSTALLATION OF NEW FENCING AT TRENTON AVENUE PARK

WHEREAS, the East Atlantic Beach Taxpayers' Association (hereinafter referred to as "EABTA"), a not-for-profit organization, with offices at 15 Rochester Avenue, East Atlantic Beach, NY 11561, is an independent third party without affiliation of any kind with the Town;

WHEREAS, EABTA wishes to donate the sum of \$12,500.00 (the "Donated Funds") to the Town for the specific purpose of replacing exterior fencing at Trenton Avenue Park in East Atlantic Beach; the total cost of which shall be shared with the Town; and

WHEREAS, the Town desires to accept such Donated Funds for the purpose of contributing to the funding of the purchase and installation of new exterior fencing at Trenton Avenue Park and will establish a segregated "Capital Project Account" to ensure that the Donated Funds are expended solely to accomplish said purpose; and

WHEREAS, the Commissioner of Parks and Recreation recommends to this Town Board that the purchase and installation resulting from the acceptance of the Donated Funds by the Town would improve the Park facility at Trenton Avenue Park; and

WHEREAS, this Town Board finds that it would be in the public interest to accept the donation of said funds from EABTA for the purpose of the installation of new fencing at Trenton Avenue facility; and

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Hempstead hereby agrees to accept the Donated Funds from EABTA when tendered for the express purpose of contributing to the funding of the purchase and installation of exterior fencing for Trenton Avenue Park; and

BE IT FURTHER

RESOLVED, that the Town Comptroller be and hereby is authorized to expend the Donated funds from Capital Outlay Account 403-0007-04030-3010, and shall ensure that same are expended solely in conjunction with the aforementioned purchase and installation of exterior fencing at Trenton Avenue Park.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item # 34

Page # 21943

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption as follows:

RESOLUTION AUTHORIZING THE TOWN OF HEMPSTEAD TO ACCEPT A DONATION IN THE AMOUNT OF \$5,000.00 FROM POSSIBLE PRODUCTIONS INC.

WHEREAS, Possible Productions Inc., with offices at 42-22 22nd Street, 3rd Floor, Long Island City, New York 11101 and an independent third party without affiliation of any kind with the Town, recently sought and received permission from the Town to use a portion of the Echo Park Parking Lot ("Parking Lot") to accommodate various trucks and campers while filming a production in nearby Malverne; and

WHEREAS, with respect to its use of the Parking Lot, Possible Productions Inc. agreed to make a donation in the sum of \$5,000.00 (the "Donation") to the Town; and

WHEREAS, the Commissioner of the Department of Parks and Recreation respectfully recommends that this Town Board accept the Donation from Possible Productions Inc. and further recommends that said Donation be specifically allocated to help subsidize the Town's 2022 Summer Concert Series; and

WHEREAS, this Town Board finds that it would be in the Town's best interest to accept the Donation from Possible Productions Inc. for the purpose of helping to subsidize the Town's upcoming 2022 Summer Concert Series.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Hempstead hereby agrees to accept the Donation from Possible Productions Inc. for the express purpose of helping to subsidize the Town's 2022 Summer Concert Series; and

BE IT FURTHER

RESOLVED, that the Town Comptroller be and hereby is authorized to deposit the \$5,000.00 Donation into the Gifts and Donation Account (#403-007-0403-2705).

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

APPROVED

Frank Zupolo

Commissioner
Dept.-Parks & Recreation

Date *4/8/02*

35

Case #

21943

Case No.

Resolution No.

Adopted

offered the following resolution and moved its adoption as follows:

RESOLUTION RATIFYING AND AFFIRMING THE DEPARTMENT OF PARKS AND RECREATION'S PRIOR ACCEPTANCE OF THE DONATION OF A "GENTLY USED" UPRIGHT PIANO FOR USE AT THE ECHO PARK POOL COMPLEX

WHEREAS, Rhonda Silverman, an individual residing at Merrick, New York, noticed that the existing piano at the Echo Park Pool Complex is in need of much repair and/or replacement; and

WHEREAS, Ms. Silverman recently communicated to the Department of Parks and Recreation ("Department") a desire to donate her gently used upright piano ("the Silverman Piano") for use at the Town's Echo Park Pool Complex; and

WHEREAS, in order to accommodate Ms. Silverman's schedule, the Commissioner of the Department agreed to accept the donation of the aforementioned Silverman Piano to benefit the constituents who utilize the Echo Park Pool Complex and respectfully recommends to this Town Board that the Department's prior acceptance of the donated Silverman Piano be ratified and affirmed; and

WHEREAS, this Town Board finds that it is in the public's best interest to ratify and affirm the Department's prior acceptance of the donated Silverman Piano for use at the Town's Echo Park Pool Complex.

NOW, THEREFORE, BE IT


RESOLVED that the Town of Hempstead hereby ratifies and affirms the acceptance by the Department of Parks and Recreation of the donated Silverman Piano for the express purpose of benefitting the Echo Park Pool Complex.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

APPROVED



Commissioner
Dept.-Parks & Recreation
Date 4/8/22

Item # 36
Case # 21943

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption as follows:

RESOLUTION AUTHORIZING THE TOWN OF HEMPSTEAD TO ACCEPT VARIOUS DONATIONS FROM THE ANCHOR PROGRAM FUND, INC.

WHEREAS, the Anchor Program Fund, Inc. ("APF") is a 501(c)(3) non-profit organization and an independent third party without affiliation of any kind with the Town; and

WHEREAS, APF has made numerous generous donations to the Town over many years with the goal of enhancing the overall ANCHOR experience for its participants; and

WHEREAS, as a result of certain recent related fund raising activities, APF wishes to donate for use at Camp ANCHOR: (i) upgrades to the interior of the newly added concession stand consisting of the addition of stainless counters, a sink and an ice cream freezer; (ii) purchase and installation of a new Sandbox in the Jr. Camp and refurbishment of the existing sandbox by adding four (4) posts to accommodate a new "shaded sail"; and (iii) the donation of a special cover for said sandbox to keep the sand clean for the campers; and

WHEREAS, the Commissioner of the Department of Parks and Recreation recommends to this Town Board that it approve the acceptance of the aforementioned donations from APF; and

WHEREAS, the Town desires to accept these most generous donations from APF for use at Camp ANCHOR.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Hempstead hereby agrees to accept the various above described generous donations from the Anchor Program Fund, Inc.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

APPROVED

Frank J. ...
Commissioner
Dept.-Parks & Recreation
Date *4/8/22*

Item # 37

Case # 21943

CASE NO.

RESOLUTION NO:

ADOPTED:

offered the following resolution

and moved its adoption:

RESOLUTION DECLARING CERTAIN EQUIPMENT OF THE HIGHWAY DEPARTMENT, TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK, OBSOLETE AND AUTHORIZING THE DISPOSAL THEREOF.

WHEREAS, the Commissioner of the Highway Department (the "Commissioner") has advised this Board that certain equipment used by the Highway Department on behalf of the Town of Hempstead (the "Town") has become obsolete, of little value and is no longer economically serviceable for its original purpose; and

WHEREAS, the Commissioner recommends that the following equipment should be declared obsolete and disposed of:

YEAR	MAKE	MODEL	VIN	NAME	LICENSE PLATE
1996	INTERNATIONAL	265	1HTGHADT5TH216274	HY-209	AD6712
2008	KAWASAKI	KSS65ZV	65J45017	HY-304	AD6514
2003	KAWASAKI	KSS65ZV	65C45104	HY-319	AD6655
2007	DYNAPAC	PL500	503186	HY-538	AD6513
2004	LEEBOY	300	300-42323	HY-547	
2009	CHEVROLET	SILVERADO	1GCEK14C49Z137459	HY-718	AD6483
2009	CHEVROLET	SILVERADO	1GCEK14C99Z154063	HY-725	AD6463
2007	CHEVROLET	SILVERADO	1GCEK14V37Z141761	HY-730	AD6481
2002	CHEVROLET	BLAZER	1GNDDT13W62K215637	HY-744	AD6525
2002	GMC	SIERRA	1GTEK14VX2Z246774	HY-762	AD6449

MAULDIN TAG ALONG ROLLER 85-9206-101 ROL-3
SPAULDING HOT BOX T4DR040713292 TRL-ABT-04

16 VARIOUS PLOWS
1 VOLVO PAYLOADER BUCKET
100 ASSORTED PLOW BLADES

KEYPER 120 KEY BOX - SERIAL # MSF120071012813
KEYPER 120 KEY BOX - SERIAL # MSF120132021513
KEYPER 120 KEY BOX - SERIAL # MSF120357051513
KEYPER 280 KEY BOX - SERIAL # MSF280130021513
KEYPER 280 KEY BOX - SERIAL # MSF280131021513

MISCELLANOUS AUTOMOTIVE PARTS AND HARDWARE

(collectively, the "Equipment"); and

WHEREAS, upon the recommendation of the Commissioner, this Board finds that it is in the best interest of the Town to declare the Equipment obsolete and authorize its disposal.

NOW, THEREFORE, BE IT

RESOLVED, that the above described equipment is hereby declared obsolete in its primary function in the Highway Department, and the Department is hereby authorized to dispose of the above described equipment.

The foregoing resolution was adopted upon roll as follows:

AYES: Item # 38
NOES: Case # 8151

CASE NO.:

RESOLUTION NO.

Council
moved for its adoption:

offered the following resolution and

RESOLUTION AUTHORIZING THE SUPERVISOR TO
EXECUTE A BOUNDARY LINE AGREEMENT
AFFECTING PROPERTY LOCATED AT MERRICK
CANAL, MERRICK, NEW YORK.

WHEREAS, a dispute exists as to the precise location of the boundary line of lands belonging to The Josephson 2005 Residential Trust located at 343 So. Merrick Avenue, Merrick, New York, and lands of the Town of Hempstead; and

WHEREAS, the aforesaid The Josephson 2005 Residential Trust have submitted a boundary line agreement duly executed by them in settlement of the said dispute; and

WHEREAS, said boundary line agreement would fix the location of the title line of said lands of The Josephson 2005 Residential Trust and the Town of Hempstead along the bank of Merrick Canal, Merrick, Town of Hempstead, County of Nassau, New York; and

WHEREAS, in said boundary line agreement, the Town of Hempstead quitclaims to The Josephson 2005 Residential Trust, its right, title and interest in and to any of the lands lying and being at Merrick, Town of Hempstead, County of Nassau, and State of New York, being a part of Merrick Canal, comprising 1,712 square feet, described as follows:

AREA TO BE CONVEYED TO PROPERTY OWNER
MEETS & BOUNDS
PARCEL "B"

ALL that certain plot, piece or parcel of land, with the buildings and improvement thereon erected, situate lying and being at Merrick, Town of Hempstead, County of Nassau, State of New York, bounded and described as follows:

BEGINNING at a point on the northwesterly corner of the Parcel "B" to be described. This point is distant 2 courses and distances from the intersection of the easterly side of Merrick Avenue and the southerly side of Lake End Road;

1. South 26 degrees 05 minutes 00 seconds East 500.00 feet;
2. North 63 degrees 55 minutes 00 seconds East 315.05 feet to the true point of beginning;

RUNNING THENCE North 63 degrees 55 minutes 00 seconds East 2.92 feet to the westerly side of Merrick Canal, as it existed on June 6, 1944;

THENCE the following 10 courses and distances along the westerly side of Merrick Canal;

1. South 20 degrees 59 minutes 36 seconds East 38.67 feet;
2. South 01 degrees 16 minutes 47 seconds West 21.35 feet;
3. South 09 degrees 34 minutes 25 seconds West 16.67 feet;
4. South 16 degrees 24 minutes 56 seconds West 18.56 feet;
5. South 31 degrees 26 minutes 37 seconds West 13.33 feet;
6. South 47 degrees 58 minutes 13 seconds West 16.01 feet;

39
case 30623

7. South 49 degrees 14 minutes 33 seconds West 23.66 feet;
8. South 47 degrees 47 minutes 29 seconds West 22.28 feet;
9. South 51 degrees 26 minutes 01 second West 78.37 feet;
10. North 02 degrees 03 minutes 38 seconds West 27.79 feet;

THENCE North 63 degrees 55 minutes 00 seconds East 86.02 feet to a point;

THENCE North 49 degrees 30 minutes 00 seconds East 22.03 feet to a point;

THENCE North 43 degrees 25 minutes 00 seconds East 15.52 feet to a point;

THENCE North 29 degrees 50 minutes 00 seconds East 17.38 feet to a point;

THENCE North 16 degrees 17 minutes 00 seconds East 17.34 feet to a point;

THENCE North 08 degrees 39 minutes 40 seconds East 17.62 feet to a point;

THENCE North 04 degrees 11 minutes 00 seconds East 17.29 feet to a point;

THENCE North 13 degrees 34 minutes 00 seconds West 17.66 feet to a point;

THENCE North 24 degrees 48 minutes 00 seconds West 18.77 feet to a point of place of BEGINNING.

Said parcel contains 1,712 square feet more or less.

WHEREAS, The Josephson 2005 Residential Trust has agreed to pay Nine Dollars and fifty-five cents (\$9.55) per square foot of land to the Town of Hempstead; and

WHEREAS, The Josephson 2005 Residential Trust has agreed to pay \$16,349.60 to the Town of Hempstead; and

WHEREAS, it appears that the establishment of the boundary line between the lands of The Josephson 2005 Residential Trust and the Town of Hempstead, and the fixing of the location of the shoreline at Merrick Canal, Merrick, is in the public interest;

NOW, THEREFORE, BE IT

RESOLVED, that the boundary line agreement as executed by The Josephson 2005 Residential Trust be accepted by this Town Board, and the Supervisor be and he hereby is authorized to execute said boundary line agreement on behalf of the Town of Hempstead; and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is authorized and directed to record the said boundary line agreement, following its execution by the Supervisor, in the office of the Clerk of the County of Nassau, at the expense of The Josephson 2005 Residential Trust; and, BE IT FURTHER

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

Town, voting on a proposition for its approval at a referendum held in accordance with the said Town Law.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution

and moved its adoption:

RESOLUTION AUTHORIZING GREENFIELD CEMETERY,
UNIONDALE, TOWN OF HEMPSTEAD, NASSAU COUNTY,
NEW YORK TO PURSUE ACCREDITATION AS A NATIONALLY
RECOGNIZED ARBORETUM.

WHEREAS, the Town Board wishes to expand and enhance the environmental safeguards of greenspace located at Greenfield Cemetery in Uniondale; and

WHEREAS, the Greenfield Cemetery property of 150 acres contains an arboretum collection of at least 25 species, varieties or cultivars of trees or woody plants that have been planted and are growing in accordance with an accredited arboretum plan; and

WHEREAS, the Town Board seeks to obtain national accreditation in order to establish Greenfield Cemetery as an internationally designated Arboretum; and

WHEREAS, the Commissioner of General Services on behalf of the Town Board is authorized to execute the necessary documents required to achieve such designation;

NOW, THEREFORE BE IT

RESOLVED, that the Commissioner of General Services on behalf of the Town Board is authorized to execute all necessary documents required to achieve such designation;

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 40

Case # 30674

CASE NO.

RESOLUTION NO.

Adopted:

moved its adoption:

offered the following resolution and

RESOLUTION ACCEPTING A PROPOSAL AND AWARDING A RELATED CONTRACT TO D & B ENGINEERS & ARCHITECTS FOR THE LIDO GOLF CLUBHOUSE STRUCTURAL ANALYSIS AND REHABILITATION LIDO BEACH, NY

WHEREAS, pursuant to Resolution Number 682-2019, duly adopted on June 11th, 2019 by this Town Board, the Town established a panel of approved Architectural/Engineering and Surveying Consulting firms, including among other firms, D & B Engineers & Architects, which the Department could utilize to provide engineering services to the Department(the "Panel"); and

WHEREAS, on September 8th, 2020, this Town Board adopted Resolution Number 985-2020, ratifying and confirming the execution of an agreement with D & B Engineers & Architects to provide professional engineering and related services to the Department of Parks & Recreation (the "Department") from time-to-time; and

WHEREAS, on or about February 1st, 2022, the Department issued a Request for Proposals ("RFP") for the purpose of obtaining proposals for various engineering services in conjunction with the Department's project to obtain a structural analysis and plan to Rehabilitate the Lido Golf Clubhouse, Lido Beach, NY(the "Project"); and

WHEREAS, a total of three proposals (summarized below) were submitted in response to said RFP, each of which were carefully reviewed by the Commissioner of the Department and appropriate members of his senior staff:

D & B Engineers & Architects 330 Crossways Park Drive Woodbury, NY 11797	\$322,100.00
Cameron Engineering & Associates, LLP 177 Crossways Park Drive Woodbury, NY 11797	\$329,500.00
H2M Architects & Engineers 538 Broad hollow Road Melville, NY 11747	\$387,050.00

WHEREAS, the Commissioner hereby recommends to this Town Board that the Proposal submitted by D & B Engineers & Architects (with offices at 330 Crossways Park Drive, Woodbury, NY 11797) be accepted and that a corresponding project specific contract be awarded, in light of the following facts: (i) that D & B Engineers & Architects is a member of the Panel in good standing and accordingly duly qualified to perform the requisite Project services required by the Department; and (ii) that the Proposal submitted by D & B Engineers & Architects, with an amount not to exceed \$322,100.00 (the "D & B Engineers & Architects Proposal)" was the lowest Proposal received and more particularly was, in the opinion of the Department, the most complete and detailed Proposal of those received in response to the RFP; and

WHEREAS, this Town Board finds it in the best interests of the Town to accept the subject D & B Engineers & Architects Proposal for the Project and that a related Project specific contract be awarded to D & B Engineers & Architects for such express purpose of carrying out the terms and conditions of said Proposal.

NOW, THEREFORE BE IT

Item # 411

Case # 30144
 28103

RESOLVED, the aforementioned D & B Engineers & Architects Proposal be and hereby is accepted and that the Commissioner of the Department of Parks and Recreation be and is hereby authorized to negotiate and execute a corresponding Project contract with D & B Engineers & Architects; and

BE IT FURTHER

RESOLVED, that the Town Comptroller, be and hereby is authorized to issue payments to D & B Engineers & Architects in accordance with the terms and conditions of said Project contract, with said payments to be charged to Account #7B31-509-7B31-5010.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution
and moved its adoption:

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT:
TOH C#: 19-2022 FOR GROUND MAINTENANCE AT GREENFIELD
CEMETERY TO: BRIGHTVIEW LANDSCAPE, LLC.

