

TOWN OF NORTH HEMPSTEAD COMMUNITY DEVELOPMENT AGENCY

**Minutes of
November 12, 2014
7:30 PM**

Call to Order

Mr. Bailey, Chairman of the Town of North Hempstead Community Development Agency (the “Agency”), called the meeting to order at 7:39 p.m.

Attendance

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

Lamont R. Bailey
Sid Nathan
Jeffrey M. Greilsheimer
Rodney Caines

Agency staff present consisted of:

Dermot F. Kelly, Executive Director
Joseph Santamaria, Assistant Executive Director/Project Manager
Patrice P. Allen, Administrative Assistant
Amanda Abata, In-house Counsel

Minutes of Meeting Held on September 30, 2014

Upon the motion of Mr. Greilsheimer, seconded by Mr. Caines, the minutes of the meeting held on September 30, 2014 were accepted.

Executive Director’s Report

The Executive Director’s Report consisted of the following:

Community Development Block Grant (“CDBG”) Program:

Operations:

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According to OCD, the Agency's current chart of account balance as of 10/7/14 is \$949,485.51.

Cash Balances as of 11/12/14 are:

- Citibank –Lump Sum Account - \$712,690
- Citibank – Escrow Account - \$11,171
- Valley National Bank - Program Income Account - \$702,295

New Cassel Urban Renewal Plan

Active Projects:

Site C: No Change

Residential units have been fully occupied since April 2011.

Bank of New York Mellon, (the “BONYM”) is searching for a purchaser for the remaining 3,700 sq. ft. of commercial space. The asking price is \$300,000 to \$350,000. The property is still being marketed by the BONYM. The Agency has received correspondence from a local church that is interested in purchasing the property.

Site D:

On October 14, 2014 Nassau County sent a contract to BONYM and 139 LLC. The County requested the contract be completed and returned with a commitment fee and service charge. Moreover, 139 LLC is required to provide evidence of Site Control and Building Permits. None of the above mentioned was provided to the County and in turn County a second notice was issued to BONYM and 139 LLC. The Agency has requested a meeting with the County to discuss alternative options.

Site I:

Cornerstone Developers will develop eleven (11) – three (3) bedroom Townhouses and a public roadway. A lottery for the houses will be managed by the Long Island Housing Partnership (“LIHP”). A public notice regarding the lottery Work Force Housing Program and submissions instructions for the application were posted in Newsday and in other local newspapers. With the Town's assistance brochures were designed and distributed by hand through religious institutes and local business throughout Westbury/New Cassel by CDA Staff and UNCCRC. Applications had to be post marked by November 7, 2014. At this time LIHP has received approximately 20 applications. Once all the applications have been

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logged in and reviewed for eligibility. The drawing for the Lottery is scheduled for November 20th.

Site M: No Change

The Agency finalized the purchase of 985 Prospect Avenue in June - Option 3 (listed below) and possibly other choices will be deliberated with the Town in greater detail. Options 1 and 2 will be removed.

CDA owns properties located at 215 & 216 Brooklyn Avenue and 989 Prospect Avenue. CDA is in the process of developing plans for a mixed used and/or senior housing for the property.

Possible Development Options:

Option 1:

Issue an RFP for the redevelopment of 989 Prospect to construct a 2,600 Sq. Ft. commercial building to house a bank or credit union with a drive up window.

215 Brooklyn and 216 Brooklyn will then, with the assistance of LIHP, be developed into single family 3 bedroom homes. A Resolution was approved at the November meeting regarding obtaining grant money and other assistance for this project from LIHP.

Option 2:

Issue an RFP for the redevelopment of the property at 989 Prospect into a three story mixed use building. The first floor will be designed to accommodate a bank or credit union with a drive up window. The second and third floors will house approximately 6 one bedroom and studios rental apartments. Preference for the rentals will be given to residents of the Town and limited to individuals over age 55. The property at 215 Brooklyn Avenue will be used for parking for the building at 989 Prospect.

Option 3:

Purchase 985 Prospect Avenue and issue an RFP for a larger mixed use site as described in Option 2 and develop a 3 bedroom single family home at 216 Brooklyn Avenue.

All of the aforementioned options conform to the New Cassel Urban Renewal Plan but still have to be discussed with the Town Supervisor's Office and details worked out with the Town's Planning and Building Departments.

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Brush Hollow Road:

A lottery for the houses will be managed by the Long Island Housing Partnership (“LIHP”). A public notice regarding the Lottery Work Force Housing Program and submissions instructions for the application were posted in Newsday and in other local newspapers. With the Town’s assistance brochures were designed and distributed by hand through religious institutes and local business throughout Westbury/New Cassel by CDA Staff and UNCCRC. Applications had to be post marked by November 7, 2014. At this time LIHP has received approximately 20 applications. Once all the applications have been logged in and reviewed for eligibility. The drawing for the Lottery is scheduled for November 20th.

CDA received the conditional approval of the sub-division from the County and is in the process of creating deeds.

