

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 20th day of September, 2022, at 7:00 o'clock in the evening of that day to consider the enactment of a local law to amend Chapter 202 of the code of the Town of Hempstead to INCLUDE "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

FRANKLIN SQUARE
Section 202-7

PACIFIC AVENUE (TH 335/22) West Side -
TWO HOUR PARKING 8 AM TO 8 PM EXCEPT
SATURDAYS, SUNDAYS AND HOLIDAYS -
starting at a point 68 feet north of the
north curbline of Lloyd Street, then
north for a distance of 367 feet.

PACIFIC AVENUE (TH 335/22) West Side -
TWO HOUR PARKING 8 AM TO 8 PM EXCEPT
SATURDAYS, SUNDAYS AND HOLIDAYS -
starting at a point 454 feet north of the
north curbline of Lloyd Street, then
north for a distance of 53 feet.

PACIFIC AVENUE (TH 335/22) West Side -
TWO HOUR PARKING 8 AM TO 8 PM EXCEPT
SATURDAYS, SUNDAYS AND HOLIDAYS -
starting at a point 527 feet north of the
north curbline of Lloyd Street, then
north for a distance of 366 feet.

PACIFIC AVENUE (TH 335/22) West Side -
TWO HOUR PARKING 8 AM TO 8 PM EXCEPT
SATURDAYS, SUNDAYS AND HOLIDAYS -
starting at a point 911 feet north of the
north curbline of Lloyd Street, then
north to the south curbline of Concord
Street.

LIDO BEACH
Section 202-2

SHAREN DRIVE (TH 4/22) East Side -
NO PARKING MAY 15th - SEPTEMBER 30th -
starting at the north curbline of
Marginal Road, north to the south
curbline of Gerry Avenue.

MERRICK
Section 202-11

BABYLON TURNPIKE (TH 344/22) West Side -
30 MINUTES PARKING - starting at a point
30 feet north of the north curbline of
Chestnut Street north for ~~Item #~~ 1 distance of
37 feet.

Case # 30740

OCEANSIDE
Section 202-13

BABYLON TURNPIKE (TH 344/22) West Side -
ONE HOUR PARKING 7 AM TO 7PM EXCEPT
SATURDAYS, SUNDAYS AND HOLIDAYS -
starting at a point 67 feet north of the
north curbline of Chestnut Street north
for a distance of 127 feet.

KOWAL COURT (TH 368/22) West Side -
NO PARKING 9 PM - 9 AM - starting at a
point 45 feet south of the south curbline
of Kirkwood Avenue south for a distance
of 98 feet.

WASHINGTON AVENUE (TH 289/22) East Side -
NO PARKING 8 AM TO 4 PM MONDAY,
WEDNESDAY, FRIDAY EXCEPT SATURDAYS ,
SUNDAYS AND HOLIDAYS - starting at a
point 31 feet north of the north curbline
of Nassau Parkway, north for a distance
of 334 feet.

WASHINGTON AVENUE (TH 289/22) East Side -
NO PARKING 8 AM TO 4 PM MONDAY,
WEDNESDAY, FRIDAY EXCEPT SATURDAYS ,
SUNDAYS AND HOLIDAYS - starting at a
point 425 feet north of the north
curbline of Nassau Parkway, north to a
point 30 feet south south of the south
curbline of Bedell Street.

WASHINGTON AVENUE (TH 289/22) East Side -
NO PARKING 8 AM TO 4 PM MONDAY,
WEDNESDAY, FRIDAY EXCEPT SATURDAYS ,
SUNDAYS AND HOLIDAYS - starting at a
point 30 feet north of the north curbline
of Bedell Street Parkway, north to a
point 30 feet south of the south curbline
of Jackson Avenue.

WASHINGTON AVENUE (TH 289/22) East Side -
NO PARKING 8 AM TO 4 PM MONDAY,
WEDNESDAY, FRIDAY EXCEPT SATURDAYS ,
SUNDAYS AND HOLIDAYS - starting at a
point 32 feet north of the north curbline
of Jackson Avenue, north to a point 97
feet south of the south curbline of
Merrick Road.

WASHINGTON AVENUE (TH 289/22) West Side -
NO PARKING 8 AM TO 4 PM TUESDAY AND
THURSDAY EXCEPT SATURDAYS , SUNDAYS AND
HOLIDAYS - starting at a point 64 feet
north of the north curbline of Nassau
Parkway, north for a distance of
260 feet.

WASHINGTON AVENUE (TH 289/22) West Side -
NO PARKING 8 AM TO 4 PM TUESDAY AND
THURSDAY EXCEPT SATURDAYS , SUNDAYS AND
HOLIDAYS - starting at a point 28 feet
south of the south curbline of Oswald
Court, south for a distance of 392 feet.

WASHINGTON AVENUE (TH 289/22) West Side -
NO PARKING 8 AM TO 4 PM TUESDAY AND
THURSDAY EXCEPT SATURDAYS , SUNDAYS AND
HOLIDAYS - starting at a point 32 feet
north of the north curblineline of Oswald
Court, north for a distance of 91 feet.

WASHINGTON AVENUE (TH 289/22) West Side -
NO PARKING 8 AM TO 4 PM TUESDAY AND
THURSDAY EXCEPT SATURDAYS, SUNDAYS AND
HOLIDAYS - starting at a point 177 feet
north of the north curblineline of Oswald
Court, north to a point 107 feet south of
the south curblineline of Merrick Road.

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

FRANKLIN SQUARE
Section 202-7

PACIFIC AVENUE (TH 505/03) West Side -
TWO HOUR PARKING 8 AM TO 8 PM EXCEPT
SATURDAYS, SUNDAYS AND HOLIDAYS -
starting at the south curblineline of
Concord Street, south for a distance
of 100 feet.
(Adopted 1/27/04)

PACIFIC AVENUE (TH 505/03) West Side -
TWO HOUR PARKING 8 AM TO 8 PM EXCEPT
SATURDAYS, SUNDAYS AND HOLIDAYS -
starting a point 120 feet south of the
south curblineline of Concord Street, south
to a point opposite the southeast
curblineline of Lutz Street.
(Adopted 1/27/04)

PACIFIC AVENUE (TH 177/73) West Side -
NO PARKING LOADING ZONE MONDAY THROUGH
FRIDAY 8 AM TO 9 PM - starting from a
point 108 feet north of the north
curblineline of Lloyd Street, north for a
distance of 38 feet.
(Adopted 7/10/73)

MERRICK
Section 202-11

BABYLON TURNPIKE West Side - starting
at a point 30 feet north of the north
curblineline of Chestnut Street, north for
a distance of 154 feet.
(Adopted 2/14/67)

OCEANSIDE
Section 202-13

ATLANTIC AVENUE (TH 165/86) North Side -
NO PARKING 8 AM TO 6 PM EXCEPT SUNDAYS-
starting at a point 376 feet east of
the east curblineline of Davison Street,
east for a distance of 45 feet.
(Adopted 7/15/86)

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

Dated: September 7, 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 sixty two of two thousand twenty two is hereby amended by including therein "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

FRANKLIN SQUARE
Section 202-7

PACIFIC AVENUE (TH 335/22) West Side -
TWO HOUR PARKING 8 AM TO 8 PM EXCEPT
SATURDAYS, SUNDAYS AND HOLIDAYS -
starting at a point 68 feet north of the
north curbline of Lloyd Street, then
north for a distance of 367 feet.

PACIFIC AVENUE (TH 335/22) West Side -
TWO HOUR PARKING 8 AM TO 8 PM EXCEPT
SATURDAYS, SUNDAYS AND HOLIDAYS -
starting at a point 454 feet north of the
north curbline of Lloyd Street, then
north for a distance of 53 feet.

PACIFIC AVENUE (TH 335/22) West Side -
TWO HOUR PARKING 8 AM TO 8 PM EXCEPT
SATURDAYS, SUNDAYS AND HOLIDAYS -
starting at a point 527 feet north of the
north curbline of Lloyd Street, then
north for a distance of 366 feet.

PACIFIC AVENUE (TH 335/22) West Side -
TWO HOUR PARKING 8 AM TO 8 PM EXCEPT
SATURDAYS, SUNDAYS AND HOLIDAYS -
starting at a point 911 feet north of the
north curbline of Lloyd Street, then
north to the south curbline of Concord
Street.

LIDO BEACH
Section 202-2

SHAREN DRIVE (TH 4/22) East Side -
NO PARKING MAY 15th - SEPTEMBER 30th -
starting at the north curbline of
Marginal Road, north to the south
curbline of Gerry Avenue.

MERRICK
Section 202-11

BABYLON TURNPIKE (TH 344/22) West Side -
30 MINUTES PARKING - starting at a point
30 feet north of the north curbline of
Chestnut Street north for a distance of
37 feet.

BABYLON TURNPIKE (TH 344/22) West Side -
ONE HOUR PARKING 7 AM TO 7PM EXCEPT
SATURDAYS, SUNDAYS AND HOLIDAYS -
starting at a point 67 feet north of the
north curbline of Chestnut Street north
for a distance of 127 feet.

OCEANSIDE
Section 202-13

KOWAL COURT (TH 368/22) West Side -
NO PARKING 9 PM - 9 AM - starting at a
point 45 feet south of the south curblines
of Kirkwood Avenue south for a distance
of 98 feet.

WASHINGTON AVENUE (TH 289/22) East Side -
NO PARKING 8 AM TO 4 PM MONDAY,
WEDNESDAY, FRIDAY EXCEPT SATURDAYS ,
SUNDAYS AND HOLIDAYS - starting at a
point 31 feet north of the north curblines
of Nassau Parkway, north for a distance
of 334 feet.

WASHINGTON AVENUE (TH 289/22) East Side -
NO PARKING 8 AM TO 4 PM MONDAY,
WEDNESDAY, FRIDAY EXCEPT SATURDAYS ,
SUNDAYS AND HOLIDAYS - starting at a
point 425 feet north of the north
curblines of Nassau Parkway, north to a
point 30 feet south of the south
curblines of Bedell Street.

WASHINGTON AVENUE (TH 289/22) East Side -
NO PARKING 8 AM TO 4 PM MONDAY,
WEDNESDAY, FRIDAY EXCEPT SATURDAYS ,
SUNDAYS AND HOLIDAYS - starting at a
point 30 feet north of the north curblines
of Bedell Street Parkway, north to a
point 30 feet south of the south curblines
of Jackson Avenue.

WASHINGTON AVENUE (TH 289/22) East Side -
NO PARKING 8 AM TO 4 PM MONDAY,
WEDNESDAY, FRIDAY EXCEPT SATURDAYS ,
SUNDAYS AND HOLIDAYS - starting at a
point 32 feet north of the north curblines
of Jackson Avenue, north to a point 97
feet south of the south curblines of
Merrick Road.

WASHINGTON AVENUE (TH 289/22) West Side -
NO PARKING 8 AM TO 4 PM TUESDAY AND
THURSDAY EXCEPT SATURDAYS , SUNDAYS AND
HOLIDAYS - starting at a point 64 feet
north of the north curblines of Nassau
Parkway, north for a distance of
260 feet.

WASHINGTON AVENUE (TH 289/22) West Side -
NO PARKING 8 AM TO 4 PM TUESDAY AND
THURSDAY EXCEPT SATURDAYS , SUNDAYS AND
HOLIDAYS - starting at a point 28 feet
south of the south curblines of Oswald
Court, south for a distance of 392 feet.

WASHINGTON AVENUE (TH 289/22) West Side -
NO PARKING 8 AM TO 4 PM TUESDAY AND
THURSDAY EXCEPT SATURDAYS , SUNDAYS AND
HOLIDAYS - starting at a point 32 feet
north of the north curblines of Oswald
Court, north for a distance of 91 feet.

WASHINGTON AVENUE (TH 289/22) West Side -
NO PARKING 8 AM TO 4 PM TUESDAY AND
THURSDAY EXCEPT SATURDAYS, SUNDAYS AND
HOLIDAYS - starting at a point 177 feet
north of the north curblines of Oswald
Court, north to a point 107 feet south of
the south curblines of Merrick Road.

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 sixty two of two thousand twenty two is hereby amended By repealing therein "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

FRANKLIN SQUARE
Section 202-7

PACIFIC AVENUE (TH 505/03) West Side -
TWO HOUR PARKING 8 AM TO 8 PM EXCEPT
SATURDAYS, SUNDAYS AND HOLIDAYS -
starting at the south curblines of
Concord Street, south for a distance
of 100 feet.
(Adopted 1/27/04)

PACIFIC AVENUE (TH 505/03) West Side -
TWO HOUR PARKING 8 AM TO 8 PM EXCEPT
SATURDAYS, SUNDAYS AND HOLIDAYS -
starting a point 120 feet south of the
south curblines of Concord Street, south
to a point opposite the southeast
curblines of Lutz Street.
(Adopted 1/27/04)

PACIFIC AVENUE (TH 177/73) West Side -
NO PARKING LOADING ZONE MONDAY THROUGH
FRIDAY 8 AM TO 9 PM - starting from a
point 108 feet north of the north
curblines of Lloyd Street, north for a
distance of 38 feet.
(Adopted 7/10/73)

MERRICK
Section 202-11

BABYLON TURNPIKE West Side - starting
at a point 30 feet north of the north
curblines of Chestnut Street, north for
a distance of 154 feet.
(Adopted 2/14/67)

OCEANSIDE
Section 202-13

ATLANTIC AVENUE (TH 165/86) North Side -
NO PARKING 8 AM TO 6 PM EXCEPT SUNDAYS-
starting at a point 376 feet east of
the east curblines of Davison Street,
east for a distance of 45 feet.
(Adopted 7/15/86)

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 20th day of September, 2022, at 7:00 o'clock in the evening of that day to consider the enactment of a local law to amend Section 202-1 of the code of the Town of Hempstead to INCLUDE "PARKING OR STANDING PROHIBITIONS" at the following locations:

- BALDWIN SEAMAN AVENUE (TH 323-22) South Side - NO PARKING ANYTIME - starting at a point 7 feet west of the curbline of Grove Street, west for a distance of 152 feet.
- LEVITTOWN WOLCOTT ROAD (TH 343/22) West Side - NO STOPPING ANYTIME - starting at a point 210 feet north of the north curbline of the Hempstead Turnpike northside Marginal Road, north for a distance of 80 feet.
- MERRICK KOWAL COURT (TH 368/22) West Side - NO STOPPING HERE TO CORNER - starting at the south curbline of Kirkwood Avenue south for a distance of 45 feet.
- OCEANSIDE WASHINGTON AVENUE (TH 289/22) West Side - NO STOPPING ANYTIME - starting at a point 123 feet north of the north curbline of Oswald Court, north for a distance of 54 feet.
- WEST HEMPSTEAD NASSAU BOULEVARD (TH 370/22) West Side - NO STOPPING HERE TO CORNER - starting at the north curbline of Guildford Court north for a distance of 40 feet.
- NASSAU BOULEVARD (TH 370/22) West Side - NO STOPPING HERE TO CORNER - starting at the south curbline of Guildford Court south for a distance of 40 feet.

Item # 2

Case # 30741

NASSAU BOULEVARD (TH 370/22) West Side -
NO STOPPING HERE TO CORNER - starting
at the north curbline of Roy Street
north for a distance of 40 feet.

WOODMERE

DERBY AVENUE (TH 361/22) East Side -
NO STOPPING HERE TO CORNER - starting
at the north curbline of west Broadway
north for a distance of 25 feet.

DERBY AVENUE (TH 361/22) West Side -
NO STOPPING HERE TO CORNER - starting
at the north curbline of west Broadway
north for a distance of 33 feet.

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

FRANKLIN SQUARE

PACIFIC AVENUE (TH 177/73) West Side -
NO PARKING ANYTIME - starting from a
point 68 feet north of the north
curbline of Lloyd Street, north for a
distance of 40 feet.
(Adopted 7/10/73)

WEST HEMPSTEAD

NASSAU BOULEVARD (TH 60/96) West Side -
NO STOPPING HERE TO CORNER - starting
at the north curbline of Guilford
Court north for a distance of 30 feet.
(Adopted 7/9/96)

NASSAU BOULEVARD (TH 60/96) West Side -
NO STOPPING HERE TO CORNER - starting
at the south curbline of Guilford
Court south for a distance of 28 feet.
(Adopted 7/9/96)

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

Dated: September 7, 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 sixty three of two thousand twenty two is hereby amended by including therein "PARKING OR STANDING PROHIBITIONS" at the following locations:

BALDWIN SEAMAN AVENUE (TH 323-22) South Side -
NO PARKING ANYTIME - starting at a
point 7 feet west of the curbline of
Grove Street, west for a distance of
152 feet.

