

TOWN OF NORTH HEMPSTEAD COMMUNITY DEVELOPMENT AGENCY

**Minutes of
REGULAR MEETING
January 30, 2013
7:30 PM**

Call to Order

Mr. Bailey, Chairman of the Agency, called the meeting to order at 7:40 p.m.

Attendance

Members of the Agency (the “Members”) in attendance were:

Lamont R. Bailey

Jeffrey M. Greilsheimer

Howard Weitzman

Rodney A. Caines – arrived at 8:00p.m.

Agency staff present consisted of:

Dermot F. Kelly, Executive Director

Joseph Santamaria, Assistant Director/Project Manager

Patrice P. Allen, Administrative Assistant

Peter Dzwilewski, In-house Counsel

Minutes of Meeting Held on December 13, 2012

Upon the motion of Mr. Weitzman, seconded by Mr. Greilsheimer, the minutes of the meeting held on December 13, 2012, were accepted.

TOWN OF NORTH HEMPSTEAD COMMUNITY DEVELOPMENT AGENCY

**Minutes of
REGULAR MEETING
January 30, 2013
7:30 PM**

Executive Director's Report

The Executive Director's Report consisted of the following:

Operations:

Copies of the Chart of Accounts Balance from the County Office of Community Development (the "OCD"), and monthly Bank Statements were given to the Members for review.

The Agency's current Chart of Accounts Balance as per the OCD, as of 1/14/13 is \$1,306,063.93

Cash Balances:

- Citibank –Lump Sum Account - \$230,139
- Valley National Bank - Program Income Account - \$796,095
- Citibank –Escrow Account - \$7,061

New Cassel Urban Renewal Plan

Site A - The Board of Zoning and Appeals ("BZA") approved the Master Plan for this Site. The plan pre- approves zoning variances and architectural design, which allows Bluestone to market the remaining 10,540 square feet of vacant retail space for prospective tenants.

Paradise Cove Restaurant is working on a few outstanding matters with the Building Department and anticipates opening in February.

Site B– The Supermarket - Tony and Eddie's purchased the condominium unit and awaits approval for the amended plans from the Building Department. A contract is being negotiated with a cooperative chain and anticipates signing an agreement on January 30, 2013.

TOWN OF NORTH HEMPSTEAD COMMUNITY DEVELOPMENT AGENCY

**Minutes of
REGULAR MEETING
January 30, 2013
7:30 PM**

The Bank of New York Mellon (“BONYM”) has signed a contract with Worthy NYC, Inc. (“Worthy”), an existing business in New Cassel using 3,180 square feet of vacant space from (“BONYM”). Worthy has applied for permits with the Town for a sneaker and apparel store. Anticipates to be opened by the April 2013.

Site C - No Change in this site’s status. BONYM is still seeking a purchaser for the remaining 3,800 sq. ft. of commercial space.

Site D - BONYM and 139 LLC a holding company for James J. Vilardi (“Developer”) has signed an agreement to complete the development, construction and sale of the Project. The Developer will sign the Amended Land Disposition Agreement; (approved by the Agency in September 2011) and complete the foreclosure process started by BONYM to complete the project. The agreement is subject to Nassau County IDA approval, which is expected in February. The (“Developer”) will execute the Land Disposition Agreement and other documents.

Site E –Site work has begun and is on schedule.

Site I – A proposal will be presented to the Board on January 30, 2013 to construct 10 townhouses on the property and a roadway connecting Rose Place and Sohmer Place. The Agency issued an RFP on February 29, 2012, but due to lack of submissions and based on feed back from the registrants the Agency re-issued the RFP on June 4th, with several changes to the design elements and increased the cap of down payment assistance from \$25,000 to \$30,000 per unit to eligible purchasers. The Agency received one proposal on the due date, August 8th, and has been working with the Developer since then to address the financing and marketing of the project. Those concerns have been satisfactorily addressed and the Agency will make a recommendation at the Board Meeting.

Upon the motion of Mr. Greilsheimer, duly seconded by the Board, the Executive Director’s Report, to the extent of the Members’ knowledge of the events referred to, was accepted and approved unanimously.

TOWN OF NORTH HEMPSTEAD COMMUNITY DEVELOPMENT AGENCY

**Minutes of
REGULAR MEETING
January 30, 2013
7:30 PM**

Convening of Executive Session

Upon the motion of Mr. Weitzman, duly seconded by Mr. Bailey the Members adjourned the public meeting and convened in Executive Session to discuss a matter at 8:15 p.m. reconvened at 8:30p.m.

