

Town Board

Town of Hempstead

Petition

In the Matter of Application

Of

John E. Rottkamp, Commissioner of Buildings
Of the Town of Hempstead

Against

Jeanyne Haley
71-41 Park Drive East
Flushing, New York 11367

The petition of John E. Rottkamp, Commissioner of Buildings of the Town Of Hempstead shows:

1. That pursuant to Local Law 92-1981, adopted October 27, 1981, effective date November 2, 1981, which repealed and reenacted Chapter 90 of the code of the Town of Hempstead entitled, "Dangerous Buildings and structures," petitioner submits the following:
2. The structure or structures located on premises designated as Section **50**, Block **156** and lot number (s) **1**, on the Land and Tax Map of the county of Nassau, are in a condition unsafe and dangerous to public safety.
3. All parties of interest have been apprised of the condition of the said structure and have been requested to correct the same. More than 60 days have elapsed since the aforementioned notice was given.
4. The parties in interest were advised that a hearing before this Town Board would take place on **October 5, 2016**.
5. As no effort to correct the existing unsafe and dangerous condition has been made, it is requested that this Town Board render a decision that the premises are unsafe and dangerous, a fire hazard and a public nuisance, and that the Commissioner of Buildings forthwith **DEMOLISH AND REMOVE THE ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE, AND REMOVE ALL LITTER AND DEBRIS FROM PROPERTY: LOCATED NORTHEAST CORNER OF POWERS AVENUE AND BENITO STREET , EAST MEADOW, N.Y. 11554, A/K/A 1663 POWERS AVENUE, EAST MEADOW, TOWN OF HEMPSTEAD IN ACCORDANCE WITH SURVEY RECOMMENDATIONS ATTACHED HERETO AND THAT THE TOWN BE REIMBURSED PURSUANT TO SECTION 90-13 OF THE CODE OF THE TOWN OF HEMPSTEAD.**

Case#6542

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE DEMOLITION AND REMOVAL OF THE ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE AND DEBRIS FROM PREMISE: SAID PREMISE LOCATED ON THE NORTHEAST CORNER OF POWERS AVENUE AND BENITO STREET, SECTION 50, BLOCK 156, AND LOT(S) 1, AKA 1663 POWERS AVENUE, EAST MEADOW, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," all parties in interest were advised of the existing condition of the structures located on the said captioned premises and;

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the one and one half story wood frame one family dwelling with attached garage located on the Northeast Corner of Powers Avenue and Benito Street, Section 50, Block 156 and Lot (s) 1 A/K/A 1663 Powers Avenue, East Meadow, Town of Hempstead, New York is hereby deemed to be unsafe; and

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

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

In the Matter of Application

Of

John E. Rottkamp, Commissioner of Buildings
Of the Town of Hempstead

Against

Mary Lou Perry
7 East Court Street
East Rockaway, New York 11518

The petition of John E. Rottkamp, Commissioner of Buildings of the Town Of Hempstead shows:

1. That pursuant to Local Law 92-1981, adopted October 27, 1981, effective date November 2, 1981, which repealed and reenacted Chapter 90 of the code of the Town of Hempstead entitled, "Dangerous Buildings and structures," petitioner submits the following:
2. The structure or structures located on premises designated as Section **42**, Block **20** and lot number (s) **124**, on the Land and Tax Map of the county of Nassau, are in a condition unsafe and dangerous to public safety.
3. All parties of interest have been apprised of the condition of the said structure and have been requested to correct the same. More than 60 days have elapsed since the aforementioned notice was given.
4. The parties in interest were advised that a hearing before this Town Board would take place on **October 5, 2016**.
5. As no effort to correct the existing unsafe and dangerous condition has been made, it is requested that this Town Board render a decision that the premises are unsafe and dangerous, a fire hazard and a public nuisance, and that the Commissioner of Buildings forthwith DEMOLISH AND REMOVE THE **ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE**, AND REMOVE ALL LITTER AND DEBRIS FROM PROPERTY: LOCATED **NORTH SIDE OF NORTH BOULEVARD, 60 FEET EAST OF BAISLEY AVENUE , EAST ROCKAWAY, N.Y. 11518, A/K/A 28 NORTH BOULEVARD, EAST ROCKAWAY, TOWN OF HEMPSTEAD** IN ACCORDANCE WITH SURVEY RECOMMENDATIONS ATTACHED HERETO AND THAT THE TOWN BE REIMBURSED PURSUANT TO SECTION 90-13 OF THE CODE OF THE TOWN OF HEMPSTEAD.

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE DEMOLITION AND REMOVAL OF THE ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE AND DEBRIS FROM PREMISE: SAID PREMISE LOCATED ON THE NORTH SIDE OF NORTH BOULEVARD, 60 FEET EAST OF BAISLEY AVENUE, SECTION 42, BLOCK 20, AND LOT(S) 124, AKA 28 NORTH BOULEVARD, EAST ROCKAWAY, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," all parties in interest were advised of the existing condition of the structures located on the said captioned premises and;

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the one story wood frame one family dwelling with detached garage located on the North side of North Boulevard, 60 feet east of Baisley Avenue, Section 42, Block 20 and Lot (s) 124 A/K/A 28 North Boulevard, East Rockaway, Town of Hempstead, New York is hereby deemed to be unsafe; and

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

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

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 5th day of October, 2016, 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:

OCEANSIDE
Section 202-13

ALLEN AVENUE (TH 347/16) South Side – NO PARKING
9 AM – 3 PM – from the west curbline of Mount Avenue, west for a distance of 120 feet.

MOUNT AVENUE (TH 347/16) West Side – NO PARKING
9 AM – 3 PM – from the south curbline of Allen Ave., south for a distance of 80 feet.

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

BELLMORE
Section 202-15

ROYLE STREET (TH 647/03) North Side – NO PARKING
MONDAYS thru SATURDAYS – starting at a point 158 feet east of the east curbline of Bellmore Avenue, east for a distance of 87 feet. (Adopted 3/23/04)

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

Dated: September 20, 2016
Hempstead, New York

ANTHONY J. SANTINO
Supervisor

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

Nasrin G. Ahmad
Town Clerk

Case No. 29548

Town of Hempstead

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

OCEANSIDE
Section 202-13

ALLEN AVENUE (TH 347/16) South Side – NO PARKING
9 AM – 3 PM – from the west curblin of Mount Avenue, west for a distance of 120 feet.

MOUNT AVENUE (TH 347/16) West Side – NO PARKING
9 AM – 3 PM – from the south curblin of Allen Ave., south for a distance of 80 feet.

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

BELLMORE
Section 202-15

ROYLE STREET (TH 647/03) North Side – NO PARKING
MONDAYS thru SATURDAYS – starting at a point 158 feet east of the east curblin of Bellmore Avenue, east for a distance of 87 feet. (Adopted 3/23/04)

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 5th day of October, 2016, 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:

- | | |
|---------------------|--|
| FRANKLIN SQUARE | WOODCLIFF DRIVE (TH 352/16) North Side – NO STOPPING HERE TO CORNER – starting at the east curbline of Franklin Ave., east for a distance of 68 feet. |
| OCEANSIDE | OCEANSIDE ROAD (TH 295/16) West Side – NO STOPPING HERE TO CORNER – from the north curbline of Pine Street, north for a distance of 30 feet. |
| NORTH VALLEY STREAM | ARKANSAS DRIVE (TH 369/16) North Side – NO STOPPING HERE TO CORNER – starting at the east curbline of Central Ave., east for a distance of 79 feet. |
| WEST HEMPSTEAD | ROOSEVELT BOULEVARD (TH 346/16) North Side – NO STOPPING HERE TO CORNER – starting at the east curbline of Nassau Blvd., east for a distance of 60 feet. |

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

- | | |
|-----------------|--|
| FRANKLIN SQUARE | WOODCLIFF DRIVE (TH 59/93) North Side – NO STOPPING HERE TO CORNER – starting at the east curbline of Franklin Ave., east for a distance of 48 feet. (Adopted 1/11/94) |
| WEST HEMPSTEAD | ROOSEVELT BOULEVARD (TH 88/76) North Side – NO STOPPING EXCEPT POLICE – starting at a point 40 feet east of the east curbline of Nassau Boulevard, east for a distance of 40 feet. (Adopted 4/13/76) |

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.

Case No. 29549

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

Dated: September 20, 2016
Hempstead, New York

ANTHONY J. SANTINO
Supervisor

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

Nasrin G. Ahmad
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 of two thousand sixteen is hereby amended by including therein "PARKING OR STANDING PROHIBITIONS" at the following locations:

- FRANKLIN SQUARE WOODCLIFF DRIVE (TH 352/16) North Side – NO STOPPING HERE TO CORNER – starting at the east curbline of Franklin Ave., east for a distance of 68 feet.
- OCEANSIDE OCEANSIDE ROAD (TH 295/16) West Side – NO STOPPING HERE TO CORNER – from the north curbline of Pine Street, north for a distance of 30 feet.
- NORTH VALLEY STREAM ARKANSAS DRIVE (TH 369/16) North Side – NO STOPPING HERE TO CORNER – starting at the east curbline of Central Ave., east for a distance of 79 feet.
- WEST HEMPSTEAD ROOSEVELT BOULEVARD (TH 346/16) North Side – NO STOPPING HERE TO CORNER – starting at the east curbline of Nassau Blvd., east for a distance of 60 feet.

Section 2. Section two hundred two dash one of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, said Section last amended by local law number sixty of two thousand sixteen is hereby amended by repealing therein "PARKING OR STANDING PROHIBITIONS" at the following locations:

- FRANKLIN SQUARE WOODCLIFF DRIVE (TH 59/93) North Side – NO STOPPING HERE TO CORNER – starting at the east curbline of Franklin Ave., east for a distance of 48 feet. (Adopted 1/11/94)
- WEST HEMPSTEAD ROOSEVELT BOULEVARD (TH 88/76) North Side – NO STOPPING EXCEPT POLICE – starting at a point 40 feet east of the east curbline of Nassau Boulevard, east for a distance of 40 feet. (Adopted 4/13/76)

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 5th day of October, 2016, 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:

- | | |
|----------------|--|
| MERRICK | LITTLE WHALENECK ROAD (TH 358/16) STOP – all traffic traveling westbound on Decker Ave., shall come to a full stop. |
| WEST HEMPSTEAD | McKINLEY STREET (TH 320/16) STOP – all traffic traveling southbound on Grantland Ave. shall come to a full stop.

ROOSEVELT BOULEVARD (TH 320/16) STOP – all traffic traveling northbound on Harding Ave. shall come to a full stop.

ROOSEVELT BOULEVARD (TH 320/16) STOP – all traffic traveling northbound on Grantland Ave. shall come to a full stop. |

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

Dated: September 20, 2016
Hempstead, New York

ANTHONY J. SANTINO
Supervisor

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

Nasrin G. Ahmad
Town Clerk

Town of Hempstead

A local law to amend Section one hundred ninety-seven dash five of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, to include and repeal "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-one of two thousand sixteen is hereby amended by including therein "ARTERIAL STOPS" at the following locations:

MERRICK LITTLE WHALENECK ROAD (TH 358/16) STOP – all traffic traveling westbound on Decker Ave., shall come to a full stop.

WEST HEMPSTEAD McKINLEY STREET (TH 320/16) STOP – all traffic traveling southbound on Grantland Ave. shall come to a full stop.

ROOSEVELT BOULEVARD (TH 320/16) STOP – all traffic traveling northbound on Harding Ave. shall come to a full stop.

ROOSEVELT BOULEVARD (TH 320/16) STOP – all traffic traveling northbound on Grantland Ave. 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 5th day of October, 2016, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Section 197-13 of the code of the Town of Hempstead to INCLUDE "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS " at the following locations:

UNIONDALE

NARROWS (TH 337/16) North Side – NO PARKING 8 AM – 3 PM SCHOOL DAYS – starting at a point 63 feet east of a point opposite the east curbline of Anchor Way, east for a distance of 61 feet.

NARROWS (TH 337/16) North Side – NO PARKING 8 AM – 3 PM SCHOOL DAYS – starting at a point 168 feet east of a point opposite the east curbline of Anchor Way, east for a distance of 186 feet.

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

Dated: September 20, 2016
Hempstead, New York

ANTHONY J. SANTINO
Supervisor

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

Nasrin Ahmad
Town Clerk

Case No. 29551

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 and repeal "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at various locations.

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

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

UNIONDALE

NARROWS (TH 337/16) North Side – NO PARKING 8 AM – 3 PM SCHOOL DAYS – starting at a point 63 feet east of a point opposite the east curbline of Anchor Way, east for a distance of 61 feet.

NARROWS (TH 337/16) North Side – NO PARKING 8 AM – 3 PM SCHOOL DAYS – starting at a point 168 feet east of a point opposite the east curbline of Anchor Way, east for a distance of 186 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 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 5th day of October, 2016, at 10:30 o'clock in the forenoon of that day, to consider the enactment of a local law to amend Chapter 86 of the Code of the Town of Hempstead insofar as to add a new subsection 86-49, in relation to the regulation of construction within the Town of Hempstead.

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 20, 2016

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

ANTHONY J. SANTINO
Supervisor

NASRIN G. AHMAD
Town Clerk

Case No. 14509

Town of Hempstead

A local law to enact a new Section 86-49, of Chapter 86 of the Code of the Town of Hempstead, entitled "Building Construction Administration," in relation to the regulation of construction within the Town of Hempstead.

Introduced by: Councilwoman Goosby

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

Section 1. Chapter 86 of the code of the town of Hempstead, as constituted by ordinance number fifty five of nineteen hundred sixty-two, adopted September twenty-fifth, nineteen hundred sixty-two, hereby is amended insofar as to add a new subsection 86-49, which shall henceforth read as follows:

Chapter 86
Building and Construction Administration

* * *

§ 86-49 violation of certain state law.

It shall be unlawful for any person, firm or corporation to construct, alter, repair, move, remove, demolish, equip, use, occupy or maintain any building or structure, or portion thereof in violation of any provision of the Uniform Fire Prevention and Building Code or rule promulgated by the Building Department, in accordance with the Uniform Code or to fail in any manner to comply with a notice, directive or order of the Building Commissioner, or to construct, alter, use or occupy any building or structure, or part thereof, in a manner not permitted by an approved building or plumbing permit, certificate of completion, or certificate of occupancy.

Section 2. This local law shall become effective 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, Village and Town of Hempstead, New York, on the 5th day of October, 2016, at 10:30 o'clock in the forenoon of that day, to consider the enactment of a local law to amend Section 86-11 of Chapter 86 of the Code of the Town of Hempstead by adding a new subsection "GG" thereof in relation to fees for scanning of application documents for the internal Department of Buildings' database.

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 20, 2016

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

ANTHONY J. SANTINO
Supervisor

NASRIN G. AHMAD
Town Clerk

Case No. 14509

Town of Hempstead

A local law to amend section 86-11 of chapter 86 of the code of the town of Hempstead by adding a new subsection "GG" thereof in relation to fees for scanning of application documents for the internal Department of Buildings' database.

Introduced by: Councilwoman Goosby

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

Section One. Section 86-11 of Chapter 86 of the code of the town of Hempstead is amended by adding a new subsection "GG" thereof in relation to fees for scanning of application documents for the internal Department of Buildings' database, to read as follows:

Chapter 86, BUILDING CONSTRUCTION ADMINISTRATION

* * *

§ 86-11. Fees.

* * *

GG. Fee for scanning of filed application documents for internal Department of Buildings database: \$35 for each 20 pages scanned or final fraction thereof, payable at the time that a final determination is rendered on the application.

Section Two. This local law shall become effective 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, Village and Town of Hempstead, New York, on the 5th day of October, 2016, at 10:30 o'clock in the forenoon of that day, to consider the enactment of a local law to amend Section 86-11 of Chapter 86 of the Code of the Town of Hempstead by adding a new subsection "HH" thereof in relation to fees for express treatment of certain building permit applications.

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 20, 2016

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

ANTHONY J. SANTINO
Supervisor

NASRIN G. AHMAD
Town Clerk

Case No. 14509

Town of Hempstead

A local law to amend section 86-11 of chapter 86 of the code of the town of Hempstead by adding a new subsection "HH" thereof in relation to fees for express treatment of certain building permit applications.

Introduced by:

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

Section One. Section 86-11 of Chapter 86 of the code of the town of Hempstead is amended by adding a new subsection "HH" thereof in relation to fees for express treatment of certain building permit applications, to read as follows:

Chapter 86, BUILDING CONSTRUCTION ADMINISTRATION

* * *

§ 86-11. Fees.

* * *

HH. Fee for expedited review of certain minor building permit applications within three business days after filing (in addition to all other applicable fees): Proposed: \$100.00 per application. Maintain: \$200.00 per application. Covered applications shall be those which the Commissioner of Buildings determines to be minor, pursuant to rules to be promulgated and amended from time to time by the Commissioner. Notwithstanding the foregoing, the Commissioner of Buildings shall have the authority to determine that any particular building permit application shall not be eligible for expedited review. Notwithstanding the foregoing, any application which is the subject of a current and binding stop-work order, or for which a notice of violation has been issued, or for which there are any outstanding enforcement proceedings commenced by the Town, shall not be eligible for expedited review. No such review shall constitute a guarantee that any application shall be finally determined within a specific time period.

Section Two. This local law shall become effective 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 5th day of October, 2016, at 10:30 o'clock in the forenoon of that day, to consider the enactment of a local law to enact a new Chapter 95 of the Code of the Town of Hempstead, in relation to the maintenance of vacant buildings within the Town of Hempstead.

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 20, 2016

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

ANTHONY J. SANTINO
Supervisor

NASRIN AHMAD
Town Clerk

Case No. 29493

Town of Hempstead

A local law to enact a new Chapter 95 of the Code of the Town of Hempstead, in relation to the maintenance of vacant buildings within the Town of Hempstead.

Introduced by: Councilwoman Goosby

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

Section 1. The town of Hempstead, hereby is amended insofar as to enact a new Chapter 95, which shall henceforth read as follows:

Chapter 95
Maintenance of Vacant Buildings

* * *

§ 95-1. Title.

This article shall be known as "Maintenance of Vacant Buildings" and is supplementary to applicable provisions of the New York State Uniform Fire Prevention and Building Code.

§ 95-2. Purpose.

This article provides standards governing the facilities and the condition and maintenance of vacant premises to safeguard the safety, health and welfare of the community.

§ 95-3 Definitions.

In addition to the definitions of this Town Code, the following special definitions are applicable to this chapter. In the event of conflict, the following definitions shall be controlling:

ENFORCEMENT OFFICER

A duly authorized representative of the Town of Hempstead empowered with enforcement authority under § 2-1 of the Town Code.

OWNER

Those shown to be the owner or owners on the records of the Nassau County Clerk's Office, those identified as the owner or owners on a vacant building registration form, a mortgagee in possession, a mortgagor in possession, assignee of rents, receiver, executor, trustee, lessee, other person, firm or corporation in control of the premises, a duly authorized agent(s), or a mortgagee that has filed an action in foreclosure on the particular premises at issue, until title to the premises is transferred to a third party. Any

such person shall have a joint and several obligation for compliance with the provisions of this article.

SECURED BY OTHER THAN NORMAL MEANS

A building secured by means other than those used in the design of the building.

UNOCCUPIED

A building which is not being used for an occupancy authorized by the owner.

UNSECURED

A building or portion of a building which is open to entry by unauthorized persons without the use of tools or ladders.

VACANT BUILDING

A building or portion of a building which is:

- A. Unoccupied and unsecured;
- B. Unoccupied and secured by other than normal means;
- C. Unoccupied and an unsafe building as determined by the Department of Buildings;
- D. Unoccupied and has multiple housing or building code violations;
- E. Illegally occupied;
- F. Unoccupied for a period of time over 365 days, and during which time the enforcement officer has issued an order to correct code violations.

§ 95-4. Scope.

This article shall be applicable to the following:

- A. Lots, plots or parcels of land on which buildings designed for or developed for residential use or occupancy, mixed-occupancy buildings, nonresidential occupancy or accessory structures are located; and
- B. Buildings designed for or developed for residential use or occupancy, including one- and two-family dwellings and multiple dwellings, mixed-occupancy buildings, nonresidential occupancy and accessory structures.

§ 95-5. Entry.

Provision for safe and continuous entry shall be provided to the interior of a building or structure from the exterior at a street or to a yard, court or passageway leading to a public open area at any time entry is necessary for purposes of required maintenance or inspection.

§ 95-6. Exterior protection.

- A. Exterior walls, including foundations, shall be maintained so that ground- and surface water does not penetrate into basements, cellars or other interior wall areas.
- B. Exterior doors, windows, skylights and similar openings shall be maintained weathertight.
- C. Exterior stairs, porches, entrance platforms, fire escapes and the railings thereon shall be maintained in a safe and sound condition.

D. Roofs shall be maintained in a watertight condition.

E. Exterior surfaces shall be maintained in good condition. Surfaces not inherently resistant to deterioration shall be treated with a protective coating of paint or other suitable preservative.

F. The covering for doors and windows may not consist of any substance sprayed onto the windows. All enclosures shall be properly fitted and be of such material and surface that they are neither unsightly nor will materially detract from the general appearance of the building or the neighborhood and, when possible, shall be secured by normal means.

G. The covering for doors and windows may consist of:

(1) Venetian or similar blind.

(2) Drapes, curtains or shades.

(3) Decorative patterned paper, neatly installed with all seams straight and uniformly taped.

(4) Boards or similar materials finished and maintained in a manner specified by the Department of Buildings so as to blend in with the finish of the building.

(5) Coverings approved by the enforcement officer and, when applicable, by the Landmarks Perseveration Commission.

H. Cracked or broken glass windows and doors shall be replaced with glass or similar materials specified by the Department of Buildings

I. In addition to the standards prescribed above, vacant commercial and retail buildings shall comply with the following standards:

(1) Any and all window display areas shall be kept clean, free of hazard and free of debris.

(2) All exterior signs, awnings and lighting systems, if not removed, shall be maintained in a completely operable, clean, sightly, nondeteriorated and safe condition.

(3) Any window covering shall have a clear opening of two square feet to allow a view of the interior of the store for security purposes. Such opening shall be installed no lower than three feet above grade and no more than six feet above grade and may be in either the show window or the door.

J. If the owner shall fail to comply with the provisions of this section regarding exterior protection, the Department Buildings may, after notice of noncompliance and intent to remedy is mailed to the owner, perform or cause such work to be performed and may recover the expense either by action or by local assessment on the premises, or both. This action shall be in addition to any other available remedy under this article.

§ 95-7. Railings and parapet walls.

Railings or parapet walls shall be maintained at open sides of balconies, mezzanines, porches, accessible roofs, exit passageways, areaways, motor

vehicle parking decks and ramps and around floor openings.

§ 95-8. Interior protection.

A. Structural members shall be maintained to resist and prevent deterioration.

B. Unheated attics, spaces below flat roofs and crawl spaces shall be ventilated to minimize deterioration.

C. Ceilings, walls, floors and stairways shall be maintained intact and in a safe and sound condition.

D. All accumulations of combustible materials, flammable or combustible waste, hazardous materials or rubbish shall be removed from the interior of the premises.

§ 95-9. Garbage and refuse; infestation; junk.

A. The accumulation or storage of garbage or refuse in buildings or on lots is prohibited.

B. Buildings and structures shall be maintained free of insects, vermin and rodent harborage and infestation.

C. Refrigerators and similar equipment with locking mechanisms shall not be discarded, abandoned or stored without first removing the locking devices or the hinges of the doors.

D. Junked or unregistered vehicles, watercraft, equipment and materials shall not be stored in open areas of premises.

E. All garbage and refuse shall be maintained in accordance with Chapter 128 of the Town Code

§ 95-10. Chimneys.

Chimneys, smokestacks, flues, gas vents, smoke pipes and connectors shall be maintained structurally safe and smoketight.

§ 95-10. Fuel gas.

Fuel gas pipe systems shall be maintained gastight, safe and operative under conditions of use or shall be disconnected at the main.

§ 95-11. Fuel oil.

Tanks shall be maintained so as not to be a hazard or shall be discontinued in a manner consistent with the New York State Uniform Fire Prevention and Building Code.

§ 95-12. Plumbing.

A. The domestic water supply system of the building shall be connected to an approved source, shall not be subject to contamination and shall not be connected to unsafe water supplies or shall be disconnected at the main and the system completely drained.

B. Stormwater drainage systems shall be maintained so as to function properly and be kept free from obstructions, leaks and defects. Sewage systems

shall be similarly maintained or shall be sealed so as to prevent accumulation of sewage gases in buildings.

§ 95-13. Electrical.

Electrical fixtures, devices, wiring and systems shall be maintained in safe working condition in a manner which will avoid a potential source of ignition or shock or service shall be discontinued at the supply.

§ 95-14. Elevators, dumbwaiters and escalators.

Elevators, dumbwaiters and escalators shall be maintained or taken out of service, in accordance with the New York State Uniform Fire Prevention and Building Code.

§ 95-15. Exterior property areas.

A. Surface and subsurface water shall be appropriately drained to protect buildings and structures and to prevent ponding.

B. Fences, walls, other minor construction and accessory structures shall be maintained in safe, good and substantial condition.

C. Steps, walks, driveways, parking spaces and similar paved areas shall be maintained to afford safe and convenient passage.

D. Yards, courts and vacant lots shall be kept clean and free of hazards and debris.

E.

Ground cover shall be properly established to prevent undue soil erosion due to the elements.

F. Heavy undergrowth and accumulations of plant growth which are noxious or detrimental to health or safety shall be eliminated.

G. The exterior property area shall be maintained clear of waste and hazardous materials.

H. Trees shall be maintained in a manner not to create a potential hazard to adjoining properties or the general public.

I. During the winter months, the driveways, sidewalks, and walks shall be maintained clear of ice and snow.

J. All exterior property areas shall be maintained in compliance with Chapter 128 of the Town Code

§ 95-16. Penalties for offenses.

For any and every violation of the provisions of this chapter, the owner, general agent or contractor of a building or premises where such violations have been committed or shall exist, and the lessee or tenant of an entire building or entire premises where such violations have been committed or shall exist, or the owner, general

agent, contractor, lessee or tenant of any part of a building or premises in which part such violation has been committed or shall exist, and the general agent, architect, builder, contractor or any other person who knowingly commits, takes part in or assists in any such violation or who maintains a building or premises in which any violation shall exist, shall be guilty of an offense punishable by a fine of not less than \$1,000 and not exceeding \$2,500 or by imprisonment for a period not to exceed 15 days, or both, for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, such violation shall be punishable by a fine of not less than \$2,500 nor more than \$5,000 or by imprisonment for a period not to exceed fifteen days, or both; and, upon conviction of a third or subsequent offense, all of which were committed within a period of five years, such violation shall be punishable by a fine of not less than \$5,000 nor more than \$10,000 or by imprisonment for a period not to exceed 15 days, or both. Each week's continued violation shall constitute a separate additional violation.

§ 95-17. Severability.

If any provision of this section is declared unenforceable for any reason by a court of competent jurisdiction, such declaration shall affect only that provision, and shall not affect the remainder of this section, which shall remain in full force and effect.

Section 2. This local law shall become effective 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 5th day of October, 2016, at 10:30 o'clock in the forenoon of that day, to consider the enactment of a local law to enact a new Chapter 99 of the Code of the Town of Hempstead, in relation to the creation of a Vacant Building Registry.

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 20, 2016

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

ANTHONY J. SANTINO
Supervisor

NASRIN AHMAD
Town Clerk

Case No. 29492

Town of Hempstead

A local law to enact a new Chapter 99 to the Code of the Town of Hempstead, in relation to the creation of a vacant building registry.

Introduced by: Councilwoman Goosby

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

Section 1. Article III of Chapter 99 of the code of the town of Hempstead, as constituted by local law number fifty-eight of nineteen hundred eighty-nine, hereby is amended to enact a new Chapter 99:

Chapter 99
Vacant Building Registry

* * *

§ 99-1 Statement of intent and purpose.

It is the finding of the Town Board that buildings which remain vacant, with access points boarded over, are unsightly, unsafe and have a negative effect on their surroundings. This is particularly troublesome in residential and neighborhood commercial neighborhoods. Unfortunately, many buildings, once boarded, remain that way for many years. The purpose of this article is to establish a program for identifying and registering vacant buildings; to determine the responsibilities of owners of vacant buildings and structures; and to speed the rehabilitation of the vacant properties. Buildings which become vacant due to foreclosure or that are vacant when foreclosed upon present additional problems. It is often more difficult to secure compliance with this chapter when the property is owned by a bank or mortgage company located in another jurisdiction. As the number of vacant properties increases due to foreclosure, the maintenance of vacant buildings becomes even more critical.

§ 99-2 Definitions.

In addition to the definitions of this Town Code, the following special definitions are applicable to this chapter. In the event of conflict, the following definitions shall be controlling:

ENFORCEMENT OFFICER

A duly authorized representative of the Town of Hempstead empowered with enforcement authority under § 2-1 of the Town Code.

OWNER

Those shown to be the owner or owners on the records of the Nassau County Clerk's Office, those identified as the owner or owners on a vacant building registration form, a mortgagee in possession, a mortgagor in possession, assignee of rents, receiver, executor, trustee, lessee, other person, firm or corporation in control of the premises, a duly authorized agent(s), or a mortgagee that has filed an action in foreclosure on the particular premises at issue, until title to the premises is transferred to a third party. Any such person shall have a joint and several obligation for compliance with the provisions of this article.

SECURED BY OTHER THAN NORMAL MEANS

A building secured by means other than those used in the design of the building.

UNOCCUPIED

A building which is not being used for an occupancy authorized by the owner.

UNSECURED

A building or portion of a building which is open to entry by unauthorized persons without the use of tools or ladders.

VACANT BUILDING

A building or portion of a building which is:

- A. Unoccupied and unsecured;
- B. Unoccupied and secured by other than normal means;
- C. Unoccupied and an unsafe building as determined by the Department of Buildings;
- D. Unoccupied and has multiple housing or building code violations;
- E. Illegally occupied;
- F. Unoccupied for a period of time over 365 days, and during which time the enforcement officer has issued an order to correct code violations.

§ 99-3 Vacant building registration.

A. The owner shall register with the Department of Buildings not later than 30 days after any building in the Town of Hempstead becomes a vacant building or not later than 30 days after being notified by the Department of Buildings of the requirement to register. The Building Department may identify vacant buildings through its routine inspection process as well as through notification by residents, neighborhood associations and other community groups that a building may be eligible for inclusion on the registry.

B. The registration shall be submitted on forms provided by the Department of Buildings and shall include the following information supplied by the owner:

(1) A description of the premises.

(2) The names, addresses, copy of driver's license, social security number, and telephone numbers of the owner or owners.

(3) If the owner does not reside in Nassau County or any adjoining county, the name, address, copy of driver's license, social security number, and telephone number of any third party with whom the owner has entered into a contract or agreement for property management.

(4) The names and addresses of all known lienholders and all other parties with an ownership interest in the building.

(5) A telephone number where a responsible party can be reached at all times during business and nonbusiness hours.

(6) A vacant building plan as described in Subsection C.

(7) Provide an undertaking to the Town of Hempstead in the form of cash or certified funds acceptable to the Town Attorney, in the sum of \$25,000 for residential property or \$35,000 for commercial property in order to secure the continued maintenance of the property throughout its vacancy and reimburse the Township for any expenses incurred in inspecting, remediating, or securing such property when such property is not in compliance with this article. Any undertaking posted pursuant to Chapter 128 of the Town Code shall satisfy this requirement.

(8) Incomplete registration forms will not be accepted, and if the lack of compliance results in nonregistration of the building, the owner can be prosecuted under § 99-7.

C. The owner shall submit a vacant building plan which must meet the approval of the Building Department. The plan, at a minimum, must contain information from one of the following three choices for the property:

(1) If the building is to be demolished, a demolition plan indicating the proposed time frame for demolition and the proposed time frame for any necessary permitting through the Town of Hempstead.

(2) The owner and subsequent owners shall keep the building secured and safe and the building and ground properly maintained and monitored as

provided in Chapter 90, Chapter 95, and Chapter 128 of the Town Code.

(3) If the building is to be returned to appropriate occupancy or use, a rehabilitation plan for the property. The rehabilitation plan shall not exceed 365 days, unless the Commissioner of Buildings grants an extension upon receipt of a written statement from the owner detailing the reasons for the extension. If no building permit has been applied for within the 365 days, the Enforcement Officer will send written notification to the owner of the lack of compliance with § 99-3.C. The owner will be required to file an extension with a revised rehabilitation plan and reasons for noncompliance. Failure to respond may result in prosecution as prescribed in § 99-7. Any repairs, improvements or alterations to the property must comply with any applicable zoning, housing, historic preservation or building codes and the structure must remain secured, if applicable, during the rehabilitation.

D. All applicable laws and codes shall be complied with by the owner. The owner shall notify the Enforcement Officer of any changes in information supplied as part of the vacant building registration within 30 days of the change. If the plan or timetable for the vacant building is revised in any way, the revisions must be in writing and must meet the approval of the Enforcement Officer.

E. The owner and subsequent owners shall keep the building secured and safe and the building and ground properly maintained and monitored at all times.

F. Failure of the owner or any subsequent owners to maintain the building and premises that results in remedial action taken by the Town of Hempstead shall be grounds for revocation of the approved plan and shall be subject to any applicable penalties provided by the law.

G. The new owners shall register or re-register the vacant building with the Department of Buildings within 30 days of any transfer of an ownership interest in a vacant building. The new owners shall comply with the approved plan and timetable submitted by the previous owner until any proposed changes are submitted and meet the approval of the Commissioner.

H. Vacant building fees.

(1) The owner of a vacant building shall pay an annual fee as set forth in Subsection H(2) for the period the building remains a vacant building. The fee shall be reasonably related to the administrative costs for registering and processing the vacant building owner registration form and for the costs of the Town in monitoring and inspecting the vacant building site. Vacant building registration fees will not be accepted until an application is complete.