LEVITTOWN WOLCOTT ROAD (TH 343/22) West Side -
NO STOPPING ANYTIME - starting at a
point 210 feet north of the north
curbline of the Hempstead Turnpike
northside Marginal Road, north for
a distance of 80 feet.

MERRICK KOWAL COURT (TH 368/22) West Side -
NO STOPPING HERE TO CORNER - starting
at the south curbline of Kirkwood
Avenue south for a distance of
45 feet.

OCEANSIDE WASHINGTON AVENUE (TH 289/22) West
Side - NO STOPPING ANYTIME - starting
at a point 123 feet north of the
north curbline of Oswald Court, north
for a distance of 54 feet.

WEST HEMPSTEAD NASSAU BOULEVARD (TH 370/22) West Side -
NO STOPPING HERE TO CORNER - starting
at the north curbline of Guildford
Court north for a distance of 40 feet.

NASSAU BOULEVARD (TH 370/22) West Side -
NO STOPPING HERE TO CORNER - starting
at the south curbline of Guillford
Court south for a distance of 40 feet.

NASSAU BOULEVARD (TH 370/22) West Side -
NO STOPPING HERE TO CORNER - starting
at the north curbline of Roy Street
north for a distance of 40 feet.

WOODMERE DERBY AVENUE (TH 361/22) East Side -
NO STOPPING HERE TO CORNER - starting
at the north curbline of west Broadway
north for a distance of 25 feet.

DERBY AVENUE (TH 361/22) West Side -
NO STOPPING HERE TO CORNER - starting
at the north curblineline of west Broadway
north for a distance of 33 feet.

Section 2. Section two hundred two dashes 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 sixty three of two thousand twenty two is hereby
amended by repealing therein "PARKING OR STANDING PROHIBITIONS" at
the following locations:

FRANKLIN SQUARE

PACIFIC AVENUE (TH 177/73) West Side -
NO PARKING ANYTIME - starting from a
point 68 feet north of the north
curblineline of Lloyd Street, north for a
distance of 40 feet.
(Adopted 7/10/73)

WEST HEMPSTEAD

NASSAU BOULEVARD (TH 60/96) West Side -
NO STOPPING HERE TO CORNER - starting
at the north curblineline of Guilford
Court north for a distance of 30 feet.
(Adopted 7/9/96)

NASSAU BOULEVARD (TH 60/96) West Side -
NO STOPPING HERE TO CORNER - starting
at the south curblineline of Guilford
Court south for a distance of 28 feet.
(Adopted 7/9/96)

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 20th day of September, 2022, at 7:00 o'clock in the evening of that day to consider the enactment of a local law to amend Section 197-5 of the code of the Town of Hempstead to INCLUDE "ARTERIAL STOPS" at the following locations:

- | | |
|--------------|---|
| EAST MEADOW | DOUGLAS DRIVE (TH 371/22) STOP - All traffic moving westbound on Douglas Court shall come to a full stop. |
| (NR)LYNBROOK | UNION AVENUE (TH 345/22) STOP - All traffic moving southbound on Sunset Avenue shall come to a full stop. |
| OCEANSIDE | OCEANSIDE ROAD(TH 327/22) STOP - All traffic traveling westbound on Allen Avenue shall come to a full stop.

OCEANSIDE ROAD(TH 327/22) STOP - All traffic traveling eastbound on Clovermere Road shall come to a full stop. |
| UNIONDALE | WINTER AVENUE (TH 337/22) STOP - All traffic moving southbound on Wake Street shall come to a full stop. |
| WESTBURY | LADENBURG DRIVE (TH 369/22)STOP - All traffic southbound on Ralph Place shall come to a full stop.

LADENBURG DRIVE (TH 369/22)STOP - All traffic northbound on Ralph Court shall come to a full stop. |

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

Dated: September 7, 2022
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

DONALD X. CLAVIN, JR.
Supervisor

KATE MURRAY
Town Clerk

Item # 3

Case # 30742

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

EAST MEADOW DOUGLAS DRIVE (TH 371/22) STOP - All traffic moving westbound on Douglas Court shall come to a full stop.

(NR)LYNBROOK UNION AVENUE (TH 345/22) STOP - All traffic moving southbound on Sunset Avenue shall come to a full stop.

OCEANSIDE OCEANSIDE ROAD(TH 327/22) STOP - All traffic traveling westbound on Allen Avenue shall come to a full stop.

OCEANSIDE ROAD(TH 327/22) STOP - All traffic traveling eastbound on Clovermere Road shall come to a full stop.

UNIONDALE WINTER AVENUE (TH 337/22) STOP - All traffic moving southbound on Wake Street shall come to a full stop.

WESTBURY LADENBURG DRIVE (TH 369/22)STOP - All traffic southbound on Ralph Place shall come to a full stop.

LADENBURG DRIVE (TH 369/22)STOP - All traffic northbound on Ralph Court 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 20th day of September, 2022, at 7:00 o'clock in the evening of that day to consider the enactment of a local law to amend Section 197-13 of the code of the Town of Hempstead to INCLUDE "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at the following location:

(NR) VALLEY STREAM

SANFORD COURT (TH 332/22) West Side -
NO STOPPING 8 AM TO 4 PM SCHOOL DAYS-
starting at a point 16 feet south of
the south curblineline of Jedwood Place,
then south for a distance of 75 feet.

JEDWOOD PLACE (TH 332/22) South Side -
NO STOPPING 8 AM TO 4 PM SCHOOL DAYS-
starting at a point 15 feet west of
the west curblineline of Sanford Court,
then west for a distance of 70 feet.

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

Dated: September 7, 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 #

4

Case #

30743

Town of Hempstead

A local law to amend Section one hundred ninety seven dash thirteen of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, to include "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 fifty three of two thousand twenty two is hereby amended by including therein "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at the following location:

(NR) VALLEY STREAM

SANFORD COURT (TH 332/22) West Side -
NO STOPPING 8 AM TO 4 PM SCHOOL DAYS-
starting at a point 16 feet south of
the south curblineline of Jedwood Place,
then south for a distance of 75 feet.

JEDWOOD PLACE (TH 332/22) South Side -
NO STOPPING 8 AM TO 4 PM SCHOOL DAYS-
starting at a point 15 feet west of
the west curblineline of Sanford Court,
then west for a distance of 70 feet.

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 20th day of September , 2022, at 7:00 o'clock in the evening of that day, to consider the adoption of a resolution setting aside certain parking spaces for motor vehicles for the sole use of holders of special parking permits issued by the County of Nassau to physically handicapped persons at the following locations:

BALDWIN

HARTE STREET - west side, starting at a point 160 feet north of the north curblineline of West Seaman Avenue, north for a distance of 20 feet.
(TH-334/22)

BELLEROSE TERRACE

240TH STREET - west side, starting at a point 137 feet south of the south curblineline of Ontario Road, south for a distance of 15 feet.
(TH-355/22)

ELMONT

LITCHFIELD AVENUE - west side, starting at a point 346 feet south of the south curblineline of Russell Street, south for a distance of 18 feet.
(TH-353/22)

LITCHFIELD AVENUE - east side, starting at a point 377 feet south of the south curblineline of Bruce Street, south for a distance of 20 feet.
(TH-365/22)

BURTON AVENUE - south side, starting at a point 52 feet east of the east curblineline of Litchfield Avenue, east for a distance of 20 feet.
(TH-373/2022)

Item #

5

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21507

FLORAL PARK

239TH STREET - west side, starting at a point 93 feet south of the south curblineline of 95th Avenue, south for a distance of 15 feet.

(TH-348/22)

FRANKLIN SQUARE

PACIFIC STREET - west side, starting at a point 435 feet north of the north curblineline of Lloyd Street, north for a distance of 19 feet.

(TH-335/22)

McKINELY AVENUE - east side, starting at a point 291 feet south of the south curblineline of Roosevelt Street, south for a distance of 20 feet.

(TH-350/22)

NORTH BELLMORE

EVELYN AVENUE - east side, starting at a point 172 feet north of the north curblineline of Harvey Drive, north for a distance of 20 feet.

(TH-366/22)

OCEANSIDE

CHESTER STREET - south side, starting at a point 37 feet west of the west curblineline of Woods Avenue, west for a distance of 20 feet.

(TH-364/22)

VALLEY STREAM

SALEM ROAD - south side, starting at a point 125 feet east of the east curblineline of Salem Gate, east for a distance of 22 feet.

(TH-354/22)

WOODMERE

EDWARD AVENUE - east side, starting at a point 144 feet north of the north curblineline of West Broadway, north for a distance of 20 feet.

(TH-322/22)

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

FRANKLIN SQUARE

PACIFIC AVENUE - west side, starting
at a point 5 feet south of a point
opposite the south curblineline of Maxwell
Street, north for a distance of 19 feet.
(TH-569/16 - 3/07/17) (TH-335/22)

LIDO BEACH

SHAREN DRIVE - east side, starting
at a point 50 feet south of the south
curblineline of Gerry Avenue, south for
a distance of 22 feet.
(TH-4/22 - 3/01/22) (TH-4(B)/22)

MERRICK

ORR STREET - west side, starting
at a point 9 feet north of roadway
terminus north for a distance of
25 feet.
(TH-380/21 - 10/05/21) (TH-330/22)

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

Dated: September 7, 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 the 20th day of September 2022 at 7:00 P.M. in the evening of that day, to consider the enactment of amendments to section 10-3 and paragraph B. of section 10-4 of Chapter 10 "Taxation: Partial Exemption of Real Property for Certain Persons with Limited Income" of the Hempstead Town Code to increase the annual income limit for persons 65 and over to receive a partial town tax exemption.

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

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

Dated: Hempstead, New York

September 7, 2022

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

KATE MURRAY
Town Clerk

DONALD X. CLAVIN, JR.
Supervisor

Item #

6

Case #

15511

Town of Hempstead

A LOCAL LAW AMENDING SECTION 10-3 AND PARAGRAPH B. OF SECTION 10-4 OF CHAPTER 10 OF THE HEMPSTEAD TOWN CODE ENTITLED "TAXATION: PARTIAL EXEMPTION OF REAL PROPERTY FOR CERTAIN PERSONS WITH LIMITED INCOME"

Introduced by:

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

Section 1.

Section 10-3 of Chapter 10 of the Hempstead Town Code entitled "Taxation: Partial Exemption of Real Property for Certain Persons with Limited Income" is hereby amended to read as follows:

Chapter 10

Taxation: Partial Exemption of Real Property for Certain Persons with Limited Income

* * *

§ 10-3. Property exemption granted.

Real property in the Town owned by one or more persons, each of whom is 65 years of age or over, or real property owned by husband and wife, one of whom is 65 years of age or over, shall be exempt from taxation by the Town to the extent of the following percentages of the assessed valuation thereof:

Annual Income	Percent of Exemption
Up to and including \$50,000	50%
More than \$50,000, but less than \$51,000	45%
\$51,000 or more, but less than \$52,000	40%
\$52,000 or more, but less than \$53,000	35%
\$53,000 or more, but less than \$53,900	30%
\$53,900 or more, but less than \$54,800	25%
\$54,800 or more, but less than \$55,700	20%
\$55,700 or more, but less than \$56,600	15%
\$56,600 or more, but less than \$57,500	10%
\$57,500 or more, but less than \$58,400	5%

* * *

Section 2.

Paragraph B. of section 10-4 of Chapter 10 of the Hempstead Town Code entitled "Taxation: Partial Exemption of Real Property for Certain Persons with Limited Income" is hereby amended to read as follows:

Chapter 10

Taxation: Partial Exemption of Real Property for Certain Persons with Limited Income

* * *

§ 10-4. Conditions of exemption.

No exemption shall be granted:

* * *

B. If the income of the owner or combined income of the owners of the property exceeds the sum of \$58,400 for the income tax year immediately preceding the date of making the application for exemption. The term "income-tax year" shall mean the twelve-month period for which the owner or owners file a federal personal income tax return or, if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum, except where the husband or wife, or ex-husband or ex-wife, is absent from the property as provided in Subparagraph (ii) of Paragraph (d) of § 467 of the Real Property Tax Law, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gains from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings and net income from self-employment, but shall not include a return of capital, gifts, inheritances, payments made to individuals because of their status as victims of Nazi persecution, as defined in P.L. 103-286, or monies earned through employment in the federal foster grandparent program, and any such income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance. Such income shall not include veterans' disability compensation, as defined in Title 38 of the United States Code. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion and wear and tear of real property held for the production of income.

* * *

Section 3.

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule Law of the State of New York, as amended, a public hearing will be held in the Nathan L. H. Bennett Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Village and Town of Hempstead, New York, on the 20th day of September 2022 at 7:00 P.M.

in the evening of that day, to consider the enactment of amendments to section 25-2 of Chapter 25 "Taxation: Partial Exemption for Disabled Persons with Limited Incomes" of the Hempstead Town Code to increase the annual income limit for disabled persons to receive a partial town tax exemption.

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

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

Dated: Hempstead, New York

September 7, 2022

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

KATE MURRAY
Town Clerk

DONALD X. CLAVIN, JR.
Supervisor

Item # 7
Case # 25918

Town of Hempstead

A LOCAL LAW AMENDING SECTION 25-2 OF CHAPTER 25 OF THE HEMPSTEAD TOWN CODE ENTITLED "TAXATION: PARTIAL EXEMPTION FOR DISABLED PERSONS WITH LIMITED INCOMES"

Introduced by:

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

Section 1.

Section 25-2 of Chapter 25 of the Hempstead Town Code entitled "Taxation: Partial Exemption for Disabled Persons with Limited Incomes" is hereby amended to read as follows:

Chapter 25

Taxation: Partial Exemption for Disabled Persons with Limited Incomes

* * *

§ 25-2. Real property exemption granted.

Real property in the Town owned by one or more persons with disabilities, or real property owned by a husband, wife, or both, or by siblings, at least one of whom has a disability, and whose income, as hereinafter defined, is limited by reasons of such disability shall be exempt from taxation by the Town to the extent of the following percentage of the assessed valuation thereof:

Annual Income	Percent of Exemption
Up to and including \$50,000	50%
More than \$50,000, but less than \$51,000	45%
\$51,000 or more, but less than \$52,000	40%
\$52,000 or more, but less than \$53,000	35%
\$53,000 or more, but less than \$53,900	30%
\$53,900 or more, but less than \$54,800	25%
\$54,800 or more, but less than \$55,700	20%
\$55,700 or more, but less than \$56,600	15%
\$56,600 or more, but less than \$57,500	10%
\$57,500 or more, but less than \$58,400	5%

* * *

Section 2.

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

NOTICE OF PUBLIC HEARING

A public hearing has been scheduled by the Town of Hempstead Town Board to determine whether a Contract of Sale for a vacant commercial parcel land located in:

Parcel 1: Northeast corner of Hempstead Turnpike & Louis Avenue, ELMONT (Section 32, Block 365, Lots 57-61 and 199) - Zoned HT-E-NC District +/- 12,800 square feet;

Parcel 2: 546 Hempstead Turnpike, Northwest corner of Hempstead Turnpike and Makofske Avenue, ELMONT (Section 32, Block 365, Lot 200) - Zoned HT-E-NC District +/- 3,120 square feet;

Parcel 3: 522 Hempstead Turnpike, North side of Hempstead Turnpike, between Rouquette Avenue and Louis Avenue, ELMONT (Section 32, Block 362, Lots 14 and 15) - Zoned HT-E-NC District +/- 2,990 square feet;

Parcel 4: 540 Hempstead Turnpike, Northwest corner of Hempstead Turnpike and Louis Avenue, ELMONT (Section 32, Block 362, Lots 20, 21, 42 and 43) Zoned HT-E-NC and Residence C Districts +/- 9,150 square feet; and

Parcel 5: 524 Hempstead Turnpike, North side of Hempstead Turnpike and the East side of Rouquette Avenue, ELMONT (Section 32, Block 362, Lots 11, 16-19 and 41), Zoned HT-E-NC and Residence C Districts +/- 9,700 square feet.

Such property shall be conveyed to Duck Soup Properties LLC, for Nine Hundred Forty Five Thousand and 00/100 (\$945,000.00) Dollars for development and construction of a commercial retail structure in accordance with the Elmont Urban Renewal Action Plan and the Nassau Road Corridor Action Plan which is aimed at maintain existing businesses, attracting new businesses and creating employment opportunities within the Roosevelt community

Time of Hearing: **SEPTEMBER 20, 2022** at 7:00 P.M.