The existing house will be renovated into a 3 bedroom home. CDA submitted plans created by our Architect Sidney Bowne and Son, LLP plans were to the Town’s Building Department on January 13th along with applications for permits. The Building Department issued an Omissions Letter on March 18th and Bowne distributed documentation in response to the Omissions Letter on May 12th. CDA received a “permit pending notice” on July 30th. A building permit will be issued when a contractor is selected and correct insurance documentation has been filed. CDA is in the process of relocating the tenants pursuant to HUD Regulations.

Third Street (created by the sub-division of 876 Brush Hollow Road):

The Agency’s original plans to the Building Department have been rejected. A Board of Zoning Appeal Hearing is scheduled for October 22nd. THE BZA Hearing may not be required due to modifications that may be made to the Zoning at the October 21st Town Board Meeting.

CDA received conditional approval for the subdivision from the County Planning Department and is in the process of filling new tax lots and deeds with the Nassau County Clerk’s Office.

Construction of a new three bedroom home – Bowne supplied permit documents and the Home Energy Rating System (HERS) documentation to CDA last week. The documents are being filed with the Building Department on August 5th. The CDA anticipate receiving the new deed and lots numbers from the County Clerk and will be the process of locating a new street address.

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No change in Status:

265 Covert Street:

CDA closed on the purchase of a 7500 sq. ft. vacant lot located at 265 Covert Street in New Cassel. CDA plans building a three bedroom house on this lot utilizing the three bedroom house plans being designed for the Third Street property. LIHP will assist CDA in obtaining grants and marketing this property.

Long Island Housing Partnership Assistance:

A Resolution was approved at the 2013 November CDA meeting regarding obtaining grants and marketing assistance for the **Brush Hollow Road, Third Street, Covert Street and Brooklyn Avenue** projects from LIHP. A lottery for the houses will be conducted by the LIHP after all necessary approvals are received. Once buyers have been selected and approved and all necessary permits issued the construction will commence.

Site A:

The Developer continues to market the remaining 10,540 sq. ft. of commercial space.

Site B:

The Supermarket – Ideal Food Basket is open for business.

The BONYM through its real estate holding company NY CRE Asset Holdings, LLC has sold the remaining 3,180 sq. ft. of retail condominium space to Prospect New Castle Realty, Inc. (Prospect”) the holding company for Worthy NYC, Inc. (“Worthy”) for \$425,000. Worthy a sneaker and apparel store has received all necessary building permits and now estimates that the build out will be completed in June.

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

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For Consideration

RESOLUTION NO. 28 (2014)

A RESOLUTION SELECTING A CONTRACTOR AND AUTHORIZING EXECUTION OF AGREEMENT(S) FOR ASBESTOS ABATEMENT AT 876 BRUSH HOLLOW ROAD WESTBURY NEW YORK 11590.

WHEREAS, the Town of North Hempstead Community Development Agency (the “Agency”), issued a request for proposals (the “RFP”) on October 22, 2014 for abatement of asbestos materials at 876 Brush Hollow Road (Section 11, Block 167, Lot 31) and Third Street (Section 11, Block 167, Lot 32) in Westbury, New York 11590, Agency owned properties (the “Project”); and

WHEREAS, the Agency received six (6) proposals from contractors which were opened on November 5, 2014 on or after 2:45 PM in the presence of all Agency Staff; and

WHEREAS, pricing provided in the initial proposals are depicted in the “Proposal Amount” column in the below table, and

WHEREAS, after reviewing the initial proposals and in efforts to reduce costs, Agency staff requested all the contractors to submit a best and final proposal price, and

WHEREAS, Agency Staff received the best and final proposal pricing depicted in the “Modified Proposal” column in the table below:

Contractor	Proposal Amount	Modified Proposal	Modified Proposal With Out Board-Up
The Asbestos Contractor, Inc. 31 Craig Avenue, 1st Floor Staten Island, NY 10307	\$24,225.00	\$24,225.00	\$23,225.00
WRS Environmental Services 17 Old Dock Road Yaphank, NY 11980	\$30,000.00	\$29,332.00	\$27,833.00

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Gramercy Group, Inc. 3000 Burns Ave Wantagh, NY 11793	\$44,200.00		
GK Contractors 55 Wanaque Ave Ste 115 Pompton Lakes, NJ 07442	\$45,586.00	\$42,386.00	\$39,866.00
JBH Environmental, Inc. 194 Atlantic Ave. Garden City Park, NY 11040	\$65,800.00	\$51,200.00	\$42,500.00
Boyle Services, Inc. 240 Hedges Ave. E. Patchogue, NY 11772	\$72,500.00		

; and

WHEREAS, Agency Staff reviewed the Modified Proposals in accordance with the RFP and recommends The Asbestos Contractor, Inc. (the “Contractor”) be selected as the contractor for the Project as its proposal appears to be the apparent lowest price and a qualified contractor ; and

WHEREAS, pursuant to the State Environmental Quality Review Act (“SEQRA”) regulations, the awarding of a contract to the Contractor is not an action as that term is defined in the regulations and therefore SEQRA review is not required to be completed at this time; and

WHEREAS, Agency staff recommends that the Members of the Agency (the “Members”) authorize the execution of an agreement with the Contractor in an amount not to exceed \$24,225 to undertake and complete the Project.