(2) The first-year annual fee shall be \$500 and shall be paid no later than 30 days after the building becomes vacant. If the fee is not paid within 30 days of being due, the owner shall be subject to prosecution as prescribed in § 99-7. If a plan is extended beyond 365 days, subsequent annual fees shall be paid as follows:

(a) For the second year that the building remains vacant: \$1000;

(b) For the third year that the building remains vacant: \$1,500;

(c) For the fourth year that the building remains vacant: \$2,000; and

(d) For the fifth, and each succeeding year that the building remains vacant: \$3,000.

(3) The fee shall be paid in full prior to the issuance of any building permits, with the exception of a demolition permit.

(4) All delinquent fees shall be paid by the owner prior to any transfer of an ownership interest in any vacant building. If the fees are not paid prior to any transfer, the new owner shall pay the annual fee no later than 30 days after the transfer of ownership, and subsequent annual fees shall be due on the new anniversary date.

I. The Building Department shall include in the file any property-specific engineering reports, written statements from community organizations, other interested parties or citizens regarding the condition, history, problems, status or blighting influence of a vacant building.

J. The purchaser/buyer of any vacant building within the Town of Hempstead shall, at the time of closing, file a new and complete vacant building registration form. The purchaser shall also pay to the Town of Hempstead, at the time of closing, the fees associated with registering such vacant building.

K. The seller of any vacant building within the Town of Hempstead shall, at the time of closing, pay any and all past due vacant building registration fees associated with said building that is being sold.

L. In the event that any such funds are utilized as set forth above, such person, business, organization, bank or lender shall restore it to the full amount referenced in paragraph B(7) above, within 15 calendar days after written demand by the Town of Hempstead, sent by regular mail and certified mail, return receipt requested to such person, business, organization, bank or lender at an address designated by them for service of notices, or else to their last known address. It shall be unlawful for such person

business, organization, bank or lender to fail to timely restore funds as required herein

§ 99-4. Exemptions.

A building which has suffered fire damage or damage caused by extreme weather conditions shall be exempt from the registration requirement for a period of 90 days after the date of the fire or extreme weather event if the property owner submits a request for exemption in writing to the Department of Buildings. Upon evaluation of the circumstances and at the discretion of the Commissioner of Buildings, additional time beyond the 90 day period may be granted. This request shall include the following information supplied by the owner:

A. A description of the premises.

B. The names, addresses, copy of driver's license, social security number, and telephone numbers of the owner or owners.

C. If the owner does not reside in Nassau County or any adjoining county, the name, address, copy of driver's license, social security number, and telephone number of any third party with whom the owner has entered into a contract or agreement for property management.

D. A statement of intent to repair and reoccupy the building in an expedient manner, or the intent to demolish the building.

§ 99-5. Inspections.

The Department of Buildings shall inspect any premises in the Town of Hempstead for the purpose of enforcing and assuring compliance with the provisions of this article. Upon the request of the Enforcement Officer, an owner shall provide access to all interior portions of an unoccupied building in order to permit a complete inspection.

§ 99-6. Corrective Measures.

Where it reasonably appears that there is failure to maintain a vacant property in accordance with the applicable Town of Hempstead Town Code, as evidence by the issuance of a notice of a violation or an appearance ticket, that persists for more than ten (10) days after such notice or appearance has been served, the Town may take remedial action to bring the property into compliance with the Town Code, utilizing the deposited funds established in § 99-3.B7 in order to pay the full and actual cost of the work that was completed. A one hundred dollar (\$100) administration fee shall be assessed against the undertaking for each instance that a corrective measure is taken.

§ 99-7. Emergency Measures.

Where it reasonably appears that there is imminent danger to the life or safety of any person unless a vacant building, as defined herein, is immediately repaired, secured, or demolished, the Department of Buildings shall cause the immediate repair, fencing, board-up or demolition of such dangerous property, building, or structure. In the event that an Emergency measure must be taken, in addition to or in lieu of any other enforcement remedy at his disposal, the Commissioner of Buildings may utilize the deposited funds established in § 99-3.B7 to pay the full and actual cost of actions necessary to eliminate the imminent danger, life safety, or hazard. In the absence of the necessary funds to cover the cost of an emergency measure, the cost shall be recovered in the same manner as provided in Chapter 90 of the Town Code of The Town of Hempstead.

§ 99-8. Penalties for offenses.

For any and every violation of the provisions of this Chapter, the owner, general agent or contractor of a building or premises where such violations have been committed or shall exist, and the lessee or tenant of an entire building or entire premises where such violations have been committed or shall exist, or the owner, general agent, contractor, lessee or tenant of any part of a building or premises in which part such violation has been committed or shall exist, and the general agent, architect, builder, contractor or any other person who knowingly commits, takes part in or assists in any such violation or who maintains a building or premises in which any violation shall exist, shall be guilty of an offense punishable by a fine of not less than \$1,000 and not exceeding \$2,500 or by imprisonment for a period not to exceed 15 days, or both, for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, such violation shall be punishable by a fine of not less than \$2,500 nor more than \$5,000 or by imprisonment for a period not to exceed fifteen days, or both; and, upon conviction of a third or subsequent offense, all of which were committed within a period of five years, such violation shall be punishable by a fine of not less than \$5,000 nor more than \$10,000 or by imprisonment for a period not to exceed 15 days, or both. Each week's continued violation shall constitute a separate additional violation.

§ 99-9. Severability.

If any provision of this chapter is declared unenforceable for any reason by a court of competent jurisdiction, such declaration shall affect only that provision, and shall not affect the remainder of this section, which shall remain in full force and effect.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 16 of the Town 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, Village and Town of Hempstead, Hempstead, New York, on the 20th day of September, 2016, at 10:30 o'clock in the forenoon of that day, to consider the amendment of section 247(A) of Article XXIV of the Building Zone Ordinance in relation to the regulation of signs in the Town of Hempstead. The proposed amendment is on file in the office of the Town Clerk of the Town of Hempstead, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, Hempstead, New York, where same may be inspected during office hours.

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

Dated: Hempstead, New York
September 6, 2016.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

ANTHONY J. SANTINO
Supervisor

NASRIN G. AHMAD
Town Clerk

CASE # 28667

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Commissioner of General Services of the Town of Hempstead has prepared revised parking field maps for the following locations, which revisions consist of the adoption of the following public parking field maps showing the adoption of eight (8) "3 Hour Parking" signs and five (5) "8 Hour Parking" signs in parking field W-3, Woodmere; all in accordance with Section 80-4 of the Code of the Town of Hempstead:

PLEASE TAKE FURTHER NOTICE that a public hearing will be held at the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, New York, on the 5th day of October, 2016, at 10:30 o'clock in the forenoon of that day, to consider the adoption of the following revised public parking field maps:

WOODMERE

W-3

Irving Place - Central Avenue
Parking Field
Woodmere
Woodmere-Hewlett Parking District
(TH-354/16)

Copies of the proposed public parking field maps are on file in the office of the Town Clerk of the Town of Hempstead, Hempstead Town Hall, 1 Washington Street, Hempstead, New York.

ALL INTERESTED PERSONS shall have an opportunity

Case No. 16214

to be heard on said proposal at the time and place
aforesaid.

Dated: Hempstead, New York
September 20, 2016

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

ANTHONY J. SANTINO
Supervisor

NASRIN AHMAD
Town Clerk

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that pursuant to Section 184 of the Town Law of the State of New York, a public hearing will be held by the Town Board of the Town of Hempstead, on the 5th day of October, 2016, at 10:30 o'clock in the forenoon of that day, in the town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, New York, for the purpose of considering a proposed renewal contract made by the Inwood Fire District to contract for the furnishing of fire protection services within the Silver Point Fire Protection District, for a three year period commencing on the 1st day of January, 2016 and ending on the 31st day of December, 2018, for the compensation of \$17,168.00 for the year 2016; \$17,340.00 for the year 2017; and \$17,513.00 for the year 2018.

SAID contract is on file in the Office of the Town Clerk, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, where the same may be inspected during office hours, 9:00 a.m. to 4:45 p.m.

ALL PERSONS interested in the subject matter will be given an opportunity to be heard in reference thereto at the time and place above specified.

Dated: Hempstead, New York
September 20, 2016.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

ANTHONY J. SANTINO
Supervisor

NASRIN AHMAD
Town Clerk

Case No. 8762-B

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 the 5th day of October, 2016 at 10:30 o'clock in the forenoon of that day for the purpose of considering the application of 486 WANTAGH REALTY LLC. for a variance from the provisions of "GSS" to construct a 1,519' convenience store partially under the existing canopy' an additional site work for parking a trash enclosure and to provide a generator is also being proposed on the following described premises at BETHPAGE, New York:

A triangular shaped parcel located on the s/c of the e/si of Wantagh Ave & the w/si of Hicksville Rd. w/frontage approx. 246' along Wantagh Ave. & approx. 249' along Hicksville Rd. with a lot at the north end of the property of approx..47' & a lot width at the southerly end of the property of approx. 172' situated in Bethpage, New York, Town of Hempstead, County of Nassau State of 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.

Dated: September 20, 2016
Hempstead, N.Y.

ANTHONY J. SANTINO
Supervisor

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

NASRIN G. AHMAD
Town Clerk

Case No. 3396

CASE NO. 25843

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved
its adoption:

RESOLUTION GRANTING OF THE APPLICATION OF THE
ELMONT MEMORIAL H.S. FOR A PARADE PERMIT FOR A
PARADE HELD IN ELMONT, NEW YORK, ON OCTOBER 22, 2016.

WHEREAS, Patricia Justin of Elmont, New York, Student Activity Advisor
of the Elmont Memorial H.S., New York has filed an application with the Town
Clerk of the Town of Hempstead, for a Parade Permit for a Parade held in Elmont,
New York, on October 22, 2016 from 1:15 PM to 2:15 PM and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the of the aforesaid application of Patricia Justin, Student
Activity Advisor of the Elmont Memorial H.S., be and the same is hereby
GRANTED, subject to all the provisions of Chapter 117 entitled Parades, Code of
the Town of Hempstead

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

Case #

1
25843

CASE NO. 25843

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved
its adoption:

RESOLUTION GRANTING OF THE APPLICATION OF THE H.F.
CAREY HIGH SCHOOL FOR A PARADE PERMIT FOR A
PARADE HELD IN FRANKLIN SQUARE, NEW YORK, ON
OCTOBER 29, 2016.

WHEREAS, Rosemary Merino of Franklin Sq, New York, Student
Government Advisor of the H.F. Carey High School, New York has filed an
application with the Town Clerk of the Town of Hempstead, for a Parade Permit
for a Parade held in Franklin Square, New York, on October 29, 2016 from 11:00
AM to 12:30 PM and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the of the aforesaid application of Rosemary Merino,
Student Government Advisor of the H.F. Carey High School, be and the same is
hereby GRANTED, subject to all the provisions of Chapter 117 entitled Parades,
Code of the Town of Hempstead

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 1

Case # 25843

CASE NO. 25843

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved
its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE GRANTING
OF THE APPLICATION OF THE THE POINT ALE HOUSE & GRILL
& YELP LONG ISLAND FOR A PARADE PERMIT FOR A K-
RUN HELD IN POINT LOOKOUT, NEW YORK, ON SEPTEMBER
25, 2016.

WHEREAS, Mo Cassara of Point Lookout, New York, Owner Of Point
Ale House & Grill of the The Point Ale House & Grill & YELP Long Island, New
York has filed an application with the Town Clerk of the Town of Hempstead, for a
Parade Permit for a K-Run held in Point Lookout, New York, on September 25,
2016 from 12:00 PM to 12:30 PM and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the GRANTING of the aforesaid application of Mo
Cassara, Owner Of Point Ale House & Grill of the The Point Ale House & Grill &
YELP Long Island, be and the same is hereby RATIFIED AND CONFIRMED,
subject to all the provisions of Chapter 117 entitled Parades, Code of the Town of
Hempstead

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 1

Case # 25843

CASE NO. 25843

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved
its adoption:

RESOLUTION GRANTING OF THE APPLICATION OF THE WEST
HEMPSTEAD UFSD FOR A PARADE PERMIT FOR A
PARADE HELD IN W HEMPSTEAD, NEW YORK, ON OCTOBER
08, 2016.

WHEREAS, Linda Ragin of W Hempstead, New York, Counselor/Parade
Coordinator of the West Hempstead UFSD, New York has filed an application with
the Town Clerk of the Town of Hempstead, for a Parade Permit for a Parade held
in W Hempstead, New York, on October 08, 2016 from 12:30 PM to 1:00 PM
and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the of the aforesaid application of Linda Ragin,
Counselor/Parade Coordinator of the West Hempstead UFSD, be and the same is
hereby GRANTED, subject to all the provisions of Chapter 117 entitled Parades,
Code of the Town of Hempstead

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

Case #

1
25843

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE EAST SIDE OF WILSON PLACE, 44 FEET SOUTH OF FULTON STREET. SEC 55, BLOCK 336, AND LOT (S) 60, A/K/A 2 WILSON PLACE, ROOSEVELT, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the unsafe structure located at 2 Wilson Place, Roosevelt, Town of Hempstead, New York; and

WHEREAS, pursuant to Chapter 90 of the code, the Town Board authorized the demolition and removal of said structure under Town Board Resolution No. 914-2015 adopted August 4, 2015; and

WHEREAS, the services of Environmental Management Services Inc., at 23-24 Sound Street #1, Astoria, New York 11105, and the costs incurred by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 183-2015; and

WHEREAS, on April 14, 2016, the Commissioner of the Department of Buildings directed Environmental Management Services Inc. to make a visual inspection to verify asbestos abatement was performed, located at 2 Wilson Place, Roosevelt;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$3960.00, the cost associated with the emergency services provided at 2 Wilson Place, Roosevelt, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$3960.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 2

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE EAST SIDE OF WILSON PLACE, 44 FEET SOUTH OF FULTON STREET. SEC 55, BLOCK 336, AND LOT(S) 60, A/K/A 2 WILSON PLACE, ROOSEVELT, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the unsafe structure located 2 Wilson Place, Roosevelt, Town of Hempstead, New York; and

WHEREAS, pursuant to Chapter 90 of the code, the Town Board authorized the demolition and removal of said structure under Town Board Resolution No. 914-2015 adopted August 4, 2015; and

WHEREAS, the services of Unitech Services Group, Inc at 241-4 North Fehr Way in Bay Shore, New York, 11706, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 897-2015; and

WHEREAS, the Commissioner of the Department of Buildings directed Unitech Services Group, Inc. to perform an asbestos abatement on the unsafe structure, located at 2 Wilson Place, Roosevelt; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$60,492.00, the cost associated with the emergency services provided at 2 Wilson Place, Roosevelt, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$60,492.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 2
Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO AN UNSAFE TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE, LOCATED ON THE SOUTH SIDE OF TWISTING LANE, 42 FEET WEST OF SEAMANS NECK ROAD. SEC 51, BLOCK 408, AND LOT (S) 2, A/K/A 60 TWISTING LANE, WANTAGH, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the unsafe structure located at 60 Twisting Lane, Wantagh, Town of Hempstead, New York; and

WHEREAS, pursuant to Chapter 90 of the code, the Town Board authorized the demolition and removal of said structure under Town Board Resolution No. 388-2016 adopted March 29, 2016; and

WHEREAS, the services of Environmental Management Services Inc., at 23-24 Sound Street #1, Astoria, New York 11105, and the costs incurred by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 183-2015; and

WHEREAS, on May 2, 2016, the Commissioner of the Department of Buildings directed Environmental Management Services Inc. to make an asbestos air monitoring inspection and report, located at 60 Twisting Lane, Wantagh;

WHEREAS, on May 19, 2016, the Commissioner of the Department of Buildings directed Environmental Management Services Inc. to make a visual inspection to verify asbestos abatement was performed, located at 60 Twisting Lane, Wantagh;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$4,580.00, the cost associated with the emergency services provided at 60 Twisting Lane, Wantagh, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$4,580.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

2

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT IN RELATION TO THE DEMOLITION AND REMOVAL OF A TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE, AND REMOVAL OF ALL LITTER AND DEBRIS FROM SAID PREMISE LOCATED ON THE SOUTH SIDE OF TWISTING LANE, 42 FEET WEST OF SEAMANS NECK ROAD. SEC 51, BLOCK 408, AND LOT (S) 2, A/K/A 60 TWISTING LANE, WANTAGH, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to demolish and remove the unsafe structure located at 60 Twisting Lane, Wantagh, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to the Town of Hempstead regulations this structure was unsafe; and

WHEREAS, the Commissioner of the Department of Buildings deemed the unsafe structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or Buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of L and G Ruggiero Inc. at 702 Cord Avenue, Lindenhurst, New York, 11757, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings, were approved by the Town Board under Resolution Number 182-2015; and

WHEREAS, the Commissioner of the Department of Buildings directed L and G Ruggiero, Inc. to demolish and remove an unsafe two story wood frame one family dwelling, located at 60 Twisting Lane, Wantagh; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$24,453.09, the cost associated with the emergency services provided at 60 Twisting Lane, Wantagh, New York.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this Resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$24,453.09 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:
Item #

2

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ASSESSMENT FOR PROFESSIONAL SERVICES RENDERED IN REGARD TO THE DEMOLITION AND REMOVAL OF AN UNSAFE TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE, LOCATED ON THE SOUTH SIDE OF TWISTING LANE, 42 FEET WEST OF SEAMANS NECK ROAD . SEC 51, BLOCK 408, AND LOT (S) 2, A/K/A 60 TWISTING LANE, WANTAGH, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the unsafe structure located 60 Twisting Lane, Wantagh, Town of Hempstead, New York; and

WHEREAS, pursuant to Chapter 90 of the code, the Town Board authorized the demolition and removal of said structure under Town Board Resolution No. 388-2016 adopted March 29, 2016; and

WHEREAS, the services of Unitech Services Group, Inc at 241-4 North Fehr Way in Bay Shore, New York, 11706, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 897-2015; and

WHEREAS, the Commissioner of the Department of Buildings directed Unitech Services Group, Inc. to perform an asbestos abatement on the unsafe structure, located at 60 Twisting Lane, Wantagh; and

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$42,390.00, the cost associated with the emergency services provided at 60 Twisting Lane, Wantagh, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$42,390.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

2

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH TWO CAR BASEMENT GARAGE AND INGROUND SWIMMING POOL, LOCATED ON THE NORTH SIDE OF VIVIAN COURT, 163 FEET NORTH OF ALLWYN STREET. SEC 54, BLOCK 573, AND LOT (S) 34, A/K/A 759 VIVIAN COURT, BALDWIN, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 759 Vivian Court, Baldwin, Town of Hempstead, New York; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on July 5, 2016, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have four (4) workers take two (2) days using eight (8) hours per day per worker for general labor hours, have thirty (30) yards of coping, liner, pool walls concrete and debris removed and use two hundred fifteen (215) yards for fill and compaction of pool, located at 759 Vivian Court, Baldwin;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$6,915.00, the cost associated with the emergency services provided at 759 Vivian Court, Baldwin, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$6,915.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 3

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE NORTH SIDE OF GARDEN STREET, 100 FEET WEST OF SUNRISE AVENUE. SEC 63, BLOCK 204, AND LOT (S) 6-9, A/K/A 404 GARDEN STREET, BELLMORE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 404 Garden Street, Bellmore, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on September 18, 2015, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one (1) fifty eight inch by seventy three inch (58" x 73") window boarded with one half inch (1/2") four (4) ply plywood, one (1) forty inch by fifty nine inch (49" x 59") window boarded with one half inch (1/2") four (4) ply plywood, four (4) seventeen inch by thirty inch (17" x 30") windows boarded with one half inch (1/2") four (4) ply plywood, one (1) forty inch by fifty four inch (40" x 54") window boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty six inch by eighty two inch (36" x 82") HUD style barricade door wall built with two inch by four inch by seven foot (2" x 4" x 7') studs and boarded with one half inch (1/2") four (4) ply plywood, one (1) forty two inch by eighty nine inch (42" x 89") door secured with one half inch (1/2") four (4) ply plywood, one (1) twenty eight inch by seventy eight inch (28" x 78") door secured with one half inch (1/2") four (4) ply plywood, one (1) door barrier stop lock built with two inch by four inch by four foot (2" x 4" x 4') studs and made into a triangle brace then ramset into the floor and across the back of the door, have five (5) window braces using two inch by four inch (2" x 4") to secure window closed and from opening up and down, have one (1) seven foot by eight foot (7' x 8') garage door framed with two inch by four inch by eight foot (2" x 4" x 8') and boarded with one half inch (1/2") four (4) ply plywood and install two (2) lock and hasps, located at 404 Garden Street, Bellmore;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$747.48, the cost associated with the emergency services provided at 404 Garden Street, Bellmore, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$747.48 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES: Item # 3
NOES: Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED TWO STORY WOOD FRAME ONE FAMILY DWELLING, LOCATED ON THE EAST SIDE OF CENTRE AVENUE, 500 FEET NORTH OF MERRICK ROAD. SEC 56, BLOCK 336, AND LOT 45, A/K/A 2373 CENTRE AVENUE, BELLMORE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 2373 Centre Avenue, Bellmore, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one (1) forty inch by eighty four inch (40" x 84") door secured with one half inch (1/2") four (4) ply plywood and one (1) thirty nine inch by eighty two inch (39" x 82") door secured with one half inch (1/2") four (4) ply plywood, located at 2373 Centre Avenue, Bellmore;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$180.00, the cost associated with the emergency services provided at 2373 Centre Avenue, Bellmore, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$180.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

3

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ONE STORY CONCRETE FRAME PUBLIC GARAGE, LOCATED ON THE NORTH SIDE OF PENINSULA BOULEVARD, 50 FEET EAST OF OAKLAND AVENUE. SEC 39, BLOCK 277, AND LOT (S) 126-127 (131 A & B), A/K/A 568-570 PENINSULA BOULEVARD, CEDARHURST, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 568-570 Peninsula Boulevard, Cedarhurst, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on May 11, 2015, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one (1) five foot by seven foot (5' x 7') window boarded with one half inch (1/2") four (4) ply plywood, one (1) nineteen inch by forty eight inch (19" x 48") window boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty two inch by seven foot (32" x 7') door secured with one half inch (1/2") four (4) ply plywood, one (1) one hundred twenty inch by one hundred twenty inch (120" x 120") bay garage door framed with two inch by four inch by eight foot (2" x 4" x 8') and boarded with one half inch (1/2") four (4) ply plywood, rip and remove existing one hundred twenty inch by one hundred twenty inch (120" x 120") bay garage door taking one (1) hour using two (2) workers and have four feet (4') of six foot (6') high fence installed with one and five eighth inch (1 5/8") poles and number nine (9) gauge wire top and bottom, located at 568-570 Peninsula Boulevard, Cedarhurst;

WHEREAS, on October 21, 2015, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to remove and resecure boards for inspector on front door and garage, located at 568-570 Peninsula Boulevard, Cedarhurst;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$833.00, the cost associated with the emergency services provided at 568-570 Peninsula Boulevard, Cedarhurst, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$833.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES: 3
Item # _____
Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH ABOVE GROUND SWIMMING POOL, LOCATED ON THE SOUTH SIDE OF NEWS AVENUE, 135 FEET WEST OF MEACHAM AVENUE. SEC 32, BLOCK 553, AND LOT (S) 130, A/K/A 1361 NEWS AVENUE, ELMONT, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 1361 News Avenue, Elmont, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on September 3, 2015, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to dismantle and remove one (1) sixteen foot by ten foot (16' x 10') above ground swimming pool, located at 1361 News Avenue, Elmont;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$180.00, the cost associated with the emergency services provided at 1361 News Avenue, Elmont, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$180.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES: Item # 3

NOES: Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE DETERMINED TO BE UNFIT FOR HUMAN OCCUPANCY, LOCATED ON THE EAST SIDE OF 226TH STREET, 100 FEET NORTH OF 95TH AVENUE. SEC 32, BLOCK 3, AND LOT (S) 144, A/K/A 94-51 226TH STREET, FLORAL PARK, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 94-51 226th Street, Floral Park, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was deemed to be unfit for human occupancy in Accordance with §107.1.3. of the New York Property Maintenance Code; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on March 16, 2016, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have seventeen (17) window braces using two inch by four inch (2" x 4") to secure windows closed and to prevent from opening windows up and down, have one (1) thirty two inch by forty four inch (32" x 44") window boarded with one half inch (1/2") four (4) ply plywood, five (5) twenty three inch by thirty one inch (23" x 31") HUD style windows boarded with one half inch (1/2") four (4) ply plywood, two (2) thirty three inch by fifty eight inch (33" x 58") HUD style windows boarded with one half inch (1/2") four (4) ply plywood and one (1) thirty four inch by eighty nine inch (34" x 89") HUD style barricade door wall built with two inch by four inch by seven foot (2" x 4" x 7') studs and boarded with one half inch (1/2") four (4) ply plywood, located at 94-51 226th Street, Floral Park;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$421.08, the cost associated with the emergency services provided at 94-51 226th Street, Floral Park, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$421.08 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

Item #

3

NOES:

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE NORTH SIDE OF CENTER DRIVE, 288 FEET EAST OF MADISON AVENUE. SEC 35, BLOCK 161, AND LOT (S) 71, A/K/A 878 CENTER DRIVE, FRANKLIN SQUARE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 878 Center Drive, Franklin Square, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one (1) three foot by seven foot (3' x 7') door secured with one half inch (1/2") four (4) ply plywood and one (1) thirty eight inch by seven foot (38" x 7') door secured with one half inch (1/2") four (4) ply plywood, located at 878 Center Drive, Franklin Square;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$180.00, the cost associated with the emergency services provided at 878 Center Drive, Franklin Square, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$180.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES: Item # 3
NOES: Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE EAST CLAFLIN BOULEVARD, 500 FEET NORTH OF BENRIS AVENUE. SEC 35, BLOCK 174, AND LOT (S) 114, A/K/A 21 CLAFLIN BOULEVARD, FRANKLIN SQUARE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 21 Claflin Boulevard, Franklin Square, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on August 4, 2015, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one (1) three foot by seven foot (3' x 7') door secured with one half inch (1/2") four (4) ply plywood, located at 21 Claflin Boulevard, Franklin Square;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$180.00, the cost associated with the emergency services provided at 21 Claflin Boulevard, Franklin Square, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$180.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES: Item #

3

NOES: Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING, LOCATED ON THE EAST SIDE OF TRACY PLACE, 100 FEET SOUTH OF SLOCUM AVENUE. SEC 42, BLOCK 84, AND LOT (S) 13-14, A/K/A 102 TRACY PLACE, HEWLETT, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 102 Tracy Place, Hewlett, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one (1) thirty six inch by fifty four inch (36" x 54") window boarded with one half inch (1/2") four (4) ply plywood and one (1) three foot by seven foot (3' x 7') door secured with one half inch (1/2") four (4) ply plywood, located at 102 Tracy Place, Hewlett;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$180.00, the cost associated with the emergency services provided at 102 Tracy Place, Hewlett, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$180.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

3

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY MASONRY FRAME COMMERCIAL BUILDING, LOCATED ON THE SOUTHEAST CORNER OF AUSTIN BOULEVARD AND EMPIRE BOULEVARD. SEC 43, BLOCK 183, AND LOT (S) 11-31, A/K/A 3910 AUSTIN BOULEVARD, ISLAND PARK, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 3910 Austin Boulevard, Island Park, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on June 10, 2015, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to one (1) three foot by seven foot (3' x 7') door secured with one half inch (1/2") four (4) ply plywood, located at 3910 Austin Boulevard, Island Park;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$180.00, the cost associated with the emergency services provided at 3910 Austin Boulevard, Island Park, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$180.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES: Item # 3

NOES: Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING, LOCATED ON THE SOUTHEAST CORNER OF BROADWAY AND WAVECREST PLACE NORTH. SEC 43, BLOCK 87, AND LOT (S) 307, A/K/A 4259 BROADWAY, ISLAND PARK, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 4259 Broadway, Island Park, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on August 27, 2015, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one (1) three foot by four foot (3' x 4') window boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty four inch by thirty six inch (34" x 36") window boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty nine inch by eighty one inch (39" x 81") HUD style barricade door wall built with two inch by four inch by seven foot (2" x 4" x 7') studs and boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty six inch by eighty two inch (36" x 82") HUD style barricade door wall built with two inch by four inch by seven foot (2" x 4" x 7') studs and boarded with one half inch (1/2") four (4) ply plywood and have one (1) seven foot by twelve foot (7' x 12") sliding glass door secured with one half inch (1/2") four (4) ply plywood, located at 4259 Broadway, Island Park;

WHEREAS, on October 30, 2015, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one (1) forty inch by eighty two inch (40" x 82") HUD style barricade door wall built with two inch by four inch by seven foot (2" x 4" x 7') studs and boarded with one half inch (1/2") four (4) ply plywood, install one (1) lock and have one (1) thirty eight inch by forty eight inch (38" x 48") exterior hole boarded with one half inch (1/2") four (4) ply plywood, located at 4259 Broadway, Island Park;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$722.99, the cost associated with the emergency services provided at 4259 Broadway, Island Park, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$722.99 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES: Item #

3

NOES Case #

0542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE SOUTH SIDE OF SARATOGA BOULEVARD, 260 FEET EAST OF BROADWAY. SEC 43, BLOCK 76, AND LOT (S) 19-20, A/K/A 178 SARATOGA BOULEVARD, ISLAND PARK, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 178 Saratoga Boulevard, Island Park, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on July 20, 2015, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to install one (1) lock and hasp, located at 178 Saratoga Boulevard, Island Park;

WHEREAS, on August 25, 2015, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one (1) thirty four inch by seven foot (34" x 7") door secured with one half inch (1/2") four (4) ply plywood and one (1) thirty three inch by forty three inch (33" x 43") window boarded with one half inch (1/2") four (4) ply plywood, located at 178 Saratoga Boulevard, Island Park;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$360.00, the cost associated with the emergency services provided at 178 Saratoga Boulevard, Island Park, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$360.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES Item #

3

NOES:

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN ABANDONED VACANT LAND WITH A COLLAPSING FENCE, LOCATED ON THE NORTH SIDE OF LIDO BOULEVARD, 2199 FEET WEST OF BAY LANE. SEC 60, BLOCK E, AND LOT (S) 787, A/K/A 657 LIDO BOULEVARD, LIDO BEACH, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned vacant lot located at 657 Lido Boulevard, Lido Beach, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations the fencing was collapsed onto the sidewalk; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned vacant lot to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on February 29, 2016, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have fifty three feet (53') of six foot (6') high fence re-secured to poles where needed with wire ties, located at 657 Lido Boulevard, Lido Beach;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$371.00, the cost associated with the emergency services provided at 657 Lido Boulevard, Lido Beach, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$371.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

3

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE AND INGROUND SWIMMING POOL, LOCATED ON THE SOUTH SIDE OF MONTGOMERY AVENUE, 102 FEET EAST OF MESSICK AVENUE. SEC 43, BLOCK 304, AND LOT (S) 6, A/K/A 261 MONTGOMERY AVENUE, OCEANSIDE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 261 Montgomery Avenue, Oceanside, Town of Hempstead, New York; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on May 17, 2016, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have three (2) workers take two and one half (2 1/2) days using eight (8) hours per day for general labor hours, have twenty two (22) yards of coping, liner, steel and debris from pool removed and use two hundred ten (210) yards for fill and compaction of pool, located at 261 Montgomery Avenue, Oceanside;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$5,490.00, the cost associated with the emergency services provided at 261 Montgomery Avenue, Oceanside, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$5,490.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 3

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE SOUTHWEST CORNER OF LANGDON BOULEVARD AND PERSHING BOULEVARD. SEC 38, BLOCK 115, AND LOT (S) 823-824, A/K/A 1268 LANGDON BOULEVARD, ROCKVILLE CENTRE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 1268 Langdon Boulevard, Rockville Centre, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on February 27, 2015, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have seven (7) three foot by four foot (3' x 4') windows boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty inch by eighty inch (30" x 80") door wall built and secured with one half inch (1/2") four (4) ply plywood and two inch by four inch by eight foot (2" x 4" x 8') studs and one (1) three foot by seven foot (3' x 7') door wall built and secured with one half inch (1/2") four (4) ply plywood and two inch by four inch by eight foot (2" x 4" x 8') studs, located at 1268 Langdon Boulevard, Rockville Centre;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$401.66, the cost associated with the emergency services provided at 1268 Langdon Boulevard, Rockville Centre, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$401.66 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES: 3
Item #
NOES: 6542
Case #

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE SOUTH SIDE OF LINCOLN AVENUE, 92 FEET EAST OF HORACE AVENUE. SEC 55, BLOCK 485, AND LOT (S) 4, A/K/A 58 LINCOLN AVENUE, ROOSEVELT, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 58 Lincoln Avenue, Roosevelt, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on February 18, 2015, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have six feet (6') of six foot (6') high fence resecured to poles where needed with wire ties, located at 58 Lincoln Avenue, Roosevelt;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$150.00, the cost associated with the emergency services provided at 58 Lincoln Avenue, Roosevelt, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$150.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 3

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE NORTHWEST CORNER OF PARK AVENUE AND LAFAYETTE PLACE. SEC 55, BLOCK 442, AND LOT (S) 128-129, A/K/A 187 PARK AVENUE, ROOSEVELT, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 187 Park Avenue, Roosevelt, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on August 10, 2015, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have five (5) fifteen inch by thirty inch (15" x 30") windows boarded with one half inch (1/2") four (4) ply plywood, five (5) thirty four inch by fifty five inch (34" x 55") windows boarded with one half inch (1/2") four (4) ply plywood, two (2) windows boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty four inch by forty inch (34" x 40") window boarded with one half inch (1/2") four (4) ply plywood, one (1) twenty nine inch by thirty eight inch (29" x 308") window boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty nine inch by fifty six inch (39" x 56") window boarded with one half inch (1/2") four (4) ply plywood and one (1) thirty six inch by eighty two inch (36" x 82") HUD style barricade door wall built with two inch by four inch by seven foot (2" x 4" x 7') studs and boarded with one half inch (1/2") four (4) ply plywood, located at 187 Park Avenue, Roosevelt;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$541.03, the cost associated with the emergency services provided at 187 Park Avenue, Roosevelt, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$541.03 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