Location of Hearing: Town of Hempstead Town Hall Pavilion
One Washington Street
Hempstead, N.Y.

Public Purpose: The adoption of a Contract of Sale to convey the above named vacant commercial parcels of land to DUCK SOUP PROPERTIES LLC, to be redeveloped For commercial retail use pursuant to the Terms of the Elmont Urban Renewal Action Plan.

Location of Property: Hempstead Turnpike, Elmont, NY

**By Order of
THE TOWN OF HEMPSTEAD TOWN BOARD
ONE WASHINGTON STREET
HEMPSTEAD, N.Y. 11550**

Item # 8

Case # 20408

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Hempstead, Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York on September 20, 2022 at 7:00 o'clock in the evening of that day for the purpose of considering the application of BOLLA OPERATING LI CORP. for a variance from the provisions of "GSS" District for a permit to operate self-service and a convenience store at an existing gasoline service station which shall be raised and rebuilt, to modify and rescind Restrictive Covenants in order to modify a previously approved site plan at the premises located on the s/w/cor. of Wantagh Ave. & Hempstead Tpke. Levittown, New York.

A slightly irregular parcel of property on the w/si of Wantagh Ave. between Hempstead Turnpike and Balsam Lane w/frontage on Wantagh Ave of 126.37' and frontage on Hempstead Turnpike of 154.58' and frontage of 136.00' on Balsam Lane situated in Levittown, New York, County of Nassau, State of New York.

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

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

Hempstead:

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

DONALD X. CLAVIN JR.
SUPERVISOR

KATE MURRAY
TOWN CLERK

Item #

9

Case #

9922

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule Law of the State of New York, as amended, a public hearing will be held in the Nathan L. H. Bennett Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Village and Town of Hempstead, New York, on the 20th day of September 2022 at 7:00 P.M. in the evening 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
September 7, 2022

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

KATE MURRAY
Town Clerk

DONALD X. CLAVIN, JR.
Supervisor

Item #

10

Case #

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 Council(wo)man _____

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 six months 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 six-month 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.

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 20th day of September 2022 at 7:00 P.M. in the evening of that day, to consider the enactment of Chapter 101-A 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
September 7, 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 101-A 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 Council(wo)man _____

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

Section 1. Chapter 101-A 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 101-A

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

§101-A-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.

§101-A-2. ENACTMENT OF A TEMPORARY MORATORIUM

Until six months 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 six-month 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.

§101-A-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.

§101-A-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.

§101-A-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-A-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-A-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-A-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:

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 TO REZONE A PARCEL OF LAND LOCATED IN NORTH BELLMORE, COUNTY OF NASSAU, STATE OF NEW YORK.

WHEREAS, the applicant, Leon Petroleum, LLC, has submitted to the Town of Hempstead an application to rezone a parcel of land located at 2550 Jerusalem Avenue, North Bellmore, New York from "Residence B" District to "Business X" District; and

WHEREAS, the purpose of the proposed rezoning from "Residence B" District to "Business X" District is to allow for the parcel of land to be included in an existing adjacent parcel already in a Gasoline Service Station "GSS" District and the conversion of an existing Automobile Repair Building into a Convenience Store ; 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 Town Attorney considers the project to be an Unlisted Action and will not have a significant effect on the environment for the following reasons:

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

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

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

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

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

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

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

Item #

12

Case #

30419

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 rezoning from "Residence B" District to "Business X" District for said parcel of land located in North Bellmore, 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 rezoning 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:

DECISION:

LEON

PETROLEUM

LLC.

NORTH

BELLMORE

GSS

Item # 13
Case # 30419

DECISION:

LEON

PETROLEUM

LLC.

NORTH

BELLMORE

REZONE

Item # 14
Case # 30420

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution

And moved its adoption:

RESOLUTION GRANTING PERMISSION TO THE CHAMBER OF COMMERCE OF THE BELLMORES TO USE TOWN OF HEMPSTEAD PARKING FIELDS B-2, B-3, B-6, B-7, BELLMORE, NEW YORK FOR THE PURPOSE OF HOLDING THE ANNUAL BELLMORE FAMILY STREET FESTIVAL SEPTEMBER 22, 2022 THROUGH SEPTEMBER 25, 2022. (RAINDATE OCTOBER 20, 2022 THROUGH OCTOBER 23, 2022).

WHEREAS, the Chamber of Commerce of the Bellmores, c/o RMB Drafting Services, Inc., 308 East Meadow Avenue, East Meadow, New York 11554 has requested to use Town of Hempstead Parking Fields B-2, B-3, B-6, B-7, Bellmore, New York for the purpose of holding the Annual Bellmore Family Street Festival September 22, 2022 through September 25, 2022 (Raindate October 20, 2022 through October 23, 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 Chamber of Commerce of the Bellmores, c/o RMB Drafting Services, 308 East Meadow Avenue, East Meadow, New York 11554 to use Town of Hempstead Parking Fields B-2, B-3, B-6, B-7, Bellmore, New York for the purpose of holding the Festival and be it further

RESOLVED, that in conducting this activity, the Chamber of Commerce of the Bellmores shall comply with all the provisions of the Code of the Town of Hempstead (the "Town Code"); 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 are to be used at the Annual 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), shall render this approval null and void; and be it further

Item # 15

Case # 20915

RESOLVED, that subject to the issuance of the Special Permit, amusement rides will be set up after 8:00 p.m. on September 21, 2022 and October 19, 2022 and removed by 6:00 a.m. on September 26, 2022 and October 24, 2022.

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 WAIVING CERTAIN
PROVISIONS OF THE TOWN CODE
RELATIVE TO THE SEAFORD CHAMBER
OF COMMERCE FALL FESTIVAL AND TO
AUTHORIZE THE COMMISSIONER OF
GENERAL SERVICES TO EXECUTE
DOCUMENTS IN CONNECTION WITH THAT
FUNCTION.**

WHEREAS, on March 22, 2022, the Town Board adopted Town Board Resolution No. 422-D-2022, which permitted the Seaford Chamber of Commerce to host a Fall Festival on October 1, 2022, at Town of Hempstead Parking Field S-5, Seaford, New York; and

WHEREAS, by letter dated September 8, 2022, the Seaford Chamber of Commerce requested that the Town Board waive certain provisions of the Town Code of the Town of Hempstead for purposes of allowing the sale and consumption of alcohol at the Fall Festival; and

WHEREAS, in connection with that request, the Seaford Chamber of Commerce executed a hold harmless agreement and has procured insurance naming the Town of Hempstead as a named additional insured on its general liability policies;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby waives the provisions of Town Code §§77-2 and 80-8, at Parking Field S-5, Seaford during those times that the Seaford Chamber of Commerce Fall Festival is in actual operation; and be it further,

RESOLVED, that the Commissioner of General Services is authorized to execute any documents the New York State Liquor Authority requires the Town of Hempstead to execute with respect to the sale of alcohol by vendors at the Seaford Chamber of Commerce Fall Festival.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

16

Case #

20915
15162

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 \$1,000.00 FROM SEA CLIFF BEACH, LLC

WHEREAS, Sea Cliff Beach LLC, with offices at 1040 Fulton Street, Woodmere, New York 11598, and an independent third party without affiliation of any kind with the Town, recently sought and received permission from the Department of Parks and Recreation ("Department") to access and utilize the beach, Community Room, and Parking Lot at Hewlett Point Park to accommodate a film shoot project ("The Tributaries"); and

WHEREAS, with respect to its use of Hewlett Point Park, Sea Cliff Beach LLC agreed to make a donation in the sum of \$1,000.00 (the "Donation") to the Town; and

WHEREAS, the Commissioner of the Department respectfully recommends that this Town Board accept the Donation from Sea Cliff Beach LLC and further recommends that said Donation be specifically allocated to help subsidize the Town's Summer Concert Series; and

WHEREAS, this Town Board finds that it would be in the Town's best interest to accept the Donation from Sea Cliff Beach LLC for the purpose of helping to subsidize the Town's Summer Concert Series.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Hempstead hereby agrees to accept the Donation from Sea Cliff Beach LLC for the express purpose of helping to subsidize the Town's Summer Concert Series; and

BE IT FURTHER

RESOLVED, that the Town Comptroller be and hereby is authorized to deposit the \$1,000.00 Donation into the Gifts and Donation Account (#400-007-7110-2705).

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item # 17

Case # 21943

11377

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 \$1,000.00 FROM QUEST NUTRITION

WHEREAS, Quest Nutrition, with offices at 777 S. Aviation Blvd., Suite 100, El Segundo, CA 90245 and an independent third party without affiliation of any kind with the Town, recently sought and received permission from the Department of Parks and Recreation ("Department") to access and utilize the indoor pool at the Echo Park Pool Facility to accommodate a commercial film shoot project; and

WHEREAS, with respect to its use of the Echo Park Pool Facility, Quest Nutrition agreed to make a donation in the sum of \$1,000.00 (the "Donation") to the Town; and

WHEREAS, the Commissioner of the Department respectfully recommends that this Town Board accept the Donation from Quest Nutrition and further recommends that said Donation be specifically allocated to help subsidize the Town's Summer Concert Series; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Hempstead hereby agrees to accept the Donation from Quest Nutrition for the express purpose of helping to subsidize the Town's Summer Concert Series; and

BE IT FURTHER

RESOLVED, that the Town Comptroller be and hereby is authorized to deposit the \$1,000.00 Donation into the Gifts and Donation Account (#400-007-7110-2705).

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item # 18
Case # 21943
11377

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption as follows:

RESOLUTION AUTHORIZING THE RATIFICATION AND AFFIRMATION OF THE PRIOR EXECUTION OF A "CLIENT AUTHORIZATION" WITH VHB ENGINEERING, SURVEYING, LANDSCAPE ARCHITECTURE AND GEOLOGY P.C. ("VHB")

WHEREAS, the Department of Parks and Recreation ("Department") has been tasked with facilitating the removal of certain dunes located on the Town's Atlantic Beach property (the "Atlantic Beach Dune Removal Project"); and

WHEREAS, the Department is seeking the guidance, services and expertise of a skilled engineering firm to assist it in the performance of the Atlantic Beach Dune Removal Project; and

WHEREAS, pursuant to Resolution No. 683-2021, duly adopted by this Town Board on June 15, 2021, the Town accepted VHB's proposal to provide a broad range of planning, engineering, environmental and technology services to the Town on an "On Call" basis; and

WHEREAS, pursuant to its "Task Order # 3", VHB offered to provide the Department with its expertise and services with respect to the Atlantic Beach Dune Removal Project including, among other things, preparing required permit applications, coordinating with the Department and relevant regulatory agencies, and preparing analyses as requested; and

WHEREAS, prior to commencing its services to the Department with respect to the Atlantic Beach Dune Removal Project, VHB required the Department to execute a "Client Authorization" form (a copy of which is annexed hereto) which established an initial "not to exceed" budget amount of \$13,000.00; and

WHEREAS, the Commissioner of the Department executed the aforementioned "Client Authorization" on September 1, 2022 and hereby recommends to this Town Board that it: (i) ratify and affirm his prior execution of said "Client Authorization" as furthering the Town's interest in successfully completing the Atlantic Beach Dune Removal Project; and (ii) authorize the Town Comptroller to make payments to VHB from time-to-time consistent with said "Client Authorization" form; and

WHEREAS, this Town Board finds that it is in the best interest of the Town to ratify and affirm the Commissioner's prior execution of the aforementioned "Client Authorization" form and that the Town Comptroller be authorized to make payments to VHB in connection therewith.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of the Department's prior execution of the VHB Client Authorization Form be and hereby is ratified and affirmed; and

BE IT FURTHER

RESOLVED, that the Town Comptroller, be and hereby is authorized to make payments to VHB from time-to-time in conjunction with the Atlantic Beach Dune Removal Project in a total amount not to exceed \$13,000.00 and to charge said fees to Parks & Recreation Atlantic Beach Estates Park District Capital Outlay Account #402-0007-04020-3010.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item # 19

Case # 28537

11377

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution

and moved its adoption:

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR THE MAINTENANCE OF IP SURVEILLANCE CAMERAS THROUGHOUT THE TOWN OF HEMPSTEAD UNDER NY STATE CONTRACT PT68837.

WHEREAS, Networked Educational Technologies Ltd d/b/a CSDNET, 874 Montauk Hwy. Bayport, NY 11705, has submitted a proposal (the "proposal") for the service and support of the IP Surveillance Cameras for a one-year period beginning November 1, 2022 and ending on October 31, 2023 pursuant to the "piggyback" provision of New York State contract # PT68837 (the "services"); and

WHEREAS, said proposal is in an amount not to exceed eighty one thousand, one hundred eighty dollars (\$81,180.00) ; and

WHEREAS, the Commissioner of Information & Technology ("the Commissioner") has recommended that it is in the best interest of the Town to accept the proposal for services; and

WHEREAS, consistent with the recommendation of the Commissioner, this Board wishes to authorize the acceptance of the proposal from CSDNET for a period of one year commencing on November 1, 2022.

NOW, THEREFORE, BE IT

RESOLVED, that the proposal for the services is hereby authorized; and be it further

RESOLVED, that the Town Board authorizes the Commissioner to accept and execute the aforesaid proposal and/or such documents as may be required with Networked Educational Technologies Ltd d/b/a CSDNET, 874 Montauk Hwy. Bayport, NY 11705; and be it further

RESOLVED, The Comptroller is authorized and directed to make payment in the amount of eighty one thousand one hundred eighty dollars (\$81,180.00) for the services from the Department of Information and Technology account 010-0001-16800-4030

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

20

Case #

14301

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AMENDING RESOLUTION 259-2022 THE ACCEPTANCE OF A PROPOSAL WITH S3 LLC FOR MAINTENANCE OF THREE XEROX VERSANT V180P COLOR PRINTERS USED IN INFORMATION AND TECHNOLOGY FOR THE PRINTING OF TAX BILLS UNDER NYS CONTRACT PM 67534.

WHEREAS, The Town of Hempstead (the "Town") has an agreement with S3, LLC, 516 Cherry Lane, Floral Park, NY 11001 for the maintenance of three Xerox Versant V180P Printers pursuant to the "piggyback provision" of New York State Contract PM67534 (the "Maintenance Agreement"); and

WHEREAS, Resolution 259-2022 authorized a one year maintenance contract beginning January 1, 2022 and expiring December 31, 2022 not to exceed \$115,440.00 (one hundred fifteen thousand four hundred and forty dollars); and

WHEREAS, due to increased printing additional charges have been incurred; and

WHEREAS, the Commissioner of Information and Technology (the "Commissioner") has recommended that it is in the best interest of the Town to amend resolution 259-2022 to reflect this increase in maintenance charges in the amount of \$40,000.00 (forty thousand dollars); and

WHEREAS, consistent with the recommendation of the Commissioner, this Board wishes to authorize amending resolution 259-2022 adopted February 15, 2022.

NOW, THEREFORE, BE IT

RESOLVED, that resolution 259-2022 be and is hereby amended to reflect the increased maintenance cost in the amount of \$40,000.00 (forty thousand dollars); and be it further

RESOLVED, that the Comptroller is authorized and directed to make payments in an amount not to exceed \$155,440.00 (one hundred and fifty-five thousand four hundred and forty dollars) for the one-year period from the Department of Information and Technology account 010-0001-16800-4030-000000-000-00000

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

21

Case #

14301

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE COMMISSIONER OF INFORMATION AND TECHNOLOGY TO EXECUTE AN ORDERING DOCUMENT FROM CHERRY ROAD TECHNOLOGIES, INC FOR PRIORITY SUPPORT FOR THE TOWN'S ORACLE CLOUD SYSTEM

WHEREAS, the Department of Information and Technology (the "Department") has received a proposal for one year of priority ERP support (the "Services); and

WHEREAS, the Commissioner of Information & Technology (the "Commissioner") has recommended that the proposal from Cherry Road Technologies, Inc., 6 Upper Pond Road, Parsippany, New Jersey 07054, as the best solution and is in the best interest of the Town; and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board authorizes the Department to execute an ordering document for the Services with Cherry Road Technologies, Inc., 6 Upper Pond Road, Parsippany, New Jersey 07054, for a one-year term beginning June20,2022 with the option to renew for an additional year with an implementation price not to exceed \$31,886.74 per year; and be it further

RESOLVED, that the Town Board further authorizes the Commissioner to execute the ordering documents, if any, prepared herewith in connection with the proposal for the Services; and be it further

RESOLVED, that the Comptroller is authorized and directed to make payment from the Department of Information and Technology account 010-0012-90000-4151 in an amount not to exceed \$31,886.74.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

22

Case #

14301

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE RATIFICATION AND AFFIRMATION OF CERTAIN REFEREE AND ASSIGNER OF OFFICIALS AGREEMENTS IN CONJUNCTION WITH THE DEPARTMENT OF PARKS AND RECREATION SUMMER HIGH SCHOOL SOCCER LEAGUE

WHEREAS, the Town of Hempstead through its Department of Parks and Recreation hosts a Summer High School Soccer League each Summer Season (collectively the "Summer High School Soccer League"); and

WHEREAS, in conjunction with the Summer High School Soccer League, the Department of Parks and Recreation has entered into several Referee and Assigner of Officials Agreements for the "Summer High School Soccer League", as more particularly identified on Schedule "A" attached hereto; and

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

WHEREAS, this Town Board find that the ratification and affirmation of the Referee and Assigner of Officials Agreements respectively identified on Schedule "A" in conjunction with the Summer High School Soccer League is in the best interest of the Town.

NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned previously executed Referee and Assigner of Officials Agreement are each hereby ratified and affirmed; and

BE IT FURTHER

RESOLVED, that the Comptroller be and hereby is authorized to make payments under the aforementioned Referee and Assigner of Officials Agreements from Parks and Recreation Account number 400-007-71100-4151.

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item #

23

Case #

11046

DEPT OF PARKS & RECREATION - 2022 SUMMER HS SOCCER LEAGUE REFEREES-ASSIGNER OFFICIALS**"SCHEDULE A"**

REFEREE/ASSIGNER OFFICIAL	TITLE	Fee
Randy Geier	Referee (17 games)	\$748.00
Ken Heller	Referee (25 games)	\$1,100.00
Thomas Beattie	Referee (20 games)	\$880.00
Randy Vogt	Referee (13 games)	\$572.00
Edward Rosov	Referee(22 games)	\$968.00
Pete Siegmann	Referee (23 games)	\$1,012.00
Frank Visone	Referee (39 games)	\$1,716.00
David Poli	Referee (33 games)	\$1,452.00
Charles Rothman	Referee (8 games)	\$352.00
Michael Labrys	Referee (10 games)	\$440.00
Patricia Thelwell	Referee (20 games)	\$880.00
Thomas Cully	Referee (2 games)	\$88.00

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption as follows:

RESOLUTION RATIFYING AND AFFIRMING THE RETENTION OF BRILLIANCE EVENT PRODUCTIONS AND AUTHORIZING THE PAYMENT OF ITS PRODUCTION INVOICE IN CONNECTION WITH THE TOWN'S ANNUAL 9-11 MEMORIAL CEREMONY

WHEREAS, the Town annually holds a moving commemorative service ("Memorial Service") at its Town Park Point Lookout 9-11 Memorial; and

WHEREAS, in conjunction with the Memorial Service the Department of Parks & Recreation ("Department") has for the past two years (2020 and 2021) retained the professional production services of Brilliance Event Productions ("BEP") with offices at 117 Newton Road, Plainview, NY 11803, for the purpose of illuminating the sky with Tower Lights symbolizing the Twin Towers; and

WHEREAS, the securing of BEP services by the Department for each of the past two years was the culmination of a competitive bidding process pursuant to which BEP was the sole bidder; and

WHEREAS, based on the high quality of the illumination services previously provided by BEP coupled with the lack of interest from other locally based companies providing comparable illumination services as evidenced by the absence of competitive bids in 2020 and 2021, the Department retained BEP for the recent 2022 9-11 Memorial Service; and

WHEREAS, the Commissioner of the Department hereby confirms that BEP provided high quality professional illumination services in connection with the Towns 2022 Memorial Service and accordingly recommends to this Town Board that it: (i) ratify and affirm the Department's prior retention of BEP for the specific purpose of providing illumination services at the 2022 Memorial Service; and (ii) authorize the Town Comptroller to pay BEP's related Production Invoice in the amount of \$4,900.00, which is the same fee charged by BEP for its services at the Town's 2021 Memorial Service; and

WHEREAS, this Town Board believes that it is in the best interest of the Town to both ratify and affirm the Department's retention of BEP in conjunction with 2022 Memorial Service and authorize the Town Comptroller to pay BEP's related invoice in the amount of \$4,900.00.

NOW, THEREFORE, BE IT

RESOLVED, that the Department's prior retention of BEP in conjunction with the 2022 Memorial Service be and hereby is ratified and affirmed; and

BE IT FURTHER

RESOLVED, that the Town Comptroller, be and hereby is, authorized to make payment to Brilliance Event Productions in the total amount of \$4,900.00 and to charge said fees to Parks & Recreation 400-0007-7110-4130 (Rental of Equipment).

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item # 24

Case # 6874

CASE NO.

RESOLUTION NO.

Adopted:

Councilmember moved
the following resolution's adoption.

RESOLUTION AUTHORIZING INTELLI-TEC SECURITY SERVICES TO PROVIDE THE MAINTENANCE AND SERVICING OF THE TOWN'S ACCESS CONTROL AND I.D. BADGING SYSTEM AT ALL TOWN OF HEMPSTEAD FACILITIES.

WHEREAS, the Town of Hempstead Department of Public Safety has an Access Control and I.D. Badging System that provides security access to Town facilities; and

WHEREAS, Intelli-tec Security Services, 150 Eileen Way, Unit 2, Syosset, New York, 11791 ("Intelli-tec") has offered to provide a 5-Star Service/Maintenance Plan on the Town's Access Control and I.D. Badging System for the period of one (1) year from July 1, 2022 through June 30, 2023 which covers all parts and labor at all times including after hours, weekends and holidays, all readers and all reads and associated control boards, power supplies, wiring and all hardware at the doors for a fee of \$16,896.00 (the "Services"), pursuant to a N.Y. General Municipal Law §103 'piggyback' of N.Y.S. Contract #PT64406 with Intelli-tec; and

WHEREAS, the Commissioner of the Department of Public Safety (the "Commissioner") recommends this Board authorize the Services;

NOW, THEREFORE, BE IT

RESOLVED, the Services with Intelli-tec are authorized, and the Commissioner is authorized to execute any documents necessary to effect the Services; and be it further,

RESOLVED, the fees associated with the Services shall be paid from Department of Public Safety Maintenance of Equipment Account 010-002-3120-4030- for an amount not to exceed \$16,896.00.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 25

Case # 13671

Case No.

Resolution No.

Adopted:

Councilmember

moved the following resolution's adoption:

**RESOLUTION CHANGING THE TOWN
BOARD'S BUDGET HEARING DATE TO
OCTOBER 19, 2022**

RESOLVED, the Town Board's budget hearing date and times are changed from October 18, 2022 at 2:30pm and 7:00pm to October 19, 2022 at 2:30pm and 7:00pm, and the Town Clerk shall give notice of this change in accord with N.Y. Open Meetings Law §104.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

26

Page 1 of 1

Case #

530

Case No.

Resolution No.

Adopted:

Council(wo)man

moved the following resolution's adoption:

RESOLUTION AMENDING TBR #1485-2021

WHEREAS, TBR 1485-2021 authorized a boundary line agreement with Anthony Savvas, the abutting property owner: and

WHEREAS Savvas conveyed his property to William Gordon before the boundary line agreement was filed; and

NOW, THEREFORE, BE IT

RESOLVED, TBR #1485-2021 is amended to the extent of replacing the name "Anthony Savvas" with the name "William Gordon"; and be it further

RESOLVED that in all other respects TBR #1485-2021 shall remain in full force and effect: and be if further

RESOLVED that the Boundary Line Agreement between the Town of Hempstead and William Gordon dated [] is ratified and approved.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

27

Case #

Page 1 of 4
30549

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 ROOSEVELT COUNTY OF NASSAU, STATE OF NEW YORK.

WHEREAS, the applicant, Philip Laconte, has submitted to the Town of Hempstead an application for Site Plan Approval for a 1.024 acre parcel of land located at 111-15 Pleasant Avenue, Roosevelt, New York; and

WHEREAS, the purpose of the proposed site plan approval is to allow for the demolition of an existing one-story commercial building and the construction of a three-story, 50,787 square foot Charter School with a playground and parking for 25 cars; 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 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 Town Attorney has made a recommendation to the Town Board; and

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

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

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

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

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

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

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

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

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

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 Roosevelt, New York; and

BE IT FURTHER

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

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

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

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION APPROVING OVERALL LAYOUT SITE PLAN SUBMITTED BY ROBERT PHILLIP FERRARO ARCHITECT ON BEHALF OF PHILIP LECONTE IN CONNECTION WITH BUILDING APPLICATION # 18- 5627 FOR THE CONSTRUCTION OF A THREE-STORY CHARTER SCHOOL BUILDING WITH BASEMENT (ROOSEVELT CHILDREN’S ACADEMY); INCLUDING ASSOCIATED SITE IMPROVEMENTS, LOCATED ON THE NORTH SIDE OF PLEASANT AVENUE AND 223.63’ WEST OF HEMPSTEAD – BABYLON TURNPIKE, ROOSEVELT, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, heretofore, Robert Phillip Ferraro Architect, on behalf of Philip Leconte has submitted an application bearing # 18-5627, for the construction of a three-story charter school building with basement (Roosevelt Children’s Academy); including associated site improvements located on the North side of Pleasant Avenue and 223.63’ West of Hempstead – Babylon Turnpike, Roosevelt, Town of Hempstead, New York; and

WHEREAS, in connection with such application and pursuant to the requirements of Section 305 of Article XXXI of the Building Zone Ordinance of the Town of Hempstead, said applicant has submitted a Site Plan, dated May 19, 2020, last revised August 19, 2022 and bearing the seal of Glenn Donald McCreedy, P.E., License # 084274, University of the State of New York, which site plans show the use, dimensions, types and locations of each of the buildings, structures, or other improvements existing or proposed to be installed, erected or altered upon the site shown and the provisions proposed to be made for the facilities and improvements required by said Section 305 to be shown; and

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

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

NOW THEREFORE, BE IT

RESOLVED, that the overall site development plan submitted by Robert Phillip Ferraro Architect, on behalf of Philip Leconte entitled Site Plan, dated May 19, 2020, last revised August 19, 2022 and bearing the seal of Glenn Donald McCreedy, P.E., License # 084274, University of the State of New York, in connection with building application # 18-5627, for the construction of a three-story charter school building with basement (Roosevelt Children’s Academy); including associated site improvements located on the North side of Pleasant Avenue and 223.63’ West of Hempstead – Babylon Turnpike, Roosevelt, Town of Hempstead, New York, be and the same is hereby approved.

The foregoing resolution was adopted upon role call as follows:

AYES:

NOES:

Item # 29

Case # 30744

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AMENDING RESOLUTION NO 697-2018 AUTHORIZING
THE EMPLOYMENT OF deBRUIN ENGINEERING P.C., FOR CONSULTING
SERVICES PERTINENT TO OCEANSIDE DRAINAGE IMPROVEMENTS
TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK

WHEREAS, pursuant to Resolution No 697-2018, duly adopted by the Town Board on May 22, 2018 the Town entered into an agreement (the "Original Agreement") with deBruin Engineering for Consulting Services Pertinent to Oceanside Drainage Improvements 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 \$423,000.00 (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 identifying and designing solutions for mitigating several prevalent flooding conditions within the proposed construction limits(the "Additional Services"); and

WHEREAS, the Additional Services necessitate an increase in the Contract Amount under the Original Agreement by \$68,000.00 for a total not to exceed the cost of \$491,000.00 (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 \$491,000.00 with payments to be reimbursed by GOSR.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

30

Case #

11502

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AMENDING RESOLUTION NO 622-2022 AUTHORIZING THE EMPLOYMENT OF NELSON & POPE ENGINEERS AND LAND SURVEYOR, PLLC FOR CONSULTING SERVICES PERTINENT TO BELLMORE MERRICK/SEAFORD/WANTAGH AND OCEANSIDE DRAINAGE IMPROVEMENTS: CHECK VALVES, TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK

WHEREAS, Resolution 622-2022, duly adopted by the Town Board on May 10 2022 states, "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 \$486,660.00 with payments to be made from GOSR Contingency Fund listed for 2019 Capital Highway Improvement Program 9571-503-9571-5010"; and

WHEREAS, is should state: "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 \$486,660.00 with payments to be reimbursed by GOSR".

NOW THEREFORE, BE IT

RESOLVED, that the Amendment be and hereby is authorized.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 31
Case # 16530

Case No.

Resolution No.

Adopted:

Councilmember

moved the following resolution's adoption:

**RESOLUTION REPEALING CHAPTER 98 OF
THE TOWN CODE BY LEGAL
PREEMPTION**

WHEREAS, the New York Court of Appeals in *Robin v. Village of Hempstead* struck down a local law identical to the Town of Hempstead's Chapter 98 as preempted by state law, thus prohibiting regulation by municipalities;

NOW, THEREFORE, BE IT

RESOLVED, Chapter 98 of the Hempstead Town Code is repealed by legal preemption and shall be removed from the Code of the Town of Hempstead.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

32

Page 1 of 1

Case #

16398

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE RATIFICATION AND AFFIRMATION OF PREVIOUSLY EXECUTED PHYSICAL FITNESS INSTRUCTOR AGREEMENTS IN CONJUNCTION WITH THE DEPARTMENT OF PARKS AND RECREATION'S 2022 FALL PHYSICAL FITNESS INSTRUCTION CLASSES

WHEREAS, the Town of Hempstead, through its Department of Parks and Recreation ("Department"), hosts a wide variety of "Physical Fitness" instruction classes each Fall (collectively the "Town's 2022 Fall Physical Fitness instruction classes"); and

WHEREAS, in conjunction with the Town's 2022 Fall Physical Fitness instruction classes, the Department has previously entered into several Physical Fitness Instructor Agreements each as more particularly identified on Schedule "A" attached hereto; and

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

WHEREAS, this Town Board finds that the ratification and affirmation of the Physical Fitness Instructor Agreements respectively identified on Schedule "A" in conjunction with the Town's 2022 Fall Physical Fitness instruction classes is in the best interest of the Town.

NOW, THEREFORE, BE IT

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

BE IT FURTHER

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

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item # 33
Case # 29910

DEPT OF PARKS & RECREATION - 2022 FALL PHYSICAL FITNESS INSTRUCTORS SCHEDULE "A"

<u>Instructor</u>	<u>Class</u>	<u>Fee</u>
Madeline McAndrews	Gentle Flow Yoga (10 Merrick), Pilates Mat (10 Merrick), Yogalates (10 Merrick)	\$1,650.00
Sandra Metz	Zumba (10 Echo Park)	\$550.00
Cheryl Schruefer	Aerobics (10 Levittown Hall), Total Body (20 Levittown Hall), Pilates (10 Levittown Hall)	\$2,200.00
Cheryl Schruefer	Kickboxing (10 Merrick), Aerobics (10 Merrick), Pilates (10 Merrick)	\$1,650.00
Jean Austin	Adult Chess (20 Bernard Brown)	\$1,100.00
Edgar Hug	Tai Chi (30 Echo Park)	\$1,800.00
Catherine Cassatto-Baldari	Aerobics (10 Echo Park), Cardio Sculpt (10 Echo Park) Total Body (10 Echo Park)	\$1,650.00
Lisa Samuels	Yin Yoga(10), Beach Yoga (4), Resistance Band (4) Toned Up (10) Lido W, Lev Hall, Merrick Clubhouse	\$1,540.00
Lorraine Henry	Toned Up Body Sculpting (10), Kripalu Yoga (10) Echo Park	\$1,100.00
Andrea Campbell-Genna	Zumba Gold (10 Merrick Clubhouse)	\$550.00
Leah Hartofelis	Flow Yoga (4), Yinyasa (10) Merrick Clubhouse	\$770.00
Leah Hartofelis	Kundalini Yoga (30) Echo Park	\$1,650.00
Shelley Schubach	Yoga (10) Echo Park	\$550.00
Michele L. Pome	Toned Up (20), Pilates-Barre (20), Total Body (10) Yogalates (10) Echo Park	\$3,300.00
Michele L. Pome	Total Body (10), Strength Training (10), Body Sculpting (10) Merrick Clubhouse	\$1,650.00
Claudia Penna	Strong Core Plus More (10), Cardio Sculpting (10), Kickboxing (10) Echo Park	\$1,650.00
Lorraine Trezza	Hatha Yoga (20) Merrick Clubhouse	\$1,100.00
Matthew Alexander	Zumba (10) Levittown Hall	\$550.00
Kathryn Quaranto	Aerobics (20), Pilates (10) Levittown Hall	\$1,650.00
Margaret Maher	Toned Up (10), Pilates Mat (10) Merrick Clubhouse	\$1,100.00
Rosemarie Martelli	Vinyasa Yoga (20), Hatha Yoga (10) Merrick Clubhouse	\$1,650.00
Jeanette Morales	Zumba (10) Echo Park	\$550.00
Robert Washington	Tai Chi (10) Echo Park	\$550.00

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING A PAYMENT TO RAINBOW SOUND IN CONJUNCTION WITH THE RENTAL OF CERTAIN SOUND EQUIPMENT FOR THE TOWN'S SUMMER CONCERT SERIES

WHEREAS, the Town has historically striven to provide top quality musical performances and entertainment through its annual summer concert series for the enjoyment of Town residents; and

WHEREAS, the Town, through its Department of Parks and Recreation ("Department"), once again presented its annual concert series during the summer of 2022 ("2022 Summer Concert Series") featuring musical performances held in various parks located throughout the Town; and

WHEREAS, to enhance the overall quality of the musical sound experience for those attending the 2022 Summer Concert Series, the Department rented certain sound amplifying equipment from Rainbow Sound, with offices at 23 Potter Street, Farmingdale, NY 11735; and

WHEREAS, with respect to the aforementioned sound equipment rental, Rainbow Sound has submitted its invoice to the Department in the total amount of \$2,000.00 ("Invoice"); and

WHEREAS, the Commissioner of the Department hereby confirms that Rainbow Sound successfully provided functional sound amplifying equipment for use during the 2022 Summer Concert Series and accordingly respectfully requests that this Town Board authorize payment of the Invoice; and

WHEREAS, this Town Board believes that it is in in the best interest of the Town to pay the subject Invoice.