WHEREAS, the Division of Purchasing, on behalf of the Department of
General Services, Division of Cemeteries, solicited bids for Contract#: TOH C#:
19-2022, Yearly Requirements for Ground Maintenance at Greenfield Cemetery
located in Uniondale, New York; and

WHEREAS, the bids submitted pursuant to such solicitation were opened
and read in the office of the Division of Purchasing on March 10th, 2022; and

WHEREAS, the following bids were referred to the Department of General
Services, Division of Cemeteries for examination and report as follows:

<u>Contractor</u>	<u>Bid Price Per Square Foot</u>
Creative Landscaping by Low Buy Inc. 104 Harbor Road Port Washington, NY 11050	\$0.01
Brightview Landscape LLC 980 Jolly Road, Suite 300 Blue Bell, PA 19422	\$0.0246
Greenway Property Services Inc. 7 Rye Ridge Plaza #781 Rye Brook, NY 10573	\$0.027
Green Velvet Landscape Contractors, Inc. 31 Moffitt Boulevard Bay Shore, New York 11706	\$0.04
Louis Barbato Landscaping, Inc. 1600 Railroad Avenue Holbrook, New York 11741	\$0.04038
Affordable Property Maintenance 83 Cleveland Street Bay Shore, New York 11706	\$0.0925
Dragonetti Brothers Landscaping 129 Louisiana Avenue Brooklyn, New York 11207	\$0.11

Item #

42

Case #

18497

WHEREAS, the Department reported that the lowest bid was received from Creative Landscaping by Low Buy Inc. in the sum of \$0.01 per square foot; and

WHEREAS, after review of documents submitted and in person meetings, it appears that said bidder is not qualified to undertake said project, based upon their approach, type of machinery and/or understanding of the intricacies necessary to meet the time table expressed in the bid and therefore cannot be recommended for acceptance to the Town Board; and

WHEREAS, the second lowest bidder, Brightview Landscape, LLC. Has demonstrated the necessary experience in the landscaping of cemeteries, and acceptance of their bid is recommended by the Commissioner of General Services as in the best interest of the residents of the Town of Hempstead; ;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards TOH C#: 19-2022 Yearly Requirements for Ground Maintenance at Greenfield Cemetery to Brightview Landscape, LLC., 980 Jolly Road, Suite 300, Blue Bell, PA 19422 upon award of contract for a period of one year; and

BE IT FURTHER,

RESOLVED, that the Department of General Services, Division of Cemeteries is hereby authorized to execute the contract documents, if any, and the Comptroller is hereby authorized and directed to make payment to the Contractor pursuant to the Contract Proposal from Account Number 010-0006-88100-4151.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION APPROVING A CONTRACT WITH EAC, INC., AUTHORIZING A GRANT FOR YOUTH SERVICES.

WHEREAS, the Town of Hempstead (hereinafter the "Town") has entered into a comprehensive agreement with Nassau County through the Nassau County Department of Family Services (hereinafter the OCFS), for a grant to support the Town grants made to organizations which have been qualified by the Division for Youth, and whose application has been authorized by the Town Board under Resolution No. 1512-2021, adopted December 7, 2021; and

WHEREAS, EAC, INC., having its principal office at 99 Quentin Roosevelt Blvd, Suite 200, Garden City, NY 11530, is one such organization qualified under the provisions of the Division for Youth, Youth Development/Delinquency Prevention Program, and said organization now makes application to the Town of Hempstead for a grant for youth services to be provided for a term commencing January 1, 2020 and terminating December 31, 2020; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of the Department Planning and Economic Development is hereby authorized and directed to execute a contract between the Town of Hempstead and EAC, INC., for the provision of youth services, upon such terms, conditions and stipulations as the Town Board may deem fit and proper, for the term commencing January 1, 2020 and terminating December 31, 2020; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs payment to EAC, INC., the sum of TEN THOUSAND EIGHT HUNDRED TWENTY EIGHT and 00/100 (\$10,828.00) DOLLARS to be made on the presentation of a claim for actual expenditures incurred, accompanied by substantive data that will support such expenditures. Such payment to be charged against the Town of Hempstead Account No. 030-006-8020-4740/Youth Guidance; and

BE IT FURTHER RESOLVED, that the Town Board authorizes and directs the Comptrollers to pay cost in accordance with the contract not to exceed \$10,828.00 from the appropriate Town of Hempstead Account.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item # 413

Case # 13584

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

**RESOLUTION APPROVING A CONTRACT WITH
NEW HORIZON COUNSELING CENTER INC.,
AUTHORIZING A GRANT FOR YOUTH SERVICES.**

WHEREAS, the Town of Hempstead (hereinafter the "Town") has entered into a comprehensive agreement with Nassau County through the Nassau County Department of Family Services (hereinafter the OCFS), for a grant to support the Town grants made to organizations which have been qualified by the Division for Youth, and whose application has been authorized by the Town Board under Resolution No. 1512-2021, adopted December 7, 2021; and

WHEREAS, New Horizon Counseling Center Inc., having its principal office at 50 West Hawthorne Avenue, Valley Stream, New York, is one such organization qualified under the provisions of the Division for Youth, Youth Development/Delinquency Prevention Program, and said organization now makes application to the Town of Hempstead for a grant for youth services to be provided for a term commencing January 1, 2020 and terminating December 31, 2020; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of the Department Planning and Economic Development is hereby authorized and directed to execute a contract between the Town of Hempstead and New Horizon Counseling Center, Inc., for the provision of youth services, upon such terms, conditions and stipulations as the Town Board may deem fit and proper, for the term commencing January 1, 2020 and terminating December 31, 2020; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs payment in the sum of SEVENTEEN THOUSAND FOUR HUNDRED NINETY EIGHT AND 00/100 (\$17,498.00) DOLLARS, to be made on the presentation of a claim for actual expenditures incurred, accompanied by substantive data that will support such expenditures. Such payment to be charged against the Town of Hempstead Account No. 030-006-8020-4740/Youth Guidance; and

BE IT FURTHER RESOLVED, that the Town Board authorizes and directs the Comptroller to pay costs in accordance with this contract not to exceed SEVENTEEN THOUSAND FOUR HUNDRED NINETY EIGHT AND 00/100 (\$17,498.00) Dollars from the appropriate Town of Hempstead Account.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Doc. No. 22-02

Item #

44

Case #

13584

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

**RESOLUTION APPROVING A CONTRACT
WITH GATEWAY YOUTH OUTREACH, INC.
AND AUTHORIZING A NEW YORK STATE
DIVISION FOR YOUTH GRANT.**

WHEREAS, the Town of Hempstead (hereinafter the "Town") has made application to the NYS Office of Children and Family Services (hereinafter the "OCFS"), for a grant to support the Town grants made to organizations which have been qualified by the Division for Youth, and application has been adopted by the Town Board under Resolution No. 1512-2021, adopted December 7, 2021; and

WHEREAS, the GATEWAY YOUTH OUTREACH, INC. having its principal office at 534 Elmont Road, Elmont, NY 11003, is one such organization qualified under the provisions of the Division for Youth, Youth Development/Delinquency Prevention Program, and said organization now makes application to the Town of Hempstead for a grant for youth services to be provided for a term commencing January 1, 2020 and terminating December 31, 2020; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of DPED is hereby authorized to execute a contract between the Town of Hempstead and GATEWAY YOUTH OUTREACH, INC., for the provision of youth services, upon such terms, conditions and stipulations as the Commissioner may deem fit and proper, for the term commencing January 1, 2020 and terminating December 31, 2020; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs payment to the GATEWAY YOUTH OUTREACH, INC., the sum of SEVEN THOUSAND ONE HUNDRED TWO and 00/100 (\$7,102.00) DOLLARS to be made on the presentation of a claim for actual expenditures incurred, accompanied by substantive data that will support such expenditures. Such payment to be charged against the Town of Hempstead Account No. 030-006-8020-4740/Youth Guidance; and

BE IT FURTHER RESOLVED that the Town Board authorizes and directs the Comptroller to pay costs in accordance with this contract not to exceed SEVEN THOUSAND ONE HUNDRED TWO and 00/100 (\$7,102.00) DOLLARS from the appropriate Town of Hempstead Account.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Doc. No. 22-03

Item #

4/5

Case #

13584

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AMENDING RESOLUTION NO. 1663-2017, CASE 21731
ADOPTED NOVEMBER 14, 2017, ACCEPTING THE PROPOSAL OF
D&B ENGINEERS AND ARCHITECTS, P.C. TO PROVIDE ON-CALL
PROFESSIONAL ENGINEERING SERVICES RELATED TO
DEPARTMENT OF WATER OPERATIONS

WHEREAS, D&B Engineers and Architects, P.C. (Consultant) were retained to perform on-call services related to Department of Water Operations under Town Board Resolution No. 1663-2017, Case No. 21731 adopted on November 14, 2017; and

WHEREAS, operational needs required the Department to request additional critical tasks be performed by the Consultant to obtain Nassau County Health Department approvals to return a well to operations and to perform critical design work to address treatment upgrades at another, causing the total effort to exceed the original authorized amounts under the above referenced resolution; and

WHEREAS, the Commissioner of the Department of Water deems that said additional engineering work was necessary and in the public interest and that the costs of these efforts created costs of \$14,664.08 over the original authorized amount and that said additional work performed was fair and reasonable and that it is in the best interest of the Town of Hempstead to amend Resolution No. 1663-2017 with an amended not to exceed amount of \$64,664.08 (sixty-four thousand six hundred sixty-four dollars and eight cents).

NOW, THEREFORE, BE IT

RESOLVED, that resolution No. 1663-2017 is hereby amended and the Comptroller is hereby authorized to make final payments to D&B Engineers and Architects, 330 Crossways Park Drive, Woodbury, New York 11797 of such additional sums, such additional fees in the amount of \$14,664.08 (fourteen thousand six hundred sixty-four dollars and eight cents) to be paid from and charged against the appropriate Water District Capital funds for an amended not to exceed amount of \$64,664.08 (sixty-four thousand six hundred sixty-four dollars and eight cents).

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

46

Case #

21731

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption

RESOLUTION AMENDING RESOLUTION NO 1133-2021- THE AWARD OF
A BID FOR N.Y.S. GOVERNOR'S OFFICE OF STORM RECOVERY FUNDED
PROJECT- LIDO BEACH/POINT LOOKOUT SHORELINE STABILIZATION
AND REVETMENT TOWN OF HEMPSTEAD NEW YORK, PW# 42-21

WHEREAS, pursuant to Resolution 1133-2021, duly adopted by the Town Board on September 9, 2021 the Town entered into an agreement (the "Original Agreement") with Pioneer Landscaping for a N.Y.S. Governor's Office of Storm Recovery Funded Project known as Lido Beach/Point Lookout Shoreline Stabilization and Revetment, Town of Hempstead New York, PW# 42-21 (the "Project") with funding delivered through the New York Rising Community Reconstruction Program (NYRCR) within the New York State Governor's Office of Storm Recovery (GOSR) in the amount of \$4,122,731.00; and

WHEREAS, an Amendment is necessary to increase the Contract Amount by \$800,000.00 for additional excavation to be performed by the Contractor due to shifting sands found and quantified by the Consultant in current topographical and hydrographic surveys; and

WHEREAS, the additional funds required for the increase in funding are available through the Towns budgeted Contingency GOSR funding; and

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

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

NOW THEREFORE, BE IT

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

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

RESOLVED, the Comptroller be and hereby is authorized and directed to pay the cost of the Amendment, not to exceed \$800,000.00 with payments to be made from the Town Highway Capital Improvement Fund, Account No. 9561-503-9561-5010. The Total Final Contract Amount shall not exceed \$4,922,731.00.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 47

Case # 18675

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AMENDING RESOLUTION NO 1331-2016 AUTHORIZING THE EMPLOYMENT OF OCEAN AND COASTAL CONSULTANTS ALSO KNOWN AS BTMI ENGINEERING P.C. FOR CONSULTING SERVICES PERTINENT TO LIDO BEACH/POINT LOOKOUT SHORELINE STABILIZATION AND REVETMENT TOWN OF HEMPSTEAD NEW YORK, PW# 42-21

WHEREAS, pursuant to Resolution 1331-2016, duly adopted by the Town Board on September 6, 2016 the Town entered into an agreement (the "Original Agreement") with Ocean and Coastal Consultants also known as BTMI Engineering P.C. for Consulting Services Pertinent to Lido Beach/Point Lookout Shoreline Stabilization and Revetment with funding delivered through the New York Rising Community Reconstruction Program (NYRCR) within the New York State Governor's Office of Storm Recovery (GOSR) in the amount of \$600,800.00 (the "Contract Amount"); and

WHEREAS, the Commissioner of the Department of Engineering (the "Commissioner") has recommended that the Town amend the Original Agreement to provide an increase in funding for the cost of additional engineering required, due to unforeseen field conditions and required additional construction administration and construction observation (the "Additional Services"); and

WHEREAS, the Additional Services necessitate an increase in the Contract Amount under the Original Agreement by \$90,000.00 for a total not to exceed the cost of \$690,800.00 (the "Amendment"); and

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

WHEREAS, the Commissioner has recommended that the Town Board authorize the Amendment; and

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

NOW THEREFORE, BE IT

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

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

RESOLVED, the Comptroller be and hereby is authorized and directed to pay the additional costs of the Amendment with a total cost not to exceed \$690,800.00 with payments to be made from GOSR Funds, Account No. 9555-503-9555-5010.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

48

Case #

18675

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 VALLEY STREAM, COUNTY OF NASSAU, STATE OF NEW YORK.

WHEREAS, the applicant, Thomas Galligan, has submitted to the Town of Hempstead an application for site plan approval for a 1.31 acre parcel of land located at 2034 Green Acres Mall, Valley Stream, New York; and

WHEREAS, the purpose of the proposed site plan approval is to allow for the construction of a BJ's Gasoline Station in association with an existing BJ's Wholesale facility located within the Green Acres Mall Facility in Valley Stream, New York; 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 the Commissioner of the Department of Conservation and Waterways of the Town of Hempstead 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 Commissioner 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 #

49

Case #

30421

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 Valley Stream, New York; and

BE IT FURTHER

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

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

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

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Case No.

Resolution No.

Adopted:

Councilmember

moved the following resolution's adoption:

**RESOLUTION AUTHORIZING THE
PROFESSIONAL SERVICES OF R&M
ENGINEERING**

WHEREAS, the Town received a proposal for road assessment engineering services (the "Services") from R&M Engineering, 50 Elm Street, Huntington, NY, 11743 ("R&M"); and

WHEREAS, the Engineering Department and Highways Department recommend this Board authorize the Services of R&M Engineering;

NOW, THEREFORE, BE IT

RESOLVED, the Services proposed by R&M are authorized for an amount not to exceed \$18,500, and the Comptroller shall pay for the Services out the appropriate budget account.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

50

Case #

30675

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CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution

and moved its adoption:

RESOLUTION AMENDING RESOLUTION
NO. 241-2022 AWARDED A CONTRACT TO
TALTY CONSTRUCTION, INC. FOR THE
RENOVATION OF INTERIOR AND EXTERIOR
SPACES AT LIDO BEACH ADMINISTRATION BUILDING

WHEREAS, this Town Board duly adopted Resolution Number 241-2022 on February 15th, 2022, awarding a contract to Talty Construction, Inc. in the amount of \$898,848.00, to provide Renovations of Interior and Exterior spaces at Lido Beach Administration Building; and

WHEREAS, due to unforeseen conditions and circumstances subsequently encountered since the start of construction it is necessary for the Commissioner of the Department of Parks and Recreation to effectuate additional work to remove and replace the existing exterior water damaged walls to maintain the structural integrity of the building; and

WHEREAS, Talty Construction, Inc. has advised the Department that the fees for this additional work would exceed the original authorized contract payment of \$898,848.00 by an additional amount of \$72,670.00; and

WHEREAS, the Commissioner of the Department hereby respectfully recommends to the Town Board that it is both appropriate and necessary to increase the authorization for payment to Talty Construction, Inc. by the additional amount of \$72,670.00;

NOW THEREFORE BE IT

RESOLVED, that resolution number 241-2022 be and hereby is amended for the limited purpose of increasing the authorized contract payment to Talty Construction, by the additional sum of \$72,670.00 and shall remain in all other respects in full force and effect.

BE IT FURTHER

RESOLVED, that the Town Comptroller be and is hereby authorized to make associated payments to Talty Construction, Inc., 108 Powell Ave, Rockville Centre, NY 11570, from Parks and Recreation Code 700-0509-07000-5010-007B46.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NAYS:

Item # 51

Case # 16905

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AMENDING RESOLUTION NO. 1250-2019, CASE 30139 ADOPTED DECEMBER 10, 2019, ACCEPTING THE PROPOSAL OF H2M ARCHITECTS + ENGINEERS AND AUTHORIZING THE COMMISSIONER OF THE DEPARTMENT OF WATER TO EXECUTE A CONSULTING AGREEMENT FOR PROFESSIONAL SERVICES RELATED TO TREATMENT SYSTEM DESIGN AND RELATED UPGRADES FOR 1,4 DIOXANE TREATMENT AND NITRATE REMOVAL DESIGN, LEVITTOWN WELLS 1A AND 2A, LEVITTOWN WATER DISTRICT, TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK

WHEREAS, H2M Architects + Engineers have been retrained to perform the services necessary to provide plans and specifications, supervision and design and to obtain permits and approvals necessary to upgrade treatment at Wells 1A and 2A in the Levittown Water District under Town Board Resolution No. 1250-2019, Case No. 30139 adopted on December 10, 2019; and

WHEREAS, due to the unknown nature of the type of treatment to be installed and the timeline for installation the original agreement did not anticipate all efforts required to complete the design nor did it include construction inspection services; and

WHEREAS, the final design for this project has been completed and a contract for construction awarded, additional consulting engineering services are now warranted to ensure proper supervision of construction activities and successful start-up and acceptance of the treatment by all regulatory agencies; and

WHEREAS, in their proposal dated January 20, 2022 H2M states such additional design efforts and construction inspection activities are estimated to result in a net increase to the original amount of \$515,450.00 (five hundred fifteen thousand four hundred fifty dollars); and

WHEREAS, the Commissioner of the Department of Water deems that said additional engineering work is necessary and in the public interest and that the price of \$515,450.00 for which H2M Architects + Engineers, for the additional work performed and for said additional work to be performed is fair and reasonable and that it is in the best interest of the Town of Hempstead to amend Resolution No. 1250-2019 with an amended not to exceed amount of \$1,044,450.00 (one million forty-four thousand four hundred and fifty dollars).

NOW, THEREFORE, BE IT

RESOLVED, that resolution No. 1250-2019 is hereby amended and that the Commissioner of Water be and is hereby authorized and directed to accept on behalf of the Town of Hempstead, the above referred to amendment for consulting services pertinent to treatment upgrades at Wells 1A and 2B in the Levittown Water District; and

BE IT FURTHER RESOLVED, that the Comptroller is hereby authorized to make payments to H2M Architects + Engineers of such sums as from time to time may be required, such additional fees in the amount of \$515,450.00 (five hundred fifteen thousand four hundred fifty dollars) to be paid from and charged against the Levittown Water District Account 8697-507-8697-5010 for an amended not to exceed amount of \$1,044,450.00 (one million forty-four thousand four hundred and fifty dollars).