Item #

3

NOES:

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING, LOCATED ON THE SOUTH SIDE OF ALLERS BOULEVARD, 534 FEET WEST OF HANSOM PLACE. SEC 55, BLOCK 330, AND LOT (S) 55, A/K/A 64 ALLERS BOULEVARD, ROOSEVELT, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 64 Allers Boulevard, Roosevelt, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on March 26, 2016, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have four (4) thirty six inch by fifty seven inch (36" x 57") windows boarded with one half inch (1/2") four (4) ply plywood, four (4) twenty eight inch by forty inch (28" x 40") windows boarded with one half inch (1/2") four (4) ply plywood, four (4) fifteen inch by thirty inch (15" x 30") windows boarded with one half inch (1/2") four (4) ply plywood, two (2) twenty eight inch by fifty seven inch (28" x 57") windows boarded with one half inch (1/2") four (4) ply plywood, one (1) forty five inch by fifty nine inch (45" x 59") window boarded with one half inch (1/2") four (4) ply plywood, one (1) three foot by eight foot (3' x 8') door secured with one half inch (1/2") four (4) ply plywood, one (1) three foot by eighty three inch (3' x 83") door secured with one half inch (1/2") four (4) ply plywood, one (1) eight foot by ten foot (8' x 10') wall built with two inch by four inch by eight foot (2" x 4" x 8') studs and boarded with one half inch (1/2") four (4) ply plywood and have two hundred sixty feet (260') of six foot (6') high fence installed with one and five eighth inch (1 5/8") poles and number nine (9) gauge wire top and bottom, located at 64 Allers Boulevard, Roosevelt;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$4,619.10, the cost associated with the emergency services provided at 64 Allers Boulevard, Roosevelt, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$4,619.10 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES: Item # 3
NOES: Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING, LOCATED ON THE NORTHEAST CORNER OF STEVENS STREET AND BROOK AVENUE. SEC 55, BLOCK 314, AND LOT (S) 163-164, A/K/A 100 STEVENS STREET, ROOSEVELT, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 100 Stevens Street, Roosevelt, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on March 23, 2016, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one hundred forty feet (140') of six foot (6') high fence installed with one and five eighth inch (1 5/8") poles and number nine (9) gauge wire top and bottom, located at 100 Stevens Street, Roosevelt;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$1,960.00, the cost associated with the emergency services provided at 100 Stevens Street, Roosevelt, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$1,960.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES: 3
Item #

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING, LOCATED ON THE WEST SIDE OF CEDAR STREET, 85 FEET NORTH OF FIRST PLACE. SEC 63, BLOCK 103, AND LOT (S) 91, A/K/A 2472 CEDAR STREET, SEAFORD, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 2472 Cedar Street, Seaford, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one (1) forty inch by eighty three inch (40" x 83") HUD style barricade door wall built with two inch by four inch by seven foot (2" x 4" x 7') studs and boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty six inch by eighty two inch (36" x 82") HUD style barricade door wall built with two inch by four inch by seven foot (2" x 4" x 7') studs and boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty four inch by forty one inch (34" x 41") window boarded with one half inch (1/2") four (4) ply plywood, one (1) forty eight inch by fifty inch (48" x 50") window boarded with one half inch (1/2") four (4) ply plywood and install one (1) lock, located at 2472 Cedar Street, Seaford;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$329.41, the cost associated with the emergency services provided at 2472 Cedar Street, Seaford, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$329.41 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES: 3
Item #
NOES: 0542
Case #

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE EAST SIDE OF CEDAR STREET, 1170 FEET SOUTH OF MERRICK ROAD. SEC 63, BLOCK 269, AND LOT (S) 14, A/K/A 2401 CEDAR STREET, SEAFORD, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 2401 Cedar Street, Seaford, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on February 22, 2016, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one (1) thirty two inch by eighty three inch (32" x 83") door secured with one half inch (1/2") four (4) ply plywood, one (1) thirty six inch by eighty three inch (36" x 83") HUD style barricade door wall built with two inch by four inch by seven foot (2" x 4" x 7') studs and boarded with one half inch (1/2") four (4) ply plywood, one (1) forty one inch by eighty two inch (41" x 82") HUD style barricade door wall built with two inch by four inch by seven foot (2" x 4" x 7') studs and boarded with one half inch (1/2") four (4) ply plywood and install two (2) lock and hasps, located at 2401 Cedar Street, Seaford;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$414.69, the cost associated with the emergency services provided at 2401 Cedar Street, Seaford, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$414.69 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 3

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE, LOCATED ON THE EAST SIDE OF EDGEMERE AVENUE, 50 FEET SOUTH OF MACON PLACE. SEC 36, BLOCK 133, AND LOT (S) 235, A/K/A 677 EDGEMERE AVENUE, UNIONDALE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 677 Edgemere Avenue, Uniondale, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on March 21, 2016, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one (1) twenty six inch by sixty two inch (26" x 62") window boarded with one half inch (1/2") four (4) ply plywood, three (3) twenty one inch by thirty inch (21" x 30") windows boarded with one half inch (1/2") four (4) ply plywood, one (1) seventeen inch by thirty inch (17" x 30") window boarded with one half inch (1/2") four (4) ply plywood, two (1) window braces using two inch by four inch (2" x 4") to secure window closed and to prevent from opening windows up and down, install two (2) lock and hasps, have one (1) thirty nine inch by eighty two inch (39" x 82") door secured with one half inch (1/2") four (4) ply plywood, one (1) thirty six inch by eighty three inch (36" x 83") door secured with one half inch (1/2") four (4) ply plywood, one (1) thirty two inch by eighty one inch (32" x 81") door secured with one half inch (1/2") four (4) ply plywood, one (1) forty eight inch by eighty seven inch (48" x 87") door secured with one half inch (1/2") four (4) ply plywood and ten feet (10') of six foot (6') high fence installed with one and five eighth inch (1 5/8") poles and number nine (9) gauge wire top and bottom, located at 677 Edgemere Avenue, Uniondale;

WHEREAS, on May 11, 2016, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have three (3) workers use two (2) days using eight (8) hours per day of general labor hours, haul away twenty (20) yards of debris, liner and coping and fill and compact the swimming pool hole using one hundred eighty five (185) yards, located at 677 Edgemere Avenue, Uniondale;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$5,671.03, the cost associated with the emergency services provided at 677 Edgemere Avenue, Uniondale, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$5,671.03 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 3
Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE NORTHEAST CORNER OF SMITH STREET AND NOSTRAND AVENUE, SEC 50, BLOCK 362, AND LOT (S) 7, A/K/A 867 SMITH STREET, UNIONDALE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 867 Smith Street, Uniondale, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one (1) sixty inch by one hundred two inch (60" x 102") window boarded with one half inch (1/2") four (4) ply plywood, one (1) forty eight inch by sixty inch (48" x 60") window boarded with one half inch (1/2") four (4) ply plywood, located at 867 Smith Street, Uniondale;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$200.00, the cost associated with the emergency services provided at 867 Smith Street, Uniondale, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$200.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

Item #

3

NOES:

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED RAISED RANCH ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH TWO CAR BASEMENT GARAGE AND INGROUND SWIMMING POOL, LOCATED ON THE WEST SIDE OF CLIFFSIDE AVENUE, 316 FEET NORTH OF HUNGRY HARBOR ROAD. SEC 39, BLOCK 598, AND LOT (S) 9, A/K/A 839 CLIFFSIDE AVENUE, VALLEY STREAM, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 839 Cliffside Avenue, Valley Stream, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on July 15, 2016, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have four (4) workers take three and one half (3 1/2) days using eight (8) hours per day per worker of general labor hours, rip and remove existing front brick wall which is ten feet (10') long by thirty inches (30") high, water fountain, brick flower planter, brick, brick wall with stainless steel door and disconnect, two (2) AC unit compressors and bring into backyard for access to pool which took four (4) hours which was included in above labor hours, rip and remove twenty five (25) yards of decking with wire mesh and plastic built over pool, haul away two (2) trucks using twenty eight (28) yards total of liner, walls, spa and coping, have one (1) tractor trailer using thirty five (35) yards of one and one half inch (1 1/2") oversized gravel to tighten up bottom of pool for water table being too high and to fill and compact swimming pool using one hundred eighty (180) yards, located at 839 Cliffside Avenue, Valley Stream;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$10,380.00, the cost associated with the emergency services provided at 839 Cliffside Avenue, Valley Stream, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$10,380.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES: 3
Item # 3
NOES: 6542
Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE DETERMINED TO BE UNFIT FOR HUMAN OCCUPANCY, LOCATED ON THE EAST SIDE OF JASPER STREET, 138 FEET NORTH OF SOBRO AVENUE. SEC 37, BLOCK 518, AND LOT (S) 124, A/K/A 8 JASPER STREET, VALLEY STREAM, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 8 Jasper Street, Valley Stream, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was deemed to be unfit for human occupancy in Accordance with §107.1.3. of the New York Property Maintenance Code; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on December 8, 2015, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to install two (2) lock and hasps, located at 8 Jasper Street, Valley Stream;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$180.00, the cost associated with the emergency services provided at 8 Jasper Street, Valley Stream, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$180.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES

Item #

3

Case #

0542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED TWO STORY WOOD FRAME ONE FAMILY DWELLING, LOCATED ON THE EAST SIDE OF TWIN LANE EAST, 222 FEET NORTH OF TWISTING LANE. SEC 51, BLOCK 407, AND LOT (S) 11, A/K/A 275 TWIN LANE EAST, WANTAGH, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 275 Twin Lane East, Wantagh, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on March 9, 2016, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to install two (2) lock and hasps, located at 275 Twin Lane East, Wantagh;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$180.00, the cost associated with the emergency services provided at 275 Twin Lane East, Wantagh, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$180.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES: 3
item #

Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED FOUNDATION, LOCATED ON THE NORTH SIDE OF CORNELL AVENUE, 660 FEET EAST OF LANGDON BOULEVARD, SEC 38, BLOCK 129, AND LOT 57-59, A/K/A 398 CORNELL AVENUE, WEST HEMPSTEAD, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 398 Cornell Avenue, West Hempstead, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on January 22, 2016, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have three hundred feet (300') of six foot (6') high fence installed with one and five eighth inch (1 5/8") poles and number nine (9) gauge wire top and bottom, located at 398 Cornell Avenue, West Hempstead;

WHEREAS, on February 19, 2016, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one hundred sixty five feet (165') of six foot (6') high fence installed with one and five eighth inch (1 5/8") poles and number nine (9) gauge wire top and bottom, located at 398 Cornell Avenue, West Hempstead;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$6510.00, the cost associated with the emergency services provided at 398 Cornell Avenue, West Hempstead, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$6510.00 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES: Item #

3

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE DETERMINED TO BE UNFIT FOR HUMAN OCCUPANCY, LOCATED ON THE SOUTH SIDE OF PINEBROOK AVENUE, 51 FEET WEST OF PINEBROOK COURT. SEC 38 BLOCK K, AND LOT (S) 683, A/K/A 67 PINEBROOK AVENUE, WEST HEMPSTEAD, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 67 Pinebrook Avenue, West Hempstead, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was deemed to be unfit for human occupancy in Accordance with §107.1.3. of the New York Property Maintenance Code; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on March 28, 2016, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one (1) twenty eight inch by forty inch (28" x 40") window boarded with one half inch (1/2") four (4) ply plywood, two (2) window braces using two inch by four inch (2" x 4") to secure window closed and prevent from opening window up and down, have one (1) three foot by seven foot (3' x 7') door secured with one half inch (1/2") four (4) ply plywood, one (1) thirty seven inch by eighty four inch (37" x 84") door secured with one half inch (1/2") four (4) ply plywood and one (1) four foot by eight foot (4' x 8') door secured with one half inch (1/2") four (4) ply plywood, located at 67 Pinebrook Avenue, West Hempstead;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$268.56, the cost associated with the emergency services provided at 67 Pinebrook Avenue, West Hempstead, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$268.56 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

Item #

3

NOES:

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED TWO STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE, LOCATED ON THE SOUTH SIDE OF SCANEATELES AVENUE, 102 FEET EAST OF MAHOPAC ROAD. SEC 35, BLOCK 415, AND LOT (S) 881, A/K/A 11 SCANEATELES AVENUE, WEST HEMPSTEAD, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 11 Scaneateles Avenue, West Hempstead, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on June 18, 2015, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one (1) thirty two inch by sixty five inch (32" x 65") HUD style window boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty six inch by sixty five inch (36" x 65") HUD style window boarded with one half inch (1/2") four (4) ply plywood, four (4) thirty inch by fifty five inch (30" x 55") HUD style windows boarded with one half inch (1/2") four (4) ply plywood, one (1) forty four inch by sixty five inch (44" x 65") HUD style window boarded with one half inch (1/2") four (4) ply plywood, two (2) thirty inch by forty one inch (30" x 41") HUD style windows boarded with one half inch (1/2") four (4) ply plywood and install one (1) lock and hasp, located at 11 Scaneateles Avenue, West Hempstead;

WHEREAS, on November 22, 2015, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one (1) thirty five inch by eighty five inch (35" x 85") HUD style barricade door wall built with two inch by four inch by seven foot (2" x 4" x 7') studs and boarded with one half inch (1/2") four (4) ply plywood, located at 11 Scaneateles Avenue, West Hempstead;

WHEREAS, on December 8, 2015, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one (1) fourteen inch by twenty two inch (14" x 22") HUD style window boarded with one half inch (1/2") four (4) ply plywood, located at 11 Scaneateles Avenue, West Hempstead;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$976.60, the cost associated with the emergency services provided at 11 Scaneateles Avenue, West Hempstead, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$976.60 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES: Item # 3

NOES: Case # 6542

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED TWO STORY WOOD FRAME ONE FAMILY DWELLING, LOCATED ON THE NORTH SIDE OF BROWER AVENUE, 461 FEET EAST OF WALSH AVENUE. SEC 41, BLOCK 24, AND LOT (S) 44, A/K/A 48 BROWER AVENUE, WOODMERE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 48 Brower Avenue, Woodmere, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on December 14, 2015, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have one (1) thirty two inch by sixty four inch (32" x 64") window boarded with one half inch (1/2") four (4) ply plywood, one (1) sixty four inch by seventy six inch (64" x 76") window boarded with one half inch (1/2") four (4) ply plywood, one (1) twenty two inch by thirty three inch (22" x 33") window boarded with one half inch (1/2") four (4) ply plywood, one (1) fifty one inch by eighty inch (51" x 80") window boarded with one half inch (1/2") four (4) ply plywood, one (1) fifty inch by seventy four inch (50" x 74") window boarded with one half inch (1/2") four (4) ply plywood, four (4) thirty four inch by thirty eight inch (34" x 38") windows boarded with one half inch (1/2") four (4) ply plywood, one (1) twenty six inch by fifty one inch (26" x 51") window boarded with one half inch (1/2") four (4) ply plywood, one (1) seventeen inch by twenty eight inch (17" x 28") window boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty two inch by sixty four inch (32" x 64") HUD style window boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty eight inch by sixty four inch (38" x 64") HUD style window boarded with one half inch (1/2") four (4) ply plywood, one (1) twenty seven inch by sixty four inch (27" x 64") HUD style window boarded with one half inch (1/2") four (4) ply plywood, one (1) forty inch by sixty five inch (40" x 65") HUD style window boarded with one half inch (1/2") four (4) ply plywood, one (1) forty inch by fifty four inch (40" x 54") HUD style window boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty five inch by eighty five inch (35" x 85") door secured with one half inch (1/2") four (4) ply plywood, one (1) forty inch by eighty seven inch (40" x 87") HUD style barricade door wall built with two inch by four inch by seven foot (2" x 4" x 7') studs and boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty seven inch by seventy eight inch (37" x 78") HUD style door boarded with one half inch (1/2") four (4) ply plywood, five (5) window braces using two inch by four inch (2" x 4") to secure window closed and to prevent from opening windows up and down, three (3) door braces using two inch by four inch (2" x 4") to secure door closed and to prevent from opening doors and have one (1) door barrier stop lock built with two inch by four inch by four foot (2" x 4" x 4') studs and made into a triangle brace then ramset into the floor and across the back of the door to prevent from opening, located at 48 Brower Avenue, Woodmere;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$1,181.45, the cost associated with the emergency services provided at 48 Brower Avenue, Woodmere, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$1,181.45 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

Item # 3

AYES:

Case # 0542

NOES:

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF AN EMERGENCY POSED BY THE THREAT OF IMMINENT DANGER AND AUTHORIZING SPECIAL ASSESSMENT IN REGARD TO AN OPEN AND ABANDONED ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING WITH ATTACHED GARAGE, LOCATED ON THE SOUTHEAST CORNER OF BROWER AVENUE AND BENTON STREET. SEC 41, BLOCK 27, AND LOT (S) 415, A/K/A 45 BROWER AVENUE, WOODMERE, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures," the Commissioner of the Department of Buildings deemed it necessary to inspect the open and abandoned structure located at 45 Brower Avenue, Woodmere, Town of Hempstead, New York; and

WHEREAS, said inspection disclosed that contrary to Town of Hempstead regulations this structure was open and abandoned; and

WHEREAS, the Commissioner of the Department of Buildings deemed the open and abandoned structure to be a source of imminent danger to the life and/or safety of the residents in the area; and

WHEREAS, pursuant to Chapter 90 of the code of the Town of Hempstead the Commissioner of the Department of Buildings is authorized to cause the immediate securing of dangerous structures or buildings and the Town of Hempstead shall be reimbursed for the cost of the work or the services provided; and

WHEREAS, the services of MGP Landscape Construction LLC DBA Gappsi Group, Smithtown, New York, and the costs incurred by the emergency services authorized by the Commissioner of the Department of Buildings were approved by the Town Board under Resolution Number 240-2015; and

WHEREAS, on February 27, 2016, the Commissioner of the Department of Buildings directed MGP Landscape Construction LLC DBA Gappsi Group to have three (3) eighteen inch by thirty four inch (18" x 34") windows boarded with one half inch (1/2") four (4) ply plywood, two (2) forty inch by forty eight inch (40" x 48") windows boarded with one half inch (1/2") four (4) ply plywood, one (1) twenty six inch by forty two inch (26" x 42") window boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty six inch by forty eight inch (36" x 48") window boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty two inch by thirty nine inch (32" x 39") window boarded with one half inch (1/2") four (4) ply plywood, two (2) twenty four inch by thirty eight inch (24" x 38") HUD style windows boarded with one half inch (1/2") four (4) ply plywood, four (4) thirty six inch by thirty nine inch (36" x 39") HUD style windows boarded with one half inch (1/2") four (4) ply plywood, three (3) thirty nine inch by seventy eight inch (39" x 78") HUD style windows boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty four inch by thirty eight inch (34" x 38") HUD style window boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty two inch by forty eight inch (32" x 48") HUD style window boarded with one half inch (1/2") four (4) ply plywood, one (1) twenty nine inch by forty eight inch (29" x 48") HUD style window boarded with one half inch (1/2") four (4) ply plywood, one (1) twenty eight inch by forty eight inch (28" x 48") HUD style window boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty two inch by forty inch (32" x 40") HUD style window boarded with one half inch (1/2") four (4) ply plywood, one (1) three foot by seven foot (3' x 7') HUD style door boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty three inch by eighty four inch (33" x 84") HUD style door boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty five inch by eighty two inch (35" x 82") HUD style door boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty eight inch by eighty five inch (38" x 85") HUD style door boarded with one half inch (1/2") four (4) ply plywood, one (1) thirty five inch by eighty four inch (35" x 84") HUD style door boarded with one half inch (1/2") four (4) ply plywood and install two (2) lock and hasps , located at 45 Brower Avenue, Woodmere;

WHEREAS, the Commissioner of the Department of Buildings initiated the procedure for the reimbursement of \$1635.47, the cost associated with the emergency services provided at 45 Brower Avenue, Woodmere, New York

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby ratifies and confirms the actions taken by the Commissioner of the Department of Buildings; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of this resolution with the clerk of the County Legislature and the Board of Assessors of the County of Nassau, so that the sum of \$1635.47 may be assessed by the Board of Assessors of the County of Nassau against the lot in question at the same time as other taxes are levied and assessed.

The foregoing resolution was adopted upon roll call as follows:

AYES:

Item #

3

NOES:

Case #

6542

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AWARDDING FORMAL BID NO. 6-2016 FOR THE DEMOLITION AND REMOVAL OF A ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE AND REMOVAL OF ALL LITTER AND DEBRIS FROM PREMISES, SAID PREMISES IS LOCATED ON THE SOUTH SIDE OF SARATOGA BOULEVARD, 260 FEET EAST OF BROADWAY, SECTION 43, BLOCK 76 AND LOT (S) 19-20, A/K/A 178 SARATOGA BOULEVARD, ISLAND PARK, TOWN OF HEMPSTEAD, NEW YORK. APPROVED BY TOWN BOARD RESOLUTION NO 713-2015, ADOPTED JUNE 9, 2015, AUTHORIZING THE DEMOLITION AND REMOVAL OF A ONE AND ONE HALF STORY WOOD FRAME ONE FAMILY DWELLING WITH DETACHED GARAGE AND REMOVAL OF ALL LITTER AND DEBRIS FROM THE SITE.

WHEREAS, the Director of Purchasing, on behalf of the Commissioner of the Building Department, advertised a public bid for the demolition and removal of unsafe structures 178 Saratoga Boulevard, Island Park, pursuant to Chapter 90 of the Code of the Town of Hempstead entitled, "Dangerous Buildings and Structures"; and

WHEREAS, the following bids were received on March 15, 2016, and referred to the Building Department for review:

WHEREAS, The Commissioner of the Building Department recommends said bid B & A Commercial, Inc. 43 Debevoise Avenue, Roosevelt New York 11575.

WHEREAS, based upon the bid totals, we recommend the following:

<u>No.</u>	<u>Name & Address of Bidder</u>	<u>Bid Proposal Amount</u>
1.	B & A Commercial, Inc. 43 Debevoise Avenue Roosevelt, New York 11575	\$34,300.00
2.	Woodstock Construction Group 41 Ludlam Avenue Bayville, New York 11709	\$75,000.00
3.	Gramercy Group 3000 Burns Avenue Wantagh, New York 11793	\$155,000.00

NOW THEREFORE, BE IT

RESOLVED, that Formal Bid #6-2016 for the demolition and removal of the one and one half story wood frame one family dwelling with detached garage and removal of all litter and debris from premises, located on the South side of Saratoga Boulevard, 260 feet East of Broadway, Sec. 43, Block 76 and Lot(s) 19-20, A/K/A 178 Saratoga Boulevard, Island Park, Town of Hempstead, is hereby awarded to B & A Commercial, Inc. 43 Debevoise Avenue, Roosevelt New York 11575 with payments to be made from Building Department Account #030-002-3620-4300, Unsafe Buildings.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 4
Case # 6542

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION REJECTING ALL BIDS FOR 2016
CONTRACT FOR THE REMOVAL OF TREES WITHIN THE
HIGHWAY R.O.W. AT VARIOUS LOCATIONS IN THE
UNINCORPORATED AREAS OF THE TOWN OF
HEMPSTEAD, NASSAU COUNTY, NEW YORK
PW# 41-16

WHEREAS, the Commissioner of General Services advertised for bids for 2016 Contract for the removal of trees within the Highway R.O.W. at various locations in the unincorporated areas of the , Town of Hempstead, Nassau County, New York, PW# 41-16 and

WHEREAS, the Deputy Commissioner of Engineering recommends that unit price indicated in the proposals received were not beneficial for the Town to accept; and

WHEREAS, the Deputy Commissioner of Engineering recommends it is in the public interest to reject all of said bids and that the project be re-advertised for bids;;

NOW, THEREFORE, BE IT

RESOLVED, that all of the bids submitted, opened and read for said 2016 Contract, for the removal of trees within the Highway R.O.W. at various locations in the unincorporated areas of the , Town of Hempstead, Nassau County, New York, PW# 41-16 be and the same hereby are rejected.

FURTHER RESOLVED, that the Department of General Services is hereby authorized to rebid the project.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

5

Case #

7727

CASE NO.

RESOLUTION NO.

RESOLUTION RE: DELINQUENT WATER RENTS TO
BE LEVIED AGAINST PROPERTIES OF OWNERS AS SHOWN
UPON SUCH LISTS

ADOPTED:

offered the following resolution and moved its adoption:

WHEREAS, there has been filed in the Office of the Town Clerk the following lists of unpaid water charges in arrears for thirty (30) days or longer, to be submitted to the Nassau County Legislature for levy on the 2017 tax roll against the respective properties shown upon the lists so furnished to the Supervisor, as provided by Paragraph D of Subdivision 3, Section 198 of the Town Law, viz:

Bethpage Water District- Hempstead Area -	\$ 11,110.86
Bowling Green Estates Water District -	62,098.65
Cathedral Gardens Water District -	15,304.96
East Meadow Water District -	226,960.74
Franklin Square Water District -	2,956.54
Hicksville Water District -	22,981.59
Levittown Water District -	271,727.99
Lido- Point Lookout Water District -	18,692.70
Roosevelt Field Water District -	8,953.04
Uniondale Water District -	348,397.33
West Hempstead- Hempstead Gardens - Water District	123,895.04

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and hereby is authorized to file such lists of unpaid water charges with the Clerk of the Nassau County Legislature so they may levy such sums against the properties liable therefore with the annual Tax Levy for the fiscal year 2017

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

*Item # 6
Case # 957*

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution

and moved its adoption:

**RESOLUTION AUTHORIZING THE DEPARTMENT OF PARKS &
RECREATION TO DISPOSE OF CERTAIN RECORDS.**

WHEREAS, the Department of Parks & Recreation has requested permission to dispose of certain records here-in below identified pursuant to Section 57.25 of the Arts and Cultural Affairs Law of the State of New York;

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Hempstead that the Department of Parks & Recreation, be and hereby is authorized to dispose of the following records for the years 2009-2010: Time Cards / Time Sheets; Purchase Orders; Daily Revenue Summaries; Merrick Golf Sign In Sheets; Payroll Records; Bid Slips; Vendor Files; Program Registration Forms; Pool Permits; Utility Bills; Bank Deposit Slips / Memos; Budgets; Complaints; Special Events; Vandalism; Vendor Claims for Payment; Inactive Personnel Files and Concession Correspondence, pursuant to the Retention and Disposition Schedule No. MU-1, under Part 185, Title of the Official Compilation of Codes, Rules and Regulations of the State of New York; and, BE IT FURTHER

RESOLVED, that the Department of Parks & Recreation, be and hereby is directed to dispose of the aforesaid records from the Department of Parks & Recreation in accordance with the minimum legal retention periods set forth in Records Retention and Disposition Schedule No. MU-1 for Town records.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 7
Case # 4724

CASE NO.

RESOLUTION NO.

Adopted:

_____ offered the following resolution
and moved its adoption:

RESOLUTION AUTHORIZING THE OFFICE OF
THE TOWN ATTORNEY TO DISPOSE OF CERTAIN
RECORDS.

WHEREAS, the Office of the Town Attorney has requested
permission to dispose of certain records herein below
identified pursuant to Section 57.25 of the Arts and
Cultural Affairs Law of the State of New York; and

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Hempstead
authorizes the Office of the Town Attorney of the Town of
Hempstead, to dispose of Office of the Town Attorney
employee attendance records for the years prior to and
including 2008 and telephone call logs for the years prior
to and including 2014 under the Retention and Disposition
Schedule No. MU-1, pursuant to Part 185, Title 8 of the
Official Compilation of the Code of Rules and Regulations
of the State of New York, and, BE IT FURTHER

RESOLVED, that the Office of the Town Attorney of the
Town of Hempstead, be and is hereby directed and authorized
to dispose of the aforesaid records from the Office of the
Town Attorney in accordance with the minimum legal retention
period set forth in Records Retention and Disposition
Schedule No. MU-1 for Town records.

The foregoing resolution was adopted upon roll call
as follows:

AYES:

NOES:

Item #

7

Case #

4724

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution

And moved its adoption:

RESOLUTION DECLARING EQUIPMENT OF THE DEPARTMENT OF GENERAL SERVICES OBSOLETE AND AUTHORIZING DISPOSAL THEREOF

WHEREAS, the Commissioner of the Department of General Services has advised this Town Board that certain equipment should be declared obsolete and disposed of, as such equipment is no longer economically serviceable for its original purpose and has been replaced by new equipment: and

WHEREAS, the Commissioner of the Department of General Services further advises this Town Board that he believes that this equipment has no value either as equipment to be used for other purposes or as salvage, and has indicated that the Department of General Services equipment identities have been so judged:

TELEPHONES

- AT&T SERIAL NO. 007631
- AT&T SERIAL NO. 007635
- AT&T SERIAL NO. 007637
- AT&T SERIAL NO. 007636
- AT&T SERIAL NO. 007640
- AT&T SERIAL NO. 007638
- AT&T SERIAL NO. 007632
- AT&T SERIAL NO. 007643
- AT&T SERIAL NO. 007642
- AT&T SERIAL NO. 007628
- AT&T SERIAL NO. 007634
- AT&T SERIAL NO. 007633
- AT&T SERIAL NO. 007629
- AT&T SERIAL NO. 007630
- AT&T SERIAL NO. 007641

WHEREAS, it appears in the public interest that such equipment should be disposed of; and

NOW, THEREFORE, BE IT

RESOLVED, that the above described equipment be and they hereby are declared obsolete in their primary function in the Department of General Services and should be disposed of.

The foregoing resolution was adopted upon roll call as follows: 8

AYES:

Case #

11776

NOES:

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION DECLARING TWO – WAY RADIO EQUIPMENT OF THE
TOWN OF HEMPSTEAD DEPARTMENT OF WATER SURPLUS AND
AUTHORIZING SALE THEREOF.

WHEREAS, the Commissioner of the Department of Water advised this Town Board that the Department of Water has upgraded its two-way radio system to a digital platform in order to conform with the FCC narrow banding regulations; and

WHEREAS, this required the Department of Water to remove from service its functioning radio system to comply with this requirement; and

WHEREAS, it appears that this equipment, while functionally obsolete for Department of Water purposes still retains a potentially high salvage value in its current condition or in its hardware and parts, and should therefore be disposed of, the following equipment should be so judged:

Motorola CDM 1250 Mobile Radios (64):

Serial numbers 103TKN7590, 428TVG2493, 103THJT816, 103TBN6146, 103TES9831
103TLU7471, 103TLU7472, 428TWE1991, 103TKN7574, 103TBN5673
103THJT812, 103THU8406, 103TDNM793, 103TDNM040, 103TJNA948,
103TCJ5425, 103TCJ5479, 103THU8600, 103TFO3982, 428TWE1995
103TEQK945, 103THG1799, 103TGC2931, 103THSJ580, 103THG1804
103TEOK946, 103TDNN857, 103TEOK941, 103TBN5660, 103TFO3994
428TVG4103, 103TCJ5431, 103TBN5636, 428TWE1990, 103TCJ5464
428TWC3875, 103TBN5671, 103THG1802, 103TES9832, 103THJT818
103TJNA939, 428TWE1861, 103TLU7474, 103TFO3979, 103TLU7475
103TLU7468, 103TKQ085, 103TBN5658, 103TFSG375, 103TDNM792
103TDNL900, 428TVG2432, 563TNY6113, 428TVG2437, 428TVG2431
428TVG2427, 428TVG2428, 428TVG2440, 103THL0461, 103THU8683
103TKN7594, 103TDNL894, 103TEOK944, 103TFO3993

Motorola HT 750 Portable Radios (23):

Serial numbers 672TAQU745, 672TAQU651, 672HFNZ963, 672HFNZ953, 672TGHA880
672TFGE040, 672TAQU649, 174FUW5194, 672TDGE122, 672TEJ3576
672TAS5103, 672TEJ3577, 672THWA685, 672TDGE039, 672THWA687
672TAQU639, 672TAQU650, 672TEJ3587, 672TKQ7752, 672THWA611
672THLG681, 672TGHA874, 672TKQ7756

Motorola MaxTrac Radios (2): Serial Numbers 428TWE1993, 428TWC3874

General Electric MasTR Controller – 7092519 12

Zetron Communications Encoder – 3402-034

Decibel Transceiver Duplexer – D44983

RCA Receiver – 3720690-502

Dazor Floating Fixture – MP 866 F

Amp Switch 19A149978P1 Rev B

Power Module 19D902589G1

SYT Corp 860 Automatic Duplex Terminal 60-00-462-509

and

WHEREAS, this Town Board deems it to be in the public interest that such equipment should be disposed of;

Item #

9

Case #

1597

NOW, THEREFORE, BE IT

RESOLVED, that the above described equipment be and hereby are declared to be obsolete in their primary function; and

BE IT FURTHER RESOLVED, that the Director of Purchasing be and hereby is authorized to advertise for bids for the sale and disposal of the hereinabove described equipment; and

BE IT FURTHER RESOLVED, that the Supervisor be and hereby is authorized to deposit any proceeds derive from such sale and disposal in the proper Town fund.

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 DESIGNATING TENANT REPRESENTATIVES
AS MEMBERS OF THE TOWN OF HEMPSTEAD HOUSING AUTHORITY

WHEREAS, heretofore and by Chapter 475 of the Laws of 1963, effective April 16, 1963, there has been created the Municipal Housing Authority, to be known as the Town of Hempstead Housing Authority for the purposes and with the powers set forth in said Chapter; and

WHEREAS, pursuant to Chapters 482 and 483 of the Laws of 1974, Section 30, of the Public Housing Law, was amended so as to provide that the Town of Hempstead Housing Authority shall include, as members, two tenants elected by the residents of the Authority's housing for a term of two years each; and

WHEREAS, pursuant to the aforesaid Law, an election was held on August 9, 2016, at which time eligible tenants voted for representatives as members of the Town of Hempstead Housing Authority for a two-year term commencing August 20, 2016 to August 20, 2018, and the following two candidates received the greatest number of votes:

Dawn Arnone
████████████████████
Elmont, New York 11003

Frank A. Gallo
████████████████████
Bellmore, New York 11710

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 20 of the Public Housing Law of the State of New York, this Town Board hereby designates the said Dawn Arnone and Frank A. Gallo as tenant representatives of the Town of Hempstead Housing Authority to serve a two year term commencing August 20, 2016; and

BE IT FURTHER RESOLVED, that each of the aforesaid tenant representatives shall take the Oath of Office and file said Oath in the Office of the Town Clerk.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 10
Roll Call # 9789

CASE NO.