NOW THEREFORE, BE IT

RESOLVED, that the Town Comptroller, be and hereby is, authorized to make payment to Rainbow Sound in the total amount of \$2,000.00 and to charge said fees to Parks & Recreation account 400-0007-7110-4130 (Rental Equipment).

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item # 34

Case # 6874

Case No.

Resolution No.

Adopted:

Councilmember

moved the following resolution's adoption:

RESOLUTION AUTHORIZING AN OPT-IN AGREEMENT WITH THE ROCKVILLE CENTRE SCHOOL DISTRICT AND BUSPATROL AMERICA, LLC TO PARTICIPATE IN THE TOWN OF HEMPSTEAD'S SCHOOL BUS STOP ARM ENFORCEMENT PROGRAM

WHEREAS, this Board adopted Hempstead Town Code Chapter 186 "Failure to Stop for School Buses" pursuant to N.Y. Veh. & Traf. Laws §1174-a to establish a demonstration program imposing liability on owners of vehicles for failure of the operators thereof to comply with N.Y. Veh. & Traf. Laws §1174 (the "Program"); and

WHEREAS, N.Y. Veh. & Traf. Laws §1174-a authorizes the Town to install and operate school bus photo violation monitoring systems under the Program pursuant to an agreement with a school district on school buses owned and/or operated by such school district; and

WHEREAS, this Board authorized and approved an agreement with BusPatrol America, LLC, 8540 Cinder Bed Road, Suite 400, Lorton, VA 22079 ("BusPatrol") under TBR #139-2022 to assist the Town's administration of the Program; and

WHEREAS, the Rockville Centre School District (the "School District") executed an "Opt-In Agreement to Participate in the Town of Hempstead, New York/BusPatrol School Bus Stop Arm Enforcement Program" (the "Agreement") with BusPatrol, and the Town Board must also authorize the Agreement with the School District pursuant to N.Y. Veh. & Traf. Laws §1174-a; and

WHEREAS, the Town Attorney's Office and the Department of Public Safety recommend this Board authorize and approve the Agreement;

NOW, THEREFORE, BE IT

RESOLVED, the Agreement with the aforementioned School District for the Program is authorized and approved, and the Commissioner of Public Safety is authorized to execute the Agreement and any other necessary documents to effect the Agreement.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 35

Case # 30013
Page 1 of 1

**OPT-IN AGREEMENT
TO PARTICIPATE IN THE TOWN OF HEMPSTEAD, NEW YORK/BUSPATROL
SCHOOL BUS STOP ARM ENFORCEMENT PROGRAM**

Participating School District Name: Rockville Centre Union Free School District

Total No. of School Buses: Guardian Bus and S district buses

Agreed-Upon Installation Start Date: June 15, 2022

Participating School District Point of Contact: Robert Bartels, Interim Superintendent

It is mutually agreed by and between the parties hereto as follows:

1. **Purpose.** This "Opt-In Agreement" constitutes a formal, binding agreement between the School District ("Participating School District" or "District"), the Town of Hempstead ("TOH") and BusPatrol America LLC ("BusPatrol") (collectively the "Parties"), for the installation, operation and maintenance of school bus photo violation monitoring systems on school buses owned or operated by the District in accordance with the Hempstead Town Code Chapter 186 (the "Local Law") and Section 1174-a of the New York State Vehicle and Traffic Law (the "Stop Arm Laws"), as well as the installation and operation of other optional internal student safety cameras if selected by the Participating School District (the "BusPatrol System").
2. **Authorization.** The Parties' execution of this Opt-In Agreement will serve as authorization for the TOH and its contractor, BusPatrol, to install and operate the particular BusPatrol System identified above on buses owned and operated by the District or privately owned and operated by Participating School District's transportation services vendor ("Bus Company") for compensation under contract with such District.
3. **Payment.** In accordance with the Stop Arm Laws and the Master Agreement between TOH and BusPatrol for the "SCHOOL BUS STOP ARM ENFORCEMENT PROGRAM" (the "Master Agreement"), the TOH will be solely responsible for paying BusPatrol for the installation, maintenance and use of the BusPatrol System on buses owned and operated by the Participating District or privately owned and operated by Bus Company for compensation under contract with such district, to be paid solely from the revenues from any fines generated by said school bus photo violation monitoring systems operated within the Participating School District. Participating School District will have no responsibility for payment of any amounts due to BusPatrol for the installation, operation or maintenance of the BusPatrol System, and the Participating School District shall have no right or entitlement to any portion of collected monies from the enforcement of the Stop Arm Laws under this agreement or the Master Agreement.
4. **Responsibilities of the Parties:**
 - a. **BusPatrol.** BusPatrol is responsible for providing all equipment and services necessary to install, operate and maintain the BusPatrol System as described in Exhibit A of the Master Agreement, a copy of which is attached as Attachment 1.

- b. TOH. TOH is responsible for administering and overseeing BusPatrol's performance of the Stop Arm Enforcement Program as set forth in the Master Agreement, including but not limited to:
 - i. Arranging for TOH Enforcement Technician to review evidence packages and approve or disapprove potential notices of violation of the Stop Arm Laws;
 - ii. Installing signage provided by BusPatrol in conformance with standards established in the Manual of Uniform Traffic Control Devices; and
 - iii. Reviewing and approving BusPatrol invoices for payment, in accordance with the Master Agreement.
- c. Participating School District. Participating School District is responsible for:
 - i. Providing BusPatrol or its agents with access to buses owned or operated by the District, beginning on the Installation Start Date specified above (to be mutually agreed upon by the District, the TOH and BusPatrol);
 - ii. Providing BusPatrol with ongoing access to any and all BusPatrol equipment installed on buses owned or operated by the District, as reasonably necessary for BusPatrol to operate and maintain the school bus violation monitoring system;
 - iii. Providing BusPatrol with electronic copies of school bus routing information, in Excel or CSV format if possible, for the purpose of identifying high risk routes and prioritizing an installation schedule;
 - iv. Using best efforts to maintain the routes identified in Subsection 4(c);
 - v. If the Participating School District does not own and operate the buses customarily used on the routes in its district, then the Participating School District shall enter into an agreement with the Bus Company, and said agreement shall require compliance with the applicable terms of this Opt-In Agreement. If the Participating School District does not enter into such agreement with the Bus Company, or if the Bus Company fails to comply with the applicable terms of the Master Agreement or this Opt-In Agreement, the TOH or BusPatrol, at its option, may terminate the Opt-In Agreement with the Participating School District;
 - vi. Advising the Bus Company, if any, of its contractual and statutory obligations to provide Contractor with access to the District Buses owned/and or operated by the Bus Company, beginning on the Installation Start Date specified above, and facilitate the Contractor's efforts to access same;
 - vii. Using best efforts to properly store, secure, maintain, and repair the school buses when not in use to reasonably safeguard the BusPatrol System;
 - viii. Appointing a designated point of contact, identified above, who shall be authorized to act on behalf of the Participating School District on all matters relating to this Opt-In Agreement and District's use of and participation in the school bus school bus photo violation monitoring systems; and

- ix. Implementing security measures to ensure that any photographs, microphotographs, videotapes, other recorded images and data from any non-enforcement cameras installed under this Agreement are only accessed by authorized personnel from the Participating School District.
5. License, Restricted Use. BusPatrol grants to the Participating School District a limited, non-exclusive license to use the BusPatrol System, including BusPatrol Equipment and BusPatrol Software and other BusPatrol Intellectual Property (collectively "BusPatrol Intellectual Property"), solely for purposes of carrying out this Opt-In Agreement. This license shall continue for so long as this Opt-In Agreement remains in effect, and shall expire immediately upon termination or expiration of this Agreement. Participating District shall immediately cease any and all use of the BusPatrol Intellectual Property upon termination or expiration of this Opt-In Agreement, unless specifically authorized by BusPatrol in a separate written license agreement.

The Participating District agrees that it will not use the BusPatrol Intellectual Property for any purpose other than BusPatrol's operation of the BusPatrol System during the term of this Agreement. Participating District will not disclose the BusPatrol Intellectual Property to any third parties without the prior express written permission of BusPatrol; will not make any modifications to the BusPatrol System; and will not attempt to disassemble, de-compile or otherwise perform any type of reverse engineering to the BusPatrol System, or cause any other person to do any of the foregoing.

6. Reporting. In accordance with the Local Law, the Participating School District, acting by and through the Superintendent of Schools of such District, or his or her designee shall provide any report required of the District, pursuant to Section 1174-a of the Vehicle Traffic law, to the State, TOH, any incorporated village that is within the Participating School District and enters into a participation agreement with TOH and BusPatrol, the Nassau County Traffic & Parking Violations Agency, or any official(s) thereof. BusPatrol and TOH agree to work with the Participating School District to provide any information or other reasonable assistance necessary for District to prepare and submit any required reports.
7. Restrictions on Access to Enforcement Data. In accordance with the N.Y. Vehicle & Traffic Law, the Local Law, and the Master Agreement, the parties agree that BusPatrol will implement controls and configure the BusPatrol system to safeguard enforcement data generated by the external cameras and other components of the BusPatrol Stop Arm Enforcement Solution as follows:
- a. Pursuant to the Local Law and Section 1174-a (a)(3)(i) of the Vehicle and Traffic Law, BusPatrol will implement controls and configure the BusPatrol system to prevent Participating School District from accessing any photographs, microphotographs, videotapes, other recorded images and data from school bus photo violation monitoring systems but shall provide, pursuant to this agreement and as provided in the Local Law, for the proper handling and custody of such photographs, microphotographs, videotapes, other recorded images and data produced by such systems, and for the forwarding of such photographs, microphotographs, videotapes, other recorded images and data to the TOH for the purpose of determining whether a motor vehicle was operated in violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law and imposing monetary liability on the owner of such motor vehicle therefor.
 - b. In accordance with the Local Law, BusPatrol will implement controls and configure the BusPatrol system to ensure that all photographs,

microphotographs, videotapes, other recorded images and data produced by school bus photo violation monitoring systems shall be destroyed (i) ninety days after the date of the alleged imposition of liability if a notice of liability is not issued for such alleged imposition of liability pursuant to the Local Law or (ii) upon final disposition of a notice of liability issued pursuant to this Local Law.

8. Restrictions on Access to Non-Enforcement Camera Data. The parties agree that BusPatrol will implement controls and configure the BusPatrol system to ensure that any photographs, microphotographs, videotapes, other recorded images and data from the internal cameras (if any) installed pursuant under this Agreement shall be made available only to the Participating School District, and shall not be made available to the TOH or any third party except as explicitly authorized by the Participating School District. In accordance with the Master Agreement, BusPatrol will implement controls and configure the BusPatrol system to ensure that all video footage, recorded images and other information generated through such non-enforcement cameras shall be destroyed within 90 days unless a longer period is authorized by Participating School District or required by law.
9. Changes. Changes to this Opt-In Agreement may be made only by mutual written agreement of the parties.
10. Term, Termination.
 - a. This Agreement shall commence on the Agreed Upon Installation Start Date above and shall terminate on December 1, 2024, unless otherwise terminated as set forth herein (the "Initial Term"). Upon expiration of the Initial Term, this Agreement may be extended for additional periods of one year each, not exceeding in total five (5) years, upon such terms and conditions as may be agreed between the parties as long as New York State has extended or eliminated the provisions of the enabling legislation as contained in Section 1174-a of the Vehicle and Traffic Law.
 - b. This Opt-In Agreement will automatically terminate in the event the Master Agreement between BusPatrol and TOH is terminated in accordance with the terms of said Master Agreement.
 - c. This Opt-In Agreement may also be terminated by the Participating School District, the TOH or BusPatrol by providing 30 days prior written notice to the other parties.
 - d. In the event of a termination, Participating School District shall immediately cease use of the BusPatrol System, including any and all BusPatrol Equipment, BusPatrol Software or Intellectual Property, and allow BusPatrol reasonable access to buses owned and operated by the Participating School District or privately owned and operated for compensation under contract with such district to remove the BusPatrol Equipment in accordance with the wind down provisions of the Master Agreement.
 - e. Termination of this Opt-In Agreement will have no effect on the Master Contract, or on any Opt-In Agreement with any other Participating School District.

11. Defense and Indemnification.

PROFESSIONAL SERVICES: For all matters arising out of BusPatrol's professional services, BusPatrol agrees, to the fullest extent permitted by law, to defend, indemnify and hold harmless the TOH, its officers, and employees against damages, liabilities and costs, including reasonable attorney's fees, to the extent caused by the negligent performance of BusPatrol, or third parties under the direction or control of BusPatrol in the performance of professional services under this Agreement.

GENERAL LIABILITY: For all matters other than those arising out of BusPatrol's professional services (such other matters commonly referred to as "General Liability Claims"), BusPatrol agrees to the fullest extent permitted by law to defend, indemnify and hold the TOH and its employees harmless from any and all such losses, claims, liens, demands and causes for action, including but not limited to, judgments, penalties, interest, court costs, and legal fees incurred by the TOH on behalf of any party, in connection with or arising directly or indirectly from this Agreement. BusPatrol shall investigate, handle, respond to and defend any such claims, demands or suits at their sole expense, and shall bear all other related costs and expenses even if such claims, demands or suits are groundless, false or fraudulent. This indemnification section shall survive the expiration or termination of this Agreement.

In any matter in which indemnification hereunder for either professional or non-professional services would violate Section 5-322.1 of the New York General Obligations Law or any other applicable legal prohibition, the foregoing provisions shall not be construed to indemnify the TOH for damage arising out of bodily injury to persons or to property caused by or resulting from the sole negligence of TOH employees. The term "employee" shall include all officers, advisory board members and/or volunteers serving the TOH.

Insurance Requirements. At all times during the term of this Agreement, BusPatrol and its sub-contractors, if any, shall maintain at their own cost the following insurance and shall provide proof thereof to the TOH, in the form of a Certificate of Insurance, prior to commencing work under this Agreement:

Worker's Compensation Employer's Liability (statutory limits). In compliance with the Workers' Compensation Law of the State of New York:

- a. certificate of insurance on an Acord form indicating proof of coverage for Worker's Compensation, Employer's Liability, **OR**
- b. New York State Workers Compensation Notice of Compliance (Form C-105, Form U-26.3, Form SI-12 or Form SI-105.2P).
- c. In the event that BusPatrol or the Participating School District is exempt from providing coverage, it must provide a properly executed copy of the Certificate of Attestation of Exemption from NYS Workers' Compensation Board, Form CE-200.