Item # 52

Case # 30139

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AMENDING RESOLUTION NO. 1251-2019, CASE 30139 ADOPTED DECEMBER 10, 2019, ACCEPTING THE PROPOSAL OF H2M ARCHITECTS + ENGINEERS AND AUTHORIZING THE COMMISSIONER OF THE DEPARTMENT OF WATER TO EXECUTE A CONSULTING AGREEMENT FOR PROFESSIONAL SERVICES RELATED TO TREATMENT SYSTEM DESIGN AND RELATED UPGRADES FOR 1,4 DIOXANE TREATMENT DESIGN, LEVITTOWN WELLS 5A AND 6B, LEVITTOWN WATER DISTRICT, TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK

WHEREAS, H2M Architects + Engineers have been retrained to perform the services necessary to provide plans and specifications, supervision and design and to obtain permits and approvals necessary to upgrade treatment at Wells 5A and 6B in the Levittown Water District under Town Board Resolution No. 1251-2019, Case No. 30139 adopted on December 10, 2019; and

WHEREAS, due to the unknown nature of the type of treatment to be installed and the timeline for installation the original agreement did not anticipate all efforts required to complete the design nor did it include construction inspection services; and

WHEREAS, the final design for this project has been completed and a contract for construction awarded, additional consulting engineering services are now warranted to ensure proper supervision of construction activities and successful start-up and acceptance of the treatment by all regulatory agencies; and

WHEREAS, in their proposal dated January 20, 2022 H2M states such additional design efforts and construction inspection activities are estimated to result in a net increase to the original amount of \$509,240.00 (five hundred nine thousand two hundred forty dollars); and

WHEREAS, the Commissioner of the Department of Water deems that said additional engineering work is necessary and in the public interest and that the price of \$509,240.00 for which H2M Architects + Engineers, for the additional work performed and for said additional work to be performed is fair and reasonable and that it is in the best interest of the Town of Hempstead to amend Resolution No. 1251-2019 with an amended not to exceed amount of \$985,240.00 (nine hundred eighty-five thousand two hundred and forty dollars).

NOW, THEREFORE, BE IT

RESOLVED, that resolution No. 1251-2019 is hereby amended and that the Commissioner of Water be and is hereby authorized and directed to accept on behalf of the Town of Hempstead, the above referred to amendment for consulting services pertinent to treatment upgrades at Wells 5A and 6B in the Levittown Water District; and

BE IT FURTHER RESOLVED, that the Comptroller is hereby authorized to make payments to H2M Architects + Engineers of such sums as from time to time may be required, such additional fees in the amount of \$509,240.00 (five hundred nine thousand two hundred forty dollars) to be paid from and charged against the Levittown Water District Account 8697-507-8697-5010 for an amended not to exceed amount of \$985,240.00 (nine hundred eighty-five thousand two hundred and forty dollars).

Item # 53

Case # 30139

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION AMENDING RESOLUTION NO. 1252-2019, CASE 30139 ADOPTED DECEMBER 10, 2019, ACCEPTING THE PROPOSAL OF H2M ARCHITECTS + ENGINEERS AND AUTHORIZING THE COMMISSIONER OF THE DEPARTMENT OF WATER TO EXECUTE A CONSULTING AGREEMENT FOR PROFESSIONAL SERVICES RELATED TO TREATMENT SYSTEM DESIGN AND RELATED UPGRADES FOR 1,4 DIOXANE TREATMENT DESIGN, LEVITTOWN WELL 13, LEVITTOWN WATER DISTRICT, TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK

WHEREAS, H2M Architects + Engineers have been retrained to perform the services necessary to provide plans and specifications, supervision and design and to obtain permits and approvals necessary to upgrade treatment at Well 13 in the Levittown Water District under Town Board Resolution No. 1252-2019, Case No. 30139 adopted on December 10, 2019; and

WHEREAS, due to the unknown nature of the type of treatment to be installed and the timeline for installation the original agreement did not anticipate all efforts required to complete the design nor did it include construction inspection services; and

WHEREAS, the final design for this project has been completed and a contract for construction awarded, additional consulting engineering services are now warranted to ensure proper supervision of construction activities and successful start-up and acceptance of the treatment by all regulatory agencies; and

WHEREAS, in their proposal dated January 20, 2022 H2M states such additional design efforts and construction inspection activities are estimated to result in a net increase to the original amount of \$465,250.00 (four hundred sixty five thousand two hundred fifty dollars); and

WHEREAS, the Commissioner of the Department of Water deems that said additional engineering work is necessary and in the public interest and that the price of \$465,250.00 for which H2M Architects + Engineers, for the additional work performed and for said additional work to be performed is fair and reasonable and that it is in the best interest of the Town of Hempstead to amend Resolution No. 1252-2019 with an amended not to exceed amount of \$935,750.00 (nine hundred thirty-five thousand seven hundred and fifty dollars).

NOW, THEREFORE, BE IT

RESOLVED, that resolution No. 1252-2019 is hereby amended and that the Commissioner of Water be and is hereby authorized and directed to accept on behalf of the Town of Hempstead, the above referred to amendment for consulting services pertinent to treatment upgrades at Well 13 in the Levittown Water District; and

BE IT FURTHER RESOLVED, that the Comptroller is hereby authorized to make payments to H2M Architects + Engineers of such sums as from time to time may be required, such additional fees in the amount of \$465,250.00 (four hundred sixty five thousand two hundred fifty dollars) to be paid from and charged against the Levittown Water District Account 8697-507-8697-5010 for an amended not to exceed amount of \$935,750.00 (nine hundred thirty-five thousand seven hundred and fifty dollars).

Item #

54

Case #

30139

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

CASE NO. _____

RESOLUTION NO. ____-22__

BOND RESOLUTION OF THE TOWN OF HEMPSTEAD, NEW YORK (THE "TOWN"), ADOPTED APRIL 26, 2022, AUTHORIZING THE FINANCING OF THE PAYMENT OF A SETTLED CLAIM BY THE TOWN IN THE FOLLOWING MATTER: *HOWARD MONROE v. THE TOWN OF HEMPSTEAD, ET AL.* (CASE NO. CV-16-6100, UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF NEW YORK), STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$735,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF \$735,000 SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION.

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

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

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

Section 2. The Town is hereby authorized to finance the costs associated with the payment of the following settled claim: *HOWARD MONROE v. THE TOWN OF HEMPSTEAD, ET AL.* (CASE NO. CV-16-6100, UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF NEW YORK) (the "Purpose"). The estimated maximum cost of said Purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$735,000, and said amount is hereby appropriated for such Purpose. The plan of financing includes the issuance of \$735,000 serial bonds of the Town to finance said appropriation and the levy and collection of taxes on all taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same become due and payable.

Section 3. Serial bonds of the Town in the principal amount not to exceed \$735,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), to finance said appropriation.

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

- (a) The Purpose is an object or purpose described in subdivision 33 of paragraph a of Section 11.00 of the Law and the period of probable usefulness of the Purpose is five (5) years; provided, however, that in the event the total amount of such settled claim ~~and any other similar~~ 55

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

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

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

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

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

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

- (b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

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

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

Supervisor Donald X. Clavin, Jr.	voting	_____
Councilwoman Dorothy L. Goosby	voting	_____
Councilman Anthony P. D'Esposito	voting	_____
Councilman Dennis Dunne, Sr.	voting	_____
Councilman Thomas E. Muscarella	voting	_____
Councilman Christopher Carini	voting	_____
Councilwoman Melissa Miller	voting	_____

The resolution was declared adopted.

AYES: _____ ()

NAYS: _____ ()

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

(SEAL)

 Kate Murray, Town Clerk
 Town of Hempstead

Case No.

Resolution No.

Adopted:

Councilmember

moved the following resolution's adoption:

**RESOLUTION AUTHORIZING THE TOWN
ATTORNEY'S OFFICE TO SETTLE THE
LITIGATION BY HOWARD MONROE IN
THE AMOUNT OF \$735,000.**

WHEREAS, Howard Monroe commenced litigation against the Town of Hempstead;
and

WHEREAS, the Town's outside counsel recommends the Town settle the litigation for
the amount of \$735,000; and

NOW, THEREFORE, BE IT

RESOLVED, the Town Attorney's Office is authorized to settle the litigation by Howard
Monroe in the amount of \$735,000, said amount to be paid out of the appropriate account.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

56

Case #

27490

Page 1 of 1

Case No.

Resolution No.

Adopted:

Councilmember

moved the following resolution's adoption:

**RESOLUTION AUTHORIZING THE TOWN
ATTORNEY'S OFFICE TO SETTLE THE
LITIGATION BY JOHN NOVELLO IN THE
AMOUNT OF \$40,000.**

WHEREAS, John Novello commenced litigation against the Town of Hempstead; and

WHEREAS, the Town's outside counsel recommends the Town settle the litigation for the amount of \$40,000; and

NOW, THEREFORE, BE IT

RESOLVED, the Town Attorney's Office is authorized to settle the litigation by John Novello in the amount of \$40,000, said amount to be paid out of the appropriate Department of Buildings account.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

57

Case #

27490

Page 1 of 1

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AMENDING RESOLUTION NO 1091-2015 AUTHORIZING THE EMPLOYMENT OF CASHIN ASSOCIATES, P.C. FOR CONSULTING SERVICES PERTINENT TO MEADOWMERE FIRE DEPARTMENT GENERATORS TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK

WHEREAS, pursuant to Resolution 1091-2015, duly adopted by the Town Board on September 8, 2015 the Town entered into an agreement (the "Original Agreement") with Cashin Associates for Consulting Services Pertinent to Meadowmere Fire Department Generators with funding delivered through the New York Rising Community Reconstruction Program (NYRCR) within the New York State Governor's Office of Storm Recovery (GOSR) in the amount of \$54,500.00 (the "Contract Amount"); and

WHEREAS, pursuant to Resolution 364-2019, duly adopted by the Town Board on April 2, 2019 the Town Amended the Original Agreement to increase the funding to add an additional \$26,732.00 for a total not to exceed \$82,500.00; and

WHEREAS, the Commissioner of the Department of Engineering (the "Commissioner") has recommended that the Town further amend the Original Agreement to provide an additional increase in funding due to additional construction administration and observation during the construction of this project in the amount of \$35,000.00 for a total cost not to exceed \$117,500.00; and

WHEREAS, the Commissioner has recommended that the Town Board authorize the Amendment; and

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

NOW THEREFORE, BE IT

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

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

RESOLVED, the Comptroller be and hereby is authorized and directed to pay the additional costs of the Amendment with a total cost not to exceed \$117,500.00 with payments to be made from GOSR Funds, Account No. 9555-503-9555-5010.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

58

Case #

15294

Case No.

Resolution No.

Adopted:

Councilmember

moved the following resolution's adoption:

**RESOLUTION CHANGING TITLES TO
COUNCILMEMBER**

RESOLVED, wherever and whenever the term "Councilman," "Councilwoman," or "Councilperson," appears in any provision of the Town Code, Building Zone Ordinance, local law, ordinance, or resolution heretofore adopted by the Town Board, or used verbally during any meeting, hearing, proceeding or otherwise, it shall be deemed to mean and refer to "Councilmember."

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

59

Page 1 of 1

Case #

7115

Case No.

Resolution No.

Adopted:

Councilmember

moved the following resolution's adoption:

**RESOLUTION AUTHORIZING A
MEMORANDUM OF UNDERSTANDING
BETWEEN THE TOWN OF HEMPSTEAD
AND LAZY POINT FARMS, LLC AND THE
MOORE FAMILY CHARITABLE
FOUNDATION, INC.**

WHEREAS, Lazy Point Farms LLC, a New York limited liability company (the "Company") is wholly owned by the Moore Family Charitable Foundation, Inc. (the "Foundation"), a tax-exempt private operating foundation described in Sections 501(c)(3) and 509 of the Internal Revenue Code of 1986, as amended; and

WHEREAS, part of the Foundation's charitable, environmental, and educational mission is to research and encourage kelp cultivation, sustainability and usage on Long Island, and the Company operates in furtherance of the charitable mission of the Foundation;

WHEREAS, the Town operates various aquaculture activities for the benefit of the local environment and economy, including growing "sugar kelp" (*Saccharina latissima*); and

WHEREAS, the Company desires to secure an agreement with the Town to cultivate and study the sugar kelp; and

WHEREAS, the Commissioner of the Town of Hempstead's Department of Conservation & Waterways (the "Commissioner") recommends this Board authorize a memorandum of understanding (the "MoU") between the Town, the Company, and the Foundation to further these environmental objectives;

NOW, THEREFORE, BE IT

RESOLVED, the MoU between the Town, the Company, and the Foundation is authorized and approved with ratification and confirmation since December 6, 2021; and be it further

RESOLVED, the Commissioner is authorized to execute the MoU.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 60
Page 1 of 1

Case # 28476

**MEMORANDUM OF UNDERSTANDING BETWEEN TOWN OF HEMPSTEAD AND
LAZY POINT FARMS**

THIS MEMORANDUM OF UNDERSTANDING (the “**Memorandum of Understanding**”) is effective this 6th day of December, 2021 (“**Effective Date**”), by and between Lazy Point Farms LLC, a New York limited liability company (the “**Company**”); the Moore Family Charitable Foundation, Inc. (the “**Foundation**”); and the Town of Hempstead, New York (the “**Town**”), for the 2021-2022 cultivation season, beginning with seed spool deployment in November/December 2021 and ending with harvesting in or around May 2022 (the “**Term**”).

WHEREAS, the Company is wholly owned by the Foundation, a tax-exempt private operating foundation described in Sections 501(c)(3) and 509 of the Internal Revenue Code of 1986, as amended; and

WHEREAS, the Town *operates various aquaculture activities for the benefit of the local environment and economy*; and

WHEREAS, part of the Foundation’s charitable, environmental, and educational mission is to research and encourage kelp cultivation, sustainability and usage on Long Island (the “**Purposes**”); and

WHEREAS, the Company operates in furtherance of the charitable mission of the Foundation, specifically the Purposes, and as such the Company desires to secure an agreement with the Town to cultivate and study seaweed known as “sugar kelp” (*Saccharina latissima*) during the Term; and

WHEREAS, the sugar kelp grown by the Town will be delivered to the Company and/or made available to the Company and its partners for data collection, which will use it for research in furtherance of the Purposes; and

WHEREAS, the parties desire to enter into a written agreement memorializing the terms and conditions of the relationship.

In consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Company and the Town agree as follows:

I. DATA COLLECTION AND TRAINING

1. The Town will facilitate access for the Company’s data collection, hatchery and grow-out experiment purposes at the following three sites (the “**Town Sites**”):
 - a. **Point Lookout**: One of the Town’s marina facilities (owned and operated by the Town). There is 24/7 access to kelp lines in this location with no boat required. The Town can assist in data collection if requested by the Company.
 - b. **Long Beach High School**: Ongoing environmental studies student research

project. Located on campus in Tidal pond, Long Beach School district property. Long Beach High School can collect data with guidance from the Company. Long Beach High School requires each planned visit be arranged and cleared with security in advance.

c. **Cedarhurst Yacht Club:** Owned and operated by the Isle of Wight Homeowner's Association; a private facility behind a locked private entrance. Access for data collection will be discussed with Karen Keating. Community members of the Cedarhurst Yacht Club are looking to get involved in restoration and water quality improvement projects. Kelp will be grown out at this location by the Garden Club of Lawrence, run by Karen Keating.

2. Upon the Foundation's request, the Town will harvest kelp from Point Lookout and deliver the harvest to the Company during the Term. All parties acknowledge kelp harvesting occurs in May and is a once a year event, so the Foundation will only once request the Town harvest kelp, and the Town will only harvest kelp once. If the Company declines to accept the kelp harvest, the Town will offer the kelp to the Point Lookout Garden Club.

3. The Company will provide education, training, and guidance as follows, at dates and times mutually convenient to all parties:

- a. Long Beach High School - regarding data collection practices
- b. Garden Club of Lawrence - regarding kelp drying and processing for fertilizer

4. The Town might procure additional locations over time, and the Company is open to assisting in the same ways as they are with the Town Sites, in their sole discretion.

5. If Cornell Cooperative Extension completes the first measurement event and shows the Town how to take measurements, the Town agrees to monitor the Town Sites following the same methods used by Cornell Cooperative Extension and to provide the Company with all relevant information as requested. If the Cornell Cooperative Extension does not show the Town how to take measurements to the Town's satisfaction as solely determined by the Town, then the Town shall neither be obligated to monitor the Town Site following the same methods used by Cornell Cooperative Extension nor be obligated to provide the Company with all relevant information as requested.

6. The Town will continue efforts to find additional groups and individuals who would be interested in and capable of growing out kelp spools locally to conduct research and improve water quality within Hempstead Bay and will connect any such individuals and groups with the Company as identified.

II. MATERIALS.

1. In order to facilitate the Purpose and the activities contemplated under this Memorandum of Understanding, the Company shall provide the following to the Town to use at the Town Sites:
 - a. 150 feet of ¼" poly line
 - b. 28 5" by 11" foam buoys

c. Use of the Company's chiller for an indefinite period of time. The Town shall not be liable for any degradation or damage, except in the case of reckless misconduct or negligence by the Town or its employees or agents.

2. The Town shall provide the Company with an agreed upon number of spools, if requested by the Company.

3. Other than as described in this Section II, the Town shall be responsible for all expenses generated or incurred by the Town pursuant to this Memorandum of Understanding. The Town shall provide all tools, materials, equipment, programs, instruments and/or insurance necessary to complete its responsibilities pursuant to this Memorandum of Understanding.

III. EXCLUSIVITY.

Moving forward, should new (non-commercial) potential growers approach the Town directly for spools, the Town agrees to have a "packaged" presentation of materials that can be shared that makes it clear the roles of the Foundation and the Town have in this regional program and what kinds of resources are available.

IV. LEGAL RELATIONSHIP.

- a. The Town shall not have the right, power, or authority to enter into any agreements on behalf of the Foundation or the Company or to bind the Foundation or the Company to any agreement in any manner. Neither the Foundation nor the Company shall have the right, power, or authority to enter into any agreements on behalf of the Town or to bind the Town to any agreement in any manner.
- b. Neither the Foundation nor the Company shall have liability to the Town, any vendor or to any other party for any matter arising out of or in connection with the subject matter of this Memorandum of Understanding. The Town shall not be liable to the Foundation or the Company for any claim arising out of or in connection with the subject matter of this Memorandum of Understanding.