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved

its adoption:

RESOLUTION ACCEPTING SPONSORSHIP
FOR SUPPORT OF SENIOR CITIZENS' PROGRAMS OF THE
DEPARTMENT OF SENIOR ENRICHMENT.

WHEREAS, the Town Of Hempstead provides educational, social, recreational, and cultural programs to the elderly within the Township: and

WHEREAS, the continuation and conduct of said senior citizens' programs is in the public interest; and

WHEREAS, an institution has offered to make a donation for the purpose of funding said programs in the amount as follows:

ELDERPLAN	
HOME FIRST	\$ 900.00

and, WHEREAS, pursuant to Section 64 (8) of the Town Law of the State of New York, the Town Board deems it to be in the public interest to accept the above-mentioned donation; and

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and he hereby is authorized and directed to accept funds donated by the afore-mentioned institution in the amount listed above, to be deposited into the Code 010-004-6772-2705, Town General Fund Gifts and Donations Revenue Account.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

11

Case #

13441

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved
its adoption.

RESOLUTION AUTHORIZING ACCEPTANCE OF A
PROPOSAL FROM INTELLI-TEC SECURITY SERVICES
(N.Y.S. CONTRACT #PT64406) 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 in a proposal 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, 2016 through
June 30, 2017 which covers all parts and labor at all times including after
hours, weekends and holidays. The contract also covers all readers and
associated control boards, power supplies, wiring and all hardware at the
doors; and the one (1) year fee for this service/maintenance plan is
\$11,838.00; and

WHEREAS, the Commissioner of the Department of Public Safety
deems such agreement reasonable and in the public interest;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to accept
the aforesaid proposal submitted by Intelli-tec Security Services, 150 Eileen
Way, Unit 2, Syosset, New York, 11791 and to make payment annually in
advance from the Department of Public Safety Maintenance of Equipment
Account 010-002-3120-4030 in the amount of \$11,838.00 a year.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

12

Case #

13671

CASE NO.

RESOLUTION NO.

Adopted:

Offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE TOWN OF HEMPSTEAD TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF NASSAU FOR THE PURPOSE OF UNDERTAKING A COMMUNITY DEVELOPMENT PROGRAM UNDER TITLE 1 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED, FOR THE 42nd PROGRAM YEAR, WITH AN EFFECTIVE DATE OF SEPTEMBER 1, 2016

WHEREAS, the Secretary of the U.S. Department of Housing and Urban Development is authorized under Title 1 of the Housing and Community Development Act of 1974, as amended, to make grants to states and other units of general local government to help finance Community Development Programs; and

WHEREAS, the COUNTY OF NASSAU (hereinafter County) and TOWN OF HEMPSTEAD entered into a Cooperation Agreement authorized by Town Board Resolution No. 637-2002 adopted June 18, 2002, to participate in a Nassau County Community Development Program, under Title 1 of the Housing and Community Development Act of 1974, as amended, and such agreement, pursuant to Paragraph 6 thereof, has been automatically renewed for a successive three-year period covering fiscal years 2015, 2016 and 2017; and

WHEREAS, pursuant to said Cooperation Agreement, the COUNTY and TOWN OF HEMPSTEAD have agreed to undertake project activities using Community Development Block Grant Funds to be received by the COUNTY from the U.S. Department of Housing and Urban Development; and

WHEREAS, the Secretary of the U.S. Department of Housing and Urban Development has approved an application for Community Development Block Grant Funds, under Title 1 of the Housing and Community and Development Act of 1974, as amended, submitted by the County and participating municipalities for the 42nd Program Year, Federal Fiscal Year 2016; and

WHEREAS, the TOWN OF HEMPSTEAD deems it to be in the public interest for the TOWN OF HEMPSTEAD to enter into said proposed Agreement for the purpose of undertaking project activities therein set forth, under Title 1 of the Housing and Community Development Act of 1974, as amended, for the 42nd Program Year, Federal Fiscal Year 2016, commencing September 1, 2016.

NOW, THEREFORE, BE IT RESOLVED, that the TOWN OF HEMPSTEAD enter into an Agreement between the TOWN OF HEMPSTEAD and the COUNTY OF NASSAU for the purpose of undertaking project activities under Title 1 of the Housing and Community Development Act of 1974, as amended, for the 42nd Program Year, Federal Fiscal Year 2016, effective September 1, 2016, to be completed by August 31, 2020, pursuant to 24 CFR 507.503(b)(1); and

BE IT FURTHER RESOLVED, that the Supervisor be and is authorized to execute said Agreement on behalf of the TOWN OF HEMPSTEAD, together with such other documents which, in the opinion of the Town Attorney, are necessary to implement and process such Agreement.

The vote on the foregoing resolution was recorded as follows:

AYES: ()

NOES: ()

Item # 13
Case # 18675

COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT

BETWEEN THE COUNTY OF NASSAU

AND

TOWN OF HEMPSTEAD

THIS AGREEMENT, dated as of _____ (together with all schedules, appendices, attachments and exhibits attached hereto, if any, collectively referred to as the "Agreement"), entered into by and between (i) Nassau County, a municipal corporation having its principal office at 1550 Franklin Avenue, Mineola, New York 11501 (the "County"), acting on behalf of the Nassau County Office of Housing and Community Development having its principal office at 40 Main Street, 1st Floor, Hempstead, NY 11550 (the "OHCD"), and (ii) the Town of Hempstead, a municipal corporation duly formed under the laws of the State of New York, (the "Subrecipient"), acting through its Supervisor, having its office at One Washington Street, Hempstead, New York, 11550.

WITNESSETH:

WHEREAS, the County has applied for and received Community Development Block Grant (hereinafter referred to as "CDBG") funds from the United States Government under Title I of the Housing and Community Development Act of 1974 (the "CDBG Program"); and

WHEREAS, the County wishes to engage the Subrecipient to assist the County in utilizing such CDBG funds for activities eligible under the CDBG Program in the Town of Hempstead; and

WHEREAS, said CDBG Program is fully reimbursed by the Federal Government through the U.S. Department of Housing and Urban Development; and

WHEREAS, the Subrecipient desires to perform the activities described in this Agreement.

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

1. Term. This Agreement shall commence on the beginning of the federal program year September 1, 2016 and terminate on August 31, 2020.

2. Scope of Activities (Statement of Work): Budget.

(a) Activities. The Subrecipient shall provide and administer the CDBG activities, as hereinafter described in accordance with the Title 24 CFR Subchapter C and with the provisions of this Agreement (hereinafter "Activities").

(i) Such Activities shall include those activities included in the CDBG funds budget attached to this contract as Exhibit A.

(ii) The Subrecipient shall make no unauthorized changes in the CDBG Program Activities as approved by the County; however, amounts allocated to line items within the total amount of the Budget may be transferred without formal amendment among items upon written

request by the Subrecipient and approval by the Director of the OHCD. All other changes must be amended in accordance with Section 13 of this Agreement

(b) Budget. The Subrecipient has submitted for approval to OHCD a detailed CDBG funds budget, which, in its approved form, is attached hereto as Exhibit A (hereinafter "Budget"). The County and the Subrecipient may mutually agree to revise said budget from time to time in accordance with existing County and/or HUD policies. The County will pay to Subrecipient CDBG funds consistent with Subrecipient's Budget and in accordance with applicable County procedures, if any.

Except for lump sum advance payments authorized by the federal regulations and approved by the County, all payments made by Subrecipient will be made for eligible expenses actually incurred and shall not exceed actual cash requirements. Payments shall be adjusted by the County in accordance with the advance of CDBG funds and CDBG Program income balances available in Subrecipient accounts.

3. Performance Monitoring

(a) OHCD shall monitor the performance of the Subrecipient in accordance with the goals and performance standards as set forth in Title 24 of the CFR Parts 85 and 570 and as stated and required herein. Substandard performance as reasonably determined by OHCD, in its discretion, will constitute non-compliance with this Agreement. If action to correct such substandard performance is not taken by the Subrecipient within a reasonable period of time from receipt of written notification by OHCD, the County may take remedial action, including but not limited to the initiation of contract suspension and/or termination procedures in a manner consistent with the applicable federal regulations.

(b) The Subrecipient shall monitor all subcontracted Activities on a regular basis to ensure contract compliance. Results of monitoring efforts shall be summarized in written reports submitted to OHCD on a quarterly basis or as otherwise required by the County or OHCD but not more frequently than monthly. However, where such report indicates non-compliance, the Subrecipient shall provide additional reports at the County's request; such reports shall be supported by documented evidence of follow-up actions taken to correct areas of noncompliance.

4. Procurement and Subcontracts:

(a) The Subrecipient shall comply with its procurement procedures which reflect applicable State and local laws, rules and regulations provided that the procurements conform to all applicable Federal law and the standards contained in 24 CFR 85.36. These standards include, without limitation, maintaining (i) a contract administration system; (ii) a written code of conduct governing the performance of employees engaged in the award and administration of contracts, which code shall include conflicts of interest provisions; (iii) a procedure for certification of a

contractor or subcontractors eligibility (24 CFR 85.35); and (iv) a system to ensure compliance with affirmative action laws and regulations.

(b) Upon request of the County, the Subrecipient shall make available for review technical specifications and procurement documents on proposed procurements, including but not limited to, invitations for bids, requests for proposals, cost estimates, and bonding requirements. The County shall use best efforts to make such requests prior to the commencement of the procurement solicitation.

(c) The Subrecipient shall ensure that all of its contracts with providers contain Exhibit D and language which reflects the requirements listed in 24 CFR section 85.36(i).

(d) The Subrecipient shall procure materials in accordance with the requirements of 24 CFR 570.502.

(e) The Subrecipient shall maintain an inventory record of all non-expendable personal property as defined by such policy as may be procured with CDBG funds provided herein. Upon termination of this Agreement, all program assets, including property, equipment and program income resulting from the sale thereof, shall be disposed of in accordance with 24 CFR 84.32-.35 and 24 CFR 570.504

(f) The provisions of this section shall survive the termination of this Agreement.

5. Pavment.

(a) Amount of Grant. The amount to be paid to the Subrecipient for the provision and administration of Activities under this Agreement shall be the total budget amount included in the CDBG funds budget attached to this contract as Exhibit A, payable as follows: Advance payments as provided in Section 2(b) and drawdowns for the payment of eligible expenses shall be made upon standard Nassau County claim vouchers certified by the Subrecipient, reviewed and approved by OHCD for eligibility under the CDBG Program and for compliance with the terms of this Agreement.

(b) Vouchers: Voucher Review, Approval and Audit. Payments shall be made to the Subrecipient as either an advancement or a reimbursement and shall be expressly contingent upon (i) the Subrecipient submitting a claim voucher (the "Voucher") in a form satisfactory to the County, that (a) states with reasonable specificity the Activities performed and the payment requested as reimbursement for such Activities, (b) certifies that the activities performed and the payment requested are in accordance with the terms of this Agreement, and (c) is accompanied by documentation satisfactory to the County supporting the amount claimed, including, where applicable, a certified payroll statement setting forth the names, positions and salaries paid by the Subrecipient during the preceding month, and (ii) review, approval and audit of the Voucher by the OHCD and/or the County Comptroller or his or her duly designated representative (the "Comptroller"). Drawdowns for the payment of eligible expenses shall be made against the activities specified herein and in accordance with applicable performance requirements. Payments

may be contingent upon certification of the Subrecipient's financial management system in accordance with the standards specified in 24 CFR Part 85.

(c) Timing of Payment Claims. The Subrecipient shall use its best effort to submit payment claims no later than three (3) months following the provision of the Activities that are the subject of the claim. The parties recognize that Vouchers submitted for Activities provided during the term of this Agreement but prior to its execution shall be submitted later than three months following the provision of Activities.

(d) Reimbursement by the Subrecipient Upon Loss of Funding. In accordance with the relevant regulations under Title 24 CFR and in addition to any other remedies available to the County, in the event that the County loses funding from the Federal Government for any Activities arising out of or in connection with any act or omission of the Subrecipient or a Subrecipient Agent, the Subrecipient shall pay the County, on demand, or the County shall debit the Subrecipient's account for the full amount of lost funds along with penalties or fines, if any, assessed by the Federal Government.

(e) No Duplication of Payments. Payments for the Activities to be performed under this Agreement shall not duplicate payments for any work performed or to be performed under any other agreements made between the Subrecipient and any funding source including the County.

6. Independent Contractor. The Subrecipient is an independent contractor of the County. The Subrecipient shall not, nor shall any officer, director, employee, servant, agent or independent contractor or subcontractor of the Subrecipient (a "Subrecipient Agent"), be (i) deemed a County employee, (ii) commit the County to any obligation, or (iii) hold itself, himself, or herself out as a County employee or Person with the authority to commit the County to any obligation. As used in this Agreement the word "Person" means any individual person, entity (including partnerships, corporations and limited liability companies), and government or political subdivision thereof (including agencies, bureaus, offices and departments thereof).

7. No Arrears or Default. The Subrecipient hereby warrants and represents that it is not in arrears to the County upon any debt or contract, and it is not in default as surety, contractor, or otherwise upon any obligation to the County whatsoever, including any obligation to pay taxes to, or perform services for or on behalf of, the County.

8. Compliance With Law.

(a) The Subrecipient shall comply with any and all applicable Federal, State and local Laws, including those relating to conflicts of interest, discrimination, and confidentiality, in connection with its performance under this Agreement. In furtherance of the foregoing, the Subrecipient is bound by and shall comply with the terms of Appendices EE if applicable, Exhibit B and the Urban County Cooperation Agreement (Exhibit C), which are attached hereto. As used in

this Agreement the word "Law" includes any and all statutes, local laws, ordinances, rules, regulations, applicable orders, and/or decrees, as the same may be amended from time to time, enacted, or adopted.

(b) Other HUD Program Requirements. The Subrecipient shall carry out the Activities in compliance with all laws and regulations contained in subpart K of part 570 of Title 24 CFR, and as may be amended from time to time, except that the Subrecipient shall not assume the County's environmental responsibilities described in 24 CFR 570.604 or the review process responsibilities under 24 CFR part 52. The Subrecipient shall comply with applicable uniform administrative requirements, as described in 24 CFR §570.502.

9. Minimum Performance Standards. Regardless of whether required by Law:

(a) The Subrecipient shall, and shall cause Subrecipient Agents to, conduct its, his or her activities in connection with this Agreement so as not to endanger or harm any Person or property.

(b) The Subrecipient shall provide and administer Activities under this Agreement in a professional manner consistent with the best practices of the industry in which the Subrecipient operates. The Subrecipient shall take all actions necessary or appropriate to meet the obligation described in the immediately preceding sentence, including obtaining, maintaining and causing all Subrecipient Agents to obtain and maintain all approvals, licenses, and certifications ("Approvals") necessary or appropriate in connection with this Agreement.

10. Records Access. The parties agree that public access to records, documents and information produced under or as a result of this Agreement, shall be controlled by applicable State and Federal laws concerning the disclosure of governmental records and/or information. In the event, a party receives a request for disclosure of a record, document or information, reasonable efforts shall be used to notify the other party prior to disclosing the information in order to enable that party to take such action it deems appropriate.

11. Indemnification: Defense: Cooperation.

(a) The Subrecipient shall indemnify and hold harmless the County, the Department and its officers, employees, and agents (the "Indemnified Parties") from claims, suits, actions, damages, costs, expenses (including, without limitation, reasonable attorneys' fees and disbursements) ("Losses"), arising out of the acts or omissions of the Subrecipient or a Subrecipient Agent in any performance under this Agreement. These Losses shall include those in connection with any investigation, litigation or other proceeding or preparing a defense to or prosecuting the same; provided, however, that the Subrecipient shall not be responsible for that portion, if any, of a Loss that is caused by the negligent acts or omissions of the County.

(b) The Subrecipient shall, upon the County's written demand and at the County's direction, promptly and diligently defend, at the Subrecipient's sole expense, any and all suits, actions, or proceedings which may be brought or instituted against one or more Indemnified Parties and the Subrecipient shall pay and satisfy any judgment, decree, loss or settlement in connection therewith.

(c) The Subrecipient's obligation to defend, indemnify and hold harmless the County shall be subject to the County having given the Subrecipient prompt written notice of the claim or of the commencement of the related action, as the case may be, and information and reasonable assistance, at the Subrecipient's expense, for the defense or settlement thereof. The Subrecipient shall not settle such claim or related action in a manner, which imposes any obligation on the County without the prior written consent of the County (which consent shall not be unreasonably withheld).

(d) The Subrecipient shall, and shall require Subrecipient Agents to, cooperate with the County in connection with the investigation, defense or prosecution of any action, suit or proceeding.

(e) The County and the Subrecipient shall cooperate and confer and reach agreement prior to the County entering into a settlement of a claim.

(f) For purposes of paragraph (a) above, the term "expense" shall not be deemed to include payment for labor or services of a County employee.

The provisions of this Section shall survive the termination of this Agreement.

12. Insurance.

(a) Types and Amounts. The Subrecipient shall obtain and maintain throughout the term of this Agreement, at its own expense: (i) one or more policies for commercial general liability insurance, which policy(ies) shall name "Nassau County" as an additional insured and have a minimum single combined limit of liability of not less than one million dollars (\$1,000,000.00) per occurrence and two million dollars (\$2,000,000.00) aggregate (ii) if contracting in whole or part to provide professional services, one or more policies for professional liability insurance, which policy(ies) shall have a minimum single combined limit liability of not less than one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000.00) aggregate (iii) compensation insurance for the benefit of the Subrecipient's employees (" Workers' Compensation Insurance"), which insurance is in compliance with the New York State Workers' Compensation Law, and (iv) such additional insurance as the County may reasonably request from time to time. Notwithstanding the foregoing, the insurance required under this Agreement shall at a minimum be sufficient to protect the Agreement assets from loss due to theft, fraud or undue physical damage. The Subrecipient shall at all times comply with the bonding and insurance requirements of 2 CFR Part 200 et seq.— Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

(b) In the event that the Subrecipient is self-insured, the Subrecipient shall, upon execution of this Agreement, provide written notice of same to the County.

(c) Acceptability: Deductibles. All insurance required herein shall be (i) written by one or more commercial insurance carriers licensed to do business in New York State and is an A rated company and (ii) in form and substance reasonably acceptable to the County. The Subrecipient shall be solely responsible for the payment of all deductibles to which such policies are subject.

(d) Contractors and Subcontractors. The Subrecipient shall, where circumstances are such that said insurance is reasonable and necessary, require any contractor or subcontractor hired in connection with this Agreement to carry insurance with the same limits and provisions required under subparagraph (a) and shall ensure that such contractors and subcontractors comply with the requirements of this Section.

(e) Delivery: Coverage Change: No Inconsistent Action. Prior to the execution of this Agreement, copies of current certificates of insurance evidencing the insurance coverage required by this Agreement shall be delivered to the OHCD. Not less than thirty (30) days prior to the date of any expiration or renewal of, or actual, proposed or threatened reduction or cancellation of coverage under, any insurance required hereunder, the Subrecipient shall provide written notice to the OHCD of the same and deliver to the OHCD renewal or replacement certificates of insurance. The Subrecipient shall cause all insurance to remain in full force and effect throughout the term of this Agreement and shall not take any action, or omit to take any action, that would suspend or invalidate any of the required coverage. The failure of the Subrecipient to maintain Workers' Compensation Insurance shall render this Agreement voidable. The failure of the Subrecipient to maintain the other required coverage shall be deemed a material breach of this Agreement upon which the County reserves the right to consider an event of non-compliance.

13. Assignment: Amendment: Waiver: Subcontracting. This Agreement and the rights and obligations hereunder may not be in whole or part (i) assigned, transferred or disposed of, (ii) amended, (iii) waived, or (iv) subcontracted, without the prior written consent of the County Executive or his or her duly designated deputy (the "County Executive"), and any purported assignment, other disposal or modification without such prior written consent shall be null and void. The failure of a party hereunder to assert any of its rights under this Agreement, including the right to demand strict performance, shall not constitute a waiver of such rights.

14. The Subrecipient shall ensure recognition of the role of the grant or agency in providing Activities through this Agreement.

15. Suspension and Termination.

(a) For Convenience.

(i) This Agreement may be terminated for convenience in accordance with 24 CFR 85.44. Notice of termination shall be delivered at least thirty (30) days prior to the effective date of termination. Where the Subrecipient requests partial termination, the County may, upon the determination that the remaining portion of the award will not accomplish the purposes for which the award was made, terminate the award in its entirety.

(ii) All finished or unfinished documents, data, studies, surveys, maps, models, photographs, reports or other materials prepared by the Subrecipient shall, at the County's option, become the property of the County. The Subrecipient shall be entitled to receive reasonable compensation for any satisfactory work completed on such documents or materials prior to termination for convenience.

(b) Noncompliance.

(i) Where the Subrecipient fails to materially comply with any term of an award, whether stated in any Federal statute or regulation, an assurance, a State plan or application or notice of award or elsewhere, the County may, in accordance with 24 CFR 85.43(a) and in addition to any legally available remedy: temporarily withhold cash payments; disallow all or part of the cost of an activity or action; wholly or partly suspend or terminate the award for the Subrecipient's program; withhold future awards.

(ii) The County shall provide the Subrecipient with an opportunity for such hearing, appeal or other administrative proceeding to which the Subrecipient is entitled under statute or regulation applicable to the action involved.

(iii) Pursuant to 24 CFR 85.43(c) , costs incurred by the Subrecipient during suspension or after termination of an award shall not be allowed without the express written approval of the County.

(c) Accounting Upon Termination: Reversion of Assets. Within thirty (30) days of the termination of this Agreement and in accordance with 24 CFR 570.503, the Subrecipient shall provide the OHCD with a complete accounting up to the date of termination of all monies received from the County and shall immediately refund to the County any unexpended balance remaining as of the time of termination. Real property in the Subrecipient's control at the time of termination shall be used or disposed of in accordance with the above referenced regulation.

(d) Reimbursement Upon Termination. Payment to the Subrecipient following termination shall be in accordance with 24 CFR 85.43 but in no event shall payment exceed authorized expenditures made prior to termination

16. Accounting Procedures: Records.

(a) The Subrecipient shall comply with 24 CFR Part 85 and adhere to the accounting principles and procedures required therein, utilize adequate internal controls, and maintain necessary source documentation for all costs incurred; and agrees to comply with the compliance requirements applicable to the Federal program including the audit requirements of 2

CFR Part 200 et seq.— Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

The Subrecipient shall maintain and retain, for a period of six (6) years following the later of termination of or final payment under this Agreement, complete and accurate records, documents, accounts and other evidence, whether maintained electronically or manually (“Records”), pertinent to performance under this Agreement. Records shall be maintained in accordance with Generally Accepted Accounting Principles and, if a Subrecipient or a Subrecipient contractor or subcontractor is a non-profit entity, that entity must comply with the accounting guidelines set forth in 2 CFR Part 200 et seq.— Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

(b) The Subrecipient shall maintain all financial and programmatic records required by the Federal regulations specified in 24 CFR Part 570, including relevant provisions contained in 24 CFR Part 85, and that are pertinent to the activities to be funded under this Agreement. Such records shall include but not be limited to:

- i. Records providing a full description of each activity undertaken;
- ii. Records demonstrating that each activity undertaken meets one of the National Objectives of the CDBG Program;
- iii. Records required to determine the eligibility of activities;
- iv. Records required to document the acquisition, improvement, use or disposition of real property acquired or improved with CDBG assistance;
- v. Records documenting compliance with the fair housing and equal opportunity components of the CDBG program;
- vi. Financial records as required by 24 CFR Parts 570.502 and 85; and
- vii. Other records necessary to document compliance with 24 CFR 570.

Such Records shall at all reasonable times be available for audit and inspection by the County Comptroller or his or her duly designated representative, the OHCD, any other governmental authority with jurisdiction over the performance of Activities and the provision of Services hereunder and/or the payment therefore, and any of their duly designated representatives.

The Subrecipient shall require each of its subcontractors to furnish all information and reports required hereunder and will permit access to its books, records and accounts by the County, HUD or its agent, or other authorized Federal officials for purposes of investigation to ascertain compliance with the rules, regulations and provisions stated herein.

(c) Client Data. The Subrecipient shall maintain client data demonstrating client eligibility for Activities and Services provided. Such data shall include, but not be limited to, client name, address, income level or other basis for determining eligibility, and description of service provided. Such information shall be made available to the OHCD for monitoring and auditing purposes.

(d) Property Records. The Subrecipient shall maintain real property inventory records, which clearly identify properties purchased, improved or sold. Properties retained shall continue to meet eligibility criteria.

(e) Close-Outs. Subrecipient obligation to the County shall not end until all close-out requirements are completed. Activities during this close-out period shall include, but not be limited to, making final payments, disposing of program assets (including the return of all unused materials, equipment, unspent cash advances, program income balances, and receivable accounts to the County), and determining the custodianship of records.

(f) National Objectives. The Subrecipient warrants, covenants and agrees to maintain documentation that demonstrates that the activities carried out by it with CDBG funds provided under this Agreement meet one or more of the CDBG program's National Objectives, that is: 1) benefit low and moderate income persons; 2) aid in the prevention or elimination of slums or blight; and 3) meet community development needs having a particular urgency; as defined in 24 CFR Part 570.208.

(g) Audits and Inspections. All Subrecipient records with respect to any matters covered by this Agreement shall be made available to the County, grantor agency, their designees or the Federal Government, at any time during normal business hours, as often as the County or grantor agency deems necessary, to audit, examine, and make excerpts or transcripts of all relevant data. Any deficiencies noted in audit reports must be fully cleared by the Subrecipient within thirty (30) days after receipt by the Subrecipient. Failure of the Subrecipient to comply with the above audit requirements will constitute a violation of this Agreement and may result in the withholding of future payments. The Subrecipient hereby warrants, covenants and agrees to have an annual agency audit conducted in accordance with current local policy concerning Subrecipient audits.

17. Program Income. The use and disposition of program income shall comply with the provisions of 24 CFR 92.503, et seq., 24 CFR 92.504, et seq., and with any determinations made by the County. In furtherance of the foregoing:

(a) The Subrecipient shall retain program income during the term of the current Cooperation Agreement, which is incorporated herein by reference and attached hereto as Exhibit C, provided, however, that such income is applied only to those Activities identified to be funded by such monies in the Subrecipient's Budget or if not so identified, as approved by the County

(b) The Subrecipient shall disburse all program income for eligible Activities before additional monies are transferred to the Subrecipient by the County.

(c) No more than 20% of the total of CDBG Program Income expended by the Subrecipient during any program year shall be used for administrative and planning charges.

(d) At the expiration of the term of the Cooperation Agreement, the Subrecipient shall transfer to the County all program income and any accounts receivable attributable to the use of CDBG funds.

(e) The Subrecipient shall report to the County on a monthly basis all program income generated and disbursed.

(f) The provisions of this Section 17 shall survive the termination of this Agreement.

18. Monitoring by Subrecipient.

(a) The Subrecipient shall monitor all subcontracted services on a regular basis to ensure agreement compliance. The results of monitoring efforts shall be summarized in written reports. Where such monitoring reveals areas of non-compliance by subcontractors, the Subrecipient shall submit reports supported with documented evidence of follow-up action taken to correct areas of noncompliance.

(b) The Subrecipient shall cause all of the provisions of this Agreement to be included in and made a part of any subcontract executed in the performance of this Agreement.

(c) The Subrecipient shall undertake to ensure that, where required, all subcontracts let in the performance of this Agreement shall be awarded in a fair and open competition basis in accordance with 24 CFR Part 85. Upon request, executed copies of all contracts and subcontracts shall be forwarded to OHCD along with documentation concerning the selection process.

19. Relocation, Acquisition and Displacement. The Subrecipient agrees to comply with 24 CFR 570.606 relating to the acquisition and disposition of all real property utilizing grant funds, and to the displacement of persons, businesses, non-profit organizations and farms occurring as a direct result of any acquisition of real property utilizing grant funds. The Subrecipient agrees to comply with applicable County ordinances, resolutions, and policies concerning displacement of individuals from their residences.

20. Limitations on Actions and Special Proceedings Against the County: Notice. No action or special proceeding shall lie or be prosecuted or maintained against the County upon any claims arising out of or in connection with this Agreement unless at least thirty (30) days prior to seeking relief the Subrecipient shall have presented the demand or claim(s) upon which such action or special proceeding is based in writing to the Applicable DCE for adjustment and the County shall have neglected or refused to make an adjustment or payment on the demand or claim for thirty (30) days after presentment. The Subrecipient shall send or deliver copies of the documents presented to the Applicable DCE under this clause 20 to each of (i) the OHCD and the (ii) the County Attorney (at the address specified above for the County) on the same day that documents are sent or delivered to the Applicable DCE. The complaint or necessary moving papers of the Subrecipient shall allege that the above-described actions and inactions preceded the Subrecipient's action or special proceeding against the County.

21. Work Performance Liability. The Subrecipient is and shall remain primarily liable for the successful completion of all work in accordance with this Agreement irrespective of whether the Subrecipient is using a Subrecipient Agent to perform some or all of the work contemplated by this Agreement, and irrespective of whether the use of such Subrecipient Agent has been approved by the County.

22. Consent to Jurisdiction and Venue: Governing Law. Unless otherwise specified in this Agreement or required by Law, exclusive original jurisdiction for all claims or actions with respect to this Agreement shall be in the Federal Court in Islip, New York or the Supreme Court in Nassau County in New York State and the parties expressly waive any objections to the same on any grounds, including venue and forum non conveniens. This Agreement is intended as a contract under, and shall be governed and construed in accordance with, the Laws of New York State or the Code of Federal Regulations, whichever is applicable, without regard to the conflict of laws provisions thereof.

23. Notices. Any notice, request, demand or other communication required to be given or made in connection with this Agreement shall be (a) in writing, (b) delivered or sent (i) by hand delivery, evidenced by a signed, dated receipt, (ii) postage prepaid via certified mail, return receipt requested, or (iii) overnight delivery via a nationally recognized courier service, (c) deemed given or made on the date the delivery receipt was signed by a County employee, three (3) business days after it is mailed or one (1) business day after it is released to a courier service, as applicable, and (d)(i) if to the OHCD, to the attention of the Director at the address specified above for the OHCD, (ii) if to an Applicable DCE, to the attention of the Applicable DCE (whose name the Subrecipient shall obtain from the OHCD) at the address specified above for the County, (iii) if to the Comptroller, to the attention of the Comptroller at 240 Old Country Road, Mineola, NY 11501, and (iv) if to the Subrecipient, to the attention of the person who executed this Agreement on behalf of the Subrecipient at the address specified above for the Subrecipient, or in each case to such other persons or addresses as shall be designated by written notice given to the other parties.

24. All Legal Provisions Deemed Included: Severability: Supremacy.

(a) Every provision required by Law to be inserted into or referenced by this Agreement is intended to be a part of this Agreement. If any such provision is not inserted or referenced or is not inserted or referenced in correct form then (i) such provision shall be deemed inserted into or referenced by this Agreement for purposes of interpretation and (ii) upon the application of either party this Agreement shall be formally amended to comply strictly with the Law, without prejudice to the rights of either party.

(b) In the event that any provision of this Agreement shall be held to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

(c) Unless the application of this sub -clause will cause a provision required by Law to be excluded from this Agreement, in the event of an actual conflict between the terms set forth above the signature page to this Agreement and those contained in any schedule, exhibit, appendix, or attachment to this Agreement, the terms and conditions in conflict shall be resolved in the following order: (i) Exhibit A shall prevail, (ii) the terms and conditions set forth above the signature page shall control, (iii) Exhibit B and Appendix EE and finally, (iv) all other schedules, exhibits, appendixes and/or attachments. To the extent possible, all the terms of this Agreement should be read together as not conflicting.

25. Section and Other Headings. The section and other headings contained in this Agreement are for reference purposes only and shall not affect the meaning or interpretation of this Agreement.

26. Entire Agreement. This Agreement represents the full and entire understanding and agreement between the parties hereto with regard to the subject matter hereof and supersedes all prior agreements (whether written or oral) of the parties relating to the subject matter of this Agreement.

27. Executory Clause. Notwithstanding any other provision of this Agreement:

(a) Approval and Execution. The County shall have no liability under this Agreement (including any extension or other modification of this Agreement) to any Person unless (i) all relevant and required County approvals have been obtained, including, if required, approval by the County Legislature, and (ii) this Agreement has been executed by the County Executive (as defined in this Agreement).

(b) Availability of Funds. The County shall have no liability under this Agreement (including any extension or other modification of this Agreement) to provide funding to any Person beyond funds appropriated or otherwise lawfully available for this Agreement, which shall include funds made available to the County from the Federal Government.

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

TOWN OF HEMPSTEAD

By: _____
Name: Anthony J. Santino
Title: Supervisor
Date: _____

NASSAU COUNTY

By: _____
Name: _____
Title: _____
Date: _____

PLEASE EXECUTE IN BLUE INK

STATE OF NEW YORK)
)ss.:
COUNTY OF NASSAU)

On the ___ day of _____ in the year 20__ before me personally came Anthony J. Santino to me personally known, who, being by me duly sworn, did depose and say that he resides in the County of Nassau; that he is the Supervisor of the Town of Hempstead, the municipal corporation described herein and which executed the above instrument; and that she signed his name thereto by resolution of the Town Board.

NOTARY PUBLIC

STATE OF NEW YORK)
)ss.:
COUNTY OF NASSAU)

On the ___ day of _____ in the year 201__ before me personally came _____ to me personally known, who, being by me duly sworn, did depose and say that he resides in the County of Nassau; that he is the Chief Deputy County Executive of the County of Nassau, the municipal corporation described herein and which executed the above instrument; and that he signed his name thereto pursuant to Section 205 of the County Government Law of Nassau County.