NOW, THEREFORE, BE IT

RESOLVED, that the Members select the Contractor, subject to staff review of references, as the contractor for the Project and authorizes the Agency to enter into an agreement with the Contractor in an amount not to exceed \$24,225.00 to undertake and complete the Project; and be it further

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RESOLVED, that the Executive Director and any other officer of the Agency are hereby authorized to execute the agreement and other documents, and to take such other action, as may be necessary to implement the foregoing.

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

RESOLUTION NO. 29 (2014)

A RESOLUTION AUTHORIZING THE MAKING OF A HOME REHABILITATION DEFERRED PAYMENT LOAN TO MIKE KOZUCH AND ANGELA F. KOZUCH 7 WELLINGTON ROAD GREENVALE, NY 11548.

WHEREAS, the Town of North Hempstead Community Development Agency (the “Agency”) has received an application from Mike Kozuch and Angela Kozuch (the “Owner”) of 7 Wellington Road Greenvale New York, identified on the Nassau County Land and Tax Map as Section 20, Block N Lot 52 (the “Premises”), for the Residential Rehabilitation Program (the “Program”) providing financial assistance for the correction of existing conditions (the “Project”), as more particularly stated in the summary attached hereto (the “Case Summary”); and

WHEREAS, Agency staff has determined that the Owner and the Project meet eligibility criteria for Program assistance, and qualify for up to a \$25,000 deferred payment and interest loan at one percent (1%) interest rate per year for life of loan secured by an Agency note and mortgage, of which, becomes due and payable upon the death of borrowers, transfer of title or discontinued-occupancy of the premises (the “Funding Assistance”); and

WHEREAS, Agency staff has recommended to the members of the Agency (the “Members”) that, based upon the Case Summary, they authorize the making of the Funding Assistance for only procurement of professional services, if required, and for contracting services for the undertaking and completion of the Project (the “Staff Recommendation”); and

WHEREAS, the Members wish to authorize and adopt the Staff Recommendation.

NOW, THEREFORE, BE IT

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RESOLVED, that the Members wish to authorize and adopt the Staff Recommendation; and it is 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 action as may be necessary to carry out the foregoing.

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

RESOLUTION NO. 30 (2014)

A RESOLUTION RECCOMENDING THAT THE TOWN OF NORTH HEMPSTEAD BOARD AMEND THE NEW CASSEL URBAN RENEWAL PLAN TO ADD 160 URBAN AVENUE IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 11, BLOCK 28, LOT 36,37 AND 83, AND 205 URBAN AVENUE, IDENTIFIED AS SECTION 11, BLOCK 27, LOT 78-79 (“ ACQUISITION PROPERTIES”) TO THE LIST OF PROPERTIES TO BE ACQUIRED.

WHEREAS, the Town of North Hempstead (the “Town”) Community Development Agency (the “Agency”) administers the New Cassel Area Urban Renewal Plan (the “Urban Renewal Plan”) to eliminate substandard conditions within the New Cassel area (the “Urban Renewal Area”), to improve the condition of deteriorated or dilapidated buildings within the Urban Renewal Area, to create new housing opportunities, to redevelop vacant, underutilized, and deteriorated properties, to enhance the aesthetics and overall image of the Urban Renewal Area, to improve public safety, to help generate economic activity, and to improve community facilities; and

WHEREAS, the Acquisition Properties are located within the Urban Renewal Area; and

WHEREAS, the Acquisition Properties contains substandard conditions that present a barrier to positive trends in neighborhood real estate values, detract from the aesthetics of the Urban Renewal Area, and diminishes the overall neighborhood environment, and presents an opportunity to develop commercial parking for the Urban Renewal Area that would enhance commercial and neighborhood retail revitalization; and

WHEREAS, Agency staff has recommended that the Agency (i) recommend to the Town Board that it amend the Urban Renewal Plan to designate the Properties as a property to be

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acquired pursuant to Section IV(A) of the Urban Renewal Plan, and the Property Acquisition Map and the accompanying List of Properties for Acquisition contained therein, and (ii) seek to acquire the Property for redevelopment in accordance with the Plan (the “Staff Recommendation”), and members of the Agency are desirous of authorizing and adopting the Staff Recommendation.

NOW, THEREFORE, BE IT

RESOLVED, that members of the Agency hereby authorize and adopt the Staff Recommendation; and be it further

RESOLVED, that Executive Director or any officer of the Agency is hereby authorized to take such action as may be necessary to effectuate the foregoing, including, without limitation, ordering of an appraisal of the Property, and entering into negotiations with the owner of the Property to acquire it.

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

Adjournment

The members of the Agency, by unanimous vote, adjourned the meeting at 8:05 p.m.