V. INDEMNIFICATION.

The Town agrees to defend, indemnify and hold the Company, its directors, officers, agents, and representatives, including the Foundation, harmless from and against any and all expenses, damages, claims, suits, actions, judgments and costs, including reasonable attorneys' fees, arising out of any action or proceeding by any third party based upon the negligence, willful misconduct, misfeasance or malfeasance by the Town. The Town's indemnification obligations hereunder shall survive the expiration or termination of this Memorandum of Understanding.

The Foundation and the Company agree to defend, indemnify and hold the Town, its directors, officers, agents, and representatives harmless from and against any and all expenses, damages, claims, suits, actions, judgments and costs, including reasonable attorneys' fees, arising out of any action or proceeding by any third party based upon the negligence, willful misconduct, misfeasance or malfeasance by the Foundation or the Company. The Foundation and the Company's indemnification obligations hereunder shall survive the expiration or termination of this Memorandum of Understanding.

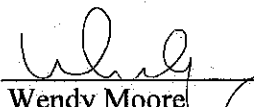
During the term of this Memorandum of Understanding, the Foundation and the Company shall maintain, at their own expense, general commercial liability insurance with sufficient coverage and limits to reasonably cover its responsibilities under the terms of the MOU, including requiring any person present at a Town owned facility at the Company's or the Foundation's request or invitation be covered by such person's insurance, and it shall provide evidence of such insurance coverage to the Town upon request.

VI. WAIVER.

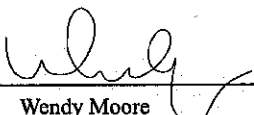
The failure of the Town or the Company to require the performance of any term or obligation provided for in this Memorandum of Understanding, or the waiver by the Town or the Company of a breach of any provision of this Memorandum of Understanding shall not prevent enforcement of such term or obligation or operate or be construed as a waiver of any subsequent breach of that provision or of any other provision of this Memorandum of Understanding. Each of the parties agrees to execute all such further instruments and documents and to take all such further action as the other party may reasonably require in order to effectuate the terms and purposes of this Memorandum of Understanding.

IN WITNESS WHEREOF, this Memorandum of Understanding has been executed on behalf of the Company and the Foundation, by their duly authorized representatives, and by the Town of Hempstead as of the date and year first above written.

COMPANY:

By:  April 8, 2022
Name: Wendy Moore
Title: Manager, Lazy Point Farms LLC

FOUNDATION:

By:  April 8, 2022
Name: Wendy Moore
Title: President, Moore Family Charitable Foundation, Inc.

TOWN OF HEMPSTEAD:

By: _____

Name: Thomas Doheny, Commissioner of Conservation and Waterways

Date:

Case No.

Resolution No.

Adopted:

Councilmember

moved the following resolution's adoption:

**RESOLUTION AUTHORIZING THE
SUPERVISOR'S CONSENT UNDER N.Y. RAC
PARI-M LAW §1008**

WHEREAS, Nassau Regional Off-Track Betting Corporation (the "Corporation"), proposes to acquire fee title by condemnation pursuant to the provisions of the New York State Eminent Domain Proceedings Law (the "EDPL") to a certain parcel of land, together with the improvements thereon, located at 1063 Hempstead Turnpike, Franklin Square, Town of Hempstead, County of Nassau, New York (the "Property") because such acquisition is necessary and convenient for the accomplishment of its corporate purposes to operate a simulcast off-track branch office pursuant to N.Y. Rac Pari-M §1008, provide overflow space for patrons during Belmont Stakes and other peak racing seasons, and provide front office, back office, a maintenance workshop, and a storage space for the Corporation's operations; and

WHEREAS, N.Y. Rac Pari-M Law §503(4) requires the Supervisor, as the chief elected official of the jurisdiction in which the Property is located, consent to such acquisition by condemnation;

NOW, THEREFORE, BE IT

RESOLVED, the Supervisor is authorized to consent to the Corporation's condemnation of the Property.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

61

Page 1 of 1

Case # _____

**CONSENT PURSUANT TO NEW YORK STATE RACING, PARI-MUTUEL
WAGERING AND BREEDING LAW §503(4)
OF THE SUPERVISOR OF THE TOWN OF HEMPSTEAD
HON. DONALD X. CLAVIN, JR.**

WHEREAS, Hon. Donald X. Clavin, Supervisor of the Town of Hempstead, County of Nassau, New York (the "Supervisor"), has been advised by Nassau Regional Off-Track Betting Corporation (the "Corporation"), that the Corporation proposes to acquire fee title to a certain parcel of land, together with the improvements thereon, located at 1063 Hempstead Turnpike, Franklin Square, Town of Hempstead, County of Nassau, New York (collectively, the "Property"); and

WHEREAS, the Supervisor has been advised by the Corporation that the Corporation intends to acquire fee title to the Property because such acquisition is necessary and convenient for the accomplishment of its corporate purposes; to wit: (a) operating a simulcast off-track branch office pursuant to Section 1008 of the Act, (b) providing overflow space for patrons during Belmont Stakes and other peak racing seasons, (c) providing front office, back office, a maintenance workshop, and a storage space for the Corporation's operations; and

WHEREAS, the Supervisor has been advised by the Corporation that the Corporation intends to acquire fee title to the Property by condemnation pursuant to the provisions of the New York State Eminent Domain Proceedings Law (the "EDPL"); and

WHEREAS, Section 503(4) of the New York State Racing, Pari-Mutuel Wagering and Breeding Law (the "Racing Law") requires that the Supervisor, as the chief elected official of the jurisdiction in which the Property is located, consent to such acquisition by condemnation;

NOW, THEREFORE, pursuant to the power vested in Hon. Donald X. Clavin, Jr., as the Supervisor of the Town of Hempstead, County of Nassau, it is hereby

APPROVED, that the Corporation is permitted to acquire the Property by condemnation pursuant to the provisions of the EDPL with the consent and full support of the County of Nassau.

This consent shall take effect immediately and shall not expire for a period of five (5) years from the date of execution.

Dated: April , 2022

Hon. Donald X. Clavin, Jr.
Supervisor
Town of Hempstead, Nassau County

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

Item # 67
Case # 7

CASE NO. 30669

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

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

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

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

WHEREAS, has introduced a proposed local law known as Intro. No. 30-2022, Print No. 1 to amend the said Chapter 202 of the Code of the Town of Hempstead to include and repeal "REGULATIONS & RESTRICTIONS" to limit parking at various locations; NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York on May 10, 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. 30-2022, Print No. 1, to amend Chapter 202 of the Code of the Town of Hempstead to include and repeal "REGULATIONS & RESTRICTIONS" to limit parking at various locations; and, BE IT FURTHER

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

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 63

Case # 30669

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 10th day of May, 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 and REPEAL "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

GARDEN CITY SOUTH Section 202-14	GREENWAY EAST (TH 125/22) North Side - NO PARKING 9 PM TO 7 AM - starting at a point 80 feet east of the east curbline of Nassau Blvd east for a distance of 78 feet.
ROOSEVELT Section 202-6	ST. FRANCIS STREET (TH 145/22) East Side - 3 HOUR PARKING 8 AM TO 6 PM - starting at a point 110 feet south of the south curbline of Bennett Avenue then south for a distance of 250 feet. ST. FRANCIS STREET (TH 145/22) East Side - NO PARKING 6 PM TO 8 AM - starting at a point 110 feet south of the south curbline of Bennett Avenue then south for a distance of 250 feet.
WOODMERE Section 202-17	RAILROAD AVENUE (TH 120/22) North Side - TWO HOUR PARKING 8 AM TO 8 PM EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS - starting at a point 26 feet east of the east curbline of Irving Place east to a point 26 feet west of the west curbline of Franklin Place.

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

GARDEN CITY SOUTH
Section 202-14

GREENWAY EAST (TH 58/85) North Side -
NO PARKING 9 P.M. TO 7 A.M. - starting
at a point 60 feet east of the east
curbline of Nassau Boulevard, east for
a distance of
106 feet. (Adopted 6/4/85)

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

Dated: April 26, 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 and repeal "REGULATIONS AND RESTRICTIONS" to limit parking at various locations.

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

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

GARDEN CITY SOUTH
Section 202-14

GREENWAY EAST (TH 125/22) North Side – NO PARKING 9 PM TO 7 AM – starting at a point 80 feet east of the east curbline of Nassau Blvd east for a distance of 78 feet.

ROOSEVELT
Section 202-6

ST. FRANCIS STREET (TH 145/22) East Side – 3 HOUR PARKING 8 AM TO 6 PM – starting at a point 110 feet south of the south curbline of Bennett Avenue then south for a distance of 250 feet.

ST. FRANCIS STREET (TH 145/22) East Side – NO PARKING 6 PM TO 8 AM – starting at a point 110 feet south of the south curbline of Bennett Avenue then south for a distance of 250 feet.

WOODMERE
Section 202-17

RAILROAD AVENUE (TH 120/22) North Side – TWO HOUR PARKING 8 AM TO 8 PM EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS – starting at a point 26 feet east of the east curbline of Irving Place east to a point 26 feet west of the west curbline of Franklin Place.

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

GARDEN CITY SOUTH
Section 202-14

GREENWAY EAST (TH 58/85) North Side – NO PARKING 9 P.M. TO 7 A.M. – starting at a point 60 feet east of the east curbline of Nassau Boulevard, east for a distance of 106 feet. (Adopted 6/4/85)

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

CASE NO. 30670

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

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

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

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

WHEREAS, has introduced a proposed local law known as Intro. No. 31-2022, Print No. 1 to amend the said Section 202-1 of the Code of the Town of Hempstead to include "PARKING OR STANDING PROHIBITIONS" at various locations; NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York on May 10, 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. 31-2022, Print No. 1, to amend Section 202-1 of the Code of the Town of Hempstead to include "PARKING OR STANDING PROHIBITIONS" at various locations; and, BE IT FURTHER

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

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

64

Case #

30670

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 10th day of May, 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 "PARKING OR STANDING PROHIBITIONS" at the following locations:

EAST MEADOW

STRATFORD DRIVE (TH 127/22) North Side
- NO STOPPING HERE TO CORNER - starting
at the west curbline of Bellmore Avenue
west for a distance of 42 feet.

STRATFORD DRIVE (TH 127/22) South Side
- NO STOPPING HERE TO CORNER - starting
at the west curbline of Bellmore Avenue
west for a distance of 38 feet.

ELMONT

HERBERT AVENUE (TH 134/22) West Side -
NO STOPPING HERE TO CORNER - starting
at the south curbline of Pelham Street
south for a distance of 35 feet.

MARGUERITE AVENUE (TH 134/22) East Side
- NO STOPPING HERE TO CORNER - starting
at the south curbline of Pelham Street
south for a distance of 35 feet.

BELLMORE

ANTHONY AVENUE (TH 621/21) North Side -
NO STOPPING HERE TO CORNER - starting
at the west curbline of Bellmore Avenue
west for a distance of 35 feet.

BELLMORE AVENUE (TH 621/21) West Side -
NO STOPPING HERE TO CORNER - starting
at the north curbline of Anthony Avenue
north for a distance of 35 feet.

OCEANSIDE

LOFTUS AVENUE (TH 108/22) East Side -
NO PARKING ANYTIME - starting at a
point 242 feet south of the south
curbline of Nassau Parkway south for a
distance of 100 feet.

ROOSEVELT

EAST CENTENNIAL AVENUE (TH 140/22)
North Side - NO PARKING ANYTIME -
starting at a point 390 feet east of
the east curbline of Babylon Turnpike
then east for a distance of 82 feet.

EAST CENTENNIAL AVENUE (TH 150/22)
North Side - NO STOPPING HERE TO CORNER
- starting at the east curbline of
Babylon Turnpike east for a distance of
60 feet.

UNIONDALE

CEDAR STREET (TH 139/22) North Side -
NO STOPPING HERE TO CORNER - starting
at the west curbline of Greengrove
Avenue west for a distance of 30 feet.

CEDAR STREET (TH 139/22) North Side -
NO STOPPING HERE TO CORNER - starting
at the east curbline of Greengrove
Avenue east for a distance of 25 feet.

CEDAR STREET (TH 139/22) South Side -
NO STOPPING HERE TO CORNER - starting
at the west curbline of Greengrove
Avenue west for a distance of 25 feet.

CEDAR STREET (TH 139/22) South Side -
NO STOPPING HERE TO CORNER - starting
at the east curbline of Greengrove
Avenue east for a distance of 25 feet.

GREENGROVE AVENUE (TH 139/22) East Side
- NO STOPPING HERE TO CORNER - starting
at the south curbline of Webster Avenue
south for a distance of 30 feet.

GREENGROVE AVENUE (TH 139/22) West Side
- NO STOPPING HERE TO CORNER - starting
at the south curbline of Webster Avenue
south for a distance of 25 feet.

GREENGROVE AVENUE (TH 139/22) West Side
- NO STOPPING HERE TO CORNER - starting
at the north curbline of Webster Avenue
north for a distance of 30 feet.

GREENGROVE AVENUE (TH 139/22) East Side
- NO STOPPING HERE TO CORNER - starting
at the north curbline of Webster Avenue
north for a distance of 25 feet.

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

Dated: April 26, 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 twelve of two thousand twenty two is hereby amended by including therein "PARKING OR STANDING PROHIBITIONS" at the following locations:

- EAST MEADOW**
- STRATFORD DRIVE (TH 127/22) North Side – NO STOPPING HERE TO CORNER – starting at the west curbline of Bellmore Avenue west for a distance of 42 feet.
- STRATFORD DRIVE (TH 127/22) South Side – NO STOPPING HERE TO CORNER – starting at the west curbline of Bellmore Avenue west for a distance of 38 feet.
- ELMONT**
- HERBERT AVENUE (TH 134/22) West Side – NO STOPPING HERE TO CORNER – starting at the south curbline of Pelham Street south for a distance of 35 feet.
- MARGUERITE AVENUE (TH 134/22) East Side – NO STOPPING HERE TO CORNER – starting at the south curbline of Pelham Street south for a distance of 35 feet.
- BELLMORE**
- ANTHONY AVENUE (TH 621/21) North Side – NO STOPPING HERE TO CORNER – starting at the west curbline of Bellmore Avenue west for a distance of 35 feet.
- BELLMORE AVENUE (TH 621/21) West Side – NO STOPPING HERE TO CORNER – starting at the north curbline of Anthony Avenue north for a distance of 35 feet.
- OCEANSIDE**
- LOFTUS AVENUE (TH 108/22) East Side – NO PARKING ANYTIME – starting at a point 242 feet south of the south curbline of Nassau Parkway south for a distance of 100 feet.
- ROOSEVELT**
- EAST CENTENNIAL AVENUE (TH 140/22) North Side – NO PARKING ANYTIME – starting at a point 390 feet east of the east curbline of Babylon Turnpike then east for a distance of 82 feet.
- EAST CENTENNIAL AVENUE (TH 150/22) North Side – NO STOPPING HERE TO CORNER – starting at the east curbline of Babylon Turnpike east for a distance of 60 feet.
- UNIONDALE**
- CEDAR STREET (TH 139/22) North Side – NO STOPPING HERE TO CORNER – starting at the west curbline of Greengrove Avenue west for a distance of 30 feet.
- CEDAR STREET (TH 139/22) North Side – NO STOPPING HERE TO CORNER – starting at the east curbline of Greengrove Avenue east for a distance of 25 feet.
- CEDAR STREET (TH 139/22) South Side – NO STOPPING HERE TO CORNER – starting at the west curbline of Greengrove Avenue west for a distance of 25 feet.
- CEDAR STREET (TH 139/22) South Side – NO STOPPING HERE TO CORNER – starting at the east curbline of Greengrove Avenue east for a distance of 25 feet.

GREENGROVE AVENUE (TH 139/22) East Side – NO STOPPING HERE TO CORNER – starting at the south curbline of Webster Avenue south for a distance of 30 feet.

GREENGROVE AVENUE (TH 139/22) West Side – NO STOPPING HERE TO CORNER – starting at the south curbline of Webster Avenue south for a distance of 25 feet.

GREENGROVE AVENUE (TH 139/22) West Side – NO STOPPING HERE TO CORNER – starting at the north curbline of Webster Avenue north for a distance of 30 feet.

GREENGROVE AVENUE (TH 139/22) East Side – NO STOPPING HERE TO CORNER – starting at the north curbline of Webster Avenue north for a distance of 25 feet.

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

CASE NO. 30671

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. 32-2022, 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 May 10, 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. 32-2022, 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:

Item #

65

Case #

30671

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 10th day of May, 2022, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Section 197-5 of the code of the Town of Hempstead to INCLUDE "ARTERIAL STOPS" at the following locations:

BALDWIN GRAND AVENUE (TH 151/22) STOP - all traffic approaching west on Grace Street shall come to a full stop.

GRAND AVENUE (TH 151/22) STOP - all traffic approaching east on The Fenway shall come to a full stop.

WANTAGH EDGERTON AVENUE (TH 138/22) STOP - all traffic traveling southbound on Briard Street shall come to a full stop.

EDGERTON AVENUE (TH 138/22) STOP - all traffic traveling northbound on Briard Street shall come to a full stop.

JANE STREET (TH 153/22) STOP - all traffic traveling westbound on Princeton Drive North shall come to a full stop.

JANE STREET (TH 153/22) STOP - all traffic traveling eastbound on Princeton Drive North shall come to a full stop.

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

Dated: April 26, 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 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 thirteen of two thousand twenty two is hereby amended by including therein "ARTERIAL STOPS" at the following locations:

BALDWIN

GRAND AVENUE (TH 151/22) STOP – all traffic approaching west on Grace Street shall come to a full stop.

GRAND AVENUE (TH 151/22) STOP – all traffic approaching east on The Fenway shall come to a full stop.

WANTAGH

EDGERTON AVENUE (TH 138/22) STOP – all traffic traveling southbound on Briard Street shall come to a full stop.

EDGERTON AVENUE (TH 138/22) STOP – all traffic traveling northbound on Briard Street shall come to a full stop.

JANE STREET (TH 153/22) STOP – all traffic traveling westbound on Princeton Drive North shall come to a full stop.

JANE STREET (TH 153/22) STOP – all traffic traveling eastbound on Princeton Drive North shall come to a full stop.

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

CASE NO. 30672

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 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. 33-2022, Print No. 1 to amend the said Section 197-13 of the Code of the Town of Hempstead to repeal "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at various locations; NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York on May 10, 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. 33-2022, Print No. 1, to amend Section 197-13 of the Code of the Town of Hempstead to 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 #

66

Case #

30672

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 10th day of May, 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 REPEAL "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at the following locations:

ELMONT

COVERT AVENUE (TH 191/92) East Side - NO PARKING 8 A.M. TO 4 P.M. SCHOOL DAYS - starting at a point 273 feet north of the north curblineline of Reed Avenue north for a distance of 80 feet. (Adopted 6/14/94)

COVERT AVENUE (TH 191/92) East Side - NO PARKING 8 A.M. TO 4 P.M. SCHOOL DAYS - starting at a point 353 feet north of the north curblineline of Reed Avenue north for a distance of 40 feet. (Adopted 1/31/95)

COVERT AVENUE (TH 8/96) East Side - NO PARKING 8 A.M. TO 4 P.M. SCHOOL DAYS - starting at a point 233 feet north of the north curblineline of Reed Avenue north for a distance of 40 feet. (Adopted 5/7/96)

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

Dated: April 26, 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 one hundred ninety seven dash thirteen of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, to repeal "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at various locations.