NOTARY PUBLIC

APPROVED

By: MA Date: 9/26/16
Kevin R. Conroy
KEVIN R. CONROY, CPA
TOWN COMPTROLLER

APPROVED AS TO FORM
Charles O. Heine
SENIOR DEPUTY TOWN ATTORNEY
DATE 9/23/16

APPROVED AS TO CONTENT
DATE 9/23/16
Katrina R. Boldt
COUNSEL TO COMMISSIONER
DEPT. OF PLANNING & ECONOMIC DEVELOPMENT

Ch. Heine
9/23/16

Exhibit A

Budget

The total budget under this contract is Three Million Dollars (\$3,000,000.00)

HT42-01	Administration	General management, oversight, coordination, monitoring and evaluation costs and carrying charges related to planning and execution of community development activities.	\$536,000.00
HT42-02	Residential Rehabilitation	Maintain the stock of affordable housing by the provision of loans &/or grants to low and moderate income senior (age 62 or older) homeowners to eliminate code violations and make other needed improvements to their homes with eligible rehabilitation and preservation activities. Funds also to be used for project delivery costs for administering the residential rehabilitation program. Approximately 58 homes will be rehabilitated.	\$1,464,000.00
HT42-03	Economic Development	Staff support for recruitment of businesses in target areas. The focus of this effort will be to provide technical assistance to small businesses to identify available funding and to receive funding through sources including the IDA, New York State and the Federal government. Funds to be used for project delivery costs to provide technical assistance. Approximately 3 businesses will be assisted.	\$25,000.00
HT42-04A	PF&I Elmont	Public Facilities and improvements in eligible low/mod areas in Elmont. As a result of the Hempstead Tpke.-Elmont zoning, funding will focus on projects at or near Community Corners, Argo Theatre, Jamaica Square. The proposed project is located on the south side of Hempstead Tpke. between Gotham and Biltmore Avenue. Funds to be used for additional eligible areas in Elmont based on need and availability of funds. Funds also used for project delivery costs.	\$150,000.00
HT42-04B	PF&I Roosevelt	Public Facilities and improvements in eligible low/mod areas in Roosevelt including revitalization of Nassau Road and infrastructure improvements as part of a proposed affordable housing development. Funds also used for project delivery costs.	\$250,000.00

HT42-04C	PF&I Uniondale	Public Facilities and Improvements in eligible low/mod areas of Uniondale including but not limited to Uniondale Avenue in the vicinity of the library and Uniondale Avenue between Cedar St. and Waverly Place. Improvements will include decorative lighting, benches, brick paving, new sidewalks, trees, and trash receptacles. Funds also used for project delivery costs.	\$165,000.00
HT42-04D	PF&I North Valley Stream	Public Facilities and Improvements in North Valley Stream at the intersection of North Drive and Central Avenue North at the same location of a new community park currently underway. Funds also used for project delivery costs.	\$200,000.00
HT42-04E	PF&I Oceanside	Public Facilities and Improvements in eligible areas in the hamlet of Oceanside including but not limited to Atlantic Avenue. Improvements include decorative lighting, benches, brick paving, new sidewalks, trees, and trash receptacles. Funds also used for project delivery costs.	\$150,000.00
HT42-05A	Disposition Roosevelt	Funds to be used for project delivery, legal, site preparation costs associated with Roosevelt properties previously acquired by the Town of Hempstead. Funds also used for project delivery costs.	\$35,000.00
HT42-05B	Disposition Elmont	Funds to be used for project delivery, legal, site preparation costs associated with Elmont properties previously acquired by the Town of Hempstead.	\$25,000.00
			\$3,000,000.00

Additional Provisions:

- 1) In the event of any conflict between the Agreement and Exhibit A, the provisions of Exhibit A will control.
- 2) Whereas the expenditure of these federal funds varies per project and based upon federal eligibility requirements making certain provisions of this Agreement inapplicable to one project but applicable to another project; OHCD, in its sole discretion, can waive any requirements of the Subrecipient under this Agreement. Provided however, that such a waiver is not in violation of Federal and/or Nassau County requirements, program regulations and/or applicable laws. Said waiver can be granted only by the Executive Director/Director of OHCD and is intended to maximize the efficiency of the programs.

- 3) The Subrecipient shall ensure that any contract entered into with another party/third party as a result of this Agreement and/or to assist in the completion of the Activities under this Agreement are bound by the terms of this Agreement and all applicable laws, including but not limited to federal regulations and HUD program guidelines. The applicable federal statutes shall be listed in any applicable third party agreements and shall be strictly adhered to. Failure to comply with this provision may result in recapture of funds allocated by this Agreement. Should HUD seek repayment of funds from Nassau County as a result of the Subrecipient failure to comply with this provision, then the Subrecipient shall be responsible for repayment of those funds to the County.
- 4) All subcontracts/third party contracts must contain Exhibit D of this Agreement as part of their agreement.
- 5) Administrative Service Charge. In accordance with Ordinance Number 74-1979, as amended by Ordinance Number 128-2006, the administrative service charge for this Agreement has been waived.

Timeline for completion of Activities:

In accordance with 24 CFR 570.503 (b) (1), the Subrecipient shall complete all of the Activities for which funding is being provided and as identified within this Agreement by August 31, 2020. OHCD, in its sole discretion can extend the anticipated completion date in accordance with the provisions of this Agreement and HUD regulations. Such an extension shall not be unreasonably withheld by OHCD.

Exhibit B
Additional Federal Requirements

I. **GENERAL FEDERAL CONDITIONS:**

A. **General Compliance.** The Subrecipient, Developer or Contractor shall comply with the requirements of Title 24 of the Code of Federal Regulations, Part 570 [the U.S. Housing and Urban Development regulations concerning Community Development Block Grants (CDBG)] including subpart K of these regulations, except that:

1. The Subrecipient, Developer or Contractor does not assume the environmental responsibilities of Nassau County as Lead Agency Recipient described in 24 CFR 570.604 (National Environmental Review Act "NEPA" Review), and

2. The Subrecipient, Developer or Contractor does not assume the recipient's responsibility for initiating the review process under the provisions of 24 CFR Part 52.

3. The Subrecipient, Developer or Contractor also agrees to comply with all other applicable Federal, state and local laws, regulations, and policies governing the funds provided under this contract.

4. The Subrecipient, Developer or Contractor further agrees to utilize funds available under this Agreement to supplement rather than supplant funds otherwise available.

B. **Subcontract Requirements.** In the event that the Subrecipient, Developer or Contractor subcontracts to another subcontractor or organization, the Subrecipient, Developer or Contractor must prepare and enter into a written subcontract. The Subrecipient, Developer or Contractor shall cause all of the provisions of this Agreement in its entirety to be included in and made a part of any subcontract executed in the performance of this Agreement. The Subrecipient, Developer or Contractor will be responsible for monitoring the subcontractor or subgrantee for performance.

C. **General Conduct**

1. **Hatch Act.** The Subrecipient, Developer or Contractor shall ensure that no funds provided, nor personnel employed under this Agreement, shall be in any way or to any extent engaged in the conduct of political activities in violation of Chapter 15 of Title V of the U.S.C.

2. **Prohibited Activity.** The Subrecipient, Developer or Contractor is prohibited from using funds provided herein or personnel employed in the administration of the program for: political activities; inherently religious activities; lobbying; political patronage; and nepotism activities.

3. **Conflict of Interest.** The Subrecipient, Developer or Contractor shall abide by the provisions of 24 CFR 84.42 and 570.611, which include (but are not limited to) the following:

a. The Subrecipient, Developer or Contractor shall maintain a written code or standards of conduct that shall govern the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds.

b. No employee, officer or agent of the Subrecipient, Developer or Contractor shall participate in the selection, or in the award or administration of, a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved.

c. No covered persons who exercise or have exercised any functions or responsibilities with respect to CDBG -assisted activities, or who are in a position to participate in a decision -making process or gain inside information with regard to such activities, may obtain a financial interest in any contract, or have a financial interest in any contract, subcontract, or agreement with respect to the CDBG -assisted activity, or with respect to the proceeds from the CDBG -assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure and for a period of one (1) year thereafter. For purposes of this paragraph, a "covered person" includes any person who is an employee, agent, consultant, officer, or elected or appointed official of the Grantee, the Subrecipient, or any designated public agency.

4. Lobbying. The Subrecipient, Developer or Contractor hereby certifies that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, or the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form -LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

c. It will require that the language of paragraph (d) of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all Subcontractors shall certify and disclose accordingly:

d. It will execute and comply with the Lobbying Certification obligation as follows:

"This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31,

U.S.C. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.”

5. Copyright. If this contract results in any copyrightable material or inventions, the Grantee and/or grantor agency reserves the right to royalty-free, non-exclusive and irrevocable license to reproduce, publish or otherwise use and to authorize others to use, the work or materials for governmental purposes.

6. Religious Activities. The Subrecipient or Contractor agrees that funds provided under this Agreement will not be utilized for inherently religious activities prohibited by 24 CFR 570.200(j), such as worship, religious instruction, or proselytizing.

II. ENVIRONMENTAL CONDITIONS

A. General Environmental Compliance. The Subrecipient, Developer or Contractor shall comply with the following requirements insofar as they apply to the performance of this Agreement:

- Clean Air Act, 42 U.S.C. §§ 7401, et seq.;
- Federal Water Pollution Control Act, as amended, 33 U.S.C. §§ 1251, et seq., as amended, 1318 relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued thereunder;
- Environmental Protection Agency (EPA) regulations pursuant to 40 CFR Part 50, as amended.
- National Environmental Policy Act of 1969.
- HUD Environmental, Review Procedures (24 CFR Part 58). Depending on the project, categorical exclusions set forth at 24 CFR 58.35 may apply to certain CDBG activities for which no environmental impact statement or environmental assessment and finding of no significant impact under NEPA is required.
- B. National Environmental Policy Act Review. The National Environmental Policy Act of 1969 (42 USC Section 4321, et seq.) establishes national policies, goals and procedures for protecting, restoring, and enhancing environmental quality.

HUD requires NEPA environmental reviews to be conducted before proceeding with actions that may affect the environment. In addition to NEPA regulations, the Subrecipient or Contractor must comply with other applicable federal and state environmental and historic regulations governing activities funded with CDBG monies.

1. Subrecipients, Developers and Contractors are required to fully comply with all federal and state environmental and historic regulations. The goals of these regulations are to assure that development is compatible with environmental and historic

conditions and does not adversely impact environmental and historic conditions, and that the users of the project will be given a safe, healthy, and enjoyable environment.

2. Nassau County has been designated by HUD to conduct NEPA Review on each activity funded with HUD funds. This entails determining the impact of the project on the environment and the historic nature of the community as well as the impact of the environment on the project.

3. *Subrecipient, Developer or Contractor must supply the County's designated Environmental Officer with sufficient detail about each project to complete an environmental review.*

4. *To the extent to which NEPA requirements are applicable, the NEPA review process must be completed and the release of funds approved before OHCD commits any funds on any activity or project. Additionally, until the release of funds has been approved, non-federal funds can not be committed if the activity or project would have an adverse environmental impact or limit the choice of reasonable alternatives. The County will provide the Subrecipient, Developer or Contractor with notification regarding the release of funds.*

C. Flood Disaster Protection. In accordance with the requirements of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001), for activities located in an area identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards, the Subrecipient, Developer or Contractor *shall obtain and maintain as a condition of financial assistance for acquisition or construction purposes (including rehabilitation) flood insurance under the National Flood Insurance Program* Flood maps are available at <http://www.fema.gov/index.shtm>

D. Lead-Based Paint.

1. The Subrecipient, Developer or Contractor shall comply with HUD Lead - Based Paint Regulations found at 24 CFR 570.608 and 24 CFR Part 35, Subpart B (the "Lead Rule") when undertaking any construction or rehabilitation of residential structures with assistance provided under this Agreement. The Lead Rule requires compliance with lead paint risk assessment, paint evaluation and testing, and the use of interim controls or abatement when necessary, depending upon the amount of Federal funds applied to a property. The regulations further require the proper training and certification of all contractors undertaking rehabilitation activities.

2. Notification: Such regulations pertain to all CDBG -assisted housing and require that all owners, prospective owners, and tenants of properties constructed prior to 1978 be properly notified that such properties may include lead -based paint. Proper notification is made by providing the EPA brochure entitled: "Renovate Right: Important Lead Hazard Information for Families, Child Care Providers and Schools." This brochure is available on HUD's website at:

<http://www.hud.gov/offices/lead/library/lead/renovaterightbrochure.pdf>

This brochure may be reproduced by the Subrecipient, Developer or Contractor and should be distributed as broadly as possible. The brochure has a form attached which must be used to document receipt of the brochure by homeowners or tenants before rehabilitation activities are undertaken. Subrecipients, Developers or contractors who

undertake rehabilitation programs shall retain the documentation of the receipt of the brochure with program files.

3. Nassau County Department of Health is part of the New York State and US Centers for Disease Control Childhood Lead Poisoning Prevention program, which includes monitoring the testing of children under the age of seven for elevated levels of lead. Nassau County Department of Health should be contacted if the Subrecipient, Developer or Contractor identifies children who may need blood lead level screening.

E. Historic Preservation.

1. The Subrecipient, Developer or Contractor shall comply with the Historic Preservation requirements set forth in the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470) and the procedures set forth in 36 CFR Part 800, Advisory Council on Historic Preservation Procedures for Protection of Historic Properties, insofar as they apply to the performance of this Agreement.

2. In general, this requires concurrence from the State Historic Preservation Officer for all rehabilitation and demolition of historic properties that are fifty years old or older or that are included on a Federal, state, or local historic property list. This will be done as part of the NEPA review process.

III. EMPLOYMENT CONDITIONS

A. OSHA. Where employees are engaged in activities not covered under the Occupational Safety and Health Act of 1970, they shall not be required or permitted to work, be trained, or receive services in buildings or surroundings or under working conditions which are unsanitary, hazardous or dangerous to the participants' health or safety.

B. Labor Standards.

1. The Subrecipient, Developer or Contractor shall comply with the requirements of the Secretary of Labor in accordance with the Davis-Bacon Act as amended, the provisions of Contract Work Hours and Safety Standards Act (40 U.S.C. 327 et seq.) and all other applicable Federal, state and local laws and regulations pertaining to labor standards insofar as those acts apply to the performance of this Agreement.

2. The Subrecipient, Developer or Contractor shall comply with the Copeland Anti-Kick Back Act (18 U.S.C. 874 et seq.) and the related implementing regulations of the U.S. Department of Labor at 29 CFR Part 5. The Subrecipient Developer or Contractor shall maintain documentation that demonstrates compliance with hour and wage requirements of this part. Such documentation shall be made available to OHCD for review upon request.

3. Davis Bacon Threshold: The Subrecipient, Developer or Contractor agrees that, except with respect to the rehabilitation or construction of residential property containing fewer than eight (8) units, all contractors engaged under contracts in excess of Two Thousand Dollars (\$2,000.00) for construction, renovation or repair work

financed in whole or in part with assistance provided under this Agreement, shall comply with Federal requirements adopted by the Grantee pertaining to such contracts and with the applicable requirements of the regulations of the Department of Labor, under 29 CFR Parts 1, 3, 5 and 7 governing the payment of wages and ratio of apprentices and trainees to journey workers; provided that, if wage rates higher than those required under the regulations are imposed by state or local law, nothing hereunder is intended to relieve the Subrecipient, Developer or Contractor of its obligation, if any, to require payment of the higher wage.

4. Inclusion in Contracts: The Subrecipient, Developer or Contractor shall cause or require to be inserted in full, in all such contracts subject to such regulations, provisions meeting the requirements of this paragraph.

This includes:

- Attaching and making part of each tier of bid solicitations and construction contracts:
 - Federal Labor Standards Wage Determination: NY080013
 - Federal Labor Standards Provision: (HUD 4010)
 - Although New York State prevailing wages may also be applicable in a project with a mix of funding, the Federal Wage Determination must also be included in the bid/contract documents when Federal funds are used on a project.
- The following must be posted at the project site:
 - Project Wage Sheet: HUD Form 4720 or the entire wage decision.
 - Notice to All Employees Poster: Form WHI321 – located at <http://www.dol.gov/esa/whd/regs/compliance/posters/fedprojc.pdf>
- If a work classification is not included in the wage decision (HUD 4230a) – it should be provided to the County to be submitted to HUD OLR.
- Project files must include copies of Notices for Bids and Copies of Notices of Contract Awards.
- If applicable, Developer's/Subrecipient's/Contractor's /Subcontractors' Certified (signed) weekly payrolls must be reviewed and checked for compliance with wage determinations in accordance with HUD procedures. With the submission of the first payroll, the Subrecipient or contractor must submit the following form: HUD 5282.
- Employee interviews must be conducted and recorded on HUD Form 11 and onsite complaints recorded on HUD Form 4731. OHCD will notify HUD Office of Labor Relations of any underpayments or Davis Bacon and related Acts violations.

- Apprentices and trainees must be registered in State Apprenticeship Council approved programs and certification must be included with the payroll submission.

5. Nassau County OHCD Review: Subrecipient, Developer or Contractor should submit to OHCD copies of all bid documents prior to solicitation for review. In addition, question related to Davis Bacon compliance and applicability should be directed to assigned OHCD staff for review with HUD Office of Labor Relations Staff.

6: Subrecipient, Developer or Contractor must complete and submit the Semi-Annual Labor Standards Enforcement Report (HUD Form 4710) to OHCD to compile and send to HUD Office of Labor Relations.

C. Providing Economic Opportunities under Section 3 of the Housing and Urban Development Act of 1968 as Amended.

1. General. Section 3 of the Housing and Urban Development Act of 1968, as amended by Section 915 of the Housing and Community Development Act of 1992, (hereinafter "Section 3") requires that when HUD financial assistance to housing and community development programs results in the generation of economic opportunities in a community, such opportunities should be directed toward low and very low income persons.

Providing Economic Opportunities through Hiring Low and Very Low Income Persons. The Subrecipient, Developer or Contractor shall further ensure that new job opportunities for training and employment arising in connection with housing rehabilitation (including reduction and abatement of lead-based paint hazards), housing construction, or other public construction project are given to low - (at or below 80% of HUD Area Median Income) and very low -income persons (at or below 50% of HUD Area Median Income) residing within the Nassau County Consortium. Where feasible, priority in hiring for new jobs should be given to low - and very low -income persons *within the service area of the project or the neighborhood in which the project is located*, and to low- and very low-income participants in other HUD programs.

Providing Economic Opportunities through Contracting with Section 3 Certified Businesses: When feasible, contracts for work undertaken in connection with a housing rehabilitation (including reduction and abatement of lead-based paint hazards), housing construction, or other public construction projects should first be awarded to business concerns that provide economic opportunities for low - and very low -income persons residing within the Nassau County Consortium and to low - and very low -income participants in other HUD programs. A Section 3 business concern must be approved first through application to OHCD.

2. Section 3 Threshold: The work to be performed under this Agreement is assisted under a program providing direct Federal financial assistance from HUD and , as such is subject to the requirements of Section 3 requires that to the greatest extent

feasible opportunities for training and employment shall be given to low and very low income residents of the area of the Section 3 covered project. Section 3 applies to:

- Projects for which HUD's share of the project costs exceeds \$200,000; and
- Contracts and subcontracts awarded on projects for which HUD's share or project costs exceeds \$200,000 and the contract or subcontract exceeds \$100,000.
- Recipients whose projects do not fall under Section 3 are nonetheless encouraged to comply with the Section 3 preference requirements and must complete HUD Form 60002.

3. Subrecipient, Developer or Contractor Responsibilities Pursuant to Section 3. Each Subrecipient, Developer or Contractor that receives financial assistance subject to Section 3 compliance (and their contractors or subcontractors) are required to comply with the requirements of Section 3 for new employment, training, or contracting opportunities that are created during the expenditure of covered funding. This responsibility includes:

- Implementing procedures to notify Section 3 residents and business concerns about training and employment opportunities generated by Section 3 covered assistance;
- Implementing procedures to notify Section 3 business concerns about the availability of contracting opportunities generated by Section 3 covered assistance;
- Notifying contractors on Section 3 covered projects of their responsibilities prior to their completion of work;
- Incorporating the Section 3 Clause into all covered solicitations and contracts [see 24 CFR Part 135.38];
- Facilitating the training and employment of Section 3 residents and the awarding of contracts to Section 3 business concerns;
- Assisting and actively cooperating with the OHCD in obtaining the compliance of contractors and subcontractors;
- Refraining from entering into contracts with contractors who are in violation of the Section 3 regulations;
- Documenting actions taken to comply with Section 3; and
- Submitting Section 3 Annual Summary Reports (form HUD -60002) in accordance with 24 CFR Part 135.90.

4. Preferences for Section 3 Business Concerns. Section 3 also requires that contracts for work in connection with a covered project be awarded to business concerns which are located in the area of the Section 3 covered project or owned in substantial part

by persons residing in the area. In housing and community development programs, where feasible, priority consideration should be given, to:

- Section 3 business concerns that provide economic opportunities for Section 3 residents in the service area or neighborhood in which the Section 3 covered project is located; and
- Applicants selected to carry out Youthbuild programs (category 2 businesses); and
- Other Section 3 business concerns.

5. Section 3 Clause Inclusion in Contracts as required by 24 CFR part 135.38. All Section 3 covered contracts shall include the following clause in full (referred to as the Section 3 clause which is below in italics):

- A. *The work to be performed under this Agreement is a project assisted under a program providing direct Federal financial assistance from HUD and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. §1701). Section 3 requires that to the greatest extent feasible opportunities for training and employment be given to low- and very low-income residents of the project area, and that contracts for work in connection with the project be awarded to business concerns that provide economic opportunities for low - and very low -income persons residing in the metropolitan area in which the project is located.*
- B. *The parties to this contract agree to comply with HUD's regulations in 24 CFR Part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the Part 135 regulations.*
- C. *The contractor agrees to send to each labor organization or workers' representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applications for training and employment position can see the notice. The notice shall describe the Section 3 preference, shall set forth the minimum number of jobs and the job titles subject to hire, the availability of apprenticeship and training positions, the qualifications for each and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.*
- D. *The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR Part 135, and agrees to take appropriate action, as provided in an applicable provision of the*

subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR Part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR Part 135.

E. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR Part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.

F. Noncompliance with HUD's regulations in 24 CFR Part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

6. Compliance. Compliance with the provisions of Section 3, and all applicable rules and orders issued thereunder prior to the execution of this Agreement, shall be a condition of the Federal financial assistance provided under this Agreement and binding upon the County as Grantee, the Subrecipient or Contractor and any of the Subrecipient or Contractor's subcontractors.

Failure to fulfill these requirements shall subject the Grantee, the Subrecipient, Developer or Contractor and any of the Subrecipient, Developer or Contractor's subcontractors, their successors and assigns, and subject to those sanctions specified by the Agreement through which Federal assistance is provided, and to such sanctions as are specified in 24 CFR Part 135. The Subrecipient, Developer or Contractor certifies and agrees that no contractual or other disability exists that would prevent compliance with these requirements.

7. Reporting. Within 30 days of the commencement date of this Agreement, the Subrecipient, Developer or Contractor shall provide the County with a report setting forth the steps taken to identify and solicit applications from those low and very low income persons for training and employment and within 30 days of the commencement of work pursuant to this Agreement, the Subrecipient, Developer or Contractor shall provide to the County a list of those low and very low income persons individuals who have been offered training or employment positions, and shall identify those who have accepted such positions.

The Subrecipient, Developer or Contractor must complete HUD Form 60002: Section 3 Summary Report and submit it to OHCD at the end of each program year for consolidation and inclusion in the Consolidated Annual Performance Report ("CAPER").

IV. RELOCATION, REAL PROPERTY ACQUISITION and ONE-FOR-ONE HOUSING REPLACEMENT

A. In the event that a Subrecipient, Developer or Contractor has a property acquisition project for either residential or commercial property and the property has a tenant or owner who may be displaced or relocated either permanently or temporarily, OHCD staff and/ or HUD Community Planning & Development Relocation staff should be immediately notified so that an assessment can be made as to whether the Uniform Relocation Act is triggered. In the event that the URA is triggered, OHCD will assist the Subrecipient or Contractor in establishing a project specific relocation plan to satisfy the requirements of the URA.

B. The Subrecipient, Developer or Contractor shall comply with (a) the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended ("URA") and implementing regulations at 49 CFR Part 24 and 24 CFR 570.606(b); (b) the requirements of 24 CFR 570.606(c) governing the Residential Anti-displacement and Relocation Assistance Plan under section 104(d) of the HCD Act; and (c) the requirements in 24 CFR 570.606(d) governing optional relocation policies.

More information is available at:

<http://www.hud.gov/offices/cpd/library/relocation/index.cfm>

C. The Subrecipient, Developer or Contractor shall provide relocation assistance to displaced persons as defined by 24 CFR 570.606(b) (2) who are displaced as a direct result of acquisition, rehabilitation, demolition or conversion of a CDBG-assisted project. The Subrecipient, Developer or Contractor shall also comply with applicable Grantee ordinances, resolutions and policies concerning the displacement of persons from their residences.

D. Congress has statutorily prohibited the use of federal funds for eminent domain purposes starting in Federal Fiscal Year 2006 with limited exceptions such as public purpose. This Congressional prohibition is detailed in Federal Notice:

FR-5077-N-01: Vol. 71, No.136 - Monday, July 17, 2006 *Statutory Prohibition on Use of HUD Fiscal Year (FY) 2006 Funds for Eminent Domain- Related Activities*. This Notice can be accessed at:
http://www.hud.gov/offices/cpd/library/relocation/policyandguidance/fedreg_071706.pdf

V. PERSONNEL & PARTICIPANT CONDITIONS

A. Civil Rights

1. Compliance. The US Department of Housing and Urban Development ("HUD") and Nassau County are committed to assuring that CDBG Subrecipients and Contractors take positive steps to ensure that all persons receive equal opportunity t o

housing, employment, public facilities and services, contracting and business opportunities, and CDBG funds, benefits and services, and are protected from displacement. In addition to equal access, Subrecipient, Developer and Contractors must affirmatively further fair housing and also provide accessibility for persons with disabilities.

Subrecipient, Developers and Contractors are responsible for implementing their projects in compliance with all local, state and federal laws and regulations regarding civil rights, fair housing and equal opportunity. This grant agreement certifies that the Subrecipient, Developer or Contractor will actively enforce the provisions of such statutes and regulations and develop strategies for addressing the requirements. To ensure compliance, attention to the civil rights, fair housing and equal opportunity components of your CDBG projects must be all-inclusive, from the project design to the final progress report.

Subrecipients, Developers and Contractors must:

- demonstrate that they afford equal employment opportunities to all persons;
- take affirmative steps to ensure that minority groups are informed of grant opportunities;
- demonstrate that their program benefits are not awarded in ways that discriminate; and
- Take affirmative steps to promote fair and equal access to housing, regardless of the type of grant.

The Subrecipient, Developer or Contractor shall comply with: The New York State and Nassau County Civil Rights and Fair Housing Laws, Title VI of the Civil Rights Act of 1964 as amended, Title VIII of the Civil Rights Act of 1968 as amended (the Federal Fair Housing Act), Section 104(b) and Section 109 of Title I of the Housing and Community Development Act of 1974 as amended, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Executive Order 11063, and Executive Order 11246 as amended by Executive Orders 11375, 11478, 12107 and 12086.

As generally described by HUD:

Title VI of the Civil Rights Act of 1964

Title VI prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance.

Fair Housing Act

Title VIII of the Civil Rights Act of 1968 as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18), and handicap (disability).

Section 504 of the Rehabilitation Act of 1973

Section 504 prohibits discrimination based on disability in any program or activity receiving federal financial assistance.

Section 109 of Title I of the Housing and Community Development Act of 1974

Section 109 prohibits discrimination on the basis of race, color, national origin, sex or religion in programs and activities receiving financial assistance from HUD's Community Development and Block Grant Program.

Title II of the Americans with Disabilities Act of 1990

Title II prohibits discrimination based on disability in programs, services, and activities provided or made available by public entities. HUD enforces Title II when it relates to state and local public housing, housing assistance and housing referrals. This Act requires among other things that all bids and contracts must contain language that prohibits discrimination on the basis of disability by public entities in all services or programs.

Architectural Barriers Act of 1968

The Architectural Barriers Act requires that buildings and facilities designed, constructed, altered, or leased with certain federal funds after September 1969 must be accessible to and useable by handicapped persons.

Age Discrimination Act of 1975

The Age Discrimination Act prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

Title IX of the Education Amendments Act of 1972

Title IX prohibits discrimination on the basis of sex in education programs or activities that receive federal financial assistance.

Fair Housing-Related Presidential Executive Orders:

Executive Order 11063

Executive Order 11063 prohibits discrimination in the sale, leasing, rental, or other disposition of properties and facilities owned or operated by the federal government or provided with federal funds.

Executive Order 11246

Executive Order 11246, as amended, bars discrimination in federal employment because of race, color, religion, sex, or national origin.

Executive Order 12892

Executive Order 12892, as amended, requires federal agencies to affirmatively further fair housing in their programs and activities, and provides that the Secretary of HUD will be responsible for coordinating the effort. The Order also establishes the President's Fair Housing Council, which will be chaired by the Secretary of HUD.

Executive Order 12898

Executive Order 12898 requires that each federal agency conduct its program, policies, and activities that substantially affect human health or the environment in a manner that does not exclude persons based on race, color, or national origin.

Executive Order 13166

Executive Order 13166 eliminates, to the extent possible, limited English proficiency as a barrier to full and meaningful participation by beneficiaries in all federally-assisted and federally conducted programs and activities.

Executive Order 13217

Executive Order 13217 requires federal agencies to evaluate their policies and programs to determine if any can be revised or modified to improve the availability of community-based living arrangements for persons with disabilities.

2. Affirmatively Furthering Fair Housing.

a. The Subrecipient, Developer or Contractor shall comply with Section 104 (b) (2) of the Housing and Community Development Act of 1974, ("HCD") as amended (42 U.S.C. 5309) . This governing statute for the CDBG program requires that each grantee certify to HUD's satisfaction that (1) the grant will be conducted and administered in conformity with the Fair Housing Act (42 U.S.C. 3601 -20) and (2) the grantee will affirmatively further fair housing.

b. This requirement is codified for local jurisdictions, in the HUD Consolidated Plan requirements under 24 CFR § 91.225. Under the Consolidated Plan, HUD funded recipients are required to: (1) examine and attempt to alleviate housing discrimination within their jurisdiction; (2) promote fair housing choice for all persons; (3) provide opportunities for all persons to reside in any given housing development, regardless of race, color, religion, sex, disability, familial status, or national origin; (4) promote housing that is accessible to and usable by persons with disabilities; (5) and comply with the non-discrimination requirements of the Fair Housing Act.

c. The identification and subsequent reduction and/or elimination of impediments to fair housing involves affirmatively furthering fair housing as part of the acceptance of HUD program funds. Affirmatively furthering fair housing may be grouped into the following three categories:

- *Intent*: The obligation to avoid policies, customs, practices or processes whose intent or purpose is to impede, infringe, or deny the exercise of fair housing rights by persons protected under the Federal Fair Housing Act.
- *Effect*: The obligation to avoid policies, customs, practices or processes whose effect or impact is to impede, infringe, or deny the exercise of Fair Housing rights by persons protected under the Fair Housing Act.
- *Affirmative Duties* : The Act imposes a fiduciary responsibility upon public agencies to anticipate policies, practices, or processes that previously, currently or may potentially impede, infringe or deny the exercise of fair housing rights by persons protected under the Federal Fair Housing Act.

d. In order to affirmatively further fair housing in the sale or rental of property acquired or rehabilitated with HUD funds, the Subrecipient, Developer or Contractor must prepare and follow an Affirmative Fair Housing Marketing Plan ("AFHMP"). The Affirmative Fair Housing Marketing Plan must be consistent with OHCD's Affirmative Fair Housing Marketing Guidelines and must be submitted to OHCD in advance of the selection process for review and approval.

The AFHMP must include the following:

- The process of outreach advertising, and selection of applicants that will attract potential consumers or tenants of all minority and non-minority groups within the housing market, regardless of race, color, religion, sex, national origin, disability, or familial status. Special outreach should be conducted to groups least likely to apply. Examples of such action include:
 - Advertising the availability of housing to the population that is less likely to apply, both minority and non-minority groups, through various forms of media (i.e. radio stations, posters, newspapers) within the marketing area;
 - Use of the Equal Housing Opportunity Logo and the equal housing opportunity statement.
 - Educate persons within an organization about fair housing and their obligations to follow nondiscrimination laws; and
 - Conduct outreach to advocacy groups (i.e. disability rights groups) on the availability of housing.
- A selection process which is open, fair and equitable (i.e. a housing lottery).
- Any system of preference or priority with respect to the solicitation of applicants, selection, and qualification of Home Buyers, marketing of Homes or allocation and distribution of Grant funds must be fully set forth and justified in the Affirmative Marketing Plan, which will include an explanation of the need for and likely impact of such preference or priority on the disposition of the Homes in the Project within the context of the Grantee's affirmative marketing efforts and any applicable municipal community development plan. Any system of preference or priority must comply with federal, state and Nassau County fair housing laws and may not foster racial, religious, or other illegal form of discrimination.

3. **Nondiscrimination.** The Subrecipient, Developer or Contractor shall comply with the non-discrimination in employment and contracting opportunities laws, regulations, and executive orders referenced in 24 CFR 570.607, as revised by Executive Order 13279. The applicable non-discrimination provisions in Section 109 of the HCDA are still applicable.

