

TOWN OF NORTH HEMPSTEAD COMMUNITY DEVELOPMENT AGENCY

Minutes of

REGULAR MEETING

December 20, 2010

7:30 PM

Call to Order

The meeting was called to order by Mr. Bailey, Chairman, at 7:55 p.m.

Attendance

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

Lamont R. Bailey

Albert E. Handy

Rodney A. Caines

Members of the Agency who were absent were:

Christopher A. Gioia

Agency staff present consisted of:

Dermot F. Kelly, Acting Executive Director

Joseph Santamaria, Assistant Director/Project Manager

Patrice P. Allen, Administrative Assistant

Andrew M. Hyman, In-house Counsel

Minutes of Meeting Held on November 27, 2010

Upon the motion of Mr. Handy, seconded by Mr. Caines, the minutes of the meeting held on November 27, 2010 were unanimously adopted.

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Acting Executive Director's Report

The Acting Executive Director's Report consisted of the following:

Community Development Block Grant ("CDBG") Program

Execution of the CDBG 36th Program Year subrecipient agreement with Nassau County (the "County") in the amount of \$1,063,000 has authorized by the Town of North Hempstead (the "Town"). For the first time, the Agency will be added as a signatory to the agreement. The Town Attorney's office is still negotiating the terms of the subrecipient agreement with the County Office of Community Development, particularly with respect to the disposition of program income. Conclusion of the negotiations is expected shortly.

Operations:

Copies of the chart of accounts balance from OCD, monthly bank statements and the Agency's reconciliation were given to the Members for review.

Cash Balances:

- Citibank –Lump Sum Account - \$548,566.66
- State Bank of Long Island - Program Income Account - \$485,267.28
- Citibank –Escrow Account - \$50,918.95.

New Cassel Urban Renewal Plan

Site A – Studio L 516 Salon had its Grand Opening/ Ribbon Cutting ceremony on December 11, 2010. A take out and table service Caribbean restaurant named Paradise Cove is still in process of filing for building permits. A total of 5,000 of the 20,000 square feet of retail space at the site has been leased.

Messrs. Santamaria and Kelly had a meeting with the developer and the broker regarding prospective tenants. The developer and a team consisting of a zoning, traffic study and architectural design professional, will create a master plan to submit to the Town Board of Zoning and Appeals for its review and approval to better assist with targeting and marketing

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tenants for the available space. Improving the parking situation was also discussed. To address this, two hour metered parking is under consideration.

Site B - Work resumed in November 2009 and is slightly behind schedule. The Fire Marshall conducted its final inspection last week. The Building Department will wait for these results before signing off and issuing the temporary certificate of occupancy (“T.C.O.”) and rental occupancy permits. Advertising for the remaining retail space will begin soon for the 8,000 square feet of vacant space. The supermarket, Tony and Eddie LLC, which will occupy 7,500 square feet, will be moving to Site B and expect to close soon to begin their build out. The Agency will consider extending an economic development loan of approximately \$300,000 to them.

Site C – The work is complete, and the T.C.O. and the rental registration permits have been issued. The building superintendent and one residential tenant have moved onto the site. Eighty percent (80%) of the site has been targeted for tenants. Re-advertisement for residential tenants will need to take place insofar as many applicants did not meet the qualifications for income eligibility and background checks.

Site D - The Bank of New York Mellon (“BONY Mellon”) is concentrating on obtaining their certificates of occupancy in order not to lose the tax credit financing for Sites B & C. Consequently, there really has not been any progress in the work on Site D. BONY Mellon still believes it will have a deed to the site by early 2011. In October 2010 the bank undertook a substantial clean up at the site.

Site H (Pilot Project) – Marketing is still underway. Banco Popular is in the final stages of underwriting mortgage loans for two of the purchasers; contracts of sale will be signed after the financing has been approved.

The Town Building Department is reviewing all signage permit documentation from the Nu Cassel Pharmacy as the project’s signage is simultaneously pending approval with the New York State Board of Pharmacy.

Prospect Avenue Parking Area & 714 Prospect Avenue – CDA still holds the title and will transfer the properties comprising the parking area to the Town in the coming year. The Agency’s staff is having discussions with the Town concerning possibly conveying the property for the present value of services provided by the Town to the CDA such as rent, legal counsel, IT and building maintenance.

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Prospect Avenue Streetscape Redesign and Reconstruction – This Town project is 95% complete.

Community Center – Excavation has started and it is anticipated that the foundation will be poured by the end of the year. The project is scheduled to be completed in 2012.

Site E - The Agency's staff is working with Mr. Hyman to prepare a Request for Proposals (RFP) and Land Disposition Agreement (LDA) related to this property. The Agency emailed a draft RFP and a revised LDA to the members of the Board for their review. After careful evaluation an executable LDA will be ready for inclusion in the RFP package at the end of January 2011, with a pre-submission conference scheduled for March 2, 2011 and a proposal opening on April 20, 2011.

215 Brooklyn Avenue - An offer to purchase this property was accepted by owner. A contract of sale is under negotiation.

335 Rose Place – The vesting order giving the Agency title to this property should be given to the Agency by the end of the month.