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

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

ELMONT

COVERT AVENUE (TH 191/92) East Side – NO PARKING
8 A.M. TO 4 P.M. SCHOOL DAYS – starting at a point
273 feet north of the north curblineline of Reed Avenue north for
a distance of 80 feet. (Adopted 6/14/94)

COVERT AVENUE (TH 191/92) East Side – NO PARKING
8 A.M. TO 4 P.M. SCHOOL DAYS – starting at a point
353 feet north of the north curblineline of Reed Avenue north for
a distance of 40 feet. (Adopted 1/31/95)

COVERT AVENUE (TH 8/96) East Side – NO PARKING
8 A.M. TO 4 P.M. SCHOOL DAYS – starting at a point
233 feet north of the north curblineline of Reed Avenue north for
a distance of 40 feet. (Adopted 5/7/96)

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

CASE NO.

RESOLUTION NO.

Adopted:

Council member _____ offered the following resolution and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A LOCAL LAW TO REPEAL AND REENACT CHAPTER 142 OF THE CODE OF THE TOWN OF HEMPSTEAD ENTITLED "WIRELESS TELECOMMUNICATIONS FACILITIES."

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, as amended; and

WHEREAS, it is in the public interest to consider the enactment of a local law to repeal and reenact Chapter 142 of the Code of the Town of Hempstead entitled "Wireless Telecommunications Facilities" in order to more fully address the conditions and current regulatory environment affecting wireless telecommunications facilities within the Town; and

WHEREAS, _____ has introduced a local law known as Intro. No. _____-2022, Print No. 1, as aforesaid;

NOW THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York on the 10th day of May, 2022 at 10:30 o'clock in the forenoon of that day, at which time all interested persons shall be heard on the adoption of a local law known as Intro. No. _____-2022, Print No. 1, to repeal and reenact Chapter 142 of the Code of the Town of Hempstead entitled "Wireless Telecommunications Facilities;" and,

BE IT FURTHER

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

The foregoing resolution was adopted on the roll call as follows:

Ayes

Noes

Dated: Hempstead, New York
April 26, 2022

Item # 67

Case # 28235

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule Law of the State of New York, as amended, a public hearing will be held in the Nathan L. H. Bennett Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Village and Town of Hempstead, New York, on Tuesday, the 10th day of May, 2022, at 10:30 in the forenoon of that day, to consider the enactment of Chapter 142 of the Code of the Town of Hempstead entitled "Wireless Telecommunications Facilities."

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
April 26, 2022

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

KATE MURRAY
Town Clerk

DONALD X. CLAVIN, JR.
Supervisor

§142-13. Additional standards for new Towers and all Towers Increasing in Height. The following additional standards shall be applied unless the Application is an Eligible Facilities Request:

- A. New Towers shall be structurally designed to accommodate at least three (3) additional Antenna Arrays equal to those of the Applicant and located as close to the Applicant's equipment as possible without causing interference. The requirement may be waived, provided that the Applicant, in writing, demonstrates that the provisions of future shared usage of the Tower is not technologically feasible, is Commercially Impracticable, or creates an unnecessary and unreasonable burden, based upon:
 1. The ability to comply with ANSI/TIA-222-H or successor construction standards;
 2. The kind of Wireless Telecommunications Facility site and structure proposed;
 3. The number of existing and potential FCC licenses without Wireless Telecommunications Facilities spaces/Sites;
 4. Available space on existing and approved Towers.
- B. The owner of a proposed new Tower, and his/her successors in interest, shall negotiate in good faith for the shared use of the proposed Tower by other Wireless service providers in the future, and shall:
 1. Respond within a reasonable amount of time to a request for information from a potential shared use Applicant;
 2. Negotiate in good faith concerning future requests for shared use of the new Tower by other Telecommunications providers;
 3. Allow shared use of the new Tower if another Telecommunications provider agrees in writing to pay reasonable charges. The charges may include, but are not limited to, a pro rata share of the cost of site selection, planning, project administration, land costs, site design, construction, and maintenance financing, return on equity, less depreciation, and all of the costs of adapting the Tower or equipment to accommodate a shared user without causing electromagnetic interference.
 4. Failure to abide by the conditions outlined above may be grounds for revocation of the special use permit or other approval issued by the Town.
- C. If a new Tower or Modifications increasing the Height of an existing Tower is proposed, the Applicant shall furnish a Visual Impact Assessment, which shall include:
 - (1) A computer generated "Zone of Visibility Map" at a minimum of one mile radius from the proposed structure, with and without foliage to illustrate locations from which the proposed installation may be seen.
 - (2) Pictorial representations of "before and after" (photo simulations) views from key viewpoints surrounding the proposed site. Provide a map showing the locations of where the pictures were taken and identify the distance between such locations and the proposed structure.

ARTICLE IV
ELIGIBLE FACILITY REQUESTS
AND SMALL WIRELESS FACILITY APPLICATIONS

§142-14. Applications for Eligible Facility Requests and Small Wireless Facilities.

A. An Application for proposed work qualifying as either an Eligible Facility Request or a Small Wireless Facility shall be made to the Department of Buildings and shall include the appropriate fee. The Department of Buildings shall, upon receipt of such an Application, promptly review said Application to confirm that the proposed work qualifies as an Eligible Facility Request or a Small Wireless Facility. All Applications shall include the following Application materials:

- (1) A statement of the nature of the Wireless Telecommunications Facility including the coverage and/or Densification, and a description of its compliance with Town, State, and Federal requirements and recommendations.
- (2) A written statement of why the Application qualifies as an Eligible Facilities Request or Small Wireless Facility.
- (3) A completed Application form, including any required Disclosure Certification forms as adopted by the Town for the Application.
- (4) A completed application for a Building Permit.
- (5) A site plan drawn to scale, which shall include:
 - (a) The postal address and tax map parcel number of the property.
 - (b) The Zoning District in which the property is situated.
 - (c) Size of the property stated both in square feet and lot line dimensions, and a survey showing the location of all lot lines.
 - (d) The location, size and height of all existing and proposed structures on the property which is the subject of the Application.
 - (e) The azimuth, size and center-line Height location of all proposed and existing Antennas on the supporting structure.
 - (f) The location of any proposed Towers, Antennas, equipment cabinets, and generators, and all related fixtures, structures, appurtenances, and apparatus, including a labeling of dimensions and setbacks, materials, colors, and lighting.
 - (g) Delineation of all distances between the proposed use and all adjoining residentially zoned or residentially utilized properties, and the distance between the nearest boundary line of any Sensitive Locations and the Facility at issue if the distance is five hundred (500) feet or less.
- (6) If new Antennas are proposed, a report verifying that the Wireless Telecommunication Facility will be in full compliance with the current FCC RF Exposure guidelines. This report shall show the anticipated radiofrequency emissions of the proposed Antenna installation combined with all existing Antennas on the site, in comparison to FCC guidelines at ground level and at same-Height exposure, if applicable, for general population standards.
- (7) If new Antennas are proposed, a statement containing the following information: (a) frequency and modulation of transmitting equipment; (b) actual intended transmission power stated as the maximum effective radiated power (ERP) in watts; (c) that an attached copy of the FCC license for the intended use of the Telecommunication Facilities is a true and complete copy; and (d) the number, type and model of the proposed Antenna(s) with a copy of the specification sheet.

- (8) A photograph, photograph simulation, or architectural drawing to demonstrate the appearance of the proposed Facility.
- (9) Any additional documents, studies and specifications requested by the Department of Buildings during the review process.
- B. The Department of Buildings shall determine whether the proposed work or Modification to existing Wireless Telecommunications Facilities or new installations qualifies as an Eligible Facility Request or a Small Wireless Facility. Among the factors to be weighed in making such determination are whether there is a Substantial Change, or there are any visible changes that would require review based upon aesthetic considerations, or the adequacy of the structure to support the proposed Modification. A joint Application for the same type of Modification to multiple Sites may be made provided a separate Application fee is paid for each Site subject to the provisions of this Chapter and in accordance with Federal law.
- C. In the event that the Commissioner of Buildings determines that due to the circumstances of the specific Application, the staff of the Department of Buildings is unable to render a determination as to (i) whether the Application constitutes an Eligible Facilities Request or a Small Wireless Facility, or (ii) the Application involves factors which are beyond the capability of the Department of Buildings to review, he/she may require the retention of Consultants, at the Applicant's expense, to assist it in its determination. In such event, the Commissioner of Buildings shall designate the scope of work to be performed by the Consultant and may require the Applicant to deposit with the Town's Comptroller the sum of \$3,500, to be held to pay the fees of the Consultant. In the event that the Consultant's review exceeds the amount of the escrow, and the Commissioner determines that further Consultant review is required, the Applicant may be required to replenish the escrow. Any monies that are not expended to pay the Consultant shall be promptly refunded to the Applicant at the conclusion of the Application process. The review of the Application may include a physical inspection of the site or facility.
- D. If a request to classify an Application as an Eligible Facility or a Small Wireless Facility is denied, the fee paid for the review may be applied towards a new Application for the standard approval before the appropriate Department or Board.
- E. If a request to classify an Application as an Eligible Facility or Small Wireless Facility is approved, no Board approval in accordance with Articles II, III, V, VI, VII, and VIII of this Chapter will be required, except that proof of compliance with the insurance requirements set forth in §142-19 shall be provided. Further, in the event that a request involves the Collocation of equipment by an Applicant on Municipal Property, a Municipal Facility, or the Public Right-of-Way which has not previously entered into a License Agreement, the Applicant shall enter into a License Agreement authorizing the use of the Municipal Property, Municipal Facility, or Public Rights-of-Way, and pay an appropriate license fee to the Town. Applicants will still have to demonstrate compliance with the design standards of Article II of this Chapter.
- F. Other necessary approvals. Eligible Facilities and Small Wireless Facilities are subject to the filing of Applications for and issuance of building permits, certificates of occupancy/completion, highway roadway opening permits, and other approvals, as is applicable to each such installation. The Applicant shall pay all required fees and charges for such approvals as established by the Board or local law. Any Person who fails and/or neglects to file an Application and secure all other necessary approvals and permits before the commencement of work shall be deemed to be in violation of this Chapter and shall be subject to the fines and penalties set forth herein.

ARTICLE V
PUBLIC LANDS AND STRUCTURES

§142-15. Municipal Facilities, Municipal Property and Public Rights-of-Way (License Agreement).

A. Municipal Facilities and Municipal Property. No Wireless Telecommunications Facilities shall be constructed or installed on any public lands or structures until such time the Applicant has entered into a License Agreement with the Town. Requests for a License Agreement to erect, install, attach, deploy, operate, maintain, alter, or modify Wireless Telecommunications Facilities in, over or upon Municipal Facilities, Municipal Property or public rights-of-way shall be determined solely by the Town Board, as owner thereof.

B. Public Rights-of-Way.

(1) Requests for a License Agreement to (a) erect, install, attach, deploy, operate, maintain, alter, or modify Wireless Telecommunication Facilities in or along the Rights-of-Way on specific poles, streetlights, stanchions and other similar structures owned by the Town, utility companies or other entities; or (b) to install utility poles, boxes, cabinets, equipment or other structures on or partially below ground level at specific locations along the Public Rights-of-Way, shall file an Application with the Town Board, for a License Agreement which shall have jurisdiction to review and approve said request for a License Agreement.

(2) Except in those instances where the proposed modification constitutes an Eligible Facilities Request, subsequent Applications to locate or install additional equipment or structures, or to Modify existing installations along the Public Rights-of-Way as described herein once a License Agreement is in place shall continue to be determined by the Board. The Board may grant or deny an Application, in whole or in part, with or without conditions, as it deems advisable in accordance with state and federal law.

C. Any Person who fails and/or neglects to file an Application for a License Agreement, and secure all other necessary approvals and permits before the commencement of work shall be deemed to be in violation of this Chapter and shall be subject to the fines and penalties set forth herein.

§142-16. Application requirements. An electronic copy of all documents must be filed with the Town's Department of Buildings pursuant to the regulations of the department. A non-refundable Application fee and refundable escrow fee in amounts established by the Town Board shall accompany the Application and filed with the Department of Buildings. The Application fee shall be tripled in all cases where installations have been made or work commenced without the necessary Town approvals or permits. The Department of Buildings shall forward copies of the Application to the Board, and where applicable to the Commissioner of the Department of Highways. The Board may refer an Application to other Town agencies or departments for recommendations on any issue it deems necessary and proper. Such referral shall specify the reasons for the referral.

§142-17. Public hearing; notice.

All requests for a License Agreement before the Town Board shall be determined after a public hearing.

§142-18. Town Board action on license applications. An application for a License Agreement may be approved or denied, in whole or in part, with or without conditions in accordance with state and federal law. If the application is approved, in whole or in part, a License Agreement shall be authorized and shall contain the term of the license; conditions on the use or occupation of the property or structure(s), including separate compensation, where applicable, for the use of public rights-of-way, municipal facilities, and municipal property; provisions for construction and/or performance bonds; indemnity and insurance; obligations concerning areas disturbed during construction, installation, attachment or maintenance activities; submission of annual inventory reports showing the exact location of all installations; conditions on transfer or assignment; and such other conditions consistent with the requirements and intent of this chapter that ensures that the Applicant's use or occupation of public property minimizes disruption to the public,

adheres to all applicable laws, and promotes safe, effective and efficient use of town resources.

§142-19. Conditions of approval. In addition to any other condition or restriction the Town Board deems necessary or advisable under the circumstances, all approvals, as set forth below, shall include the following conditions, whether approved by a Board or by operation of law, and whether or not same is set forth in the Resolution approving the license application. Any Person who fails and/or neglects to comply with the conditions of approval shall be deemed to be in violation of this Chapter and shall be subject to the fines and penalties set forth herein.

A. Public Rights-of-Way. In cases where installations are proposed for along the ground or partially below the ground of the Public Rights-of-Way, or on poles, streetlights, and stanchions owned by the Town or by one other than the Town along the Public Rights-of-Way, the following shall apply.

- (1) Indemnification. To the fullest extent permitted by law, and whether or not the facilities being approved are wired or wireless, the Applicant and any successors and assigns, shall indemnify and hold harmless the Town, its Board, public officers, employees, servants and agents, from and against any liability, claims, suits, actions, administrative and regulatory proceedings, losses, expenses and costs of any kind, whether actual, alleged, or threatened, including but not limited to actual attorney fees, litigation expenses and court costs of any kind without restriction or limitation, incurred in relation to, as a consequence of, arising out of or in any way attributable to the existence, maintenance, location, configuration, design, installation, or operation of the Wireless Telecommunications Facility, the issuance of any municipal approval by the Town or Board, or arising out of the obligations of the parties under the License Agreement, except for the gross negligence or willful acts of the Town, as the case may be, their public officers, employees, servants, and/or agents. The Applicant shall pay such obligations as they are incurred by the Town and/or Board, Town Board, their public officers, employees, servants, and/or agents, and in the event of any claim or lawsuit, shall submit a deposit in such amount as the Town reasonably determines necessary to protect the Town, Board, officials, employees, servants and/or agents from exposure to fees, costs, attorney fees, or liability with respect to such claim or lawsuit. If any provision of the License Agreement or resolution approving the Application shall conflict with the provisions of this subsection, then in such event, the provisions of this subsection shall control; and
- (2) Height. To the fullest extent permitted by law, no pole, mast, or mount and all attached equipment, including Antennas, exceeding 50 feet in Height above ground level shall be installed or located within the Public Rights-of-Way; and
- (3) Compliance with law. The Applicant shall comply with all applicable provisions of the Town Code, the License Agreement, any permit or approval issued pursuant to this Chapter, and all other applicable federal, state and local laws, rules and regulations. Any failure of the Town to enforce compliance with such approval or any applicable law, rule or regulation shall not relieve the Applicant of its obligations under the code, the License Agreement, any permit or approval issued, or other applicable law; and
- (4) Verification of data. The owner of the site or pole, the Applicant and operator of the facility or equipment shall cooperate with the Town to (a) verify that the facility design conforms to relevant building, maintenance, landscaping and safety requirements and specifications; and (b) verify that the facility complies with the applicable provisions of the Town Code and federal and state rules and regulations.
- (5) Proper maintenance. All Wireless Telecommunications Facilities shall be maintained in a safe and proper manner. Any Person who commits an offense

against the provisions of this section shall be deemed to be in violation of this Chapter and shall be subject to the fines and penalties set forth herein.

B. Municipal Property and Municipal Facilities. In cases where installations are proposed on Municipal Property or Municipal Facilities, the following shall apply.

- (1) Indemnification. To the fullest extent permitted by law, and whether or not the facilities being approved are wired or wireless, the Applicant and any successors and assigns, shall indemnify and hold harmless the Town, its Board, public officers, employees, servants and agents, from and against any liability, claims, suits, actions, administrative and regulatory proceedings, losses, expenses and costs of any kind, whether actual, alleged, or threatened, including but not limited to actual attorney fees, litigation expenses and court costs of any kind without restriction or limitation, incurred in relation to, as a consequence of, arising out of or in any way attributable to the existence, maintenance, location, configuration, design, installation, or operation of the Wireless Telecommunications Facility, the issuance of any municipal approval by the Town or Board, or arising out of the obligations of the parties under the License Agreement, except for the gross negligence or willful acts of the Town, the Board, the Town Board, or as the case may be, their public officers, employees, servants, and/or agents. The Applicant shall pay such obligations as they are incurred by the Town and/or Board, the Town Board, their public officers, employees, servants, and/or agents, and in the event of any claim or lawsuit, shall submit a deposit in such amount as the Town reasonably determines necessary to protect the Town, Board, officials, employees, servants and/or agents from exposure to fees, costs, attorney fees, or liability with respect to such claim or lawsuit. If any provision of the license agreement or resolution approving the Application shall conflict with the provisions of this subsection, then in such event, the provisions of this subsection shall control; and
- (2) Compliance with law. The Applicant shall comply with all applicable provisions of the Town Code, the License Agreement, any permit or approval issued pursuant to this Chapter, and all other applicable federal, state and local laws, rules and regulations. Any failure of the Town to enforce compliance with such approval or any applicable law, rule or regulation shall not relieve the Applicant of its obligations under the code, any permit or approval issued, or other applicable law; and
- (3) Verification of data. The owner of the site or pole, the Applicant and operator of the facility or equipment shall cooperate with the Town to (a) verify that the facility design conforms to relevant building, maintenance, landscaping and safety requirements and specifications; and (b) verify that the facility complies with the applicable provisions of the Town Code and federal and state rules and regulations.
- (4) Proper maintenance. All Wireless Telecommunications Facilities shall be maintained in a safe and proper manner. Any Person who commits an offense against the provisions of this section shall be deemed to be in violation of this Chapter and shall be subject to the fines and penalties set forth herein.