Commercial General Liability Insurance coverage including blanket contractual coverage for the operation of the program under this Agreement with limits not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate. This insurance shall be written on an occurrence coverage form and include bodily injury and property damage liability. The TOH must be listed as additional insured. The additional insured endorsement for the Commercial General Liability insurance required above shall not contain any exclusion for bodily injury or property damage arising from completed operations. **Automobile Liability** Insurance coverage for all owned, scheduled, hired, and non-owned vehicles with a combined single limit of liability of not less than \$1,000,000. This insurance shall include coverage for bodily injury and property damage. The TOH must be listed as additional insured.

Cyber/Network Security and Data Privacy Liability Insurance ("Cyber Policy") of \$2,000,000 per claim and annual aggregate with a Retroactive Date as defined above that covers losses arising from actual or alleged acts, errors or omissions and intentional, fraudulent or criminal acts. Further, the policy will expressly provide, but not be limited to, coverage for losses arising from the following: (a) unauthorized use/access of computer systems (including mobile devices), servers, client's data or software; (b) defense of any regulatory action involving a breach of privacy; (c) failure to protect the confidential or proprietary information (personal and commercial information) and intellectual property from unauthorized disclosure or unauthorized access; (d) failure to adequately protect physical security of servers and systems including from cyber terrorism; (e) the costs for: notification, whether or not required by statute, credit file or identity monitoring, identity restoration, public relations or legal experts; (f) third party liability; (g) cyber extortion and cyber terrorism; and (h) no exclusion for actual or alleged breaches of professional services agreements associated with the above.

Excess/Umbrella Liability, if required, with limits not less than \$5,000,000 per occurrence with a \$5,000,000 aggregate. The TOH must be included as additional insured.

All Acord form certificates of insurance must contain the following provisions:

- (A) The commercial general liability policy must include the additional insured endorsement forms cg 2037 July 2004 edition and the cg 2010 April 2013 edition or their equivalent.
- (B) All policies of insurance procured by BusPatrol as required under this Agreement shall list the TOH as a certificate holder and name the TOH as an additional insured on a primary and noncontributory basis. The commercial general and automobile policies are primary and noncontributory.
- (C) The commercial general liability, auto liability and workers compensation policies must contain a waiver of subrogation in favor of the TOH.
- (D) The umbrella/excess policy shall include follow form language over the underlying policies of insurance and must contain a waiver of subrogation in favor of the TOH. The umbrella/excess policy shall name TOH on a primary and noncontributory basis.
- (E) If the workers compensation Notice of Compliance is used instead of the Acord certificate of insurance, the Notice of Compliance must indicate that a waiver of subrogation in favor of the TOH is provided.

All policies of insurance referred to above shall be underwritten by companies authorized to do business in the State of New York with an A.M. Best financial strength rating of A- or better. In the alternative, the policies of insurance referred to above may be underwritten by Non-Admitted companies with an A.M. Best financial strength rating of A+ or higher. In addition, every policy required above shall be primary and noncontributory. Any insurance carried by the TOH, its officers, or its employees shall be excess and noncontributory insurance to that provided by BusPatrol. BusPatrol and its sub-contractor(s), if any, shall be solely responsible for any deductible losses under each of the policies required above.

Payment(s) to BusPatrol may be suspended in the event BusPatrol and its sub-contractor(s), if any, fail to provide the required insurance documentation in a timely manner.

Prior to cancellation or material change in any policy, a thirty (30) day notice shall be given to the TOH Public Safety Commissioner at the address listed below:

Town of Hempstead
Public Safety Department
Attention: Commissioner
200 N. Franklin Street
Hempstead, NY 11550

On receipt of such notice, the TOH shall have the option to cancel this Agreement without further expense or liability to the TOH, or to require BusPatrol to replace the cancelled insurance policy, or rectify any material change in the policy, so that the insurance coverage required by this paragraph is maintained continuously throughout the term of this Agreement in form and substance acceptable to the TOH. Failure of BusPatrol to take out or to maintain, or the taking out or the maintenance of any required insurance, shall not relieve BusPatrol from any liability under this Agreement nor shall the insurance requirements be construed to conflict with or to limit the obligations of BusPatrol concerning indemnification.

All losses of TOH property shall be adjusted with and made payable directly to the TOH.

All Certificates of Insurance shall be approved by the TOH or designee prior to commencement of any work under this Agreement.

In the event that claims in excess of these amounts are filed in connection with this Agreement, the excess amount or any portion thereof may be withheld from payment due or to become due BusPatrol until BusPatrol furnishes such additional security as is determined necessary by the TOH.

14. Non-Assignment. This Agreement may not be assigned by the Participating School District without prior written consent of the TOH, and the TOH shall be relieved of all liability and obligations consistent with the New York State General Municipal Law Section 109 in the event of such unauthorized assignment.
15. Executory. All amounts to be paid to BusPatrol for the performance of the services called for in this Contract will be paid solely from the civil penalties collected from the operation of the BusPatrol System, as provided for by the Stop Arm Law. BusPatrol assumes the risk that program revenues will be sufficient to cover the Technology Fees, and therefore agrees that neither this Agreement nor any representation by any public employee or officer creates any legal or moral obligation to request, appropriate or make available moneys for the purpose of this Agreement in the event that gross revenues collected over the life of this Agreement (including any extensions thereof) are insufficient to cover any costs, expenses or fees associated with this Agreement owed to BusPatrol. BusPatrol will have no claim against the TOH for the payment of any such unpaid costs, expenses or fees.

16. Notice. Except as otherwise provided in this Agreement, notice required to be given pursuant to this Agreement shall be made in writing and addressed to the following or such other person as the parties may designate:

Town of Hempstead
Public Safety Department
Attention: Commissioner
200 N. Franklin Street
Hempstead, NY 11550
JMartelli@tohmail.org

Rockville Centre Union Free School District
Attn: Robert Bartels
128 Shepherd Street
Rockville Centre, New York 11570
rbartels@rvcschools.org

BusPatrol America LLC
Jean Souliere
8540 Cinder Bed Road, Suite 400
Lorton, Virginia 22079
(703) 338-0208
jean@buspatrol.com

17. Non-Waiver. Failure of either party to exercise any rights under this Agreement for a breach thereof shall not be deemed a waiver thereof or a waiver of any subsequent breach.
18. Severability. If any provision of this Agreement shall be held unenforceable, the rest of the Agreement shall nevertheless remain in full force and effect.
19. Choice of Law, Venue. Any dispute arising directly or indirectly out of this Agreement shall be determined pursuant to the laws of the State of New York. The Parties hereby choose the New York State Supreme Court, Nassau County as the forum for any such dispute.
20. No Arbitration. Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration but must instead be heard in accordance with the Paragraph above entitled "Choice of Law, Venue".
21. AUDIT. BusPatrol shall maintain an accounting system that enables the TOH to readily identify assets, liabilities, revenues, expenses and disposition of TOH funds directly related to the performance of this Contract. Records should include, but not be limited to, those kept by BusPatrol, its employees, agents, and assigns directly related to the performance of this Contract.

All vouchers or invoices presented for payment to be made hereunder, and the books, records and accounts upon which the vouchers or invoices are based are subject to review by the responsible department and audit by the TOH Comptroller. BusPatrol shall submit any and

all documentation and justification in support of expenditures or fees under this Agreement as may be required by the TOH.

The audits may include examination and review of the source and application of all funds from the TOH, state, or federal governments. BusPatrol shall not be entitled to any interim or final payment under this Agreement, **and any overpayment may be recouped**, if any audit requirements and/or requests have not been satisfactorily met **or if any expenditures or fees by BusPatrol are determined to be irregular by the auditor**. This paragraph shall survive the termination of the Agreement.

The Parties expressly agree that any access to relevant records shall be provided at a mutually agreed upon time and location, and will not disrupt the operation of Contractor's business. Notwithstanding the previous sentence, if the TOH becomes subject to a State or local audit, records shall be produced by BusPatrol upon the TOH's demand. In no event shall Contractor be obligated to maintain or provide access to records relating to the cost to develop, install, operate or maintain the BusPatrol System.

22. SEVERANCE PAY. The TOH Shall Not Be Charged for Severance Pay Incentives. The TOH is aware that from time-to-time contract agencies engage in programs such as early retirement plans which reward employees with a severance payment as an incentive toward voluntary resignation. The TOH is prohibited by the New York State Constitution from making a gift of public funds and such severance pay incentives amount to such a gift. Therefore, notice is hereby given that TOH funds shall not be used for the purpose of a severance pay or any such incentive. If an audit of payments made under this contract reveals that such payments have been made, BusPatrol and/or the Participating School District shall immediately reimburse the TOH for the full amount with interest upon receipt of a written demand from the TOH. In addition, the TOH may declare this agreement null and void.
23. REQUIRED PROVISIONS OF LAW. If any provision required by law is not inserted in this Agreement, through mistake or otherwise, then upon the application of either party, the Parties agree to work in good faith to amend this Agreement to make such required insertion.
24. BINDING. This Agreement shall be valid and binding once it has been approved by the TOH, executed by the TOH Public Safety Commissioner, and delivered to BusPatrol and the Participating School District at the addresses indicated in the introductory paragraph of this Agreement.
25. RULES OF CONSTRUCTION. This contract shall be deemed to have been mutually prepared by the parties hereto and shall not be construed against any of them solely by reason of authorship.
26. COUNTERPARTS; SIGNATURES TRANSMITTED BY ELECTRONIC MEANS. This Agreement may be executed in any number of counterparts, all of which taken together shall constitute one agreement, and any of the parties hereto may execute this Agreement by signing any such counterpart. A facsimile or signature transmitted by electronic means applied hereto or to any other document shall have the same force and effect as a manually signed original. This provision contemplates giving legal force and effect to copies of signatures. This provision does not contemplate the use of "electronic signatures" as regulated by New York State Technology Law Article 3, "Electronic Signatures and Records Act."

27. ENTIRE AGREEMENT. The terms of this Agreement, including its attachments and exhibits, represent the final intent of the Parties. Any modification, rescission or waiver of the terms of this Agreement must be in writing and executed and acknowledged by the Parties with the same formalities accorded this basic Agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement made this 8 day of September, 2022.

TOWN OF HEMPSTEAD

School District

BY: Joseph Martelli
Commissioner, Public Safety Department

BY: ~~John O'Shea~~ *Kelly Barry*
President, Board of Education

BUSPATROL AMERICA, LLC

BY: *Jean Soulieye*
Chief Executive Officer

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 AT EAST MEADOW WELLS 1 AND 3 – GENERAL CONSTRUCTION EAST MEADOW WATER DISTRICT, TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK PW#17-22

WHEREAS, the Commissioner of General Services solicited bids for the Contract for the Construction of Wellhead Treatment for Emerging Contaminants at East Meadow Wells 1 and 3 –General Construction East Meadow Water District, Town of Hempstead, Nassau County, New York PW #17-22 (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 August 25, 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 Total</u>
East End Group	\$ 1,837,000.00	\$ 1,975,650.00
Phillip Ross Industries, Inc.	\$ 2,032,000.00	

; and

WHEREAS, the Commissioner of the Department of Water has recommended that the Contract be awarded to East End Group as the lowest responsible bidder for the bid price not to exceed the amount of \$ 1,975,650.00; 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 East End Group for the corrected bid price.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards the Contract to East End Group, 1316 Motor Parkway, Islandia, New York 11749, as the lowest responsible bidder at its corrected bid price of \$1,975,650.00; AND BE IT FURTHER

RESOLVED, that upon execution of the contract by East End Group 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; East Meadow Water District Acct no. 8696-507-8696-5010 for an amount not to exceed \$1,975,650.00 (One Million nine hundred seventy-five thousand six hundred fifty dollars and no cents)

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 36

Case # 17527

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 AT EAST MEADOW WELLS 1 AND 3 – ELECTRICAL CONSTRUCTION EAST MEADOW WATER DISTRICT, TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK PW#18-22

WHEREAS, the Commissioner of General Services solicited bids for the Contract for the Construction of Wellhead Treatment for Emerging Contaminants at East Meadow Wells 1 and 3 –Electrical Construction East Meadow Water District, Town of Hempstead, Nassau County, New York PW #18-22 (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 August 25, 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 Contractors, Inc	\$ 1,524,000.00
Hinck Electrical	\$ 1,613,000.00

; and

WHEREAS, the Commissioner of the Department of Water has recommended that the Contract be awarded to Palace Electrical Contractors, Inc as the lowest responsible bidder for the bid price not to exceed the amount of \$ 1,524,000.00; 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 Contractors, Inc for the bid price.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards the Contract to Palace Electrical Contractors, Inc., 3558 Park Avenue, Wantagh, New York 11793, as the lowest responsible bidder at its bid price of \$1,524,000.00; AND BE IT FURTHER

RESOLVED, that upon execution of the contract by Palace Electrical Contractors, 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; East Meadow Water District Acct no. 8696-507-8696-5010 for an amount not to exceed \$1,524,000.00 (One Million five hundred twenty four thousand fifty dollars and no cents)

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 37

Case # 17529

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 AT EAST MEADOW WELLS 1 AND 3 – PLUMBING CONSTRUCTION EAST MEADOW WATER DISTRICT, TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK PW#19-22

WHEREAS, the Commissioner of General Services solicited bids for the Contract for the Construction of Wellhead Treatment for Emerging Contaminants at East Meadow Wells 1 and 3 –Plumbing Construction East Meadow Water District, Town of Hempstead, Nassau County, New York PW #19-22 (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 August 25, 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 Total</u>
Philip Ross Industries, Inc.	\$ 2,388,000.00	
Atlantic Wells, Inc	\$ 2,444,000.00	\$ 2,408,000.00
Bensin Contracting, Inc.	\$ 2,854,100.00	

; and

WHEREAS, the Commissioner of the Department of Water has recommended that the Contract be awarded to Philip Ross Industries, Inc as the lowest responsible bidder for the bid price not to exceed the amount of \$ 2,388,000.00; 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 Philip Ross Industries Inc. for the bid price.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby awards the Contract to Philip Ross Industries, Inc., 88 Duryea Rd, Suite 204, Melville, New York 11747, as the lowest responsible bidder at its bid price of \$2,388,000.00; AND BE IT FURTHER

RESOLVED, that upon execution of the contract by Philip 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; East Meadow Water District Acct no. 8696-507-8696-5010 for an amount not to exceed \$2,388,000.00 (Two Million three hundred eighty eight thousand dollars and no cents)

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 38

Case # 17527

Adopted:

Councilmember

moved the following resolution's adoption:

RESOLUTION AUTHORIZING THE COMMISSIONER OF THE DEPARTMENT OF CONSERVATION AND WATERWAYS TO EXECUTE AN AMENDMENT TO THE AGREEMENT BETWEEN THE TOWN OF HEMPSTEAD AND THE COUNTY OF NASSAU FOR MONITORING PIPING PLOVER NESTING AREAS AT NICKERSON BEACH PARK, LIDO BEACH, NY.

WHEREAS, Eugene Nickerson Beach Park ("Nickerson") in Lido Beach, New York is owned and operated by the County of Nassau (the "County"); and

WHEREAS, the Town authorized a Municipal Cooperation Agreement (the "Agreement") under TBR #448-2017 with the County whereby the County paid the Town to provide monitoring of piping plover nesting areas at Nickerson (the "Services") because the Town's Department of Conservation and Waterways (the "Department") has trained and experienced staff for those Services; and

WHEREAS, the County requests Amendment No. 1 (the "Amendment") to the Agreement that will, *inter alia*, extend the Agreement to December 31, 2022; and

WHEREAS, the Commissioner of the Department of Conservation & Waterways recommends this Board authorize the Amendment;

NOW, THEREFORE, BE IT

RESOLVED, the Amendment to the Agreement with the County for the Services is authorized and approved, and the Commissioner is authorized to execute the Amendment and any other documents necessary to effect the Amendment.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NAYS:

Item #

39

Page 1 of 1

Case #

28476

AMENDMENT NO. 1 TO AGREEMENT BETWEEN THE COUNTY OF NASSAU, NEW YORK AND THE TOWN OF HEMPSTEAD, NEW YORK IN RELATION TO INTERMUNICIPAL COOPERATION

THIS AMENDMENT, dated as of the date this amendment is executed by the County Executive (together with the schedules, appendices, attachments and exhibits, if any, this "Amendment"), is entered into by and between (i) Nassau County, a municipal corporation having its principal office at One West Street, Mineola, New York 11501 (the "County"), acting on behalf of the Nassau County Department of Parks, Recreation and Museums, having its principal office at Administration Building, Eisenhower Park, East Meadow, New York 11554 (the "Department"), and Town of Hempstead, a municipal corporation having offices at 200 N Franklin Street, Hempstead NY 11520.