Upon the motion of Mr. Handy, duly seconded by the Board, the Acting Executive Director's Report was accepted and approved unanimously.

For Consideration

RESOLUTION NO. 52 (2010)

A RESOLUTION AUTHORIZING THE MAKING OF A GRANT FOR A LEASING MASTER PLAN.

WHEREAS, Bluestone Commercial Realty, LLC (the "Grant Recipient") is the owner of vacant retail space at 701 Prospect Avenue, New Cassel/Westbury, New York (the "Retail Space"); and

WHEREAS, the Grant Recipient wishes to develop a master plan for development of the Retail Space for which it can receive approval from the Town of North Hempstead Board of

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Zoning and Appeals, thereby facilitating the rental of the Retail Space (the “Master Plan”); and

WHEREAS, staff of the Town of North Hempstead Community Development Agency (the “Agency”) has recommended that the members of the Agency (the “Members”) authorize the making of a grant in the maximum sum of \$50,000 to the Grant Recipient for legal and planning services needed to prepare the Master Plan (the “Staff Recommendation”); and

WHEREAS, the members of the Agency (the “Members”) wish to approve and adopt the Staff Recommendation.

NOW, THEREFORE, BE IT

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

RESOLVED, that the Acting Executive Director and any officers of the Agency are hereby authorized to take such action as may be necessary to effectuate the foregoing.

Upon the resolution of Mr. Handy, duly seconded by Mr. Caines, the resolution was unanimously adopted.

RESOLUTION NO. 53 (2010)

A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT FOR ARCHITECT SERVICES.

WHEREAS, the Town of North Hempstead Community Development Agency (the “Agency”) is in need of preliminary architectural services for zoning analysis and schematic design phases for a new affordable housing development located in New Cassel/Westbury, New York (the “Services”); and

WHEREAS, on December 7, 2010, the Agency issued a request for proposals for the Services (the “RFP”); and

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WHEREAS, proposals for the Services were received from the following firms for the following lump sum fees for basic services:

Name of Firm	Lump Sum Fee
Ehasz Giacalone Architects, PC	\$24,500
Beatty Harvey Coco Architects, LLP	12,000
N2 Design Group	15,000
Notaro Grupp Associates	47,200

WHEREAS, Agency staff recommend that members of the Agency (the “Members”) determine that Beatty Harvey Coco Architects, LLP, 325 Wireless Boulevard, Hauppauge, New York 11788 (the “Consultant”) be found to be the lowest responsible bidder, and authorize execution of a professional services agreement with the Consultant for the Services in consideration of the payment of \$12,000, including two public meetings renderings and presentation drawings, with a fee for additional meetings to be billed at \$215 per hour, and reimbursement for travel and printing billed at a 1.1 multiplier, not to exceed \$500 (the “Staff Recommendation”); and

WHEREAS, the members of the Agency (the “Members”) wish to approve and adopt the Staff Recommendation.

NOW, THEREFORE, BE IT

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

RESOLVED, that the Acting Executive Director and any officers of the Agency are hereby authorized to take such action as may be necessary to effectuate the foregoing.

Upon the resolution of Mr. Handy, duly seconded by Mr. Caines, the resolution was unanimously adopted.

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RESOLUTION NO. 54 (2010)

A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT FOR PHASE I ENVIRONMENTAL SITE ASSESSMENT SERVICES.

WHEREAS, the Town of North Hempstead Community Development Agency (the “Agency”) is in need of Phase I environmental site assessment services for 215 Brooklyn Avenue, New Cassel/Westbury, New York, and the site located on the south side of Prospect Avenue, between Bond and State Streets, New Cassel/Westbury, New York, commonly known as Site E (the “Services”); and

WHEREAS, on November 30, 2010, the Agency issued a request for proposals for the Services (the “RFP”); and

WHEREAS, proposals for the Services were received from the following firms for the following lump sum fees for basic services:

Name of Firm	Lump Sum Fee
PW Grosser Consulting (includes environmental lien search)	\$ 4,315
EEA, Inc. (includes environmental lien search)	5,200
PS & S Integrated Design and Engineering	9,800
H2M Architects and Engineers	10,000

WHEREAS, Agency staff recommend that members of the Agency (the “Members”) determine that PW Grosser, 630 Johnson Ave # 7, Bohemia, NY 11716-2618 (the “Consultant”) be found to be the lowest responsible bidder, and authorize execution of a professional services agreement with the Consultant for the Services, including environmental lien searches, in consideration of the payment of \$4,315 (the “Staff Recommendation”); and

WHEREAS, the members of the Agency (the “Members”) wish to approve and adopt the Staff Recommendation.

NOW, THEREFORE, BE IT

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

RESOLVED, that the Acting Executive Director and any officers of the Agency are hereby authorized to take such action as may be necessary to effectuate the foregoing.

Upon the resolution of Mr. Handy, duly seconded by Mr. Caines, the resolution was unanimously adopted

Adjournment

Upon the motion of Mr. Caines, seconded by Mr. Handy, the Members of the Agency, by unanimous vote, adjourned the meeting at 8:36 p.m.