§142-20. Insurance Requirements.

A. An owner and/or operator of a Wireless Telecommunications Facility on Municipal Facilities, Municipal Property and Public Rights-of-Way shall secure, and at all times maintain, in full force and effect, insurance coverage as set forth below:

- (1) Commercial General Liability Coverage: covering bodily injury, personal injury, property damage, public disputes, libel, slander, and other events related to their products and operations with limits of no less than \$2,000,000 per occurrence/\$2,000,000 in the aggregate. Said coverage may not contain any electromagnetic frequency (EMF) exclusions; and

- (2) Commercial Automobile Liability Coverage: with limits of no less than \$1,000,000 per occurrence/ \$2,000,000 in the aggregate; and
 - (3) Workers Compensation and Disability Insurance with limits of no less than \$1,000,000, or in the statutory amount, whichever is greater; and
 - (4) Umbrella Liability Coverage with limits of no less than \$5,000,000 per occurrence/\$5,000,000 in the aggregate.
 - (5) Commercial Property Insurance with limits of no less than the value of all of the Owners' Property and Equipment including but not limited to cellular Towers, Antennas, and related equipment.
 - (6) Stand Alone Network Security/Cyber Liability Insurance with limits of no less than \$5,000,000 per occurrence/\$5,000,000 aggregate.
- B. The Commercial General Liability Insurance Policy and Commercial Property Coverage shall specifically include the Town of Hempstead and its elected officials, officers, Board and employees as additional insureds, by endorsement, and a copy of the endorsement shall be provided to the Town Attorney's Office, as respects any covered liability arising out of or in connection with the issuance of a License Agreement or other approval by the Town, the performance of the work, the installation, maintenance and operation of its Wireless Telecommunication Facility, and its use and occupancy of the Public Rights-of-Way, Municipal Property, and Municipal Facilities. Coverage shall be in an occurrence format and in accordance with the limits set forth herein. Claims-made policies are not acceptable.
- C. All policies shall be on a form acceptable to the Town Attorney. All insurance providers shall be authorized to do business in the State of New York and shall carry a minimum rating assigned by A.M. Best & Company's Key Rating Guide of at least "A VII" overall.
- D. The insurance shall not be canceled, non-renewed, or any material change made by the owner or operator of the Wireless Telecommunication Facility, nor shall the required occurrence or aggregate limits be reduced during the term of the License Agreement, or while the installation is in place, unless approved by the Town Attorney in writing. The owner or operator shall be responsible for notifying the Town in writing of any cancellation, non-renewal, or material change at least thirty (30) business days prior to such action and for non-payment of premium at least ten (10) business days prior to such cancellation. The failure of such Person(s) to maintain in good standing the coverages and insurance policies set forth herein during the term of the license agreement, or while the installation is in place, or to notify the Town of any proposed cancellation shall be deemed a violation of this chapter.
- E. Renewal or replacement policies or certificates shall be delivered to the Town at least fifteen (15) business days before the expiration of the insurance that such policies are to renew or replace. The certificate(s) of insurance shall be mailed with the payments required to be made, if applicable, pursuant to the License Agreement to the attention of the Town Comptroller and Town Attorney.
- F. The owner/operator shall pay all premiums and deductibles applicable to its insurance policies.
- G. All coverage shall be primary and non-contributory to the Town of Hempstead, the Board, and the Town Board of Trustees, its elected officials, officers, and employees.
- H. The Applicant and the owner/operator of the Wireless Telecommunications Facility shall remain fully informed of all municipal ordinances and regulations, State and Federal Laws in any manner affecting the work or goods herein specified, and any extra work contracted by the Contractor and shall at all times observe and comply with said ordinances, laws, and regulations, including all applicable provisions of the

Workers' Compensation and Labor Laws. The owner/operator agrees to defend, indemnify, and hold the Town of Hempstead, Town of Hempstead Board, the Town Board of Trustees, its officers, agents, and employees harmless from any liability and attorney's fees, imposed upon or incurred by the Town, its officers, agents, and/or employees arising from the negligence, gross negligence, recklessness, malpractice, or intentional tort of the contractor including any Action Over Claims. Other necessary approvals. Subject to the provisions of this Chapter, all Wireless Telecommunications Facilities approved for installation are subject to the filing of an Application for and issuance of building permits and certificates of occupancy/completion, or other necessary approvals for each node, Antenna, piece of equipment or structure to be installed. The installation of new poles, streetlights, stanchions and other similar structures, or ground-mounted equipment and structures in Public Rights-of-Way shall also require road opening permits from the Town's Department of Highways. The Applicant shall pay all required fees and charges for such approvals. Any Person who fails and/or neglects to file an Application and secure all other necessary approvals and permits before the commencement of work shall be deemed to be in violation of this Chapter and shall be subject to the fines and penalties set forth herein.

ARTICLE VI
PRIVATE LANDS AND STRUCTURES

§142-21. Privately-Owned Property. Applications to erect, install, attach, or Modify Wireless Telecommunications Facilities on privately-owned parcels and structures shall require a Special Use Permit issued by the Board, unless exempted under §142-3 or classified as an Eligible Facility or Small Wireless Facility under Article IV of this Chapter. New Towers shall be subject to the provisions of Article III of this Chapter. Any Person who fails and/or neglects to file an Application for a building permit and/or a Special Use Permit and secure all necessary approvals and permits before the commencement of work shall be deemed to be in violation of this Chapter and shall be subject to the fines and penalties set forth herein.

§142-22. Application requirements. Except as otherwise expressly provided herein, an Application to construct a Wireless Telecommunications Facility shall comply with all requirements of Chapter 86 of the Code of the Town of Hempstead, Article VIII of this Chapter and the requirements, rules and regulations of the Department of Buildings. All Applications shall be filed with the Department of Buildings along with a non-refundable Application fee and Consultant Escrow deposit.

- A. Public hearing; notice. All Applications before the Board shall be determined after a public hearing conducted in accordance with the requirements of Articles XXVI and XXVII of the Building Zone Ordinance and Article 16 of the Town Law of the State of New York.
- B. Applications for a Special Use Permit issued by the Board shall run concurrently with the Department of Buildings review of the Application and shall be administered so that determinations can be made at approximately the same time to the extent practicable

§142-23. Action on Applications. The Application can be approved or denied, in whole or in part, with or without conditions as deemed advisable by the Board in accordance with state and federal law. The Board shall have all of the powers vested in it by law. Any Person who fails and/or neglects to comply with the conditions of approval shall be deemed to be in violation of this Chapter and shall be subject to the fines and penalties set forth herein.

§142-24. Proper maintenance; compliance with law. All Wireless Telecommunications Facilities shall be maintained in a safe and proper manner and shall be in compliance with all conditions of the Board's approval, building permit, as well as with all applicable Town, State and Federal laws, rules and regulations, without exception. Any Person who commits an offense against the provisions of this section shall be deemed to be in violation of this Chapter and shall be subject to the fines and penalties set forth herein. Any failure of the Town to enforce compliance with such approval or any applicable law, rule or regulation shall not relieve the Applicant of its obligations under the code, any permit or approval issued, or other applicable law.

ARTICLE VII
APPLICATION REQUIREMENTS

§142-25. Except as otherwise provided in Article IV of this Chapter, applications for Wireless Telecommunications Facilities shall include the following documentation. Where a certification is required, such certification shall bear the signature and seal of a Registered Professional Engineer licensed in New York State.

- A. A statement of the reason for the new or modified Telecommunications Facility including the coverage and/or capacity justification, and a description of its compliance with Town, State, and Federal requirements and recommendations.
- B. A completed application form, including any required Disclosure Certification forms as adopted by the Town for the particular application.

- C. A completed Environmental Assessment Form, Part I in accordance with SEQRA regulations.
- D. Inventory of existing Wireless Telecommunications Facilities when a new site is proposed. An inventory of all existing like uses, or sites approved for like uses, that are located within one (1) mile, including specific information about the location of each Tower or DAS System, compiled from public records by the best efforts of the Applicant; the distance from the proposed new use as shown on the map or plan submitted with the Application; and the name of the owner/operator of each such use, as best as same can be ascertained. An inventory is not needed for Collocations or Modifications to existing sites.
- E. A certification of the suitability or unsuitability of existing Towers or other structures and installations in the inventory. This certification is not needed for Collocations or Modifications to existing sites.
- F. Application fee and Consultant Escrow deposit in the amount of \$7,500 shall be paid by the Applicant to be utilized by the Town and the Department of Buildings, as necessary, to pay for the services of a Consultant(s) at the Applicant's expense to verify that the proposed Wireless Telecommunication Facility complies with the applicable state and federal laws and regulations and to advise the Town on any technical aspect of the Application. The Applicant shall submit to the Department of Buildings or other Town department for deposit into a non-interest-bearing trust and agency account maintained by the Town the amount of \$7,500 to be utilized by the Town to pay for such services during the review process. The Consultant shall provide the Department of Buildings with copies of its monthly invoices for services rendered by e-mail transmission. In the event the sum on deposit has a balance of less than 20% of the amount initially deposited by the Applicant, the Applicant shall, upon notice from the Town, deposit additional amounts so that the balance on deposit reaches at least 50% of the amount initially deposited. No further action or review of the Application shall be conducted until such balance is reached. After all reasonable charges have been paid to the vendor(s) by the Town, any balance remaining on deposit in the account shall be returned to the Applicant. In the event an Application is withdrawn at any stage by the Applicant, any unused portion of the sums on deposit shall be returned to the Applicant.
- G. A site plan drawn to scale meeting all the requirements contained in this Chapter and the Town Subdivision and Site Plan Regulations, which shall include:
- (1) The postal address and tax map parcel number of the property.
 - (2) The Zoning District in which the property is situated.
 - (3) Size of the property stated both in square feet and lot line dimensions, and a survey showing the location of all lot lines.
 - (4) The location, size and height of all existing and proposed structures on the property which is the subject of the Application.
 - (5) The azimuth, size and center-line Height location of all proposed and existing Antennas on the supporting structure.
 - (6) The location of any proposed Towers, Antennas, equipment cabinets, and generators, and all related fixtures, structures, appurtenances, and apparatus, including a labeling of dimensions and setbacks, materials, colors, and lighting.
 - (7) Delineation of all distances between the proposed use and all adjoining residentially zoned or residentially utilized properties, and the distance between the nearest boundary line of any Sensitive Location and the facility at issue if the distance is five hundred (500) feet or less.

- H. A report verifying that the Wireless Telecommunication Facility will be in full compliance with the current FCC RF exposure guidelines for Maximum Permissible Exposure. This report shall comply with the FCC methodology as set forth in OET Bulletin 65 and Part 1 of Title 47 of the code of Federal Regulations, as each may be amended or superseded.
- I. A statement containing the following information: (a) frequency, modulation and class of service of radio or other transmitting equipment; (b) actual intended transmission power stated as the maximum effective radiated power (ERP) in watts; (c) that an attached copy of the FCC license for the intended use of the Telecommunication Facilities is a true and complete copy; and (d) the number, type and model of the proposed Antenna(s) with a copy of the specification sheet.
- J. A photograph, photograph simulation, or architectural drawing to demonstrate the appearance of the proposed facility, from multiple angles and Heights for new Towers.
- K. A certification establishing that the use meets the standards and regulations of the FAA, the FCC, and any other state or federal agency having jurisdiction. The certification shall indicate whether the Application is subject to FAA Regulation Part 77 or successor regulation and whether it requires lighting. If an FAA determination is required, then all documentation filed in connection with the Application must be provided.
- L. The make, model, type, and manufacturer of the Tower (if proposed), along with any additional information required by Article III (Standards for Towers).
- M. Documentation that demonstrates and establishes compliance with Article II (Standards for Design and Placement). Such documentation shall include propagation studies of the proposed site and all adjoining planned, proposed, in-service, or existing sites that demonstrate a Gap in Service or Densification.
- N. The Applicant shall be required to submit a written report demonstrating its diligent efforts to secure shared use of existing Towers or the use of alternative buildings or other structures within the Town. Copies of written requests and responses for shared use shall be provided to the Town in the Application, along with any letters of rejection stating the reason for rejection.
- O. Any relevant additional documents, studies and specifications requested by the Town during the review process.

ARTICLE VIII
AUTHORITY OF THE BOARD

§142-26. Authority of the Board.

- A. The Board may as a condition of approval, propose the Applicant erect a structure at the Applicant's expense to house or screen the proposed Antenna and related equipment, as it deems necessary or desirable in accordance with the established guidelines in Article II of this Chapter.
- B. The Board may propose a reduction in the Height of the proposed Tower, Antennas, or other Facilities and structures or make other Modifications to the proposed Wireless Telecommunication Facility for the purpose of making aesthetic improvements, if technically feasible.
- C. The Board may refer an Application to other Town agencies or departments for recommendations on any issue it deems necessary and proper. Such referral shall specify the reasons for the referral.

- D. The Board may retain a Consultant(s) at the Applicant's expense to verify that the proposed Wireless Telecommunication Facility subject to this Chapter complies with the applicable state and federal laws and regulations and to advise the Board on any technical aspect of the Application. The review of the Application may include a physical inspection of the site or facility.
- E. The Board may place special conditions or limitations on the approval of an application that include the following:
- (1) Location of principal and accessory structures.
 - (2) Limitation on signs or advertising devices, including number, size, location, type, and illumination.
 - (3) Limitation on amount, location, intensity, and direction of exterior illumination.
 - (4) Amount, location, and improvement of off-street parking and loading spaces.
 - (5) Type, location, and design of drainage and drainage structures.
 - (6) Control of access and circulation within the premises.
 - (7) Grading and the location and type of retaining walls or structures.
 - (8) Landscaping, screening, fencing, and walls, including the location and types of plantings and fencing required for screening purposes.
 - (9) Structural changes.
 - (10) Control or elimination of smoke, dust, gas, noise, vibration, odor, and lighting.
 - (11) Other conditions applicable under New York State Zoning Laws found by the Board to be necessary.

§142-27. Retention of outside Consultant(s) and independent studies.

- A. As a condition of processing any matter over which it has jurisdiction, the Board may commission independent studies and retain a Consultant(s) at the Applicant's expense to verify that the proposed Wireless Telecommunication Facility complies with the applicable state and federal laws and regulations and to advise the Board on any technical aspect of the Application as provided in § 142-24(F).
- B. In its discretion the Board may adopt or reject, in whole or in part, the findings and determinations of any Consultant or study commissioned by the Board or the Applicant.
- C. Nothing contained in this Chapter shall be deemed to relieve any Applicant from complying with all applicable sections of the Town Code and/or the Town's Building Zone Ordinance.

ARTICLE IX
DISPUTE RESOLUTION

§142-28. Dispute Resolution. In the event the Town has retained the services of a Consultant in connection with the review of any Application, upon completion of the application process and the issuance of all necessary permits and approvals, the Comptroller's Office shall, within sixty (60) days after the final invoice has been paid, prepare a final accounting of the Consultant Escrow for that project and refund to the Applicant any unused portion of the Consultant Escrow.

1. Upon receipt of the final accounting, the Applicant shall promptly review the accounting. In the event the Applicant objects to the final accounting, the

Applicant shall, not more than forty-five (45) days after receipt of the final accounting, serve upon the Town Attorney written notice, by certified mail, return receipt requested, a detailed description of its objection to the Consultant's fees and charges and/or the final accounting. The objections shall specify the invoice date(s) and the particular line item(s) to which it objects and the basis for the objection. Within forty-five (45) days after receipt of the Applicant's objections, the Town Attorney shall issue an administrative written decision determining the Applicant's objections. This written decision shall either (i) confirm the accounting and the amount of the refund/transfer, or (ii) reject and modify the accounting and the amount of the final refund/transfer.

2. In the event that the Applicant disputes the administrative decision of the Town Attorney it may contest said determination in a court of competent jurisdiction.

ARTICLE X
POST-APPROVAL MONITORING

§142-29. Access to Wireless Telecommunications Facilities.

- A. Unauthorized Access. All Wireless Telecommunications Facilities shall be operated and maintained so as to prevent unauthorized access to and upon such facilities. Any owner or Person-in-charge of the property, an accessory facility or any Wireless Telecommunications Facility who commits an offense against the provisions of this section shall be deemed to be in violation of this Chapter.
- B. Continuing Compliance. The Town shall have access to Wireless Telecommunications Facilities upon notice of at least 48 hours for the purpose of verifying continuing compliance with this Chapter, and that the Facility is being operated and maintained in accordance with the terms of the License Agreements if applicable, and all permits and approvals. Notice shall be served upon the Applicant and/or operator of the Wireless Telecommunications Facility by overnight mail addressed to the Applicant and/or operator at its last known address.

§142-30. Revocation or suspension of certificates, permits and other approvals.

- A. Existence of Violations. The Commissioner of Buildings shall report to the Town Attorney, on behalf of the Town Board, if the Facilities are on Municipal Property, Municipal Facilities, or using the Public Rights-of-Way, or to the Board, if the Facilities are on private property, that the Facilities, or any part thereof, are not in compliance with the License Agreement or any permit or approval issued by the Board. The Commissioner of Buildings, or his/her designee shall indicate that a Notice to Comply, Notice of Violation or summons, as the case may be, has been issued and there has been no compliance, or compliance has not been achieved to their satisfaction.
- B. Special Use Permit approval. The Board may, upon notice and after a public hearing, revoke any special use permit granted by the Board if it determines that there are substantial violations of a condition of approval, or of a map or plan, or Special Use Permit, or variance, or if false documents or statements have been submitted in support of the Application, or if equipment is not functioning within expected parameters, or on such other grounds deemed appropriate by the Board.
- C. License Agreement. The Town Board may terminate a License Agreement previously approved, upon notice and after a public hearing, if the Town Board determines that a substantial violation of the License Agreement, or of a map or plan, or of a Special Use Permit, or variance, or of any condition established by the Board has occurred, or if false documents or statements have been submitted in support of the Application, or if equipment is not functioning within expected parameters or on such other grounds deemed appropriate by the Board.