WITNESSETH:

WHEREAS, pursuant to County Agreement between the County and Town of Hempstead, executed on behalf of the County on July 20, 2017, (the "Original Agreement"), Town of Hempstead performs certain activities for the County in connection with real estate maintenance services for the County in respect to habitat management of the piping plover.

WHEREAS, the Original Agreement provided for a term commencing on January 1, 2016 (the "Commencement Date") and shall terminate upon the five (5) year anniversary of the Commencement Date with the County authorized to renew the Original Agreement under the same terms and conditions for two additional one year period in the County's sole discretion; and

WHEREAS, the parties desire to exercise the last one year renewal option;

NOW, THEREFORE, in consideration of the premises and mutual covenants contained in this Agreement, the parties agree as follows:

1. Defined Terms. All capitalized terms used herein but not otherwise defined herein shall have the respective meanings ascribed to such terms in the Agreement.

2. Term. The Term is hereby renewed for one (1) year period from 1/1/2022 to 12/31/2022. Payment Term is hereby amended as follows:

Amount of Consideration. The amount to be paid to the Town as full consideration for the Town's services under this Agreement shall be Twelve Thousand Dollars (\$12,000.00) for the year 2022. The fees shall be paid as follows: fifty percent of the fee shall be paid by June 1st and the remaining fifty percent shall be paid at the conclusion of the services.

3. Compliance With Laws. Section 7 of the Original Agreement is hereby amended by adding the following subsections:

(d) Prohibition of Gifts. In accordance with County Executive Order 2-2018, the Contractor shall not offer, give, or agree to give anything of value to any

County employee, agent, consultant, construction manager, or other person or firm representing the County (a "County Representative"), including members of a County Representative's immediate family, in connection with the performance by such County Representative of duties involving transactions with the Contractor on behalf of the County, whether such duties are related to this Agreement or any other County contract or matter. As used herein, "anything of value" shall include, but not be limited to, meals, holiday gifts, holiday baskets, gift cards, tickets to golf outings, tickets to sporting events, currency of any kind, or any other gifts, gratuities, favorable opportunities or preferences. For purposes of this subsection, an immediate family member shall include a spouse, child, parent, or sibling. The Contractor shall include the provisions of this subsection in each subcontract entered into under this Agreement.

(e) Disclosure of Conflicts of Interest. In accordance with County Executive Order 2-2018, the Contractor has disclosed as part of its response to the County's Business History Form, or other disclosure form(s), any and all instances where the Contractor employs any spouse, child, or parent of a County employee of the agency or department that contracted or procured the goods and/or services described under this Agreement. The Contractor shall have a continuing obligation, as circumstances arise, to update this disclosure throughout the term of this Agreement.

(f) Vendor Code of Ethics. By executing this Agreement, the Licensee hereby certifies and covenants that:

- (i) The Licensee has been provided a copy of the Nassau County Vendor Code of Ethics issued on June 5, 2019, as may be amended from time to time (the "Vendor Code of Ethics"), and will comply with all of its provisions;
- (ii) All of the Licensee's Participating Employees, as such term is defined in the Vendor Code of Ethics (the "Participating Employees"), have been provided a copy of the Vendor Code of Ethics prior to their participation in the underlying procurement;
- (iii) All Participating Employees have completed the acknowledgment required by the Vendor Code of Ethics;
- (iv) The Licensee will retain all of the signed Participating Employee acknowledgements for the period it is required to retain other records pertinent to performance under this Agreement;
- (v) The Licensee will continue to distribute the Vendor Code of Ethics, obtain signed Participating Employee acknowledgments as new Participating Employees are added or changed during the term of this Agreement, and retain such signed acknowledgments for the period the Licensee is required to retain other records pertinent to performance under this Agreement; and

- (vi) The Licensee has obtained the certifications required by the Vendor Code of Ethics from any subcontractors or other lower tier participants who have participated in procurements for work performed under this Agreement.

4. Except as expressly amended hereby, the Agreement and the Stipulation, and all rights and obligations of the County and Licensee thereunder, shall remain in full force and effect. This Amendment shall not, except as expressly provided herein, constitute a waiver, amendment or modification of, or consent under, any other term or condition in the Stipulation or the Agreement, and the parties hereto expressly reaffirm all of their respective obligations under the Stipulation and the Agreement, as amended hereby.

5. This Amendment shall be governed by the laws of the State of New York (regardless of the laws that might otherwise govern under applicable principles of conflicts of law) as to all matters, including, but not limited to, matters of validity, construction, effect, performance and remedies.

6. This Amendment may be executed in counterparts, each of which shall be deemed an original, but both of which together shall constitute one and the same instrument.

{REMAINDER OF PAGE INTENTIONALLY LEFT BLANK}

IN WITNESS WHEREOF, the Contractor and the County have executed this Agreement as of the date first above written.

TOWN OF HEMPSTEAD

By: _____
Name: Supervisor
Title:
Date: _____

COUNTY OF NASSAU

By: _____
Name:
Title: Deputy County Executive
Date: _____

PLEASE EXECUTE IN BLUE INK

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

Item # 40
2

ADOPTED:

Councilmember . 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, Councilmember has introduced a proposed local law known as Intro. No.70-2022, 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 October 3rd, 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.70-2022, 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 # 41

Case # 30750

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

(NR) ISLAND PARK
Section 202-28

CALIFORNIA PLACE SOUTH (TH 349/22) South Side - NO PARKING 11 PM TO 6 AM TUESDAYS, FRIDAYS, SATURDAYS AND SUNDAYS, MAY 1 - SEP 30- starting at a point 152 feet east of the east curbline of Austin Boulevard, east for a distance of 70 feet.

CALIFORNIA PLACE SOUTH (TH 349/22) South Side - NO PARKING 8 AM TO 4 PM EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS - starting at a point 152 feet east of the east curbline of Austin Boulevard, east for a distance of 70 feet.

AUSTIN BOULEVARD (TH 362/22) West Side - TWO HOUR PARKING 8 AM TO 5 PM EXCEPT SUNDAYS AND HOLIDAYS - starting at a point 30 feet north of the north curbline of Saratoga Boulevard, north for a distance of 84 feet.

AUSTIN BOULEVARD (TH 362/22) West Side - EIGHT HOUR PARKING 10 AM TO 6 PM - starting at a point 114 feet north of the north curbline of Saratoga Boulevard, north for a distance of 74 feet.

(NR) VALLEY STREAM
Section 202-18

SALEM ROAD (TH 375/22) South Side - NO PARKING 9 PM TO 6 AM - starting at a point 160 feet east of the east curbline of Salem Gate, then east for a distance of 82 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 sixty five of two thousand twenty two is hereby amended By repealing therein "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

BELLEROSE TERRACE
Section 202-30

238th STREET (TH 277/15) East Side - starting at a point 311 feet south of the south curbline of Jamaica Avenue, then south for a distance of 47 feet.
(Adopted 9/21/15)

238th STREET (TH 277/15) East Side -
NO PARKING 9 AM - 5 PM EXCEPT SATURDAYS,
SUNDAYS & HOLIDAYS - starting at a point
67 feet, north of the north curblines of
95th Avenue, north for a distance of
100 feet.
(Adopted 9/21/15)

238th STREET (TH 277/15) East Side -
NO PARKING 9 AM - 5 PM EXCEPT SATURDAYS,
SUNDAYS & HOLIDAYS - starting at a point
213 feet, south of the south curblines of
Jamaica Avenue, south for a distance of
46 feet.
(Adopted 9/21/15)

238th STREET (TH 277/15) East Side -
NO PARKING 9 AM - 5 PM EXCEPT SATURDAYS,
SUNDAYS & HOLIDAYS - starting at a point
311 feet, south of the south curblines of
Jamaica Avenue, south for a distance of
47 feet.
(Adopted 9/21/15)

238th STREET (TH 277/15) West Side -
NO PARKING 9 AM - 5 PM EXCEPT SATURDAYS,
SUNDAYS & HOLIDAYS - starting at a point
311 feet, south of the south curblines of
Jamaica Avenue, south for a distance of
25 feet.
(Adopted 9/21/15)

238th STREET (TH 64/16) East Side -
NO PARKING 9 AM - 5 PM EXCEPT SATURDAYS,
SUNDAYS & HOLIDAYS - starting at a point
266 feet, north of the north curblines of
95th Avenue, north for a distance of
28 feet.
(Adopted 4/21/15)

238th STREET (TH 549/18) West Side -
NO PARKING 9 AM - 5 PM EXCEPT SATURDAYS,
SUNDAYS & HOLIDAYS - starting at a point
230 feet, south of the south curblines of
Jamaica Avenue, south for a distance of
25 feet.
(Adopted 1/22/19)

226th STREET West Side - NO PARKING 9 AM -
5 PM EXCEPT SATURDAYS, SUNDAYS & HOLIDAYS -
starting at a point 130 feet, south of the
south curblines of Jamaica Avenue, south for
a distance of 160 feet.
(Adopted 12/4/62)

226th STREET (TH 157/14) West Side -
NO PARKING 9 AM - 5 PM EXCEPT SATURDAYS,
SUNDAYS & HOLIDAYS - starting at a point
116 feet, south of the south curblines of
Jamaica Avenue, south for a distance of
120 feet.
(Adopted 6/10/14)

(NR) ISLAND PARK
Section 202-28

CALIFORNIA PLACE SOUTH (TH 234/12) South Side - NO PARKING 11 PM TO 6 AM TUESDAYS, FRIDAYS, SATURDAYS AND SUNDAYS, MAY 1 - SEPT 30 - starting at a point 148 feet East of the east curbline of Austin Boulevard, east for a distance of 150 feet.
(Adopted 9/4/12)

CALIFORNIA PLACE SOUTH (TH 48/92) South Side - NO PARKING 8 AM TO 4 PM EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS - starting at a point 151 east of the east curbline of Austin Boulevard, east for a distance of 151 feet.
(Adopted 7/21/92)

AUSTIN BOULEVARD (TH 476/73) West Side - TWO HOUR PARKING 8 AM - 5 PM EXCEPT SUNDAYS AND HOLIDAYS - starting at a point 30 feet north of the north curbline of Saratoga Boulevard north for a distance of 45 feet.
(Adopted 10/9/73)

AUSTIN BOULEVARD (TH 476/73) West Side - 30 MINUTE PARKING 11 AM TO 5 PM EXCEPT SUNDAYS AND HOLIDAYS - starting at a point 115 feet north of the north curbline of Saratoga Boulevard north for a distance of 75 feet.
(Adopted 10/9/73)

AUSTIN BOULEVARD (TH 476/73) West Side - TWO HOUR PARKING 8 AM TO 5 PM EXCEPT SUNDAYS AND HOLIDAYS - starting at a point 115 feet north of the north curbline of Saratoga Boulevard north for a distance of 75 feet.
(Adopted 10/9/73)

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule of the State of New York, both as amended, a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 3rd day of October, 2022, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Chapter 202 of the code of the Town of Hempstead to INCLUDE "REGULATIONS AND RESTRICTIONS" to limit parking at the following locations:

(NR) ISLAND PARK
Section 202-28

CALIFORNIA PLACE SOUTH (TH 349/22) South Side - NO PARKING 11 PM TO 6 AM TUESDAYS, FRIDAYS, SATURDAYS AND SUNDAYS, MAY 1 - SEP 30- starting at a point 152 feet east of the east curbline of Austin Boulevard, east for a distance of 70 feet.

CALIFORNIA PLACE SOUTH (TH 349/22) South Side - NO PARKING 8 AM TO 4 PM EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS - starting at a point 152 feet east of the east curbline of Austin Boulevard, east for a distance of 70 feet.

AUSTIN BOULEVARD (TH 362/22) West Side - TWO HOUR PARKING 8 AM TO 5 PM EXCEPT SUNDAYS AND HOLIDAYS - starting at a point 30 feet north of the north curbline of Saratoga Boulevard, north for a distance of 84 feet.

AUSTIN BOULEVARD (TH 362/22) West Side - EIGHT HOUR PARKING 10 AM TO 6 PM - starting at a point 114 feet north of the north curbline of Saratoga Boulevard, north for a distance of 74 feet.

(NR) VALLEY STREAM
Section 202-18

SALEM ROAD (TH 375/22) South Side - NO PARKING 9 PM TO 6 AM - starting at a point 160 feet east of the east curbline of Salem Gate, then east for a distance of 82 feet.

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

BELLEROSE TERRACE
Section 202-30

238th STREET (TH 277/15) East Side -
starting at a point 311 feet south of
south curbline of Jamaica Avenue, then
south for a distance of 47 feet.
(Adopted 9/21/15)

238th STREET (TH 277/15) East Side -
NO PARKING 9 AM -5 PM EXCEPT SATURDAYS,
SUNDAYS & HOLIDAYS starting at a point
67 feet, north of the north curbline of
95th Avenue, north for a distance of
100 feet.
(Adopted 9/21/15)

238th STREET (TH 277/15) East Side -
NO PARKING 9 AM -5 PM EXCEPT SATURDAYS,
SUNDAYS & HOLIDAYS - starting at a
213 feet, south of the south curbline
of Jamaica Avenue, south for a distance
of 46 feet.
(Adopted 9/21/15)

238th STREET (TH 277/15) East Side -
NO PARKING 9 AM -5 PM EXCEPT SATURDAYS,
SUNDAYS & HOLIDAYS - starting at a
point 311 feet, south of the south
curbline of Jamaica Avenue, south for a
distance of 47 feet.
(Adopted 9/21/15)

238th STREET (TH 277/15) West Side -
NO PARKING 9 AM -5 PM EXCEPT SATURDAYS,
SUNDAYS & HOLIDAYS - starting at a
point 311 feet, south of the south
curbline of Jamaica Avenue, south for a
distance of 25 feet.
(Adopted 9/21/15)

238th STREET (TH 64/16) East Side -
NO PARKING 9 AM -5 PM EXCEPT SATURDAYS,
SUNDAYS & HOLIDAYS - starting at a
point 266 feet, north of the north
curbline of 95th Avenue, north for a
distance of 28 feet.
(Adopted 4/21/15)

238th STREET (TH 549/18) West Side -
NO PARKING 9 AM -5 PM EXCEPT SATURDAYS,
SUNDAYS & HOLIDAYS - starting at a
point 230 feet, south of the south
curbline of Jamaica Avenue, south for a
distance of 25 feet.
(Adopted 1/22/19)

226th STREET West Side - NO PARKING 9 AM
- 5 PM EXCEPT SATURDAYS, SUNDAYS &
HOLIDAYS - starting at a point 130
feet, south of the south curbline of
Jamaica Avenue, south for a distance
of 160 feet.
(Adopted 12/4/62)

226th STREET (TH 157/14) West Side -
NO PARKING 9 AM -5 PM EXCEPT SATURDAYS,
SUNDAYS & HOLIDAYS - starting at a
point 116 feet, south of the south
curbline of Jamaica Avenue, south for a
distance of 120 feet.
(Adopted 6/10/14)

(NR) ISLAND PARK
Section 202-28

CALIFORNIA PLACE SOUTH (TH 234/12) South
Side - NO PARKING 11 PM TO 6 AM
TUESDAYS, FRIDAYS, SATURDAYS AND
SUNDAYS, MAY 1 - SEPT 30 - starting at
a point 148 feet east of the east
curbline of Austin Boulevard, east for
a distance of 150 feet.
(Adopted 9/4/12)

CALIFORNIA PLACE SOUTH (TH 48/92) South
Side - NO PARKING 8 AM TO 4 PM EXCEPT
SATURDAYS, SUNDAYS AND HOLIDAYS -
starting at a point 151 east of the
east curbline of Austin Boulevard, east
for a distance of 151 feet.
(Adopted 7/21/92)

AUSTIN BOULEVARD (TH 476/73) West Side -
TWO HOUR PARKING 8 AM - 5 PM EXCEPT
SUNDAYS AND HOLIDAYS - starting at a
point 30 feet north of the north
curbline of Saratoga Boulevard north
for a distance of 45 feet.
(Adopted 10/9/73)

AUSTIN BOULEVARD (TH 476/73) West Side -
30 MINUTE PARKING 11 AM TO 5 PM EXCEPT
SUNDAYS AND HOLIDAYS - starting at a
point 115 feet north of the north
curbline of Saratoga Boulevard north
for a distance of 75 feet.
(Adopted 10/9/73)

AUSTIN BOULEVARD (TH 476/73 West Side -
TWO HOUR PARKING 8 AM TO 5 PM EXCEPT
SUNDAYS AND HOLIDAYS - starting at a
point 115 feet north of the north
curbline of Saratoga Boulevard north
for a distance of 75 feet.
(Adopted 10/9/73)

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

Dated: September 20, 2022
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

DONALD X. CLAVIN, JR.
Supervisor

KATE MURRAY
Town Clerk

ADOPTED:

Councilmember offered the following resolution and moved its adoption:

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

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

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

WHEREAS, Councilmember has introduced a proposed local law known as Intro. No. 71-2022, Print No. 1 to amend the said Section 202-1 of the Code of the Town of Hempstead to include and repeal "PARKING OR STANDING PROHIBITIONS" at various locations; NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York on October 3rd, 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. 71-2022, Print No. 1, to amend Section 202-1 of the Code of the Town of Hempstead to include and repeal "PARKING OR STANDING PROHIBITIONS" at various locations; and, BE IT FURTHER

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

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 42

Case # 30751

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

ELMONT PARKWAY DRIVE (TH 382/22) East Side - NO STOPPING HERE TO CORNER - starting from the north curbline of Baylis Avenue north for a distance of 40 feet.