4. Land Covenants. This Agreement is subject to the requirements of Title VI of the Civil Rights Act of 1964 (P. L. 88-352) and 24 CFR 570.601 and 570.602. The Subrecipient, Developer or Contractor shall cause or require recording of a covenant running with the land to be sold, leased, transferred, acquired, cleared or improved with assistance provided under this Agreement, along with the deed or lease for such transfer, prohibiting discrimination as herein inserted in the deed or lease for such transfer, prohibiting discrimination as herein defined, in the sale, lease or rental, or in the use or occupancy of such land, or in any improvements erected or to be erected thereon, providing that the Grantee and the United States are beneficiaries of and entitled to enforce such covenants. The Subrecipient, Developer or Contractor, in undertaking its obligation to carry out the program assisted hereunder, shall take such measures as are necessary to enforce such covenant and shall not itself so discriminate.

5. Section 504. The Subrecipient, Developer or Contractor shall comply with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and all Federal regulations promulgated thereunder to ensure compliance with the law, which prohibits discrimination against individuals with disabilities or handicaps in any Federally assisted program.

The Grantee shall provide the Subrecipient, Developer or Contractor with any guidelines necessary for compliance with that portion of the regulations in force during the term of this Agreement.

B. Affirmative Action

I. Approved Plan. The Subrecipient, Developer or Contractor agrees that it shall be committed to carrying out an Affirmative Action Program in accordance with the County's requirements in keeping with the principles provided in President's Executive Order 11246 of September 24, 1966. The County shall provide Affirmative Action guidelines to the Subrecipient, Developer or Contractor to assist in the formulation of such program. The Subrecipient, Developer or Contractor shall submit a plan for an Affirmative Action Program for approval prior to the award of funds.

2. Women- and Minority-Owned Businesses (W/MBE).

a. General. The Subrecipient, Developer or Contractor shall use its best efforts to afford small businesses, minority business enterprises, and women's business enterprises the maximum practicable opportunity to participate in the performance of this Agreement in development, design, and construction by performing work and providing goods and services in connection with this Project.

b. MBE/ WBE Thresholds. As used in this Agreement, the term "small business" shall mean a business that meets the criteria set forth in section 3(a) of the Small Business Act, as amended (15 U.S.C. 632), and the term "minority and women's business enterprise" shall mean a business that is at least fifty-one (51) percent owned and controlled by minority group members or women. The Subrecipient, Developer or Contractor may rely on written representations by businesses regarding their status as minority and female business enterprises in lieu of an independent investigation.

c. Local Requirements. The Nassau County Legislature adopted Local Law No. 14-2002 (Set forth in Appendix EE of this contract) detailing the implementation of the local MBE / WBE program. For further information see:

<http://www.nassaucountyny.gov/agencies/MinorityAffairs/index.html#>

d. Contracting. Prior to the commencement of any project, the Subrecipient, Developer or Contractor shall provide the County with a MBE/ WBE utilization plan setting forth the steps that will be taken to identify and solicit bids as prime or subcontractors from Women and Minority Owned Businesses. The total dollar award of contracts includes the total contract price of all contracts awarded for the furnishing of labor, materials or services for inclusion in the project, exclusive of payments to government and financing costs. Specific products and services include, but are not limited to, architectural and engineering services, legal services, all construction trades, equipment and fixtures, finishes, and furnishings.

e. Goals. In order to achieve this objective, OHCD has established the following business participation goals presented as a percentage of the total value of all contracts let in connection with this contract: *5% to minority business enterprises and 5% to women business enterprises.* These goals should be included in all bids and contracts.

f. Reporting. Within 30 days of the commencement of work pursuant to this Agreement, the Subrecipient, Developer or Contractor shall provide to the County a list of MBE / WBE firms selected as contractors or subcontractors. The Subrecipient, Developer or Contractor must complete HUD Form 2516 – Contract and Subcontract Activity report and submit it to OHCD at the end of each program year for consolidation and inclusion in the Consolidated Annual Performance Report (“CAPER”).

C. Mandatory Training

1. Prior to the commencement of any project, the Subrecipient or Contractor shall attend mandatory compliance training at the office of OOHCD. Failure to attend a training may result in a, temporarily withhold cash payments; disallow all or part of the cost of an activity or action; or wholly or partly suspend or termination of the award

Exhibit C
Urban County Cooperation Agreement

Attached is a copy of the Cooperation Agreement between the County of Nassau and the municipality. As per paragraph 6, the subject Agreement was automatically renewed for a successive three-year qualification period covering Federal Fiscal Years 2015-2017.

Exhibit D – Subcontractor/Third Party Agreements

Additional Requirements

The provisions of this Exhibit must be attached to any subcontract and/or third party agreements entered into by the Subrecipient, Developer or Contractor and are hereby made a part of the document to which it is attached to the extent they are applicable. Subrecipient, Developer or Contractor is required to ensure subcontractor/third party compliance, where applicable, with all provisions contained herein. Failure to comply the below applicable requirements may result in termination of the agreement and/or withholding of funds and/or costs associated/incurred under and in accordance with the Nassau County agreement being deemed ineligible and not subject to reimbursement. Nassau County shall determine compliance in accordance with HUD requirements.

The Subrecipient, Developer, Contractor and/or any other third party or subcontractor must comply, where applicable, with all parts of 24 CFR (0-4100), including sections 570.500 through 570.614.

The Subrecipient, Developer, Contractor and/or any other third party or subcontractor must comply, where applicable, with 24 CFR Part 85 including 24 CFR Part 85.36 (i) contract provisions which state:

24 CFR PART 85.36 (i) Contract provisions

A grantee's and subgrantee's contracts must contain provisions in paragraph (i) of this section. Federal agencies are permitted to require changes, remedies, changed conditions, access and records retention, suspension of work, and other clauses approved by the Office of Federal Procurement Policy.

1. Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as may be appropriate. (Contracts more than the simplified acquisition threshold)
2. Termination for cause and for convenience by the grantee or subgrantee including the manner by which it will be effected and the basis for settlement. (All contracts in excess of \$10,000)
3. Compliance with Executive Order 11246 of September 24, 1965, entitled "Equal Employment Opportunity", as amended by Executive Order 11375 of October 13,

1967, and as supplemented in Department of Labor regulations (41 CFR chapter 60). (All construction contracts awarded in excess of \$10,000 by grantees and their contractors or subgrantees)

4. Compliance with the Copeland "Anti-Kickback" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR part 3). (All contracts and subgrants for construction or repair)
5. Compliance with the Davis-Bacon Act (40 U.S.C. 276a to 276a-7) as supplemented by Department of Labor regulations (29 CFR part 5). (Construction contracts in excess of \$2000 awarded by grantees and subgrantees when required by Federal grant program legislation)
6. Compliance with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327A 330) as supplemented by Department of Labor regulations (29 CFR part 5). (Construction contracts awarded by grantees and subgrantees in excess of \$2000, and in excess of \$2500 for other contracts which involve the employment of mechanics or laborers)
7. Notice of awarding agency requirements and regulations pertaining to reporting.
8. Notice of awarding agency requirements and regulations pertaining to patent rights with respect to any discovery or invention which arises or is developed in the course of or under such contract.
9. Awarding agency requirements and regulations pertaining to copyrights and rights in data.
10. Access by the grantee, the subgrantee, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers, and records of the contractor which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions.
11. Retention of all required records for three years after grantees or subgrantees make final payments and all other pending matters are closed.
12. Compliance with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857 (h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15). (Contracts, subcontracts, and subgrants of amounts in excess of \$100,000).

13. Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94A 163, 89 Stat. 871).

I. GENERAL FEDERAL CONDITIONS:

A. General Compliance. The Subrecipient, Developer or Contractor shall comply with the requirements of Title 24 of the Code of Federal Regulations, Part 570 [the U.S. Housing and Urban Development regulations concerning Community Development Block Grants (CDBG)] including subpart K of these regulations, except that:

1. The Subrecipient, Developer or Contractor does not assume the environmental responsibilities of Nassau County as Lead Agency Recipient described in 24 CFR 570.604 (National Environmental Review Act "NEPA" Review), and
2. The Subrecipient, Developer or Contractor does not assume the recipient's responsibility for initiating the review process under the provisions of 24 CFR Part 58.
3. The Subrecipient, Developer or Contractor also agrees to comply with all other applicable Federal, state and local laws, regulations, and policies governing the funds provided under this contract.
4. The Subrecipient, Developer or Contractor further agrees to utilize funds available under this Agreement to supplement rather than supplant funds otherwise available.

B. Subcontract Requirements. In the event that the Subrecipient, Developer or Contractor subcontracts to another subcontractor or organization, the Subrecipient, Developer or Contractor must prepare and enter into a written subcontract. The Subrecipient, Developer or Contractor shall cause all of the provisions of this Agreement in its entirety to be included in and made a part of any subcontract executed in the performance of this Agreement. The Subrecipient, Developer or Contractor will be responsible for monitoring the subcontractor or subgrantee for performance.

C. General Conduct

1. Hatch Act. The Subrecipient, Developer or Contractor shall ensure that no funds provided, nor personnel employed under this Agreement, shall be in any way or to any extent engaged in the conduct of political activities in violation of Chapter 15 of Title V of the U.S.C.
2. Prohibited Activity. The Subrecipient, Developer or Contractor is prohibited from using funds provided herein or personnel employed in the administration of the program for: political activities; inherently religious activities; lobbying; political patronage; and nepotism activities.
3. Conflict of Interest. The Subrecipient, Developer or Contractor shall abide by the provisions of 24 CFR 84.42 and 570.611, which include (but are not limited to) the following:

a. The Subrecipient, Developer or Contractor shall maintain a written code or standards of conduct that shall govern the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds.

b. No employee, officer or agent of the Subrecipient, Developer or Contractor shall participate in the selection, or in the award or administration of, a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved.

c. No covered persons who exercise or have exercised any functions or responsibilities with respect to CDBG -assisted activities, or who are in a position to participate in a decision -making process or gain inside information with regard to such activities, may obtain a financial interest in any contract, or have a financial interest in any contract, subcontract, or agreement with respect to the CDBG -assisted activity, or with respect to the proceeds from the CDBG -assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure and for a period of one (1) year thereafter. For purposes of this paragraph, a "covered person" includes any person who is an employee, agent, consultant, officer, or elected or appointed official of the Grantee, the Subrecipient, or any designated public agency.

4. Lobbying. The Subrecipient, Developer or Contractor hereby certifies that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, or the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence a n officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form -LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

c. It will require that the language of paragraph (d) of this certification be included in the award documents for all subawards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all Subcontractors shall certify and disclose accordingly:

d. It will execute and comply with the Lobbying Certification obligation as follows:

"This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31,

U.S.C. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.”

5. Copyright. If this contract results in any copyrightable material or inventions, the Grantee and/or grantor agency reserves the right to royalty -free, non-exclusive and irrevocable license to reproduce, publish or otherwise use and to authorize others to use, the work or materials for governmental purposes.

6. Religious Activities. The Subrecipient or Contractor agrees that funds provided under this Agreement will not be utilized for inherently religious activities prohibited by 24 CFR 570.200(j), such as worship, religious instruction, or proselytizing.

II. ENVIRONMENTAL CONDITIONS

A. General Environmental Compliance. The Subrecipient, Developer or Contractor shall comply with the following requirements insofar as they apply to the performance of this Agreement:

- Clean Air Act, 42 U.S.C. §§ 7401, et seq.;
- Federal Water Pollution Control Act, as amended, 33 U.S.C. §§ 1251, et seq., as amended, 1318 relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued thereunder;
- Environmental Protection Agency (EPA) regulations pursuant to 40 CFR Part 50, as amended.
- National Environmental Policy Act of 1969.
- HUD Environmental Review Procedures (24 CFR Part 58). Depending on the project, categorical exclusions set forth at 24 CFR 58.35 may apply to certain CDBG activities for which no environmental impact statement or environmental assessment and finding of no significant impact under NEPA is required.
- B. National Environmental Policy Act Review. The National Environmental Policy Act of 1969 (42 USC Section 4321, et seq.) establishes national policies, goals and procedures for protecting, restoring, and enhancing environmental quality.

HUD requires NEPA environmental reviews to be conducted before proceeding with actions that may affect the environment. In addition to NEPA regulations, the Subrecipient or Contractor must comply with other applicable federal and state environmental and historic regulations governing activities funded with CDBG monies.

1. Subrecipients, Developers and Contractors are required to fully comply with all federal and state environmental and historic regulations. The goals of these regulations are to assure that development is compatible with environmental and historic

conditions and does not adversely impact environmental and historic conditions, and that the users of the project will be given a safe, healthy, and enjoyable environment.

2. Nassau County has been designated by HUD to conduct NEPA Review on each activity funded with HUD funds. This entails determining the impact of the project on the environment and the historic nature of the community as well as the impact of the environment on the project.

3. *Subrecipient, Developer or Contractor must supply the County's designated Environmental Officer with sufficient detail about each project to complete an environmental review.*

4. *To the extent to which NEPA requirements are applicable, the NEPA review process must be completed and the release of funds approved before OHCD commits any funds on any activity or project. Additionally, until the release of funds has been approved, non-federal funds can not be committed if the activity or project would have an adverse environmental impact or limit the choice of reasonable alternatives. The County will provide the Subrecipient, Developer or Contractor with notification regarding the release of funds.*

C. Flood Disaster Protection. In accordance with the requirements of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001), for activities located in an area identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards, the Subrecipient, Developer or Contractor shall obtain and maintain as a condition of financial assistance for acquisition or construction purposes (including rehabilitation) flood insurance under the National Flood Insurance Program. Flood maps are available at <http://www.fema.gov/index.shtm>

D. Lead-Based Paint.

1. The Subrecipient, Developer or Contractor shall comply with HUD Lead-Based Paint Regulations found at 24 CFR 570.608 and 24 CFR Part 35, Subpart B (the "Lead Rule") when undertaking any construction or rehabilitation of residential structures with assistance provided under this Agreement. The Lead Rule requires compliance with lead paint risk assessment, paint evaluation and testing, and the use of interim controls or abatement when necessary, depending upon the amount of Federal funds applied to a property. The regulations further require the proper training and certification of all contractors undertaking rehabilitation activities.

2. Notification: Such regulations pertain to all CDBG-assisted housing and require that all owners, prospective owners, and tenants of properties constructed prior to 1978 be properly notified that such properties may include lead-based paint. Proper notification is made by providing the EPA brochure entitled: "Renovate Right: Important Lead Hazard Information for Families, Child Care Providers and Schools." This brochure is available on HUD's website at:

<http://www.hud.gov/offices/lead/library/lead/renovaterightbrochure.pdf>

This brochure may be reproduced by the Subrecipient, Developer or Contractor and should be distributed as broadly as possible. The brochure has a form attached which must be used to document receipt of the brochure by homeowners or tenants before rehabilitation activities are undertaken. Subrecipients, Developers or contractors who

undertake rehabilitation programs shall retain the documentation of the receipt of the brochure with program files.

3. Nassau County Department of Health is part of the New York State and US Centers for Disease Control Childhood Lead Poisoning Prevention program, which includes monitoring the testing of children under the age of seven for elevated levels of lead. Nassau County Department of Health should be contacted if the Subrecipient, Developer or Contractor identifies children who may need blood lead level screening.

E. Historic Preservation.

1. The Subrecipient, Developer or Contractor shall comply with the Historic Preservation requirements set forth in the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470) and the procedures set forth in 36 CFR Part 800, Advisory Council on Historic Preservation Procedures for Protection of Historic Properties, insofar as they apply to the performance of this Agreement.

2. In general, this requires concurrence from the State Historic Preservation Officer for all rehabilitation and demolition of historic properties that are fifty years old or older or that are included on a Federal, state, or local historic property list. This will be done as part of the NEPA review process.

III. EMPLOYMENT CONDITIONS

A. OSHA. Where employees are engaged in activities not covered under the Occupational Safety and Health Act of 1970, they shall not be required or permitted to work, be trained, or receive services in buildings or surroundings or under working conditions which are unsanitary, hazardous or dangerous to the participants' health or safety.

B. Labor Standards.

1. The Subrecipient, Developer or Contractor shall comply with the requirements of the Secretary of Labor in accordance with the Davis-Bacon Act as amended, the provisions of Contract Work Hours and Safety Standards Act (40 U.S.C. 327 et seq.) and all other applicable Federal, state and local laws and regulations pertaining to labor standards insofar as those acts apply to the performance of this Agreement.

2. The Subrecipient, Developer or Contractor shall comply with the Copeland Anti-Kick Back Act (18 U.S.C. 874 et seq.) and the related implementing regulations of the U.S. Department of Labor at 29 CFR Part 5. The Subrecipient, Developer or Contractor shall maintain documentation that demonstrates compliance with hour and wage requirements of this part. Such documentation shall be made available to OHCD for review upon request.

3. Davis Bacon Threshold: The Subrecipient, Developer or Contractor agrees that, except with respect to the rehabilitation or construction of residential property containing fewer than eight (8) units, all contractors engaged under contracts in excess of Two Thousand Dollars (\$2,000.00) for construction, renovation or repair work

financed in whole or in part with assistance provided under this Agreement, shall comply with Federal requirements adopted by the Grantee pertaining to such contracts and with the applicable requirements of the regulations of the Department of Labor, under 29 CFR Parts 1, 3, 5 and 7 governing the payment of wages and ratio of apprentices and trainees to journey workers; provided that, if wage rates higher than those required under the regulations are imposed by state or local law, nothing hereunder is intended to relieve the Subrecipient, Developer or Contractor of its obligation, if any, to require payment of the higher wage.

4. **Inclusion in Contracts**: The Subrecipient, Developer or Contractor shall cause or require to be inserted in full, in all such contracts subject to such regulations, provisions meeting the requirements of this paragraph.

This includes:

- Attaching and making part of each tier of bid solicitations and construction contracts:
 - Federal Labor Standards Wage Determination: NY080013
 - Federal Labor Standards Provision: (HUD 4010)
 - Although New York State prevailing wages may also be applicable in a project with a mix of funding, the Federal Wage Determination must also be included in the bid/contract documents when Federal funds are used on a project.
- The following must be posted at the project site:
 - Project Wage Sheet: HUD Form 4720 or the entire wage decision.
 - Notice to All Employees Poster: Form WH1321 – located at <http://www.dol.gov/esa/whd/regs/compliance/posters/fedprojc.pdf>
- If a work classification is not included in the wage decision (HUD 4230a) – it should be provided to the County to be submitted to HUD OLR.
- Project files must include copies of Notices for Bids and Copies of Notices of Contract Awards.
- If applicable, Developer's/Subrecipient's/Contractor's /Subcontractors' Certified (signed) weekly payrolls must be reviewed and checked for compliance with wage determinations in accordance with HUD procedures. With the submission of the first payroll, the Subrecipient or contractor must submit the following form: HUD 5282.
- Employee interviews must be conducted and recorded on HUD Form 11 and onsite complaints recorded on HUD Form 4731. OHCD will notify HUD Office of Labor Relations of any underpayments or Davis Bacon and related Acts violations.

- Apprentices and trainees must be registered in State Apprenticeship Council approved programs and certification must be included with the payroll submission.
5. Nassau County OHCD Review: Subrecipient, Developer or Contractor should submit to OHCD copies of all bid documents prior to solicitation for review. In addition, question related to Davis Bacon compliance and applicability should be directed to assigned OHCD staff for review with HUD Office of Labor Relations Staff.
 6. Subrecipient, Developer or Contractor must complete and submit the Semi-Annual Labor Standards Enforcement Report (HUD Form 4710) to OHCD to compile and send to HUD Office of Labor Relations.
- C. Providing Economic Opportunities under Section 3 of the Housing and Urban Development Act of 1968 as Amended.
1. General. Section 3 of the Housing and Urban Development Act of 1968, as amended by Section 915 of the Housing and Community Development Act of 1992, (hereinafter "Section 3") requires that when HUD financial assistance to housing and community development programs results in the generation of economic opportunities in a community, such opportunities should be directed toward low and very low-income persons.

Providing Economic Opportunities through Hiring Low and Very Low Income Persons. The Subrecipient, Developer or Contractor shall further ensure that new job opportunities for training and employment arising in connection with housing rehabilitation (including reduction and abatement of lead-based paint hazards), housing construction, or other public construction project are given to low- (at or below 80% of HUD Area Median Income) and very low-income persons (at or below 50% of HUD Area Median Income) residing within the Nassau County Consortium. Where feasible, priority in hiring for new jobs should be given to low- and very low-income persons *within the service area of the project or the neighborhood in which the project is located*, and to low- and very low-income participants in other HUD programs.

Providing Economic Opportunities through Contracting with Section 3 Certified Businesses: When feasible, contracts for work undertaken in connection with a housing rehabilitation (including reduction and abatement of lead-based paint hazards), housing construction, or other public construction projects should first be awarded to business concerns that provide economic opportunities for low- and very low-income persons residing within the Nassau County Consortium and to low- and very low-income participants in other HUD programs. A Section 3 business concern must be approved first through application to OHCD.

2. Section 3 Threshold: The work to be performed under this Agreement is assisted under a program providing direct Federal financial assistance from HUD and, as such is subject to the requirements of Section 3 requires that to the greatest extent

feasible opportunities for training and employment shall be given to low and very low income residents of the area of the Section 3 covered project. Section 3 applies to:

- Projects for which HUD's share of the project costs exceeds \$200,000; and
- Contracts and subcontracts awarded on projects for which HUD's share or project costs exceeds \$200,000 and the contract or subcontract exceeds \$100,000.
- Recipients whose projects do not fall under Section 3 are nonetheless encouraged to comply with the Section 3 preference requirements and must complete HUD Form 60002.

3. Subrecipient, Developer or Contractor Responsibilities Pursuant to Section 3. Each Subrecipient, Developer or Contractor that receives financial assistance subject to Section 3 compliance (and their contractors or subcontractors) are required to comply with the requirements of Section 3 for new employment, training, or contracting opportunities that are created during the expenditure of covered funding. This responsibility includes:

- Implementing procedures to notify Section 3 residents and business concerns about training and employment opportunities generated by Section 3 covered assistance;
- Implementing procedures to notify Section 3 business concerns about the availability of contracting opportunities generated by Section 3 covered assistance;
- Notifying contractors on Section 3 covered projects of their responsibilities prior to their completion of work;
- Incorporating the Section 3 Clause into all covered solicitations and contracts [see 24 CFR Part 135.38];
- Facilitating the training and employment of Section 3 residents and the awarding of contracts to Section 3 business concerns;
- Assisting and actively cooperating with the OHCD in obtaining the compliance of contractors and subcontractors;
- Refraining from entering into contracts with contractors who are in violation of the Section 3 regulations;
- Documenting actions taken to comply with Section 3; and
- Submitting Section 3 Annual Summary Reports (form HUD -60002) in accordance with 24 CFR Part 135.90.

4. Preferences for Section 3 Business Concerns. Section 3 also requires that contracts for work in connection with a covered project be awarded to business concerns which are located in the area of the Section 3 covered project or owned in substantial part

by persons residing in the area. In housing and community development programs, where feasible, priority consideration should be given, to:

- Section 3 business concerns that provide economic opportunities for Section 3 residents in the service area or neighborhood in which the Section 3 covered project is located; and
- Applicants selected to carry out Youthbuild programs (category 2 businesses); and
- Other Section 3 business concerns.

5. Section 3 Clause Inclusion in Contracts as required by 24 CFR part 135.38. All Section 3 covered contracts shall include the following clause in full (referred to as the Section 3 clause which is below in italics):

- G. The work to be performed under this Agreement is a project assisted under a program providing direct Federal financial assistance from HUD and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. §1701). Section 3 requires that to the greatest extent feasible opportunities for training and employment be given to low - and very low-income residents of the project area, and that contracts for work in connection with the project be awarded to business concerns that provide economic opportunities for low - and very low -income persons residing in the metropolitan area in which the project is located.*
- H. The parties to this contract agree to comply with HUD's regulations in 24 CFR Part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the Part 135 regulations.*
- I. The contractor agrees to send to each labor organization or workers' representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applications for training and employment position can see the notice. The notice shall describe the Section 3 preference, shall set forth the minimum number of jobs and the job titles subject to hire, the availability of apprenticeship and training positions, the qualifications for each and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.*
- J. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR Part 135, and agrees to take appropriate action, as provided in an applicable provision of the*

subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR Part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR Part 135.

K. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR Part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.

L. Noncompliance with HUD's regulations in 24 CFR Part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

6. Compliance. Compliance with the provisions of Section 3, and all applicable rules and orders issued thereunder prior to the execution of this Agreement, shall be a condition of the Federal financial assistance provided under this Agreement and binding upon the County as Grantee, the Subrecipient or Contractor and any of the Subrecipient or Contractor's subcontractors.

Failure to fulfill these requirements shall subject the Grantee, the Subrecipient, Developer or Contractor and any of the Subrecipient, Developer or Contractor's subcontractors, their successors and assigns, and subject to those sanctions specified by the Agreement through which Federal assistance is provided, and to such sanctions as are specified in 24 CFR Part 135. The Subrecipient, Developer or Contractor certifies and agrees that no contractual or other disability exists that would prevent compliance with these requirements.

7. Reporting. Within 30 days of the commencement date of this Agreement, the Subrecipient, Developer or Contractor shall provide the County with a report setting forth the steps taken to identify and solicit applications from those low and very low income persons for training and employment and within 30 days of the commencement of work pursuant to this Agreement, the Subrecipient, Developer or Contractor shall provide to the County a list of those low and very low income persons individuals who have been offered training or employment positions, and shall identify those who have accepted such positions.

The Subrecipient, Developer or Contractor must complete HUD Form 60002: Section 3 Summary Report and submit it to OHCD at the end of each program year for consolidation and inclusion in the Consolidated Annual Performance Report ("CAPER").

IV. RELOCATION, REAL PROPERTY ACQUISITION and ONE-FOR-ONE HOUSING REPLACEMENT

A. In the event that a Subrecipient, Developer or Contractor has a property acquisition project for either residential or commercial property and the property has a tenant or owner who may be displaced or relocated either permanently or temporarily, OHCD staff and/ or HUD Community Planning & Development Relocation staff should be immediately notified so that an assessment can be made as to whether the Uniform Relocation Act is triggered. In the event that the URA is triggered, OHCD will assist the Subrecipient or Contractor in establishing a project specific relocation plan to satisfy the requirements of the URA.

B. The Subrecipient, Developer or Contractor shall comply with (a) the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended ("URA") and implementing regulations at 49 CFR Part 24 and 24 CFR 570.606(b); (b) the requirements of 24 CFR 570.606(c) governing the Residential Anti-displacement and Relocation Assistance Plan under section 104(d) of the HCD Act; and (c) the requirements in 24 CFR 570.606(d) governing optional relocation policies.

More information is available at:

<http://www.hud.gov/offices/cpd/library/relocation/index.cfm>

C. The Subrecipient, Developer or Contractor shall provide relocation assistance to displaced persons as defined by 24 CFR 570.606(b) (2) who are displaced as a direct result of acquisition, rehabilitation, demolition or conversion of a CDBG-assisted project. The Subrecipient, Developer or Contractor shall also comply with applicable Grantee ordinances, resolutions and policies concerning the displacement of persons from their residences.

D. Congress has statutorily prohibited the use of federal funds for eminent domain purposes starting in Federal Fiscal Year 2006 with limited exceptions such as public purpose. This Congressional prohibition is detailed in Federal Notice:

FR-5077-N-01: Vol. 71, No.136 - Monday, July 17, 2006 *Statutory Prohibition on Use of HUD Fiscal Year (FY) 2006 Funds for Eminent Domain- Related Activities*. This Notice can be accessed at:
http://www.hud.gov/offices/cpd/library/relocation/policyandguidance/fedreg_071706.pdf

V. PERSONNEL & PARTICIPANT CONDITIONS

A. Civil Rights

1. Compliance. The US Department of Housing and Urban Development ("HUD") and Nassau County are committed to assuring that CDBG Subrecipients and Contractors take positive steps to ensure that all persons receive equal opportunity to

housing, employment, public facilities and services, contracting and business opportunities, and CDBG funds, benefits and services, and are protected from displacement. In addition to equal access, Subrecipient, Developer and Contractors must affirmatively further fair housing and also provide accessibility for persons with disabilities.

Subrecipient, Developers and Contractors are responsible for implementing their projects in compliance with all local, state and federal laws and regulations regarding civil rights, fair housing and equal opportunity. This grant agreement certifies that the Subrecipient, Developer or Contractor will actively enforce the provisions of such statutes and regulations and develop strategies for addressing the requirements. To ensure compliance, attention to the civil rights, fair housing and equal opportunity components of your CDBG projects must be all-inclusive, from the project design to the final progress report.

Subrecipients, Developers and Contractors must:

- demonstrate that they afford equal employment opportunities to all persons;
- take affirmative steps to ensure that minority groups are informed of grant opportunities;
- demonstrate that their program benefits are not awarded in ways that discriminate; and
- Take affirmative steps to promote fair and equal access to housing, regardless of the type of grant.

The Subrecipient, Developer or Contractor shall comply with: The New York State and Nassau County Civil Rights and Fair Housing Laws, Title VI of the Civil Rights Act of 1964 as amended, Title VIII of the Civil Rights Act of 1968 as amended (the Federal Fair Housing Act), Section 104(b) and Section 109 of Title I of the Housing and Community Development Act of 1974 as amended, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Executive Order 11063, and Executive Order 11246 as amended by Executive Orders 11375, 11478, 12107 and 12086.

As generally described by HUD:

Title VI of the Civil Rights Act of 1964

Title VI prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance.

Fair Housing Act

Title VIII of the Civil Rights Act of 1968 as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18), and handicap (disability).

Section 504 of the Rehabilitation Act of 1973

Section 504 prohibits discrimination based on disability in any program or activity receiving federal financial assistance.

Section 109 of Title I of the Housing and Community Development Act of 1974

Section 109 prohibits discrimination on the basis of race, color, national origin, sex or religion in programs and activities receiving financial assistance from HUD's Community Development and Block Grant Program.

Title II of the Americans with Disabilities Act of 1990

Title II prohibits discrimination based on disability in programs, services, and activities provided or made available by public entities. HUD enforces Title II when it relates to state and local public housing, housing assistance and housing referrals. This Act requires among other things that all bids and contracts must contain language that prohibits discrimination on the basis of disability by public entities in all services or programs.

Architectural Barriers Act of 1968

The Architectural Barriers Act requires that buildings and facilities designed, constructed, altered, or leased with certain federal funds after September 1969 must be accessible to and useable by handicapped persons.

Age Discrimination Act of 1975

The Age Discrimination Act prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

Title IX of the Education Amendments Act of 1972

Title IX prohibits discrimination on the basis of sex in education programs or activities that receive federal financial assistance.

Fair Housing-Related Presidential Executive Orders:

Executive Order 11063

Executive Order 11063 prohibits discrimination in the sale, leasing, rental, or other disposition of properties and facilities owned or operated by the federal government or provided with federal funds.

Executive Order 11246

Executive Order 11246, as amended, bars discrimination in federal employment because of race, color, religion, sex, or national origin.

Executive Order 12892

Executive Order 12892, as amended, requires federal agencies to affirmatively further fair housing in their programs and activities, and provides that the Secretary of HUD will be responsible for coordinating the effort. The Order also establishes the President's Fair Housing Council, which will be chaired by the Secretary of HUD.

Executive Order 12898

Executive Order 12898 requires that each federal agency conduct its program, policies, and activities that substantially affect human health or the environment in a manner that does not exclude persons based on race, color, or national origin.

Executive Order 13166

Executive Order 13166 eliminates, to the extent possible, limited English proficiency as a barrier to full and meaningful participation by beneficiaries in all federally-assisted and federally conducted programs and activities.

Executive Order 13217

Executive Order 13217 requires federal agencies to evaluate their policies and programs to determine if any can be revised or modified to improve the availability of community-based living arrangements for persons with disabilities.

2. Affirmatively Furthering Fair Housing.

a. The Subrecipient, Developer or Contractor shall comply with Section 104 (b) (2) of the Housing and Community Development Act of 1974, ("HCD") as amended (42 U.S.C. 5309) . This governing statute for the CDBG program requires that each grantee certify to HUD's satisfaction that (1) the grant will be conducted and administered in conformity with the Fair Housing Act (42 U.S.C. 3601 -20) and (2) the grantee will affirmatively further fair housing.

b. This requirement is codified for local jurisdictions, in the HUD Consolidated Plan requirements under 24 CFR § 91.225. Under the Consolidated Plan, HUD funded recipients are required to: (1) examine and attempt to alleviate housing discrimination within their jurisdiction; (2) promote fair housing choice for all persons; (3) provide opportunities for all persons to reside in any given housing development, regardless of race, color, religion, sex, disability, familial status, or national origin; (4) promote housing that is accessible to and usable by persons with disabilities; (5) and comply with the non-discrimination requirements of the Fair Housing Act.

c. The identification and subsequent reduction and/or elimination of impediments to fair housing involves affirmatively furthering fair housing as part of the acceptance of HUD program funds. Affirmatively furthering fair housing may be grouped into the following three categories:

- *Intent*: The obligation to avoid policies, customs, practices or processes whose intent or purpose is to impede, infringe, or deny the exercise of fair housing rights by persons protected under the Federal Fair Housing Act.
- *Effect*: The obligation to avoid policies, customs, practices or processes whose effect or impact is to impede, infringe, or deny the exercise of Fair Housing rights by persons protected under the Fair Housing Act.
- *Affirmative Duties* : The Act imposes a fiduciary responsibility upon public agencies to anticipate policies, practices, or processes that previously, currently or may potentially impede, infringe or deny the exercise of fair housing rights by persons protected under the Federal Fair Housing Act.

d. In order to affirmatively further fair housing in the sale or rental of property acquired or rehabilitated with HUD funds, the Subrecipient, Developer or Contractor must prepare and follow an Affirmative Fair Housing Marketing Plan ("AFHMP"). The Affirmative Fair Housing Marketing Plan must be consistent with OHCD's Affirmative Fair Housing Marketing Guidelines and must be submitted to OHCD in advance of the selection process for review and approval.