D. Certificate of occupancy, permit or other approval. In the event that it is determined that any Wireless Telecommunications Facility is being operated or maintained in violation of Chapter, the Commissioner of Buildings, or his/her designee may revoke or suspend a Certificate of Occupancy/Completion, permit or other approval for a Wireless Telecommunications Facility in accordance with the procedures set forth in Section 86-16 of the Town Code upon the following grounds:

- (1) The Board has revoked their approval of the Facility or any part thereof; or
- (2) The FCC has revoked the license of the Telecommunications provider; or
- (3) The Department receives sufficient evidence to show that the Wireless Telecommunications Facility is violating FCC RF exposure standards; or
- (4) The Facility or elements of the Facility fall into such a state of disrepair that the condition jeopardizes the health, welfare and safety of Persons or property, or creates a nuisance or danger

E. Notice of hearing.

- (1) If the Board or the Town Board seeks action, written notice of the grounds for revocation of any License Agreement, certificate, permit, grant or other approval, and the date, time and place of a hearing before an Administrative Hearing Officer, shall be mailed to the private property owner; the Applicant who filed for the use or installation and owner or operator of the facility, system, or equipment; and their attorney, if known, to their last known address, by regular and certified mail, return receipt, requested at least fifteen (15) calendar days before the hearing.
- (2) The notice shall also contain a statement that they are (a) entitled to be represented by legal counsel at the hearing; (b) they will be provided with an opportunity to be heard and may present the testimony of witnesses, experts, and other evidence in their own behalf; and (c) that upon their failure to appear at the hearing, then in such event, the determination of the Board or the Town Board as applicable, shall be final.

F. Hearing. All hearings shall be recorded and may be adjourned only upon good cause shown and at the discretion of the Person or entity holding the hearing.

- (1) Authority. At the hearing the Hearing Officer shall consider the evidence, and may adopt or reject, in whole or in part, any portion of the Board or the Town Board's determination, with or without conditions, as deemed advisable or necessary under the circumstances.
- (2) Upon a finding that the use or Facilities is in violation of the License Agreement, certificate, permit, grant or other approval, the Board or the Town Board, as applicable, may order the property owner, and/or the Applicant, operator and/or owner of the Facility to repair, remediate, rectify, demolish or remove any part of the Wireless Telecommunications Facilities in violation, within the time specified, and upon the failure, neglect, or refusal of such Person(s) to comply, may revoke its approval, in whole or in part. The decision of the Board is final as to the Town of Hempstead.
- (3) Administrative Hearing Officer. The Administrative Hearing Officer's findings and recommendations shall be filed with the Town Clerk and mailed to the party or entity which requested the hearing or their attorney(s), together with the holder of the Permit, approval and/or license that is the subject of the hearing, if known, with a copy to the Town Attorney, and to the Board or Town Board, as applicable.
- (4) If there has been no appearance at the hearing by the holder of the Permit, the resulting determination of the Hearing Officer shall be final and shall be served in the same manner as the Notice of Hearing. Once revoked, the use and its

accessory uses or the specific approval, as is applicable, shall not be reestablished until all violation(s) are corrected to the satisfaction of the Town. Reestablishment of a grant will require a new Application subject to the requirements of this Chapter.

- (5) Liability for costs. The private property owner, Applicant, or owner or operator of the Facility shall be jointly and severally liable for the payment of all costs and expenses the Town incurs for the abatement, repair, or removal of the Facilities and restoration of the site, if applicable, including legal fees and costs.
- (6) Recovery of costs. The costs incurred by the Town shall be certified by the Commissioner of each Town department providing services and the Town Attorney shall mail written notice of such costs by both regular mail and certified or registered mail, return receipt requested, to the property owner, Applicant, and owner or operator of the Facility, as the case may be. The notice shall state that upon the failure to pay the amount certified within thirty (30) calendar days of receipt of the notice by money order, or certified or bank check the amount will be added to the tax bill if permitted by law, or other action will be taken without further notice. Nothing contained herein shall be construed to limit the Town's remedies or bar the commencement of an action to collect the debt in lieu of a tax lien.
- (7) Tax lien. In the event the debt is not paid within the thirty (30) day period, or if the mailing is returned by the Post Office because of the inability to make delivery for any reason, as long as the notice was properly addressed to the last known address, such certification of costs shall be provided to the Tax Receiver, who shall cause the costs as shown thereon to be charged against such lands and/or facilities (if permitted by law) without further notice. The amount so charged shall forthwith become a lien against such lands and/or facilities and shall be added to and become part of the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officer(s) and in the same manner as taxes.
- (8) §142-31. Violation. Any Applicant, owner or Person-in-charge of property, an accessory facility or any Wireless Telecommunications Facility who fails or neglects to abide by a revocation or suspension order, or a termination of the license agreement shall be deemed to be in violation of this Chapter.

ARTICLE XI ABANDONMENT OF FACILITIES

§142-32. Abandonment. It shall be a rebuttable presumption that any such Wireless Telecommunications Facility that has not been in operation or use for more than ninety (90) continuous days or a total of one hundred-eighty (180) days in any three hundred sixty-five (365) day period shall be deemed abandoned, and the private property owner or Applicant who filed for the use or installation of the system or equipment, and the operator or owner of the system or equipment shall be responsible for removal of all structures and facilities within one hundred twenty (120) days of the date of the notice of the Commissioner of the Department of Buildings, or his designee, declaring the Wireless Telecommunications Facility and/or use abandoned and directing removal, and upon failure to do so the Town may take such action at the expense of the property owner, Applicant, and the operator or owner of the system or equipment, as follows:

- A. Notice. Written notice of the determination that the facility, system or equipment is not in operation, and the equipment and/or use has been deemed abandoned and must be removed within one hundred and twenty (120) calendar days of the date on the notice shall be mailed by the Department of Buildings to the private property owner or the Applicant who filed for the use or installation, and owner and/or operator of the facility, system, or equipment, if known, to their last known address, by regular and certified mail, return receipt, requested. The notice shall also advise the recipient that they are entitled to a hearing on that determination before an Administrative Hearing Officer, provided that written request for such a hearing is received by the Town

Attorney with a copy to the Commissioner of the Department of Buildings within thirty (30) calendar days of the date on the notice. If a timely request has been filed, written notice of the date, place, and time of the hearing shall be mailed to the Person(s) who have requested a hearing, or to their attorney(s), if known, along with a statement that they (a) are entitled to be represented by legal counsel at the hearing; (b) they will be provided with an opportunity to be heard and may present the testimony of witnesses, experts, and other evidence in their own behalf; and (c) that upon their failure to appear at the hearing, then in such event, the determination of the Town shall be final.

- B. Amendment, modification, or withdrawal. The Commissioner of the Department of Buildings may, after consultation with the Town Attorney, amend or modify any notice issued if, in his judgment, the circumstances warrant such action provided the amended or modified notice is clearly marked as such and is served as provided in (A) herein within ten (10) calendar days of service of the original notice, and a hearing has not occurred. A notice may be withdrawn at any time.
- C. Hearing. All hearings shall be recorded and may be adjourned only upon good cause shown and at the discretion of the Person or entity holding the hearing.
- (1) At the hearing the Hearing Officer shall consider the evidence, and may adopt or reject, in whole or in part, any portion of the Commissioner of the Department of Buildings determination, with or without conditions, as deemed advisable or necessary under the circumstances. The determination of the Hearing Officer shall be deemed final as to the Town of Hempstead
 - (2) Hearing Officer. The Hearing Officer's findings and recommendations shall be filed with the Town Clerk and mailed to those who requested the hearing or their attorney(s), if known. Upon a finding that the use or equipment has been abandoned, the Commissioner of the Department of Buildings may order the Applicant, operator, and/or owner of the Facility or equipment to demolish and remove the Wireless Telecommunications Facilities and restore the site within the time specified, and upon the failure, neglect, or refusal of such Person(s) to comply, may authorize the code officer or other town personnel, upon reasonable notice, to enter the premises and demolish and remove the same, and restore the site.
- D. Compliance. A property owner, Applicant, operator, or owner of a facility who wishes to comply with the notice of abandonment and order to remove shall notify the Commissioner of the Department of Buildings in writing of its intent to abandon a permitted site. Removal shall comply with applicable health and safety regulations, including demolition permits from the Building Department. Upon completion of the removal process, the site shall be restored to its original condition at the expense of the private property owner, Applicant, operator, or owner of the facility.
- E. Grounds for a default. The notice shall automatically become a final order if there has been no request for a hearing within the period specified, or, if having requested a hearing, there has been no appearance at the hearing by the Person who had requested it. The resulting order shall be served in the same manner as the original notice. Such Facilities shall be removed, and the location restored to its original condition by the property owner, Applicant, and owner and operator of the facility or equipment, at their own cost and expense, within one hundred and twenty (120) calendar days of the date of the notice declaring the abandonment. In the event of a default, the Town is authorized, upon reasonable notice, to enter the premises and demolish and remove the same and restore the site.
- F. Liability for costs. All facilities or equipment not removed within the required period shall be in violation of this chapter. In the event the Town removes abandoned equipment or facilities upon the failure of the private property owner, Applicant, operator, or facility owner to timely do so, then the private property owner, Applicant, operator, and facility owner shall be jointly and severally liable for the

payment of all costs and expenses the Town incurs for the removal of the facilities and restoration of the site, if applicable, including legal fees and costs.

- G. Recovery of costs. The costs incurred by the Town shall be certified by the Commissioner of each Town department providing services and the Town Attorney shall mail written notice of such costs by both regular mail and certified or registered mail, return receipt requested, to the property owner, Applicant, owner, or operator of the facility, as the case may be. The notice shall state that upon the failure to pay the amount certified within thirty (30) days of receipt of the notice by money order, or certified or bank check the amount will be added to the tax bill or other action will be taken without further notice. Nothing contained herein shall be construed to limit the Town's remedies or bar the commencement of an action to collect the debt in lieu of a tax lien.
- H. Tax lien. In the event the debt is not paid within the ten (10) day period, or if the mailing is returned by the Post Office because of the inability to make delivery for any reason, as long as the notice was properly addressed to the last known address, such certification of costs shall be provided to the Tax Receiver, who shall cause the costs as shown thereon to be charged against such lands and/or facilities without further notice. The amount so charged shall forthwith become a lien against such lands and/or Facilities and shall be added to and become part of the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officer(s) and in the same manner as taxes.

ARTICLE XII ADMINISTRATION AND ENFORCEMENT

§142-33. Notice to Comply. Whenever the Commissioner is satisfied that a Wireless Telecommunication Facility is being erected, constructed, installed, modified, renovated, altered or repaired, or that activity is occurring in violation of this Chapter or other applicable law, rule, order or regulation, or in violation of a License Agreement, grant, approval, map or plan issued or approved by an officer, Board, department or agency of the Town, he or she may order compliance by written notice to comply to the property owner, the Applicant who filed for the use or installation, the owner and/or operator of the Facility, system, or equipment, and/or Person committing the offense. The notice to comply shall identify the violation or offense and may, without limitation, require the abatement, remediation or restoration of the Wireless Telecommunications Facility, building, structure, or property, within the period identified in the notice. Such notice shall be deemed to be properly served if a copy is personally delivered to the owner, Person-in-charge, Applicant, operator, or Person committing the offense; or by posting a copy of the notice to comply in a conspicuous place on the property or Facility and mailing a copy by regular and registered or certified mail, return receipt requested, within two (2) business days of its posting to the property owner, Applicant, operator, and Person committing the offense at their last known address, or by such other method authorized by the laws of the State of New York.

§142-34. Stop-work orders.

- A. Pursuant to Section 6, Appendix A221 governing Building Code Administration, the Commissioner may, in his sole discretion, order the work or installation being performed on any property, building or structure, a Wireless Telecommunication Facility, or an accessory thereof, suspended forthwith if he or she has reasonable grounds to believe that the work or installation is being performed in an unsafe and/or dangerous manner; or the work is not in conformity with the building permit application, plans and/or specifications approved by the Department; or with a map, plan, permit, grant or agreement approved by the Town, its officers and/or Board, any License Agreement, or the work is in violation of any section or article of the Code of the Town of Hempstead, the Building Code of the State of New York and/or other applicable law, ordinance, rule or regulation; or jeopardizes the health, welfare or safety of the public or surrounding community; or is injurious to Town property or the property of others.

- B. The stop-work order shall comply with the requirements of Appendix A221 and shall be served and posted upon the property owner or Person-in-charge of the property, the Applicant who filed for the use or installation, the owner and/or operator of the Facility.
- C. Violation. It shall be unlawful for any Person to remove, alter, obscure, deface, change or otherwise tamper with any portion of a stop-work order that has been posted by the Town.
- D. Suspension of work. Upon the issuance of a stop-work order, the property owner or Person-in-charge of the Property and/or the Applicant shall immediately cease all work and activities which are the subject of the stop-work order.

§142-35. Penalties for Violations.

- A. Any property owner, Person in charge of the premises, Applicant, owner or operator of the Wireless Telecommunication Facility or any part thereof, who violates any provision of this Chapter, shall upon conviction thereof be guilty of an offense, punishable by a fine of not less than one thousand (\$1,000) dollars nor more than five thousand (\$5,000) dollars for a conviction of a first offense; upon conviction of a second offense where the violation is committed within a period of five (5) years of the first conviction, a fine of not less than two thousand (\$2,000) dollars nor more than ten thousand (\$10,000) dollars; and upon conviction of a third or subsequent offense where the violation is committed within a period of five (5) years of the second convictions a fine of not less than four thousand (\$4,000) dollars nor more than fifteen thousand (\$15,000) dollars. Each day, or part thereof, such violation continues shall constitute a separate offense punishable in like manner.
- B. Any property owner, Person in charge of the premises, Applicant, owner or operator of the Wireless Telecommunication Facility or part thereof, found by the Bureau of Administrative Adjudication to have violated any provision of this Chapter shall likewise be subject to a monetary penalty in an amount within the range of fines authorized in subdivision A for a first offense, subsequent offenses and continuing offenses.
- C. In addition to the penalties set forth herein or in other applicable law, rule or regulation, the Town Attorney is authorized to pursue, in a court of competent jurisdiction, civil and equitable relief, including but not limited to compensatory actions; civil penalties in the amount of up to five hundred (\$500) dollars per day, or any part thereof; an action to compel compliance with or to restrain by injunction the violation of this Chapter; and other remedies which in the opinion of the Town Attorney may seem necessary and proper. Any civil monetary penalty awarded may be added to the tax bill of the property where the violation has occurred and shall be collected in the same manner.
- D. In addition to the penalties set forth herein or in other applicable law, rule or regulation and without limitation, a violation of this Chapter may subject the permit holder to the revocation or suspension of its permit, as provided in this Chapter.
- E. No oversight or dereliction of duty on the part of the Town, nor any failure to strictly enforce the terms of this Chapter, shall serve to legalize the maintenance, erection, construction, alteration, Modification, replacement or removal of a Wireless Telecommunication Facility, or to legalize the use and/or occupancy of any property, building or structure for the operation of any Wireless Telecommunication Facility, if the work or activity is conducted in violation of this Chapter or other applicable local, state and/or federal law, rule, ordinance or regulation.

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalidated, such judgment shall not affect, impair or

invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

§101-3. DEFINITION OF “TRANSIT-ORIENTED DEVELOPMENT DISTRICT FOR NORTH LAWRENCE AND INWOOD”

The TOD District is hereby defined as areas as set forth in section 432(C) of the Town of Hempstead BZO.

§101-4. EXCLUSIONS

This Local Law shall not apply:

- 1) to any person or entity who/which has, prior to the effective date of this Local Law, obtained all permits required for construction of a building on any property located in the TOD District, including later applications to repair or alter, but not enlarge, any such building otherwise prohibited during the period of this temporary moratorium.

§101-5. AUTHORITY TO SUPERCEDE

To the extent and degree any provisions of this Local Law are construed as inconsistent with the provisions of Town Law sections 264, 265, 265-a, 267, 267-a, 267-b, 274-a, 274-b, and 276, this Local Law is intended pursuant to Municipal Home Rule Law sections 10(1)(ii)(d)(3) and section 22 to supersede any said inconsistent authority.

§101-6. VARIANCE TO THIS MORATORIUM

Any person or entity suffering unnecessary hardship as that term is used and construed in Town Law section 267-b (2)(b), by reason of the enactment and continuance of this moratorium may apply to the Town Board for a variance excepting the person’s or entity’s premises or a portion thereof from the temporary moratorium and allowing issuance of an approval or permit, provided that the application for an approval or permit was received prior to the effective date of this local law.

Notwithstanding any other provision contained in the Town of Hempstead BZO, any application receiving a variance from this moratorium, shall also be required to receive site plan approval from the Town Board prior to the issuance of a building permit.

The Town Board shall not grant any variance from this moratorium or site plan approval until it has held a public hearing on the variance and site plan approval application.

§101-7. SEVERABILITY

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not impair or invalidate the remainder of this Local Law.

§101-8. EFFECTIVE DATE

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

* * *

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

CASE NO.

RESOLUTION NO.

RESOLUTING CALLING A PUBLIC HEARING ON THE
APPLICATION OF CONKLIN ESTATES, LLC. FOR REZONING
PROPERTY AT WOODMERE, NEW YORK.

ADOPTED:

offered the following resolution and moved its
adoption:

RESOLVED, that a public hearing be held May 10, 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 CONKLIN
ESTATES, LLC. for rezoning from Residence "B" to Residence
"CA" District. situated in Woodmere, 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 Newsday.

The foregoing resolution was adopted upon roll call as
follows:

AYES:

NOES:

Item #

68

Case #

27919

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Section 273 of Article 28 of the Building Zone Ordinance of the Town of Hempstead, that a public hearing be held May 10, 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 CONKLIN ESTATES, LLC. for rezoning from Residence "B" to Residence "CA" District. situated in Woodmere,

An irregularly-shaped parcel with 243.15' of frontage on the s/si of Conklin Street and depth of 136.10' located 140.15' East of Yung Pl. Woodmere, Town of Hempstead, County of Nassau, State of New York.

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

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

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

DONALD X. CLAVIN, JR.
Supervisor

KATE MURRAY
Town Clerk

Dated: April 26, 2022
Hempstead, N.Y.

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: TRANSFER OF RICHARD ABATE FROM THE
DEPARTMENT OF PLANNING AND
ECONOMIC DEVELOPMENT TO THE
DEPARTMENT OF HIGHWAY BUDGET CODE
5110.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that Richard Abate, Labor Crew Chief II, be and
hereby is transferred from the Department of Planning and Economic Development to the Department
of Highway Budget Code 5110, with no change in salary, by the Commissioner of the Department of
Highway and ratified by the Town Board of the Town of Hempstead effective April 27, 2022 and BE
IT

FURTHER RESOLVED, that subject appointment is probationary for
twelve weeks and should candidate prove unsatisfactory during this period, said appointment may be
terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: SALARY ADJUSTMENT FOR HAROLD BALL,
SAFETY CONSULTANT, IN THE DEPARTMENT
OF HUMAN RESOURCES.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that the annual salary for Harold Ball, Safety Consultant, in the Department of Human Resources, be and hereby is increased to Grade 20, Step 6 (G), Salary Schedule D, \$80,537, by the Director of the Department of Human Resources and ratified by the Town Board of the Town of Hempstead effective April 27, 2022.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: SALARY ADJUSTMENT FOR MARYKATE
BURDO, CLERK III, IN THE DEPARTMENT OF
SANITATION.