PARKWAY DRIVE (TH 382/22) East Side - NO STOPPING HERE TO CORNER - starting from the south curbline of Baylis Avenue south for a distance of 50 feet.

(NR) ISLAND PARK CALIFORNIA PLACE SOUTH (TH 349/22) South Side - NO PARKING ANYTIME - starting from the east curbline of Austin Boulevard, east for a distance of 152 feet.

OCEANSIDE WOODS AVENUE (TH 281/22) West Side - NO STOPPING HERE TO CORNER - starting at the north curbline of Chester Street, north for a distance of 50 feet.

MERLE AVENUE (TH 404/22) South Side - NO PARKING ANYTIME - starting at a point 701 feet west of the west curbline of Oceanside Road, west for a distance of 24 feet.

Section 2. Section two hundred two dashes 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 sixty six of two thousand twenty two is hereby amended by repealing therein "PARKING OR STANDING PROHIBITIONS" at the following locations:

BELLEROSE TERRACE 239th Street East Side - NO STANDING - from the south curbline of Jericho Turnpike, south for a distance of 125 feet. (Adopted 9/12/61)

(NR) ISLAND PARK

CALIFORNIA PLACE (TH 274/81) South Side - NO PARKING ANYTIME - from the east curbline of Austin Boulevard, east for a distance of 150 feet.
(Adopted 8/25/81)

OCEANSIDE

WOODS AVENUE (TH 281/22) West Side - NO STOPPING HERE TO CORNER - starting at the north curbline of Chester Street, north for a distance of 35 feet.
(Adopted 8/2/22)

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule of the State of New York, both as amended, a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 3rd day of October, 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:

ELMONT

PARKWAY DRIVE (TH 382/22) East Side - NO STOPPING HERE TO CORNER - starting from the north curbline of Baylis Avenue north for a distance of 40 feet.

PARKWAY DRIVE (TH 382/22) East Side - NO STOPPING HERE TO CORNER - starting from the south curbline of Baylis Avenue south for a distance of 50 feet.

(NR) ISLAND PARK

CALIFORNIA PLACE SOUTH (TH 349/22) South Side - NO PARKING ANYTIME - starting from the east curbline of Austin Boulevard, east for a distance of 152 feet.

OCEANSIDE

WOODS AVENUE (TH 281/22) West Side - NO STOPPING HERE TO CORNER - starting at the north curbline of Chester Street, north for a distance of 50 feet.

MERLE AVENUE (TH 404/22) South Side - NO PARKING ANYTIME - starting at a point 701 feet west of the west curbline of Oceanside Road, west for a distance of 24 feet.

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

BELLEROSE TERRACE

239th Street East Side - NO STANDING - from the south curbline of Jericho Turnpike, south for a distance of 125 feet.
(Adopted 9/12/61)

(NR) ISLAND PARK

CALIFORNIA PLACE (TH 274/81) South Side - NO PARKING ANYTIME - from the east curbline of Austin Boulevard, east for a distance of 150 feet.
(Adopted 8/25/81)

OCEANSIDE

WOODS AVENUE (TH 281/22) West Side - NO STOPPING HERE TO CORNER - starting at the north curbline of Chester Street, north for a distance of 35 feet.
(Adopted 8/2/22)

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

Dated: September 20, 2022
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

DONALD X. CLAVIN, JR.
Supervisor

KATE MURRAY
Town Clerk

ADOPTED:

Councilmember 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, Councilmember has introduced a proposed local law known as Intro. No. 72-2022, 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 October 3rd, 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. 72-2022, 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 # 43

Case # 30752

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

BELLMORE MARLBORO PLACE (TH 422/22)- STOP - All traffic traveling south on Ansbro Place, shall come to a full stop.

MARLBORO PLACE (TH 422/22)- STOP - All traffic traveling south on Wilson Place, shall come to a full stop.

NORTH BALDWIN CIRCLE DRIVE EAST (TH 380/22)- STOP - All traffic moving eastbound on Mayfair Road, shall come to a full stop.

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule of the State of New York, both as amended, a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 3rd day of October, 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:

BELLMORE	MARLBORO PLACE (TH 422/22)- STOP - All traffic traveling south on Ansbro Place, shall come to a full stop.
	MARLBORO PLACE (TH 422/22)- STOP - All traffic traveling south on Wilson Place, shall come to a full stop.
NORTH BALDWIN	CIRCLE DRIVE EAST (TH 380/22)- STOP - All traffic moving eastbound on Mayfair Road, shall come to a full stop.

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

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

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

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

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

OCEANSIDE, Alice Avenue - between Oceanside Road and Oceanside Middle School Entrance.
(TH-414/22)

§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 the Municipal Home Rule Law of the State of New York, as amended, a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 3rd day of October, 2022, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Chapter 190 of the Code of the Town of Hempstead by the insertion of a location into Section 190-4, subdivision "A", in relation to a 20 mph school speed limit, 7 AM to 6 PM, school days, as follows:

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

OCEANSIDE ROAD, Alice Avenue - between Oceanside Road and Oceanside Middle School Entrance.
(TH-414/22)

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

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

Dated: September 20, 2022
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

DONALD X. CLAVIN, JR.
Supervisor

KATE MURRAY
Town Clerk

Adopted:

offered the following resolution and moved its adoption:

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

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

NOW, THEREFORE BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, Washington Street, Hempstead, New York, on the 3rd day of October, 2022, at 10:30 o'clock in the forenoon of that day, at which time all persons interested shall be heard on the establishment and setting aside of certain parking spaces for motor vehicles for the sole use of holders of special parking permits issued by the County of Nassau to physically handicapped persons at the following locations:

BELLEROSE TERRACE

238th STREET - east side, starting at a point 308 feet south of the south curblineline of Jamaica Avenue, south for a distance of 20 feet. (TH-346/22)

ISLAND PARK

CALIFORNIA PLACE SOUTH - south side, starting at a point 222 feet east of the east curblineline of Austin Boulevard, east for a distance of 20 feet. (TH-349(B)/22)

OCEANSIDE

WEIDNER AVENUE - east side, starting at a point 3 feet south of a point opposite the south curblineline of Vaughn Street, south for a distance of 17 feet. (TH-405/22)

Item # 45
Case # 21527

UNIONDALE

CHESTER STREET - east side, starting
at a point 72 feet north of the north
curbline of Oakley Street, north for
a distance of 20 feet.
(TH-423/22)

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

ELMONT

EMPORIA AVENUE - east side, starting
at a point 213 feet north of the north
curbline of Atherton Avenue, north for
a distance of 20 feet.
(TH-78/04 - 4/29/04) (TH-410/22)

; and, BE IT FURTHER

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

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

AYES:

NOES:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Section 202-48 of the code of the Town of Hempstead entitled, "Handicapped Parking on Public Streets," a public hearing will be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on the 3rd day of October, 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:

BELLEROSE TERRACE

238th STREET - east side, starting at a point 308 feet south of the south curblineline of Jamaica Avenue, south for a distance of 20 feet.
(TH-346/22)

ISLAND PARK

CALIFORNIA PLACE SOUTH - south side, starting at a point 222 feet east of the east curblineline of Austin Boulevard, east for a distance of 20 feet.
(TH-349(B)/22)

OCEANSIDE

WEIDNER AVENUE - east side, starting at a point 3 feet south of a point opposite the south curblineline of Vaughn Street, south for a distance of 17 feet.
(TH-405/22)

UNIONDALE

CHESTER STREET - east side, starting at a point 72 feet north of the north curblineline of Oakley Street, north for a distance of 20 feet.
(TH-423/22)

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

ELMONT

EMPORIA AVENUE - east side, starting
at a point 213 feet north of the north
curbline of Atherton Avenue, north for
a distance of 20 feet.
(TH-78/04 - 4/29/04) (TH-410/22)

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

Dated: September 20, 2022
Hempstead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

DONALD X. CLAVIN, JR.
Supervisor

KATE MURRAY
Town Clerk

CASE NO.

RESOLUTION NO.

Adopted:

Councilmember moved the following
resolution's adoption:

RESOLUTION AND ORDER CALLING A
PUBLIC HEARING ON THE INCREASE
AND IMPROVEMENT OF THE TOWN
OF HEMPSTEAD REFUSE DISPOSAL
DISTRICT.

WHEREAS, the Commissioner of the Town of Hempstead Department of Sanitation, as the Representative of the Town of Hempstead Refuse Disposal District, has proposed increase and improvements consisting of the purchase of equipment, and has requested that the Town Board hold a public hearing regarding the increase and improvements of the Town of Hempstead Refuse Disposal District; and

WHEREAS, said Department has submitted to the Town Board an estimate of cost relating to said increase and improvement; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board adopt the following order:

Item # 46

Case # 17083

; and, BE IT FURTHER

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

The foregoing resolution was seconded by

and adopted upon roll call as follows:

AYES:

NOES:

CASE NO.

RESOLUTION NO.

Adopted:

Councilmember
resolution's:

moved the following

RESOLUTION AND ORDER CALLING A PUBLIC
HEARING ON THE INCREASE AND IMPROVEMENT
OF THE TOWN OF HEMPSTEAD STREET LIGHTING
DISTRICT.

WHEREAS, the Town of Hempstead Department of General Services, Street Lighting Division, as the representative of the Town of Hempstead Street Light District, has proposed district upgrades and requested that the Town Board hold a public hearing regarding the increase and improvement of the Town of Hempstead Street Lighting District; and

WHEREAS, said Department has submitted to the Town Board an estimate of cost relating to said increase and improvement of the Street Lighting District; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board adopt the following order:

Item # 47
Case # 8143

; and, BE IT FURTHER

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

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

AYES:

NOES:

CASE NO.

RESOLUTION NO.

Adopted:

Councilmember _____ moved the following
resolution's adoption:

RESOLUTION AND ORDER CALLING A PUBLIC
HEARING ON THE INCREASE AND IMPROVEMENT
OF THE TOWN OF HEMPSTEAD PARK DISTRICT.

WHEREAS, the Commissioner of the Town of Hempstead
Department of Parks and Recreation, as the Representative of
the Town of Hempstead Park District, has proposed an
Improvement Project for the Town of Hempstead Park District,
and has requested that the Town Board hold a public hearing
regarding the increase and improvement of the District; and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board adopt the following order:

Item #

48

Case #

16905

At a meeting of the Town Board
of the Town of Hempstead,
Nassau County, New York, held at
the Town Meeting Pavilion,
Hempstead Town Hall, 1 Washington
Street, Village and Town of
Hempstead, New York, on the
day of _____, 20__.

P R E S E N T:

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

Council Members.

----- X

IN THE MATTER

- of -

**ORDER CALLING
PUBLIC HEARING**

THE INCREASE AND IMPROVEMENT OF
THE TOWN OF HEMPSTEAD PARK DISTRICT IN
THE TOWN OF HEMPSTEAD, COUNTY OF
NASSAU, STATE OF NEW YORK

----- X

WHEREAS, the Commissioner of the Town of Hempstead
Department of Parks and Recreation, as the Representative
of the Town of Hempstead Park District, has proposed an
Improvement Project for the Town of Hempstead Park District,
and has requested that the Town Board hold a public hearing
regarding said improvements; and

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

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

; and, BE IT FURTHER

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

The foregoing resolution was seconded by Council

and adopted upon roll call as follows:

AYES:

NOES:

CASE NO.

RESOLUTION NO.

RESOLUTION CALLING A PUBLIC HEARING ON THE APPLICATION OF FRONT ST. MUFFLERS, TIRES AND AUTO REPAIR INC. FOR A SPECIAL EXCEPTION (PUBLIC GARAGE) UNIONDALE, NEW YORK.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLVED, that a public hearing be held on October 3, 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 Front St. Mufflers, Tires and Auto Repair Inc. for Special Exception (Public Garage) for a change of use from gasoline station to auto repair/public garage and to maintain the current use as an auto repair at premises in Uniondale, New York, and

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

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 49
Case # 26047

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that a Public Hearing will be held by the Town Board of the Town of Hempstead, Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on October 3, 2022 at 10:30 o'clock in the forenoon of that day for the purpose of considering the application of Front St. Mufflers, Tires and Auto Repair Inc. for Special Exception(Public Garage) for a change of use from gasoline station to auto repair/public garage and to maintain the current use as an auto repair at premises in Uniondale, New York, and New York:

A square piece of property on the corner of Front Street and Pamlico Street fronting Front Street situated Uniondale, Town of Hempstead, County of Nassau, New York.

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

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

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

DONALD X. CLAVIN JR.
Supervisor

KATE MURRAY
Town Clerk

Dated: September 7, 2022
Hempstead, N.Y.

Case No.

Resolution No.

Adopted:

Councilmember

moved the following resolution's adoption:

**RESOLUTION CALLING A PUBLIC
HEARING ON THE APPLICATION OF
BALDWIN JAZ LLC C/O BRESLIN REALTY
DEVELOPMENT, CORP. IN THE BALDWIN
MIXED-USED ZONING OVERLAY
DISTRICT (B-MX) OF THE BUILDING ZONE
ORDINANCE**

RESOLVED, a public hearing be held October 3, 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 Baldwin JAZ LLC c/o Breslin Realty Development, Corp. to construct a five (5)-story mixed-use transit oriented development at the southwest corner of Sunrise Highway and Harrison Avenue; the west side of Harrison Avenue approximately 391' south of Sunrise Highway; and the east side of Grand Avenue approximately 99' south of Sunrise Highway in Baldwin, New York, County of Nassau, State of New York, also being Section 54, Block 101, Lots 26, 30, 33, 35, 38, 39, 41, 42, and 129 on the Nassau County Land and Tax Map; and be it further

RESOLVED, the Town Clerk shall publish notice of said hearing at least ten (10) days prior to such hearing, and once a week for two (2) consecutive weeks in a newspaper of general circulation.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

50

Case #

Page 1 of 1
30114

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Hempstead, Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York on October 3, 2022 at 10:30 o'clock in the forenoon of that day for the purpose of considering the application of Baldwin JAZ LLC c/o Breslin Realty Development, Corp. to construct a five (5)-story mixed-use transit oriented development at the southwest corner of Sunrise Highway and Harrison Avenue; the west side of Harrison Avenue approximately 391' south of Sunrise Highway; and the east side of Grand Avenue approximately 99' south of Sunrise Highway in Baldwin, New York, County of Nassau, State of New York, also being Section 54, Block 101, Lots 26, 30, 33, 35, 38, 39, 41, 42, and 129 on the Nassau County Land and Tax Map.

Documents pertaining to said proposal are on file with the application in the office of the undersigned and may be viewed during office hours.

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

Hempstead:

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

DONALD X. CLAVIN, JR.
SUPERVISOR

KATE MURRAY
TOWN CLERK

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF JOHN DASH AS LABOR
CREW CHIEF I, IN THE DEPARTMENT OF
SANITATION.

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

RESOLVED, that John Dash, 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 5 (F), Salary Schedule D, \$63,060, in the Department of Sanitation, by the
Commissioner of the Department of Sanitation and ratified by the Town Board of the Town of
Hempstead effective September 21, 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:

9/20/2022

In addition, there are (12) Twelve Resolutions for various types of Leaves of Absence.