For Consideration

**RESOLUTION NO. 2 (2013)
A RESOLUTION REVIEWING AND ACCEPTING A MISSION
STATEMENT AND PERFORMANCE MEASUREMENT REPORT FOR
THE AGENCY.**

WHEREAS, the Public Authorities Accountability Act of 2005, as amended by the Public Authorities Reform Act of 2009, and Section 2 (3) of Article V of the By-laws of the Town of North Hempstead Community Development Agency (the “Agency”) requires the members (the “Members”) of the Agency to annually review and accept a Mission Statement and Performance Measurement Report (the “Mission Statement”); and

WHEREAS, staff of the Agency have composed the Mission Statement included with the materials presented at this meeting; and

WHEREAS, the Members have reviewed and wish to accept the Mission Statement.

NOW, THEREFORE, BE IT

RESOLVED, that the Members hereby accept the Mission Statement; and be it further

RESOLVED, that the Members hereby authorize the Executive Director to file the Mission Statement with the Chief Executive Officer of the Agency, the Chief Financial Officer of the Agency, the New York State Authorities Budget Office, and the Supervisor of the Town of North Hempstead, and to take such other action as may be necessary to effectuate the foregoing.

Upon the motion of Mr. Weitzman seconded by Mr. Caines, the resolution was unanimously adopted.

TOWN OF NORTH HEMPSTEAD COMMUNITY DEVELOPMENT AGENCY

**Minutes of
REGULAR MEETING
January 30, 2013
7:30 PM**

**RESOLUTION NO. 3 (2013)
A RESOLUTION REVIEWING AND ACCEPTING AN OPERATIONS
AND ACCOMPLISHMENTS REPORT FOR THE AGENCY.**

WHEREAS, the Public Authorities Accountability Act of 2005, as amended by the Public Authorities Reform Act of 2009, and Section 2 (1) of Article V of the By-laws of the Town of North Hempstead Community Development Agency (the “Agency”) requires the members of the Agency (the “Members”) to annually review and accept an Operations and Accomplishments Report (the “Report”); and

WHEREAS, staff of the Agency have composed the Report included with the materials presented at this meeting; and

WHEREAS, the Members have reviewed and wish to accept the Report, with changes as to figures made by the Executive Director of the Agency (the “Executive Director”).

NOW, THEREFORE, BE IT

RESOLVED, that the Members hereby accept the Report; and be it further

RESOLVED, that the Members hereby authorize the Executive Director to file the Report with the Chief Executive Officer of the Agency, the Chief Financial Officer of the Agency, the New York State Authorities Budget Office, and the Supervisor of the Town of North Hempstead, and to take such other action as may be necessary to effectuate the foregoing.

Upon the motion of Mr. Greilsheimer seconded by Mr. Bailey, the resolution was unanimously adopted.

**RESOLUTION NO. 4 (2013)
A RESOLUTION ADOPTING A POLICY REGARDING EXTENSION
OF CREDIT.**

WHEREAS, the Public Authorities Accountability Act of 2005, as amended by the Public Authorities Reform Act of 2009, requires the members (the “Members”) of the Town of North Hempstead Community Development Agency (the “Agency”) to adopt a policy regarding the extension of credit (the “Policy”); and

TOWN OF NORTH HEMPSTEAD COMMUNITY DEVELOPMENT AGENCY

**Minutes of
REGULAR MEETING
January 30, 2013
7:30 PM**

WHEREAS, staff of the Agency have composed the Policy included with the materials presented at this meeting; and

WHEREAS, the Members have reviewed and wish to adopt the Policy.

NOW, THEREFORE, BE IT

RESOLVED, that the Members hereby adopt the Policy; and be it further

RESOLVED, that the Members hereby authorize the Executive Director to post the Policy on the Agency's webpage, and to take such other action as may be necessary to effectuate the foregoing.

Upon the motion of Mr. Greilsheimer seconded by Mr. Weitzman, the resolution was unanimously adopted.

**RESOLUTION NO. 5 (2013)
A RESOLUTION REVIEWING AND ACCEPTING AN INTERNAL CONTROL
MANUAL.**

WHEREAS, pursuant to Resolution No. 6 (2008), duly adopted at its meeting held on March 27, 2008, members (the "Members") of the Town of North Hempstead Community Development Agency (the "Agency") adopted and approved an internal control manual (the "Manual"); and

WHEREAS, staff of the Agency have composed the Manual included with the materials presented at this meeting; and

WHEREAS, the Members have reviewed and wish to adopt the Manual (the "Staff Recommendations").

NOW THEREFORE, BE IT

RESOLVED, that the Members hereby authorize and adopt the Staff Recommendation; and be it further

RESOLVED, that the Executive Director of the Agency and any officer thereof are hereby authorized to execute such instruments and documents and to take such other

TOWN OF NORTH HEMPSTEAD COMMUNITY DEVELOPMENT AGENCY

**Minutes of
REGULAR MEETING
January 30, 2013
7:30 PM**

action as may be necessary to carry out the foregoing.

Upon the motion of Mr. Caines seconded by Mr. Weitzman, the resolution was unanimously adopted.