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

RESOLVED, that the annual salary for Marykate Burdo, Clerk III, in the
Department of Sanitation, be and hereby is increased to Grade 13, Step 12 (M), Salary Schedule D,
\$88,913, by the Commissioner of the Department of Sanitation and ratified by the Town Board of the
Town of Hempstead effective April 27, 2022.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: TRANSFER OF VALERIE CALDWELL, CLERK III, FROM THE DEPARTMENT OF GENERAL SERVICES, ADMINISTRATION TO THE DEPARTMENT OF INFORMATION AND TECHNOLOGY.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that Valerie Caldwell, Clerk III, be and hereby is transferred from the Department of General Services, Administration to the Department of Information and Technology, with no change in salary, by the Commissioner of the Department of Information and Technology and the Town of Hempstead Civil Service Commission and ratified by the Town Board of the Town of Hempstead effective April 14, 2022 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for twelve weeks and should candidate prove unsatisfactory during this period, said appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF CHARLES
CARACCILO AS PRESS SECRETARY, IN
THE DEPARTMENT OF GENERAL
SERVICES, ADMINISTRATION.

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

RESOLVED, that Charles Caracciolo be and hereby is appointed as Press Secretary, in the Department of General Services, Administration, Exempt, Ungraded, at an annual salary of \$85,000, by the Commissioner of the Department of General Services and ratified by the Town Board of the Town of Hempstead, subject to satisfactory completion of pre-employment criteria, effective May 16, 2022 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF RAMON DELEON AS
LABOR CREW CHIEF I, IN THE DEPARTMENT
OF HIGHWAY BUDGET CODE 5110.

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

RESOLVED, that Ramon Deleon, now serving as Laborer I, in the Department of Highway Budget Code 5110, be and hereby is appointed Labor Crew Chief I, Non Competitive, Grade 13, Step 4 (E), Salary Schedule D, \$60,998, in the Department of Highway Budget Code 5110, by the Commissioner of the Department of Highway and ratified by the Town Board of the Town of Hempstead effective April 27, 2022, and BE IT

FURTHER RESOLVED, that subject appointment is probationary for twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: SALARY ADJUSTMENT FOR CHRISTOPHER
DOWNS, MARINE MAINTENANCE MECHANIC,
IN THE DEPARTMENT OF CONSERVATION
AND WATERWAYS.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that the annual salary for Christopher Downs, Marine
Maintenance Mechanic, in the Department of Conservation and Waterways, be and hereby is increased
to Grade 14, Step 9 (J), Salary Schedule D, \$81,683, by the Commissioner of the Department of
Conservation and Waterways and ratified by the Town Board of the Town of Hempstead effective
April 27, 2022.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF JEAN DUROSEAU, AS
MESSENGER, IN THE DEPARTMENT OF
PARKS AND RECREATION.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that Jean Duroseau be and hereby is appointed
Messenger, Non-Competitive, Ungraded, at an annual salary of \$54,000, in the Department of
Parks and Recreation, by the Commissioner of the Department of Parks and Recreation and ratified
by the Town Board of the Town of Hempstead subject to satisfactory completion of pre-employment
criteria effective May 9, 2022 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for
twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment
may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: REINSTATEMENT OF ROBERT ELLERMAN
AS BARGE CRANE OPERATOR I, IN THE
DEPARTMENT OF CONSERVATION AND
WATERWAYS.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that Robert Ellerman be and hereby is reinstated as
Barge Crane Operator I, Non Competitive, Grade 17, Step 13 (N), Salary Schedule D, \$105,437, in the
Department of Conservation and Waterways, by the Commissioner of the Department of Conservation
and Waterways and ratified by the Town Board of the Town of Hempstead effective April 27, 2022.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: TRANSFER OF JOHN FLANAGAN JR. FROM
THE DEPARTMENT OF GENERAL SERVICES,
BUILDINGS AND GROUNDS DIVISION TO
THE DEPARTMENT OF HIGHWAY BUDGET
CODE 5110.

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

RESOLVED, that John Flanagan Jr., Labor Crew Chief I, be and
hereby is transferred from the Department of General Services, Buildings and Grounds Division to the
Department of Highway Budget Code 5110, with no change in salary, by the Commissioner of the
Department of Highway and ratified by the Town Board of the Town of Hempstead effective April 6,
2022 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for
twelve weeks and should candidate prove unsatisfactory during this period, said appointment may be
terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF CATHERINE FOSS AS
MESSENGER, IN THE DEPARTMENT OF
HIGHWAY BUDGET CODE 5010.

On motion made by

the following resolution was adopted upon roll call:

WHEREAS, Catherine Foss has resigned her position as Secretary to the
Town Board, in the Office of the Town Board, NOW, BE IT

RESOLVED, that Catherine Foss be and hereby is appointed Messenger,
Non Competitive, Ungraded, at an annual salary of \$45,860, in the Department of Highway Budget
Code 5010, by the Commissioner of the Department of Highway, and ratified by the Town Board of the
Town of Hempstead effective April 27, 2022 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for
twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment
may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: SALARY ADJUSTMENT FOR FRANK
GALLIPOLI, OFFICE AIDE, IN THE
DEPARTMENT OF BUILDINGS.

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

RESOLVED, that the annual salary for Frank Gallipoli, Office Aide, in
the Department of Buildings, be and hereby is increased to Grade 2, Step 6 (G), Salary Schedule D,
\$50,302, by the Commissioner of the Department of Buildings and ratified by the Town Board of the
Town of Hempstead effective April 27, 2022.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF PAULA GILDERSLEEVE
AS SENIOR PERSONNEL CLERK, IN THE
DEPARTMENT OF HUMAN RESOURCES,
FROM THE CIVIL SERVICE LIST.

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

WHEREAS, the Town of Hempstead Civil Service Commission has
certified that Paula Gildersleeve has passed the examination for the position of Senior Personnel Clerk,
Civil Service List No. 73-845, and is eligible for appointment thereto, NOW, THEREFORE, BE IT

RESOLVED, that Paula Gildersleeve, now serving as Clerk IV, Competitive,
Permanent, in the Department of Human Resources, be and hereby is appointed Senior Personnel Clerk,
Competitive, Permanent, Grade 22, Step 11 (L), \$116,549, from the civil service list, by the Director of
the Department of Human Resources and ratified by the Town Board of the Town of Hempstead
effective April 27, 2022 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for
twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment
may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: SALARY ADJUSTMENT FOR MATTHEW
GRAVAGNA, COMMUNITY RESEARCH
ASSISTANT, IN THE DEPARTMENT OF
GENERAL SERVICES, ADMINISTRATION.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that the annual salary for Matthew Gravagna, Community
Research Assistant, in the Department of General Services, Administration, be and hereby is increased to
\$60,000, Ungraded, by the Commissioner of the Department of General Services and ratified by the
Town Board of the Town of Hempstead effective April 27, 2022.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF EDWARD GRIFFIN JR.
AS MESSENGER, IN THE DEPARTMENT OF
GENERAL SERVICES, ADMINISTRATION.

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

RESOLVED, that Edward Griffin Jr. be and hereby is appointed
Messenger, Non Competitive, Ungraded, at an annual salary of \$107,000, in the Department of
General Services, Administration, by the Commissioner of the Department of General Services and
ratified by the Town Board of the Town of Hempstead effective May 2, 2022 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for
twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment
may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF BRIAN GUERIN AS LABOR
CREW CHIEF II, IN THE DEPARTMENT OF
CONSERVATION AND WATERWAYS.

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

RESOLVED, that Brian Guerin, now serving as Labor Crew Chief I, in the Department of Conservation and Waterways, be and hereby is appointed Labor Crew Chief II, Non Competitive, Grade 15, Step 12 (M), Salary Schedule D, \$95,540, in the Department of Conservation and Waterways, by the Commissioner of the Department of Conservation and Waterways and ratified by the Town Board of the Town of Hempstead effective April 27, 2022, and BE IT

FURTHER RESOLVED, that subject appointment is probationary for twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: TRANSFER OF MANUEL HOWE FROM THE
DEPARTMENT OF GENERAL SERVICES,
BUILDINGS AND GROUNDS DIVISION TO
THE DEPARTMENT OF HIGHWAY BUDGET
CODE 5110.

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

RESOLVED, that Manuel Howe, Laborer II, be and hereby is transferred from the Department of General Services, Buildings and Grounds Division to the Department of Highway Budget Code 5110, with no change in salary, by the Commissioner of the Department of Highway and ratified by the Town Board of the Town of Hempstead effective April 6, 2022 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for twelve weeks and should candidate prove unsatisfactory during this period, said appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF RYAN KINNEARY AS
MARINE MAINTENANCE SUPERVISOR, IN
THE DEPARTMENT OF CONSERVATION AND
WATERWAYS FROM THE CIVIL SERVICE
LIST.

On motion made by

the following resolution was adopted upon roll call:

WHEREAS, the Town of Hempstead Civil Service Commission has certified that Ryan Kinneary has passed the examination for the position of Marine Maintenance Supervisor, Civil Service List No. 66-222, and is eligible for appointment thereto, NOW,

THEREFORE, BE IT

RESOLVED, that Ryan Kinneary, now serving as Marine Maintenance Mechanic, in the Department of Conservation and Waterways, be and hereby is appointed Marine Maintenance Supervisor, Competitive, Permanent, Grade 17, Step 8 (I), Salary Schedule D, \$85,547, from the civil service list, in the Department of Conservation and Waterways, by the Commissioner of the Department of Conservation and Waterways and ratified by the Town Board of the Town of Hempstead effective April 27, 2022 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: PROVISIONAL PROMOTION FOR JON
LIPINSKY TO ASSISTANT SUPERVISOR OF
INSPECTION SERVICES, IN THE
DEPARTMENT OF BUILDINGS.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that Jon Lipinsky, now serving as Code Enforcement Officer III, Competitive, Permanent, in the Department of Buildings, be and hereby is provisionally promoted to Assistant Supervisor of Inspection Services, Competitive, Provisional, Grade 27, Step 5 (F), Salary Schedule D, \$107,164, by the Acting Commissioner of the Department of Buildings and ratified by the Town Board of the Town of Hempstead effective April 27, 2022.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF LUKE MIRANDA AS
GROUNDSKEEPER II, IN THE DEPARTMENT
OF PARKS AND RECREATION.

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

RESOLVED, that Luke Miranda, now serving as Groundskeeper I, in the Department of Parks and Recreation, be and hereby is appointed Groundskeeper II, Non Competitive, Grade 15, Step 4 (E), Salary Schedule D, \$65,038, in the Department of Parks and Recreation, by the Commissioner of the Department of Parks and Recreation and ratified by the Town Board of the Town of Hempstead effective April 27, 2022, and BE IT

FURTHER RESOLVED, that subject appointment is probationary for twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF MICHAEL MURPHY AS
LABORER I, IN THE DEPARTMENT OF PARKS
AND RECREATION.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that Michael Murphy be and hereby is appointed Laborer I, Labor Class, Grade 9, Start Step (A), Salary Schedule E, \$44,134, in the Department of Parks and Recreation, by the Commissioner of the Department of Parks and Recreation and ratified by the Town Board of the Town of Hempstead, subject to satisfactory completion of pre-employment criteria, effective May 9, 2022 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF MOHAMMAD NAWAZ AS
CLERK LABORER, IN THE DEPARTMENT OF
PARKS AND RECREATION.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that Mohammad Nawaz be and hereby is appointed Clerk
Laborer, Non Competitive, Grade 9, Start Step (A), \$44,134, Salary Schedule E, in the Department
of Parks and Recreation, by the Commissioner of the Department of Parks and Recreation and ratified
by the Town Board of the Town of Hempstead effective April 27, 2022 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for
twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment
may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: SALARY ADJUSTMENT FOR WALTER PARUCH JR., LABORER I, IN THE DEPARTMENT OF GENERAL SERVICES, TRAFFIC CONTROL DIVISION.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that the annual salary for Walter Paruch Jr., Laborer I, in the Department of General Services, Traffic Control Division, be and hereby is increased to Grade 9, Step 9 (J), Salary Schedule D, \$70,292, by the Commissioner of the Department of General Services and ratified by the Town Board of the Town of Hempstead effective April 27, 2022.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: TRANSFER OF ANTHONY PINNISI,
RECEPTIONIST, FROM THE DEPARTMENT OF
HIGHWAY BUDGET CODE 5110 TO THE
DEPARTMENT OF PARKS AND RECREATION.

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

RESOLVED, that Anthony Pinnisi, Receptionist, be and hereby is transferred from the Department of Highway Budget Code 5110 to the Department of Parks and Recreation, with no change in salary, by the Commissioner of the Department of Parks and Recreation and ratified by the Town Board of the Town of Hempstead effective April 27, 2022 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for twelve weeks and should candidate prove unsatisfactory during this period, said appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF ROCCO SALVATORE, AS
LABORER I, IN THE DEPARTMENT OF PARKS
AND RECREATION.

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

RESOLVED, that Rocco Salvatore be and hereby is appointed
Laborer I, Labor Class, Grade 9, Start Step (A), Salary Schedule E, \$44,134, in the Department of
Parks and Recreation, by the Commissioner of the Department of Parks and Recreation and ratified
by the Town Board of the Town of Hempstead subject to satisfactory completion of pre-employment
criteria effective April 27, 2022 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for
twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment
may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF ANTHONY SINACORI AS
GRAPHIC ARTS SPECIALIST, IN THE
DEPARTMENT OF GENERAL SERVICES,
ADMINISTRATION.

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

RESOLVED, that Anthony Sinacori, now serving as Photographic
Machine Operator II, in the Department of General Services, Administration, be and hereby is appointed
Graphic Arts Specialist, Non Competitive, Grade 20, Step 10 (K), Salary Schedule D, \$101,605, in the
Department of General Services, Administration, by the Commissioner of the Department of General
Services and ratified by the Town Board of the Town of Hempstead effective April 27, 2022, and BE
IT

FURTHER RESOLVED, that subject appointment is probationary for
twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment may be
terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF CHRISTOPHER TOBY AS
BARGE CRANE OPERATOR I, IN THE
DEPARTMENT OF CONSERVATION AND
WATERWAYS.

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

RESOLVED, that Christopher Toby, now serving as Labor Crew Chief I,
in the Department of Conservation and Waterways, be and hereby is appointed Barge Crane Operator I,
Non Competitive, Grade 17, Step 8 (I), Salary Schedule D, \$85,547, in the Department of Conservation
and Waterways, by the Commissioner of the Department of Conservation and Waterways and ratified by
the Town Board of the Town of Hempstead effective April 27, 2022, and BE IT

FURTHER RESOLVED, that subject appointment is probationary for
twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment may be
terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: SALARY ADJUSTMENT FOR AMY VACCHIO,
RECEPTIONIST, IN THE DEPARTMENT OF
PARKS AND RECREATION.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that the annual salary for Amy Vacchio, Receptionist, in the Department of Parks and Recreation, be and hereby is increased to Grade 9, Step 7 (H), Salary Schedule D, \$61,578, by the Commissioner of the Department of Parks and Recreation and ratified by the Town Board of the Town of Hempstead effective April 27, 2022.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF TYLER WARCHOLAK
AS LABORER I, IN THE DEPARTMENT OF
HIGHWAY, BUDGET CODE 5110.

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

RESOLVED, that Tyler Warcholak be and hereby is appointed
Laborer I, Labor Class, Grade 9, Start Step (A), \$44,134, Salary Schedule E, in the Department of
Highway, Budget Code 5110, by the Commissioner of the Department of Highway and ratified by the
Town Board of the Town of Hempstead effective April 27, 2022 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for
twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment
may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF KHALIQUE WATKINS AS
LABOR CREW CHIEF I, IN THE DEPARTMENT
OF SANITATION.

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

RESOLVED, that Khaliq Watkins, now serving as Recycling Worker II,
in the Department of Sanitation, be and hereby is appointed Labor Crew Chief I, Non Competitive,
Grade 13, Step 2 (C), Salary Schedule D, \$55,829, in the Department of Sanitation, by the
Commissioner of the Department of Sanitation and ratified by the Town Board of the Town of
Hempstead effective April 27, 2022, and BE IT

FURTHER RESOLVED, that subject appointment is probationary for
twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment may be
terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF ASHLEY WERNER AS
CLERK I, IN THE DEPARTMENT OF GENERAL
SERVICES, ADMINISTRATION FROM THE
CIVIL SERVICE LIST.

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

WHEREAS, the Town of Hempstead Civil Service Commission has certified that Ashley Werner has passed the examination for the position of Clerk I, Civil Service List No. DC-81, and is eligible for appointment thereto, NOW, THEREFORE, BE IT

RESOLVED, that Ashley Werner, now serving as Office Aide, in the Department of General Services, Administration, be and hereby is appointed Clerk I, Competitive, Permanent, Grade 3, Step 7 (H), Salary Schedule D, \$53,045, from the civil service list, in the Department of General Services, Administration, by the Commissioner of the Department of General Services and ratified by the Town Board of the Town of Hempstead effective April 27, 2022 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF JENNA WILSON AS
RECEPTIONIST IN THE DEPARTMENT OF
HUMAN RESOURCES.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that Jenna Wilson be and hereby is appointed
Receptionist, Non Competitive, Grade 9, Start Step (A), Salary Schedule E, \$44,134, in the
Department of Human Resources, by the Director of the Department of Human Resources and ratified
by the Town Board of the Town of Hempstead, effective May 9, 2022 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for
twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment
may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: CHANGE IN GRADE FOR THE TITLE SAFETY
CONSULTANT, IN THE TOWN OF HEMPSTEAD.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that the grade for the title Safety Consultant, in the Town of Hempstead, be and hereby is changed from Ungraded to Grade 20, by the Director of the Department of Human Resources of the Town of Hempstead and ratified by the Town Board of the Town of Hempstead, effective April 26, 2022.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: CHANGE IN GRADE FOR THE TITLE SENIOR
PERSONNEL CLERK, IN THE TOWN OF
HEMPSTEAD.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that the grade for the title Senior Personnel Clerk, in the Town of Hempstead, be and hereby is changed from Ungraded to Grade 22, by the Director of the Department of Human Resources of the Town of Hempstead and ratified by the Town Board of the Town of Hempstead, effective April 26, 2022.

AYES:

NOES:

4/26/2022

In addition there are (4) Four Resolutions for various types of Leaves of Absence.