The AFHMP must include the following:

- The process of outreach advertising, and selection of applicants that will attract potential consumers or tenants of all minority and non minority groups within the housing market, regardless of race, color, religion, sex, national origin, disability, or familial status. Special outreach should be conducted to groups least likely to apply. Examples of such action include:
 - Advertising the availability of housing to the population that is less likely to apply, both minority and non-minority groups, through various forms of media (i.e. radio stations, posters, newspapers) within the marketing area;
 - Use of the Equal Housing Opportunity Logo and the equal housing opportunity statement.
 - Educate persons within an organization about fair housing and their obligations to follow nondiscrimination laws; and
 - Conduct outreach to advocacy groups (i.e. disability rights groups) on the availability of housing.
- A selection process which is open, fair and equitable (i.e. a housing lottery).
- Any system of preference or priority with respect to the solicitation of applicants, selection, and qualification of Home Buyers, marketing of Homes or allocation and distribution of Grant funds must be fully set forth and justified in the Affirmative Marketing Plan, which will include an explanation of the need for and likely impact of such preference or priority on the disposition of the Homes in the Project within the context of the Grantee's affirmative marketing efforts and any applicable municipal community development plan. Any system of preference or priority must comply with federal, state and Nassau County fair housing laws and may not foster racial, religious, or other illegal form of discrimination.

3. Nondiscrimination. The Subrecipient, Developer or Contractor shall comply with the non-discrimination in employment and contracting opportunities laws, regulations, and executive orders referenced in 24 CFR 570.607, as revised by Executive Order 13279. The applicable non-discrimination provisions in Section 109 of the HCDA are still applicable.

4. Land Covenants. This Agreement is subject to the requirements of Title VI of the Civil Rights Act of 1964 (P. L. 88-352) and 24 CFR 570.601 and 570.602. The Subrecipient, Developer or Contractor shall cause or require recording of a covenant running with the land to be sold, leased, transferred, acquired, cleared or improved with assistance provided under this Agreement, along with the deed or lease for such transfer, prohibiting discrimination as herein inserted in the deed or lease for such transfer, prohibiting discrimination as herein defined, in the sale, lease or rental, or in the use or occupancy of such land, or in any improvements erected or to be erected thereon, providing that the Grantee and the United States are beneficiaries of and entitled to enforce such covenants. The Subrecipient, Developer or Contractor, in undertaking its obligation to carry out the program assisted hereunder, shall take such measures as are necessary to enforce such covenant and shall not itself so discriminate.

5. Section 504. The Subrecipient, Developer or Contractor shall comply with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and all Federal regulations promulgated thereunder to ensure compliance with the law, which prohibits discrimination against individuals with disabilities or handicaps in any Federally assisted program.

The Grantee shall provide the Subrecipient, Developer or Contractor with any guidelines necessary for compliance with that portion of the regulations in force during the term of this Agreement.

B. Affirmative Action

1. Approved Plan. The Subrecipient, Developer or Contractor agrees that it shall be committed to carrying out an Affirmative Action Program in accordance with the County's requirements in keeping with the principles provided in President's Executive Order 11246 of September 24, 1966. The County shall provide Affirmative Action guidelines to the Subrecipient, Developer or Contractor to assist in the formulation of such program. The Subrecipient, Developer or Contractor shall submit a plan for an Affirmative Action Program for approval prior to the award of funds.

2. Women- and Minority-Owned Businesses (W/MBE).

a. General. The Subrecipient, Developer or Contractor shall use its best efforts to afford small businesses, minority business enterprises, and women's business enterprises the maximum practicable opportunity to participate in the performance of this Agreement in development, design, and construction by performing work and providing goods and services in connection with this Project.

b. MBE/ WBE Thresholds. As used in this Agreement, the term "small business" shall mean a business that meets the criteria set forth in section 3(a) of the Small Business Act, as amended (15 U.S.C. 632), and the term "minority and women's business enterprise" shall mean a business that is at least fifty-one (51) percent owned and controlled by minority group members or women. The Subrecipient, Developer or Contractor may rely on written representations by businesses regarding their status as minority and female business enterprises in lieu of an independent investigation.

c. Local Requirements. The Nassau County Legislature adopted Local Law No. 14 -2002 (Set forth in this Exhibit under VI. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN) detailing the implementation of the local MBE / WBE program. For further information, see:

<http://www.nassaucountyny.gov/agencies/MinorityAffairs/index.html#>

d. Contracting. Prior to the commencement of any project, the Subrecipient, Developer or Contractor shall provide the County with a MBE/ WBE utilization plan setting forth the steps that will be taken to identify and solicit bids as prime or subcontractors from Women and Minority Owned Businesses. The total dollar award of contracts includes the total contract price of all contracts awarded for the furnishing of labor, materials or services for inclusion in the project, exclusive of payments to government and financing costs. Specific products and services include, but are not limited to, architectural and engineering services, legal services, all construction trades, equipment and fixtures, finishes, and furnishings.

e. Goals. In order to achieve this objective, OHCD has established the following business participation goals presented as a percentage of the total value of all contracts let in connection with this contract: *5% to minority business enterprises and 5% to women business enterprises.* These goals should be included in all bids and contracts.

f. Reporting. Within 30 days of the commencement of work pursuant to this Agreement, the Subrecipient, Developer or Contractor shall provide to the County a list of MBE / WBE firms selected as contractors or subcontractors. The Subrecipient, Developer or Contractor must complete HUD Form 2516 – Contract and Subcontract Activity report and submit it to OHCD at the end of each program year for consolidation and inclusion in the Consolidated Annual Performance Report (“CAPER”).

C. Mandatory Training

1. Prior to the commencement of any project, the Subrecipient or Contractor shall attend mandatory compliance training at the office of OOHCD. Failure to attend a training may result in a, temporarily withhold cash payments; disallow all or part of the cost of an activity or action; or wholly or partly suspend or termination of the award

Appendix EE
Equal Employment Opportunities for Minorities
and Women

The provisions of this Appendix EE are hereby made a part of the document to which it is attached.

The Contractor, Developer or Subrecipient shall comply with all federal, State and local statutory and constitutional anti-discrimination provisions. In addition, Local Law No. 14 -2002, entitled "Participation by Minority Group Members and Women in Nassau County Contracts," governs all County Contracts as defined herein and solicitations for bids or proposals for County Contracts. In accordance with Local Law 14-2002:

(a) The Contractor, Developer or Subrecipient shall not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status in recruitment, employment, job assignments, promotions, upgradings, demotions, transfers, layoffs, terminations, and rates of pay or other forms of compensation. The Contractor, Developer or Subrecipient will undertake or continue existing programs related to recruitment, employment, job assignments, promotions, upgradings, transfers, and rates of pay or other forms of compensation to ensure that minority group members and women are afforded equal employment opportunities without discrimination.

(b) At the request of the County contracting agency, the Contractor, Developer or Subrecipient shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, union, or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability, or marital status and that such employment agency, labor union, or representative will affirmatively cooperate in the implementation of the Contractor, Developer or Subrecipient's obligations herein.

(c) The Contractor, Developer or Subrecipient shall state, in all solicitations or advertisements for employees, that, in the performance of the County Contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

(d) The Contractor, Developer or Subrecipient shall make best efforts to solicit active participation by certified minority or women-owned business enterprises ("Certified M/WBEs") as defined in Section 101 of Local Law No. 14 -2002, for the purpose of granting of Subcontracts.

(e) The Contractor, Developer or Subrecipient shall, in its advertisements and solicitations for Subcontractor, indicate its interest in receiving bids from Certified M/WBEs and the requirement that Subcontractor must be equal opportunity employers.

(f) Contractor, Developer or Subrecipients must notify and receive approval from the respective Department Head prior to issuing any Subcontracts and, at the time of requesting such authorization, must submit a signed Best Efforts Checklist.

(g) Contractor, Developer or Subrecipients for projects under the supervision of the County's Department of Public Works shall also submit a utilization plan listing all proposed Subcontractors so that, to the greatest extent feasible, all Subcontractors will be approved prior to commencement of work. Any additions or changes to the list of subcontractor under the utilization plan shall be approved by the Commissioner of the Department of Public Works when made. A copy of the utilization plan any additions or changes thereto shall be submitted by the Contractor or Subrecipient to the Office of Minority Affairs simultaneously with the submission to the Department of Public Works.

(h) At any time after Subcontractor approval has been requested and prior to being granted, the contracting agency may require the Contractor, Developer or Subrecipient to submit Documentation Demonstrating Best Efforts to Obtain Certified Minority or Women -owned Business Enterprises. In addition, the contracting agency may require the Contractor or Subrecipient to submit such documentation at any time after Subcontractor approval when the contracting agency has reasonable cause to believe that the existing Best Efforts Checklist may be inaccurate. Within ten working days (10) of any such request by the contracting agency, the Contractor, Developer or Subrecipient must submit Documentation.

(i) In the case where a request is made by the contracting agency or a Deputy County Executive acting on behalf of the contracting agency, the Contractor, Developer or Subrecipient must, within two (2) working days of such request, submit evidence to demonstrate that it employed Best Efforts to obtain Certified M/WBE participation through proper documentation.

(j) Award of a County Contract alone shall not be deemed or interpreted as approval of all Contractor, Developer or Subrecipient's Subcontracts and Contractor, Developer or Subrecipient's fulfillment of Best Efforts to obtain participation by Certified M/WBEs.

(k) A Contractor, Developer or Subrecipient shall maintain Documentation Demonstrating Best Efforts to Obtain Certified Minority or Women -owned Business Enterprises for a period of six (6) years. Failure to maintain such records shall be deemed failure to make Best Efforts to comply with this Appendix EE, evidence of false certification as M/WBE compliant or considered breach of the County Contract.

(l) The Contractor, Developer or Subrecipient shall be bound by the provisions of Section 109 of Local Law No. 14-2002 providing for enforcement of violations as follows:

a. Upon receipt by the Executive Director of a complaint from a contracting agency that a County Contractor or Subrecipient has failed to comply with the provisions of Local Law No. 14 -2002, this Appendix EE or any other contractual provisions included in furtherance of Local Law No. 14-2002, the Executive Director will try to resolve the matter.

b. If efforts to resolve such matter to the satisfaction of all parties are unsuccessful, the Executive Director shall refer the matter, within thirty days (30) of receipt of the complaint, to the American Arbitration Association for proceeding thereon.

c. Upon conclusion of the arbitration proceedings, the arbitrator shall submit to the Executive Director his recommendations regarding the imposition of sanctions, fines or penalties. The Executive Director shall either (i) adopt the recommendation of the arbitrator (ii) determine that no sanctions, fines or penalties should be imposed or (iii) modify the recommendation of the arbitrator, provided that such modification shall not expand upon any

sanction recommended or impose any new sanction, or increase the amount of any recommended fine or penalty. The Executive Director, within ten days (10) of receipt of the arbitrators award and recommendations, shall file a determination of such matter and shall cause a copy of such determination to be served upon the respondent by personal service or by certified mail return receipt requested. The award of the arbitrator, and the fines and penalties imposed by the Executive Director, shall be final determinations and may only be vacated or modified as provided in the civil practice law and rules ("CPLR").

(m) The Contractor, Developer or Subrecipient shall provide contracting agency with information regarding all subcontracts awarded under any County Contract, including the amount of compensation paid to each Subcontractor and shall complete all forms provided by the Executive Director or the Department Head relating to subcontractor utilization and efforts to obtain M/WBE participation.

Failure to comply with provisions (a) through (m) above, as ultimately determined by the Executive Director, shall be a material breach of the contract constituting grounds for immediate termination. Once a final determination of failure to comply has been reached by the Executive Director, the determination of whether to terminate a contract shall rest with the Deputy County Executive with oversight responsibility for the contracting agency.

Provisions (a), (b) and (c) shall not be binding upon Contractor, Developer or Subcontractor in the performance of work or the provision of services or any other activity that are unrelated, separate, or distinct from the County Contract as expressed by its terms.

The requirements of the provisions (a), (b) and (c) shall not apply to any employment or application for employment outside of this County or solicitations or advertisements therefor or any existing programs of affirmative action regarding employment outside of this County and the effect of contract provisions required by these provisions (a), (b) and (c) shall be so limited.

The Contractor, Developer or Subrecipient shall include provisions (a), (b) and (c) in every Subcontract in such a manner that these provisions shall be binding upon each Subcontractor as to work in connection with the County Contract.

As used in this Appendix EE the term "Best Efforts Checklist" shall mean a list signed by the Contractor, Developer or Subrecipient, listing the procedures it has undertaken to procure Subcontractor in accordance with this Appendix EE.

As used in this Appendix EE the term "County Contract" shall mean (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of twenty-five thousand dollars (\$25,000), whereby a County contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the County; or (ii) a written agreement in excess of one hundred thousand dollars (\$100,000), whereby a County contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon. However, the term "County Contract" does not include agreements or orders for the following services: banking services, insurance policies or contracts, or contracts with a County contracting agency for the sale of bonds, notes or other securities.

As used in this Appendix EE the term "County Contractor , Developer or Subrecipient" means an individual, business enterprise, including sole proprietorship, partnership, corporation, not-for-profit corporation, or any other person or entity other than the County, whether a Contractor or Subrecipient, licensor, licensee or any other party, that is (i) a party to a County Contract, (ii) a bidder in connection with the award of a County Contract, or (iii) a proposed party to a County Contract, but shall not include any Subcontractor.

As used in this Appendix EE the term "County Contractor , Developer or Subrecipient" shall mean a person or firm who will manage and be responsible for an entire contracted project.

As used in this Appendix EE "Documentation Demonstrating Best Efforts to Obtain Certified Minority or Women-owned Business Enterprises" shall include, but is not limited to the following:

a. Proof of having advertised for bids, where appropriate, in minority publications, trade newspapers/notices and magazines, trade and union publications, and publications of general circulation in Nassau County and surrounding areas or having verbally solicited M/WBEs whom the County Contractor , Developer or Subrecipient reasonably believed might have the qualifications to do the work. A copy of the advertisement, if used, shall be included to demonstrate that it contained language indicating that the County Contractor , Developer or Subrecipient welcomed bids and quotes from M/WBE Subcontractor. In addition, proof of the date(s) any such advertisements appeared must be included in the Best Effort Documentation. If verbal solicitation is used, a County Contractor , Developer or Subrecipient's affidavit with a notary's signature and stamp shall be required as part of the documentation.

b. Proof of having provided reasonable time for M/WBE Subcontractor to respond to bid opportunities according to industry norms and standards. A chart outlining the schedule/time frame used to obtain bids from M/WBEs is suggested to be included with the Best Effort Documentation

c. Proof or affidavit of follow -up of telephone calls with potential M/WBE subcontractor encouraging their participation. Telephone logs indicating such action can be included with the Best Effort Documentation

d. Proof or affidavit that M/WBE Subcontractor were allowed to review bid specifications, blue prints and all other bid/RFP related items at no charge to the M/WBEs, other than reasonable documentation costs incurred by the County Contractor or Subrecipient that are passed onto the M/WBE.

e. Proof or affidavit that sufficient time prior to making award was allowed for M/WBEs to participate effectively, to the extent practicable given the timeframe of the County Contract.

f. Proof or affidavit that negotiations were held in good faith with interested M/WBEs, and that M/WBEs were not rejected as unqualified or unacceptable without sound business reasons based on (1) a thorough investigation of M/WBE qualifications and capabilities reviewed against industry custom and standards and (2) cost of performance. The basis for rejecting any M/WBE deemed unqualified by the County Contractor or Subrecipient shall be included in the Best Effort Documentation

g. If an M/WBE is rejected based on cost, the County Contractor, Developer or Subrecipient must submit a list of all sub-bidders for each item of work solicited and their bid prices for the work.

h. The conditions of performance expected of Subcontractor or by the County Contractor, Developer or Subrecipient must also be included with the Best Effort Documentation

i. Contractor, Developer or Subrecipients may include any other type of documentation they feel necessary to further demonstrate their Best Efforts regarding their bid documents.

As used in this Appendix EE the term "Executive Director" shall mean the Executive Director of the Nassau County Office of Minority Affairs; provided, however, that Executive Director shall include a designee of the Executive Director except in the case of final determinations issued pursuant to Section (a) through (l) of these rules.

As used in this Appendix EE the term "Subcontract" shall mean an agreement consisting of part or parts of the contracted work of the County Contractor, Developer or Subrecipient.

As used in this Appendix EE, the term "Subcontractor" shall mean a person or firm who performs part or parts of the contracted work of a prime Contractor, Developer or Subrecipient providing services, including construction services, to the County pursuant to a county contract. Subcontractor shall include a person or firm that provides labor, professional or other services, materials or supplies to a prime Contractor, Developer or Subrecipient that are necessary for the prime Contractor or Subrecipient to fulfill its obligations to provide services to the County pursuant to a county contract. Subcontractor shall not include a supplier of materials to a Contractor, Developer or Subrecipient who has contracted to provide goods but no services to the County, nor a supplier of incidental materials to a Contractor, Developer or Subrecipient, such as office supplies, tools and other items of nominal cost that are utilized in the performance of a service contract.

Provisions requiring Contractor, Developer or Subrecipients to retain or submit documentation of best efforts to utilize certified subcontractor and requiring Department head approval prior to subcontracting shall not apply to inter-governmental agreements. In addition, the tracking of expenditures of County dollars by not-for-profit corporations, other municipalities, States, or the federal government is not required.

COUNTY OF NASSAU

CONSULTANT'S, CONTRACTOR'S AND VENDOR'S DISCLOSURE FORM.

1. Name of the Entity: TOWN OF HEMPSTEAD

Address: 1 WASHINGTON STREET

City, State and Zip Code: HEMPSTEAD, NEW YORK 11550

2. Entity's Vendor Identification Number: [REDACTED]

3. Type of Business: Public Corp Partnership Joint Venture
 Ltd. Liability Co Closely Held Corp Municipality Other (specify)

4. List names and addresses of all principals; that is, all individuals serving on the Board of Directors or comparable body, all partners and limited partners, all corporate officers, all parties of Joint Ventures, and all members and officers of limited liability companies (attach additional sheets if necessary):

Anthony J. Santino, Supervisor;

Council Members: Anthony P. D'Esposito DOROTHY L. GOOSBY'

GARY HUDES; EDWARD A. AMBROSINO;

BRUCE A. BLAKEMAN and ERIN KING SWEENEY

5. List names and addresses of all shareholders, members, or partners of the firm. If the shareholder is not an individual, list the individual shareholders/partners/members. If a Publicly held Corporation include a copy of the 10K in lieu of completing this section.

N/A

6. List all affiliated and related companies and their relationship to the firm entered on line 1. above (if none, enter "None"). Attach a separate disclosure form for each affiliated or subsidiary company that may take part in the performance of this contract. Such disclosure shall be updated to include affiliated or subsidiary companies not previously disclosed that participate in the performance of the contract.

N/A

7. List all lobbyists whose services were utilized at any stage in this matter (i.e., pre-bid, bid, post-bid, etc.). The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements, or to otherwise engage in lobbying as the term is defined herein. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

(a) Name, title, business address and telephone number of lobbyist(s):

N/A

(b) Describe lobbying activity of each lobbyist. See page 4 of 4 for a complete description of lobbying activities.

N/A

(c) List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

N/A

8. VERIFICATION: This section must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.


The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

Dated: September 23, 2016

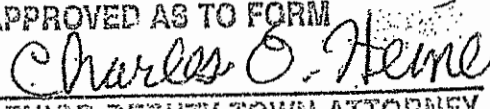
Signed: 

Print Name: GEORGE L. BAKICH

Title: COMMISSIONER

APPROVED
By KFC Date 9/23/16

KEVIN F. CONROY, CPA
TOWN COMPTROLLER



APPROVED AS TO FORM

SENIOR DEPUTY TOWN ATTORNEY
DATE 9/23/16

The term lobbying shall mean any attempt to influence: any determination made by the Nassau County Legislature, or any member thereof, with respect to the introduction, passage, defeat, or substance of any local legislation or resolution; any determination by the County Executive to support, oppose, approve or disapprove any local legislation or resolution, whether or not such legislation has been introduced in the County Legislature; any determination by an elected County official or an officer or employee of the County with respect to the procurement of goods, services or construction, including the preparation of contract specifications, including by not limited to the preparation of requests for proposals, or solicitation, award or administration of a contract or with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies; any determination made by the County Executive, County Legislature, or by the County of Nassau, its agencies, boards, commissions, department heads or committees, including but not limited to the Open Space and Parks Advisory Committee, the Planning Commission, with respect to the zoning, use, development or improvement of real property subject to County regulation, or any agencies, boards, commissions, department heads or committees with respect to requests for proposals, bidding, procurement or contracting for services for the County; any determination made by an elected county official or an officer or employee of the county with respect to the terms of the acquisition or disposition by the county of any interest in real property, with respect to a license or permit for the use of real property of or by the county, or with respect to a franchise, concession or revocable consent; the proposal, adoption, amendment or rejection by an agency of any rule having the force and effect of law; the decision to hold, timing or outcome of any rate making proceeding before an agency; the agenda or any determination of a board or commission; any determination regarding the calendaring or scope of any legislature oversight hearing; the issuance, repeal, modification or substance of a County Executive Order; or any determination made by an elected county official or an officer or employee of the county to support or oppose any state or federal legislation, rule or regulation, including any determination made to support or oppose that is contingent on any amendment of such legislation, rule or regulation, whether or not such legislation has been formally introduced and whether or not such rule or regulation has been formally proposed.



COUNTY OF NASSAU

POLITICAL CAMPAIGN CONTRIBUTION DISCLOSURE FORM

I. Has the vendor or any corporate officers of the vendor provided campaign contributions pursuant to the New York State Election Law in (a) the period beginning April 1, 2016 and ending on the date of this disclosure, or (b), beginning April 1, 2018, the period beginning two years prior to the date of this disclosure and ending on the date of this disclosure, to the campaign committees of any of the following Nassau County elected officials or to the campaign committees of any candidates for any of the following Nassau County elected offices: the County Executive, the County Clerk, the Comptroller, the District Attorney, or any County Legislator? If yes, to what campaign committee?

2. VERIFICATION: This section must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

The undersigned further certifies and affirms that the contribution(s) to the campaign committees identified above were made freely and without duress, threat or any promise of a governmental benefit or in exchange for any benefit or remuneration.

Vendor: _____

Dated: _____

Signed: _____

Print Name: _____

Title: _____

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING AND APPROVING AN INCREASE IN THE BASE CAP OF THE CONTRACT BETWEEN THE TOWN OF HEMPSTED AND VHB ENGINEERING, SURVEYING AND LANDSCAPE ARCHITECTURE P.C. (VHB) TO PROVIDE PROFESSIONAL SERVICES IN CONNECTION WITH THE COMMUNITY DEVELOPMENT PROGRAMS OF THE TOWN OF HEMPSTEAD

WHEREAS, the Town of Hempstead (hereinafter "Town") on February 23, 2016 by resolution number 290-2016 authorized a contract between the Town and VHB to provide professional services in connection with the community development programs of the Town; and

WHEREAS, the Town entered into a contract with VHB dated March 7, 2016 to perform professional services in connection with the planning and implementation of community development projects (hereinafter "Contract"); and

WHEREAS, the Contract provided for a sum not to exceed fifty thousand and 00/100 (\$50,000.00) dollars, exclusive of disbursements, with an option in favor of the Town to increase the base cap on the Contract by up to an additional fifty thousand and 00/100 (\$50,000.00) dollars; and

WHEREAS, the Town has received a memorandum from George L. Bakich, Commissioner of the Town's Department of Planning and Economic Development dated September 12, 2016 requesting an increase in the Contract amount to be increased by up to ninety thousand and 00/100 (\$90,000.00) dollars to complete various ongoing projects and to perform new unanticipated projects; and

WHEREAS, the law firm of Minerva & D'Agostino, P.C., legal counsel to the Town's Department of Planning and Economic Development by letter dated September 26, 2016 issued an opinion and recommendation in support of the request to increase the Contract amount by forty thousand and 00/100 (\$40,000.00) dollars, for a total amount not to exceed ninety thousand and 00/100 (\$90,000.00) dollars;

NOW THEREFORE

BE IT RESOLVED that the Town hereby authorizes and approves an increase in the base cap of the Contract up to the sum of ninety thousand (\$90,000.00) dollars.

The foregoing Resolution was duly adopted upon roll call as follows:

Ayes:

Nayes:

Item # 14
Case # 28531

CASE NO.

RESOLUTION NO.

ADOPTED:

Council Member offered the following resolution and moved for its adoption:

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE TOWN OF HEMPSTEAD AND TWO MEDIA OUTLETS (THE JEWISH HOME AND THE FIVE TOWNS JEWISH TIMES) FOR PROMOTION OF THE 2016 ROCK HALL COUNTRY FAIR

WHEREAS, the Town of Hempstead deems it to be in the public interest to host recreational and cultural attractions of significant magnitude, and to also promote and advertise these events through various media outlets in an effort to increase awareness and maximize participation; and

WHEREAS, the "2016 Rock Hall Country Fair" an annual celebration of the township's storied Colonial heritage, will be held on Saturday, October 22nd and Sunday, October 23rd at the Rock Hall Museum in Lawrence; and

WHEREAS, to effectively promote the "2016 Rock Hall Country Fair" in communities near the museum, the Town of Hempstead will publish print advertisements in *The Jewish Home* and *The Five Towns Jewish Times*; and

WHEREAS, the town will advertise the "2016 Rock Hall Country Fair" in the *Jewish Home* and *The Five Towns Jewish Times* in accordance with the following, costs, ad sizes and publication dates:

<u>MEDIA SOURCE</u>	<u>COST</u>	<u>ISSUE DATES</u>
<i>The Jewish Home</i>	\$930 (junior full page ads)	October 7 & 14
<i>The Five Towns Jewish Times</i>	\$2,900 (full page ads)	October 6 & 14

WHEREAS, the total cost for the four advertisements promoting the "2016 Rock Hall Country Fair" is \$3,830;

NOW, THEREFORE, BE IT

RESOLVED, that said agreement for advertising and payment to *The Jewish Home* and *The Five Towns Jewish Times* is hereby authorized in the amount of \$3,830. The amount is to be charged against Parks and Recreation Code 400-007-7110-4060, Advertising and Promotion.

The foregoing resolution was adopted upon roll call as follows:

Item # 15

AYES:

NOES:

Case # 6473

CASE NO.

RESOLUTION NO.

ADOPTED

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING PAYMENT OF AN INVOICE FROM CGI TECHNOLOGIES AND SOLUTIONS, INC. FOR CONTINUATION OF MAINTENANCE AND SUPPORT SERVICES FOR THE TOWN'S LOCAL GOVERNMENT FINANCIAL SYSTEM

WHEREAS, pursuant to an agreement dated December 28, 1987 with CGI Technologies and Solutions Inc. ("CGI") (formerly American Management Systems, Inc.) the town is licensee of a Local Government Financial System; and

WHEREAS, under terms of the said agreement, the town may purchase maintenance services for the software for 12 month periods at CGI's then-current prices; and

WHEREAS, CGI Technologies and Solutions, Inc., has submitted an invoice covering the 12 month period August 1, 2016 – July 31, 2017 in the amount of \$79,499.70; and

WHEREAS, the Town Comptroller deems the price to be fair and reasonable and payment of the invoice to be in the best interest of the Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, that the invoice received from CGI-Technologies and Solutions, Inc., of 11325 Random Hills Road, Fairfax, Virginia 22030 (remittance address: c/o Bank of America, 12907 Collection Center Drive, Chicago, Il 60693) be accepted and approved and the Town Comptroller be authorized to pay the same; and

BE IT

FURTHER RESOLVED, that the \$79,499.70 cost of maintenance for the period August 1, 2016 through July 31, 2017 be charged to and paid from General Fund-Fees and Services Account No. 010-012-9000-4151.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 16
Case # 6085

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION ACCEPTING BID FOR ROAD
IMPROVEMENT RANGE DRIVE AND WAYNE COURT,
MERRICK, NY, CROSS ROAD, BELLMORE, NY
PW # 37-16

WHEREAS, the Commissioner of General Services advertised for bids for, Road Improvement Range Drive and Wayne Court, Merrick NY, Cross Road, Bellmore, NY PW#37-16

WHEREAS, the bids submitted pursuant to such advertisement were opened and read in the office of the Commissioner of General Services on September 1, 2016;

WHEREAS, the following bids were received and referred to Engineering for examination and report:

Roadwork Ahead, Inc.	\$605,560.00
Metro Paving LLC	\$660,640.00
Valente Contracting Corp.	\$684,827.17
Laser Industries, Inc.	\$714,940.00

WHEREAS, the Deputy Commissioner of the Engineering Department reported that the lowest bid was received from Roadwork Ahead, Inc. 2186 Kirby Lane, Syosset, NY 11791 in the sum of \$605,560.00, and it appears that said bidder is duly qualified and recommends acceptance to the Town Board; and

NOW, THEREFORE, BE IT

RESOLVED, that the bid of Roadwork Ahead, Inc. 2186 Kirby Lane, Syosset, NY 11791 for the Road Improvement Range Drive and Wayne Court, Merrick NY, Cross Road, Bellmore, NY PW# 37-16 be accepted subject to the execution of a contract by it; 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 Supervisor be and he hereby is authorized to make payments under the contract executed by the successful bidder from Town Highway Capital Improvement Funds, Account No: 9554-503-9554-5010, in the sum of \$605,560.00.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 17

Case # 29561

Case No.

Resolution No.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION ACCEPTING BID FOR ROAD
IMPROVEMENT DUCKPOND DRIVE NORTH, OXFORD
ROAD - FOREST LAKE BLVD., WANTAGH, NY
PW # 36-16

WHEREAS, the Commissioner of General Services advertised for bids for, Road Improvement Duckpond Drive North, Oxford Road – Forest Lake Blvd, Wantagh NY, PW# 36-16

WHEREAS, the bids submitted pursuant to such advertisement were opened and read in the office of the Commissioner of General Services on September 8, 2016;

WHEREAS, the following bids were received and referred to Engineering for examination and report:

		Correction
Metro Paving LLC	\$ 895,000.00	\$894,999.50
Richard W. Grim, Inc.	\$ 920,575.10	
Laser Industries, Inc.	\$ 969,403.60	
Valente Contracting Corp.	\$ 976,768.39	
Roadwork Ahead, Inc.	\$ 986,153.00	
Pratt Brothers, Inc.	\$1,044,246.00	
Stasi Bros Asphalt Corp.	\$1,107,716.90	

WHEREAS, the Deputy Commissioner of the Engineering Department reported that the lowest bid was received from Metro Paving LLC, 500 Patton Avenue, W. Babylon, NY 11704 in the sum of \$894,999.50, and it appears that said bidder is duly qualified and recommends acceptance to the Town Board; and

NOW, THEREFORE, BE IT

RESOLVED, that the bid of Metro Paving LLC, 500 Patton Avenue, W. Babylon, NY 11704 for Road Improvement Duckpond Drive North, Oxford Road – Forest Lake Blvd, Wantagh NY, PW# 36-16 be accepted subject to the execution of a contract by it; 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 Supervisor be and he hereby is authorized to make payments under the contract executed by the successful bidder from Town Highway Capital Improvement Funds, Account No: 9554-503-9554-5010, in the sum of \$894,999.50.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item # 18

Case # 29560

CASE NO.

RESOLUTION NO.

Adopted:

offered

the following resolution and moved its adoption:

RESOLUTION APPROVING SITE PLAN SUBMITTED FOR THE BRISTAL AT GARDEN CITY BY STEVEN KRIEGER ON BEHALF OF ENGEL BURMAN AT GARDEN CITY LLC IN CONNECTION WITH BUILDING APPLICATION #201604050, FOR CONSTRUCTION OF A SIX STORY ASSISTED LIVING FACILITY AND ASSOCIATED SITE IMPROVEMENTS, LOCATED ON THE WEST SIDE OF AXINN AVENUE, 579 FEET WEST OF EAST GATE BOULEVARD, NEAR GARDEN CITY, TOWN OF HEMPSTEAD, NEW YORK. FURTHERMORE, TO RELEASE AND RESCIND THE SUBJECT PREMISES FROM DELCARATION OF RESTRICTIVE COVENANTS DATED 2/14/1951 AND RESPECTIVELY MODIFIED ON 8/24/1953, 1/10/1955, 5/17/1955, 9/12/1955 AND 10/5/2006 FOR THE CONSTRUCTION OF A SIX STORY ASSISTED LIVING FACILITY AND ASSOCIATED SITE IMPROVEMENTS IN THE INDUSTRIAL (Y) ZONE.

WHEREAS, heretofore, Steven Krieger, on behalf of Engel Burman of Garden City LLC has submitted an application bearing #201604050, for construction of a 6 Story Assisted Living Facility and associated site improvements located on the west side of Axinn Avenue, 579 feet west of East Gate Boulevard, near Garden City, 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 Dimensional Site Plan, dated April 18, 2016, last revised July 29, 2016, and bearing the seal of Michael Wade Keffer, P.E., License # 077701, 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 site development plan submitted by Steven Krieger on behalf of Engel Burman Group of Garden City LLC entitled Dimensional Site Plan, dated April 18, 2016 and last revised July 29, 2016 and bearing the seal of Michael Wade Keffer P.E., License #077701, University of the State of New York, in connection with building application #201604050, for construction of a Six Story Assisted Living Facility with associated site improvements and to furthermore to release and rescind the subject premises from Declaration of Restrictive Covenants dated 2/14/1951 and respectively modified on 8/24/1953, 1/10/1955, 5/17/1955, 9/12/1955 and 10/5/2006 for the construction of a Six Story Assisted Living Facility and associated Site Improvements located on the west side of Axinn Avenue, 579 feet west of East Gate Boulevard, near Garden City, 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 # 19

Case # 29559

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING REFUND TO DONALD W.
GILLEN FOR OVERPAYMENT OF TENT RENTAL FEE

WHEREAS, Donald W. Gillen, 735 Starr Road, Ravena, New York 12143, paid to the Town of Hempstead Division of Cemeteries the amount of \$250.00 for the rental of a tent in section 52, lot no. 245, grave no. 1 on July 9, 2016; and

WHEREAS, the tent rental charge was \$200.00 and Donald W. Gillen paid \$250.00; and

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized and directed to refund to Donald W. Gillen, 735 Starr Road, Ravena, New York 12143 the sum of \$50.00 and to be charged against account no. 010-006-8810-2192, General Fund.