**RESOLUTION NO. 6 (2013)
A RESOLUTION REVIEWING AND ACCEPTING THE INVESTMENT
POLICY OF THE AGENCY.**

WHEREAS, the Public Authorities Accountability Act of 2005, as amended by the Public Authorities Reform Act of 2009, requires the members (the “Members”) of the Town of North Hempstead Community Development Agency (the “Agency”) to annually review and accept an Investment Policy (the “Policy”); and

WHEREAS, staff of the Agency have composed the Policy included with the materials presented at this meeting; and

WHEREAS, the Members have reviewed and wish to accept the Policy.

NOW, THEREFORE, BE IT

RESOLVED, that the Members hereby accept the Policy; and be it further

RESOLVED, that the Members hereby authorize the Executive Director to post the Policy on the Agency’s webpage, and to take such other action as may be necessary to effectuate the foregoing.

Upon the motion of Mr. Weitzman seconded by Mr. Bailey, the resolution was unanimously adopted.

**RESOLUTION NO. 7 (2013)
A RESOLUTION REVIEWING AND ACCEPTING THE GUIDELINES
FOR THE DISPOSAL OF PROPERTY OF THE AGENCY.**

WHEREAS, the Public Authorities Accountability Act of 2005, as amended by the Public Authorities Reform Act of 2009, requires the members (the “Members”) of the Town of North Hempstead Community Development Agency (the “Agency”) to annually review and accept the Guidelines for the Disposal of Property (the “Guidelines”); and

TOWN OF NORTH HEMPSTEAD COMMUNITY DEVELOPMENT AGENCY

**Minutes of
REGULAR MEETING
January 30, 2013
7:30 PM**

WHEREAS, staff of the Agency have composed the Guidelines included with the materials presented at this meeting; and

WHEREAS, the Members have reviewed and wish to accept the Guidelines.

NOW, THEREFORE, BE IT

RESOLVED, that the Members hereby accept the Guidelines; and be it further

RESOLVED, that the Members hereby authorize the Executive Director to post the Guidelines on the Agency’s webpage, and to take such other action as may be necessary to effectuate the foregoing.

Upon the motion of Mr. Caines seconded by Mr. Weitzman, the resolution was unanimously adopted.

**RESOLUTION NO. 8 (2013)
A RESOLUTION REVIEWING AND ACCEPTING THE
PROCUREMENT POLICY OF THE AGENCY.**

WHEREAS, the Public Authorities Accountability Act of 2005, as amended by the Public Authorities Reform Act of 2009, requires the members (the “Members”) of the Town of North Hempstead Community Development Agency (the “Agency”) to annually review and accept a Procurement Policy (the “Policy”); and

WHEREAS, staff of the Agency have composed the Policy included with the materials presented at this meeting; and

WHEREAS, the Members have reviewed and wish to accept the Policy.

NOW, THEREFORE, BE IT

RESOLVED, that the Members hereby accept the Policy; and be it further

RESOLVED, that the Members hereby authorize the Executive Director to post the Policy on the Agency’s webpage, and to take such other action as may be necessary to effectuate the foregoing.

TOWN OF NORTH HEMPSTEAD COMMUNITY DEVELOPMENT AGENCY

**Minutes of
REGULAR MEETING
January 30, 2013
7:30 PM**

Upon the motion of Mr. Greilsheimer seconded by Mr. Bailey, the resolution was unanimously adopted.

**RESOLUTION NO. 9 (2013)
A RESOLUTION SETTING DATES FOR THE ANNUAL MEETING
AND REGULAR MEETINGS OF THE AGENCY.**

WHEREAS, Article V, Section 2 of the By - Laws (the “By-Laws”) of the Town of North Hempstead Community Development Agency (the "Agency") requires the members of the Agency (“Members”) to hold an annual meeting (the “Annual Meeting”) to receive a report on the state of the Agency, as more fully set forth therein; and

WHEREAS, Article V, Section 3 of the By - Laws of the Agency require the Members to hold regular meetings (the “Regular Meetings”) to transact such business as may come before them; and

WHEREAS, the Members wish to establish a schedule identifying the dates and times of their Annual Meeting and Regular Meetings for calendar year 2013.

NOW, THEREFORE, BE IT

RESOLVED, that members of the Agency hereby adopt the schedule for the conducting of the Annual Meeting and Regular Meetings for calendar year 2013 set forth in Schedule “A”, attached hereto and made a part hereof, which meetings shall be called to order at approximately 7:30 p.m. on each such day listed; and be it further

RESOLVED, that the Executive Director or any officer of the Agency is hereby authorized to take such action as may be necessary to effectuate the foregoing.

Upon the motion of Mr. Caines seconded by Weitzman, the resolution was unanimously adopted.

Adjournment

Upon a motion by Mr. Caines, the members of the Agency, by unanimous vote, adjourned the meeting at 9:09 p.m.