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

20

Case #

8339

CASE NO.

RESOLUTION NO.

Adopted:

Mr. _____ offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING PAYMENT OF A TAX
LIEN BY THE TOWN OF HEMPSTEAD ON BEHALF
OF THE ROOSEVELT FIELD WATER DISTRICT

WHEREAS, the Town of Hempstead on behalf of the Roosevelt Field Water District is the owner of certain real property known as section 44, block 78, lot 84 on the Land and Tax Map of Nassau County, acquired in 2001 and used for water district purposes; and

WHEREAS, there is a tax lien filed against the said property in the total amount of \$161,017.79, in the office of the Nassau County Clerk, for taxes allegedly due in 2001 and 2002, which tax lien is disputed by the Town on behalf of the District; and

WHEREAS, it is necessary to pay the amount of the lien to the Nassau County Treasurer, to preserve the Town's rights in the property and challenge the validity of the lien;

NOW, THEREFORE, BE IT

RESOLVED, that the sum of \$161,017.79 be paid to the Nassau County Treasurer in satisfaction of a tax lien filed against the property identified as section 44, block 78, lot 84 on the Land and Tax Map of Nassau County, acquired in 2001 by the Town of Hempstead on behalf of the Roosevelt Field Water District and used for water district purposes, for taxes allegedly due in 2001 and 2002, to be paid out of the Roosevelt Field Water District Capital Outlay Account No. 506-006-0506-3010.

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

AYES:

NOES:

Item #

21

Case #

26010

CASE NO.

RESOLUTION NO.

ADOPTED:

Councilman
adoption:

offered the following resolution and moved its

RESOLUTION AUTHORIZING THE TOWN ATTORNEY
TO SETTLE LITIGATION BETWEEN THE TOWN OF
HEMPSTEAD AND THE RECEIVER OF TAXES AND THE
TOWN OF HEMPSTEAD AND NASSAU COUNTY, ET AL.

WHEREAS, legal actions are pending between the Town of Hempstead and
Donald X. Clavin, the Receiver of Taxes of the Town of Hempstead; and

WHEREAS, there are companion lawsuits pending between the Town of
Hempstead and Nassau County relating to the cases commonly known as the Utility cases
and the Town of Hempstead v. Nassau County under Index No: 602286-2015; and

WHEREAS, it is in the public interest to settle all such matters; and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Attorney is hereby authorized to settle all such
matters and to sign all Stipulations and Court Documents to accomplish the same; and

BE IT FURTHER RESOLVED, that all such matters to be settled are listed by
Index Number in the Stipulations of Settlement attached hereto and made part hereof and
are settled in accordance with those stipulations; and

BE IT FURTHER RESOLVED, that all such matters will be settled on the basis
of the Stipulations attached hereto; and

The foregoing resolution was adopted upon roll call as follows:

AYES:

NOES:

Item #

22

Case #

27490

CASE NO.

RESOLUTION NO.

Adopted:

offered the following
resolution and moved its adoption:

RESOLUTION AUTHORIZING REIMBURSEMENT OF
FEES FOR APPOINTMENT AS NOTARY PUBLIC FOR
KEVIN SIMONE EMPLOYEE OF THE TOWN
CLERK'S OFFICE

WHEREAS, is necessary that the Town Clerk's
Office have available at all times the services of a person who is
certified notary public;

WHEREAS, the Town Clerk has requested KEVIN
SIMONE, an employee of the Town Clerk's Office, to make
application for appointment by the State of New York to be
commissioned as a notary public; and

NOW, THEREFORE, BE IT

RESOLVED, that KEVIN SIMONE, an employee
of the Town Clerk's Office, is authorized to apply for
appointment and certification as a notary public and that he be
reimbursed for the actual and necessary fees in connection
therewith, not to exceed an amount of \$60.00 such reimbursement
to be made from and charged to Town Clerk's Office Expense
Account No. 010-001-1410-4040

The foregoing resolution was adopted upon roll call
as follows:

AYES:

NOES:

Item #

23

Case #

28629

CASE NO.

7

Resolution- Amending Resolution No. 73-2016 Re: Various offices, positions & occupations in the Town Government of the Town of Hempstead

Item #24
Case # 7

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution
and moved its adoption as follows:

RESOLUTION ADOPTING THE TENTATIVE
BUDGET AS THE PRELIMINARY BUDGET
FOR THE FISCAL YEAR COMMENCING
JANUARY 1, 2017, AND CALLING PUBLIC
HEARINGS THEREON.

WHEREAS, the heads of the various administrative units of the Town of Hempstead have submitted on or before the 30th day of September, 2016, to the Supervisor as Budget Officer, estimates of the revenues and expenditures of each administrative unit, in the form and containing such information as prescribed by the Supervisor as Budget Officer for the fiscal year commencing January 1, 2017; and

WHEREAS, the Supervisor as Budget Officer has reviewed the estimates, held such conferences as deemed necessary, and prepared a Tentative Budget in conformance with Section 106 of the Town Law of the State of New York; and

WHEREAS, the Tentative Budget, estimates and schedules for the fiscal year commencing January 1, 2017, have been filed in the Office of the Town Clerk by September 30th, 2016; and

WHEREAS, the Town Clerk presented the Tentative Budget, estimates and schedules to the Town Board at a meeting held on the 5st day of October, 2016, in accordance with Subdivision 3 of Section 106 of the Town Law of the State of New York; and

WHEREAS, this Town Board has reviewed the Tentative Budget and estimates submitted to it;

NOW, THEREFORE, BE IT

RESOLVED, that the Tentative Budget presented to the Town Board is hereby adopted as the Preliminary Budget of the Town of Hempstead for the fiscal year commencing January 1, 2017 and the original is hereby directed to be filed in the Office of the Town Clerk as such Preliminary Budget, and the Town Clerk shall reproduce 250 copies for distribution; and BE IT FURTHER

RESOLVED, that public hearings will be held on said Preliminary Budget in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, New York, on October 13th, 2016 at 2:30 P.M. of that day, and on October 13th, 2016 at 7:00 P.M. of that day, and that the Town Clerk shall give notice

Item #

Case #

25

969

of such hearing in the form annexed hereto by publishing the same once in a newspaper having a general circulation in the Town, and by posting on the signboard of the Town maintained pursuant to Subdivision 6 of Section 30 of the Town Law of the State of New York, not later than five days before the day designated for such hearing.

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

AYES:

NOES:

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, that the Preliminary Budget for the Town of Hempstead for the fiscal year beginning January 1, 2017, has been adopted by the Town Board and filed in the Office of the Town Clerk, at Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, Nassau County, New York, where it may be inspected by any interested person during Town office hours, 9:00 am to 4:45 pm, Monday through Friday.

FURTHER NOTICE IS HEREBY GIVEN, that the Town Board shall hold public hearings on the Preliminary Budget, showing such changes, alterations and revisions as may have been made therein by the Town Board pursuant to Subdivision 3 of Section 106 of the Town Law of the State of New York, in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, New York, on October 13th, 2016, at 2:30 p. m. of that day, and October 13th, 2016, at 7:00 p. m. of that day, at which hearings any person may be heard in favor of or against any item or items therein contained.

FURTHER NOTICE IS HEREBY GIVEN, pursuant to Section 108 of the Town Law that the proposed salaries of the following chief officers of this Town are specified as follows:

Supervisor	-	\$160,000.00
Town Councilmembers (Six at \$71,000.00)	-	\$426,000.00
Town Clerk	-	\$106,500.00
Receiver of Taxes	-	\$130,000.00

Dated: Hempstead, New York
October , 2016.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

ANTHONY J. SANTINO
Supervisor

NASRIN G. AHMAD
Town Clerk

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, that pursuant to the provisions of Section 202-a of the Town Law of the State of New York, as amended, the Commissioners of the Greater Atlantic Beach Water Reclamation District, formerly known as the West Long Beach Sewer District have filed in the Office of the Town Clerk, where they may be inspected by any interested person during Town office hours, 9:00 am to 4:45 pm, Monday through Friday, the Estimates and Proposed Assessment Roll for the Greater Atlantic Beach Water Reclamation District, in the Town of Hempstead, Nassau County, New York, for the fiscal year beginning January 1, 2017.

NOTICE IS ALSO GIVEN, that public hearings upon the adoption of the aforesaid Assessment Roll will be held by the Town Board of the Town of Hempstead, pursuant to the provisions of Section 239 of the Town Law of the State of New York, in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, New York, on October 13th, 2016, at 2:30 p. m. of that day, and on October 13th, 2016, at 7:00 p. m. of that day, at which hearings any person may be heard in favor of or against the adoption of said Assessment Roll.

Dated: Hempstead, New York
 , 2016.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

ANTHONY J. SANTINO
Supervisor

NASRIN G. AHMAD
Town Clerk

CASE NO. 29555

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved
its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A
PROPOSED LOCAL LAW TO AMEND CHAPTER 202
OF THE CODE OF THE TOWN OF HEMPSTEAD TO
INCLUDE AND REPEAL "REGULATIONS AND
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 AND RESTRICTIONS" to limit
parking at various locations; and

WHEREAS, has introduced a proposed local law known as
Intro. No. 98-2016, Print No. 1 to amend the said Chapter 202 of the
Code of the Town of Hempstead to include and repeal "REGULATIONS AND
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 November 15, 2016, 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. 98-2016, Print
No. 1, to amend Chapter 202 of the Code of the Town of Hempstead to
include and repeal "REGULATIONS AND 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 # 27

Case # 29555

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 15th day of November, 2016, 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:

OCEANSIDE
Section 202-13

ROYAL AVENUE (TH 214/16) West Side – NO PARKING
7 AM – 12 NOON EXCEPT SATURDAYS, SUNDAYS &
HOLIDAYS – from the south curblin e of River St., south for a
distance of 50 feet.

ROYAL AVENUE (TH 214/16) West Side – NO PARKING
7 AM – 12 NOON EXCEPT SATURDAYS, SUNDAYS &
HOLIDAYS – starting at a point 103 feet south of the south
curblin e of River St., south to the north curblin e of Union Pl.

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

OCEANSIDE
Section 202-13

ROYAL AVENUE (TH 214/16) East Side – NO PARKING
7 AM – 12 NOON EXCEPT SATURDAYS, SUNDAYS &
HOLIDAYS – from the south curblin e of River St., south for a
distance of 50 feet. (Adopted 8/2/16)

ROYAL AVENUE (TH 214/16) East Side – NO PARKING
7 AM – 12 NOON EXCEPT SATURDAYS, SUNDAYS &
HOLIDAYS – starting at a point 103 feet south of the south
curblin e of River St., south to the north curblin e of Union Pl.
(Adopted 8/2/16)

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

Dated: October 5, 2016
Hempstead, New York

ANTHONY J. SANTINO
Supervisor

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

Nasrin G. Ahmad
Town Clerk

Town of Hempstead

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

OCEANSIDE
Section 202-13

ROYAL AVENUE (TH 214/16) West Side – NO PARKING
7 AM – 12 NOON EXCEPT SATURDAYS, SUNDAYS &
HOLIDAYS – from the south curblin of River St., south for a
distance of 50 feet.

ROYAL AVENUE (TH 214/16) West Side – NO PARKING
7 AM – 12 NOON EXCEPT SATURDAYS, SUNDAYS &
HOLIDAYS – starting at a point 103 feet south of the south
curblin of River St., south to the north curblin of Union Pl.

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

OCEANSIDE
Section 202-13

ROYAL AVENUE (TH 214/16) East Side – NO PARKING
7 AM – 12 NOON EXCEPT SATURDAYS, SUNDAYS &
HOLIDAYS – from the south curblin of River St., south for a
distance of 50 feet. (Adopted 8/2/16)

ROYAL AVENUE (TH 214/16) East Side – NO PARKING
7 AM – 12 NOON EXCEPT SATURDAYS, SUNDAYS &
HOLIDAYS – starting at a point 103 feet south of the south
curblin of River St., south to the north curblin of Union Pl.
(Adopted 8/2/16)

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

CASE NO. 29556

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved
its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A
PROPOSED LOCAL LAW TO AMEND SECTION
OF THE CODE OF THE TOWN OF HEMPSTEAD TO
INCLUDE AND REPEAL "PARKING OR STANDING
PROHIBITIONS" 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 PROHIBITIONS";
and

WHEREAS, has introduced a proposed local law known as
Intro. No. 90-2016, 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 November 15, 2016, 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. 90-2016, 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 # 28

Case # 29556

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 15th day of November, 2016, 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:

- | | |
|-------------------|--|
| BELLEROSE TERRACE | HURON ROAD (TH 380/16) South Side – NO PARKING ANYTIME – starting at the east curbline of Colonial Rd., east to its termination. |
| EAST MEADOW | TABOR PLACE (TH 378/16) East Side – NO STOPPING ANYTIME – starting at the north curbline of North Jerusalem Rd., north for a distance of 40 feet. |
| ELMONT | HILL AVENUE (TH 342/16) West Side – NO STOPPING HERE TO CORNER – starting at the north curbline of Rosser Ave., north for a distance of 30 feet.

ROSSER AVENUE (TH 342/16) North Side – NO STOPPING HERE TO CORNER – starting at the east curbline of Hill Ave., east for a distance of 25 feet.

ROSSER AVENUE (TH 342/16) North Side – NO STOPPING HERE TO CORNER – starting at the west curbline of Hill Ave., west for a distance of 24 feet. |
| NORTH MERRICK | MEADOWBROOK ROAD (TH 377/16) West Side – NO STOPPING HERE TO CORNER – starting at the south curbline of James St., south for a distance of 35 feet. |
| ROOSEVELT | WILLIAM STREET (TH 344/16) North Side – NO PARKING ANYTIME – starting at a point 220 feet east of the east curbline of Anna Ave., east for a distance of 50 feet. |
| WEST HEMPSTEAD | WALTON STREET (TH 355/16) North Side – NO STOPPING HERE TO CORNER – starting at the east curbline of Hempstead Ave., east for a distance of 101 feet. |

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

- | | |
|-------------------|--|
| BELLEROSE TERRACE | HURON ROAD (TH 502/14) South Side – NO PARKING ANYTIME – starting at the east curbline of Colonial Rd., east for a distance of 56 feet. (Adopted 1/3/15)

HURON ROAD (TH 502/14) South Side – NO PARKING ANYTIME – starting at a point 98 feet east of the east curbline of Colonial Rd., east to roadway termination. (Adopted 1/13/15) |
|-------------------|--|

EAST MEADOW

TABOR PLACE (TH 338/71) East Side – NO STOPPING
HERE TO CORNER – starting at the north curbline of North
Jerusalem Rd., north for a distance of 50 feet.

(Adopted 9/14/71)

SEAFORD

PINE STREET (TH 323/15) East Side – NO PARKING
ANYTIME – starting at a point 260 feet south of the south
curbline of Merrick Rd., south for a distance of 48 feet.

(Adopted 9/8/15)

WEST HEMPSTEAD

WALTON STREET (TH 230/65) North Side – NO
PARKING POLICE CARS ONLY – starting at a point 38
feet east of the east curbline of Hempstead Avenue and east
for a distance of 34 feet. (Adopted 7/27/65)

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

Dated: October 5, 2016
Hempstead, New York

ANTHONY J. SANTINO
Supervisor

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

Nasrin G. Ahmad
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-four of two thousand sixteen is hereby amended by including therein "PARKING OR STANDING PROHIBITIONS" at the following locations:

- BELLEROSE TERRACE HURON ROAD (TH 380/16) South Side – NO PARKING ANYTIME – starting at the east curblines of Colonial Rd., east to its termination.
- EAST MEADOW TABOR PLACE (TH 378/16) East Side – NO STOPPING ANYTIME – starting at the north curblines of North Jerusalem Rd., north for a distance of 40 feet.
- ELMONT HILL AVENUE (TH 342/16) West Side – NO STOPPING HERE TO CORNER – starting at the north curblines of Rosser Ave., north for a distance of 30 feet.
- ROSSER AVENUE (TH 342/16) North Side – NO STOPPING HERE TO CORNER – starting at the east curblines of Hill Ave., east for a distance of 25 feet.
- ROSSER AVENUE (TH 342/16) North Side – NO STOPPING HERE TO CORNER – starting at the west curblines of Hill Ave., west for a distance of 24 feet.
- NORTH MERRICK MEADOWBROOK ROAD (TH 377/16) West Side – NO STOPPING HERE TO CORNER – starting at the south curblines of James St., south for a distance of 35 feet.
- ROOSEVELT WILLIAM STREET (TH 344/16) North Side – NO PARKING ANYTIME – starting at a point 220 feet east of the east curblines of Anna Ave., east for a distance of 50 feet.
- WEST HEMPSTEAD WALTON STREET (TH 355/16) North Side – NO STOPPING HERE TO CORNER – starting at the east curblines of Hempstead Ave., east for a distance of 101 feet.

Section 2. Section two hundred two dash one of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, said Section last amended by local law number sixty-four of two thousand sixteen is hereby amended by repealing therein "PARKING OR STANDING PROHIBITIONS" at the following locations:

- BELLEROSE TERRACE HURON ROAD (TH 502/14) South Side – NO PARKING ANYTIME – starting at the east curblines of Colonial Rd., east for a distance of 56 feet. (Adopted 1/3/15)
- HURON ROAD (TH 502/14) South Side – NO PARKING ANYTIME – starting at a point 98 feet east of the east curblines of Colonial Rd., east to roadway termination. (Adopted 1/13/15)
- EAST MEADOW TABOR PLACE (TH 338/71) East Side – NO STOPPING HERE TO CORNER – starting at the north curblines of North Jerusalem Rd., north for a distance of 50 feet. (Adopted 9/14/71)

SEAFORD

PINE STREET (TH 323/15) East Side – NO PARKING ANYTIME – starting at a point 260 feet south of the south curbline of Merrick Rd., south for a distance of 48 feet. (Adopted 9/8/15)

WEST HEMPSTEAD

WALTON STREET (TH 230/65) North Side – NO PARKING POLICE CARS ONLY – starting at a point 38 feet east of the east curbline of Hempstead Avenue and east for a distance of 34 feet. (Adopted 7/27/65)

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

CASE NO. 29557

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved
its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A
PROPOSED LOCAL LAW TO AMEND SECTION
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"; and

WHEREAS, has introduced a proposed local law known as Intro. No. -2016, 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 November 15, 2016, 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. 91-2016, 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 # 29

Case # 29557

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 15th day of November, 2016, 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:

ELMONT	HILL AVENUE (TH 342/16) STOP – all traffic traveling westbound on Rosser Ave. shall come to a full stop.
	HILL AVENUE (TH 342/16) STOP – all traffic traveling eastbound on Rosser Ave. shall come to a full stop.
	KIEFER AVENUE (TH 388/16) STOP – all traffic traveling northbound on Benson Ave. shall come to a full stop.
NORTH BELLMORE	COLUMBUS AVENUE (TH 371/16) STOP – all traffic traveling northbound on Armand Street shall come to a full stop.
ROOSEVELT	ANNA AVENUE (TH 344/16) STOP – all traffic traveling westbound on William St. shall come to a full stop.
WANTAGH	EMERSON PLACE (TH 336/16) STOP – all traffic traveling westbound on Lowell Ave. shall come to a full stop.
	WILSON AVENUE (TH 336/16) STOP – all traffic traveling northbound on Emerson Pl. shall come to a full stop.

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

Dated: October 5, 2016
Hempstead, New York

ANTHONY J. SANTINO
Supervisor

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

Nasrin G. Ahmad
Town Clerk

Town of Hempstead

A local law to amend Section one hundred ninety-seven dash five of the Code of the Town of Hempstead as constituted by local law number one of nineteen hundred and sixty-nine, to include and repeal "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-five of two thousand sixteen is hereby amended by including therein "ARTERIAL STOPS" at the following locations:

ELMONT HILL AVENUE (TH 342/16) STOP – all traffic traveling westbound on Rosser Ave. shall come to a full stop.

HILL AVENUE (TH 342/16) STOP – all traffic traveling eastbound on Rosser Ave. shall come to a full stop.

KIEFER AVENUE (TH 388/16) STOP – all traffic traveling northbound on Benson Ave. shall come to a full stop.

NORTH BELLMORE COLUMBUS AVENUE (TH 371/16) STOP – all traffic traveling northbound on Armand Street shall come to a full stop.

ROOSEVELT ANNA AVENUE (TH 344/16) STOP – all traffic traveling westbound on William St. shall come to a full stop.

WANTAGH EMERSON PLACE (TH 336/16) STOP – all traffic traveling westbound on Lowell Ave. shall come to a full stop.

WILSON AVENUE (TH 336/16) STOP – all traffic traveling northbound on Emerson Pl. shall come to a full stop.

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

CASE NO. 29558

RESOLUTION NO.

ADOPTED:

offered the following resolution and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON A PROPOSED LOCAL LAW TO AMEND SECTION OF THE CODE OF THE TOWN OF HEMPSTEAD TO INCLUDE AND REPEAL "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" AT VARIOUS LOCATIONS.

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

WHEREAS, it appears to be in the public interest to consider the enactment of a local law amending Section 197-13 of the Code of the Town of Hempstead entitled "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS"; and

WHEREAS, has introduced a proposed local law known as Intro. No. 92-2016, Print No. 1 to amend the said Section 197-13 of the Code of the Town of Hempstead to include and repeal "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at various locations; NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York on November 15, 2016, 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. 92-2016, Print No. 1, to amend Section 197-13 of the Code of the Town of Hempstead to include and repeal "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at various locations; and, BE IT FURTHER

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

The foregoing resolution was adopted upon roll call as follows:

AYES: ()

NOES: ()

Item # 30

Case # 29558

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 15th day of November, 2016, at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to amend Section 197-13 of the code of the Town of Hempstead to INCLUDE "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS " at the following locations:

MERRICK

AMSTERDAM AVENUE (TH 379/16) West Side – TWO HOUR PARKING 8 AM – 4 PM SCHOOL DAYS – starting at the north curbline of Relyea Dr., north for a distance of 137 feet.

AMSTERDAM AVENUE (TH 379/16) West Side – TWO HOUR PARKING 8 AM – 4 PM SCHOOL DAYS – starting at a point 260 feet north of the north curbline of Relyea Dr., north to the south curbline of Camp Ave.

ALSO, to REPEAL from Section 197-13 "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS " at the following location:

MERRICK

AMSTERDAM AVENUE (TH 688/67) West Side – TWO HOUR PARKING 8 AM – 4 PM SCHOOL DAYS – starting at the north of the north curbline of Relyea Dr., north to the south curbline of Camp Ave. (Adopted 6/25/68)

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

Dated: October 5, 2016
Hempstead, New York

ANTHONY J. SANTINO
Supervisor

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

Nasrin Ahmad
Town Clerk

Town of Hempstead

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

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

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

- MERRICK AMSTERDAM AVENUE (TH 379/16)West Side – TWO HOUR PARKING 8 AM – 4 PM SCHOOL DAYS – starting at the north curbline of Relyea Dr., north for a distance of 137 feet.
- AMSTERDAM AVENUE (TH 379/16)West Side – TWO HOUR PARKING 8 AM – 4 PM SCHOOL DAYS – starting at a point 260 feet north of the north curbline of Relyea Dr., north to the south curbline of Camp Ave.

Section 2. 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 sixty-seven of two thousand sixteen is hereby amended by repealing therein "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" at the following location:

- MERRICK AMSTERDAM AVENUE (TH 688/67)West Side – TWO HOUR PARKING 8 AM – 4 PM SCHOOL DAYS – starting at the north of the north curbline of Relyea Dr., north to the south curbline of Camp Ave. (Adopted 6/25/68)

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

CASE NO.

RESOLUTION NO.

Adopted:

 offered the following resolution and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING
ON A LOCAL LAW TO REPEAL A CERTAIN PART OF
SECTION TWO HUNDRED TWO DASH FIFTY-SEVEN OF
THE CODE OF THE TOWN OF HEMPSTEAD, ENTITLED
"PARKING FOR POLICE VEHICLES ONLY" AT A
CERTAIN LOCATION OF ROOSEVELT BOULEVARD, WEST
HEMPSTEAD.

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

WHEREAS, it appears to be in the public interest to consider the enactment of a local law to repeal the part of Section 202-57 of the Code of the Town of Hempstead that pertains only to parking for police vehicles at a certain location of Roosevelt Boulevard, West Hempstead; and

WHEREAS, has introduced a local law known as Intro. No. -2016, Print No. 1, as aforesaid;

NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, New York on the 15th day of November , 2016, at 10:30 o'clock in the forenoon of that day at which time all interested persons shall be heard on the enactment of a local law known as Intro. No. -2016, Print No. 1, to repeal a certain part of section 202-57 of the Code of the Town of Hempstead that pertains only to parking for police vehicles at a certain location of Roosevelt Boulevard, West Hempstead; 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 by them for that purpose in the Town Hall once, pursuant to Section 4-1 of Chapter 4 of the Code of the Town of Hempstead entitled, "Local Laws: Adoption" prior to the date of said hearing.

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

AYES:

NOES:

Item # 31

Case # 22430

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 15th day of November, 2016 at 10:30 o'clock in the forenoon of that day to consider the enactment of a local law to repeal the part of Section 202-57 of the Code of the Town of Hempstead that pertains only to parking for police vehicles at a certain location of Roosevelt Boulevard, West Hempstead, as stated as follows:

WEST HEMPSTEAD

ROOSEVELT BOULEVARD - north side, starting at a point 40 feet east of the curbline of Nassau Boulevard, east for a distance for a distance of 40 feet..
(TH: 88/76) (TH-4/13/76) (TH-346/16)

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: Hempstead, New York
, 2016.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

ANTHONY J. SANTINO
Supervisor

NASRIN G. AHMAD
Town Clerk

Intro No.

Print No.

Town of Hempstead

A local law to repeal the part of section two hundred two dash fifty-seven of the code of the town of Hempstead that pertains only to parking for police vehicles at a certain location of Roosevelt Boulevard, West Hempstead.

Introduced by:

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

Section 1. Section two hundred two dash fifty-seven of the code of the town of Hempstead as constituted by local law number one of nineteen hundred sixty-nine, hereby is repealed by the deletion of the part only that pertains to parking for police vehicles only at a certain location of Roosevelt Boulevard, West Hempstead, as stated as follows:

WEST HEMPSTEAD

ROOSEVELT BOULEVARD - north side,
starting at a point 40 feet east of
the east curblineline of Nassau Boulevard,
east for a distance of 40 feet.
(TH: 88/76 - 4/13/76) (TH-346/16)

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

CASE NO.

RESOLUTION NO.

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 PERSON.

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, 1 Washington Street,
Hempstead, New York, on the 15th day of November , 2016, 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:

BELLMORE

NEWBRIDGE ROAD - east side, starting
at a point 90 feet south of the
south curblineline of Marlboro Place,
south for a distance of 20 feet.
(TH-218/16)

ELMONT

SEWANEE AVENUE - west side, starting
at a point 260 feet south of the
south curblineline of Hempstead Turnpike,
south for a distance of 15 feet.
(TH-372/16)

FRANKLIN SQUARE

ST. PAUL PLACE - north side, starting
at a point 17 feet east of the
east curblineline of Madison Street, east
for a distance of 20 feet.
(TH-341/16)

Item #

32

Case #

21527

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 15th day of November , 2016, 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:

BELLMORE

NEWBRIDGE ROAD - east side, starting at a point 90 feet south of the south curblineline of Marlboro Place, south for a distance of 20 feet.
(TH-218/16)

ELMONT

SEWANEE AVENUE - west side, starting at a point 260 feet south of the south curblineline of Hempstead Turnpike, south for a distance of 15 feet.
(TH-372/16)

FRANKLIN SQUARE

ST. PAUL PLACE - north side, starting at a point 17 feet east of the east curblineline of Madison Street, east for a distance of 20 feet.
(TH-341/16)

UNIONDALE

NARROWS - north side, starting at a point 124 feet east of a point opposite the east curblineline of Anchor Way, east for a distance of 44 feet.
(TH-337/16)

UNIONDALE

NARROWS - north side, starting at
a point 124 feet east of a point opposite
the east curblineline of Anchor Way, east for
a distance of 44 feet.
(TH-337/16)

VALLEY STREAM

FENWOOD DRIVE - east side, starting
at a point 398 feet north of the
north curblineline of Jasen Avenue,
north for a distance of 20 feet.
(TH-360/16)

; and, BE IT FURTHER

RESOLVED, that the Town Clerk shall give notice of such
hearing by the publication thereof 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:

VALLEY STREAM

FENWOOD DRIVE - east side, starting
at a point 398 feet north of the
north curbline of Jasen Avenue,
north for a distance of 20 feet.
(TH-360/16)

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

Dated: Hempstead, New York
 , 2016

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

ANTHONY J. SANTINO
Supervisor

NASRIN G. AHMAD
Town Clerk

CASE NO.

RESOLUTION NO.

Adopted:

offered the following resolution
and moved its adoption:

RESOLUTION CALLING A PUBLIC HEARING ON
THE PROPOSED AMENDMENT OF SECTION 302
OF ARTICLE XXXI OF THE BUILDING ZONE
ORDINANCE OF THE TOWN OF HEMPSTEAD,
INSOFAR AS TO CREATE A NEW SUBSECTION
302 (R) THEREOF, IN RELATION TO
ENACTING A TEMPORARY MORATORIUM ON
RESIDENTIAL DEVELOPMENT OF CERTAIN
GOLF COURSE PROPERTIES

WHEREAS, the Town Board of the Town of Hempstead is
empowered to amend the Building Zone Ordinance of the Town
of Hempstead pursuant to Article 16 of the Town Law of the
State of New York and Article XXVI of the Building Zone
Ordinance of the Town of Hempstead, as amended; and

WHEREAS, it is in the public interest to consider the
amendment of Section 302 of Article XXXI of the Building
Zone Ordinance of the Town of Hempstead, insofar as to
create a new subsection 302 (R) thereof, in relation to
enacting a temporary moratorium on residential development
of certain golf course properties;

NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held in the Town
Meeting Pavilion, Hempstead Town Hall, 1 Washington Street
Village and Town of Hempstead, New York, on the 15th day of
November , 2016, at 10:30 o'clock in the forenoon of that day
at which time all persons interested shall be heard on the
proposed amendment of Section 302 of Article XXXI of the
Building Zone Ordinance of the Town of Hempstead, insofar
as to create a new subsection 302 (R) thereof, in relation
to enacting a temporary moratorium on residential
development of certain golf course properties, to read as
follows:

§ 302. Prohibited and restricted uses.

* * *

R. Temporary Moratorium Established.

1. Legislative Intent. The Town Board is
greatly concerned that area character and
property values be preserved, enhanced and
protected for the benefit of Town residents, both
within incorporated villages and in the
unincorporated areas of the Town. The Town
Board notes that a key aspect of accomplishing
that goal of protecting area character is to
ensure that substantial new residential

Item #

33

Case #

28674

development would be on lots of a minimum size, and subject to dimensional area requirements, that are fairly consistent with existing residential lots in the surrounding area. The Town Board has noted that within the unincorporated area of the Town of Hempstead, there are one or more properties that are improved with privately-owned golf courses and their accessory buildings and structures, which properties are adjacent or proximate to incorporated villages that are primarily developed with detached single family dwellings. The Town Board has noted that these villages have zoning regulations which include minimum lot sizes and other area requirements for single family dwellings which are far in excess of the Town's existing zoning district regulations which allow for development of detached single or two-family dwellings. As such, the Town Board believes that as a matter of sound land-use planning, it is a prudent action to impose a moratorium at this time on issuing of building permits for residential development of existing golf course properties if any portion of such golf course property is adjacent to or fairly proximate to one or more incorporated villages that are primarily developed with single family residences. Doing so will allow the Town the time to conduct a full review of the layout of existing homes and the current area-based zoning regulations set forth in the zoning codes of the proximate villages. Doing so will enable the Town Board to determine whether to enact comprehensive new lot sizes and other area-based regulations that would apply to possible residential development of golf course property or properties at the end of the moratorium period, that will allow for reasonable residential development, basically in line with the zoning regulations of the villages, and ultimately, provide for reasonable development, while fully protecting established area character of all surrounding properties, including within the village(s) in question.

2. Moratorium declared and imposed. Effective immediately upon adoption of this subsection "302.R" in accordance with law, a moratorium is hereby declared and imposed, whereby the Department of Buildings and any other Town agency or department with jurisdiction will not issue any final building permit or other necessary approval, in connection with any application for residential development of any part of a privately-owned golf course property, including areas of the golf course, clubhouse building(s) and/or accessory buildings, structures, appurtenances or interior roads or pathways of any kind, provided that any part of the overall

golf course property is located either adjacent to or within 500 feet of any land included within the territorial limits of an incorporated village.

3. This moratorium shall remain in effect for 180 days, and is subject to 90-day extensions by further administrative action of the Town Board, if the Town Board shall determine that any such extension is necessary to maintain the status quo while it shall properly conduct and complete it's study and enact new regulations, as it may deem appropriate.

4. Nothing herein shall prevent the filing of a Building Permit Application with the Department of Buildings or any other involved agency or department. However, any such filing and payment of fees is strictly at applicant's risk, in the event that newly imposed regulations lead applicant to file new applications in accordance with new regulations.

5. While the imposition of the within moratorium is a Type II action under the State Environmental Quality Review Act (SEQRA), nothing herein shall be construed as to dispense with any requirement of the Town or any other agency, Government or person to comply with any or all applicable SEQRA or other lawful requirements in enacting any new zoning regulations in accordance with the foregoing provisions.

6. The foregoing provisions are severable, and invalidation of any provisions by a court of competent jurisdiction shall effect that provision only, and the balance of the provisions shall remain in full force and effect, for all purposes.

and, BE IT FURTHER

RESOLVED, that the Town Clerk be and he hereby is directed to publish notice thereof once at least ten (10) days prior to the date set for the public hearing and give written notice to people entitled thereto according to law.

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 Article 16 of the Town 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, Village and Town of Hempstead, Hempstead, New York, on the 15th day of November , 2016, at 10:30 o'clock in the forenoon of that day, to consider the amendment of Section 302 of Article XXXI of the Building Zone Ordinance of the Town of Hempstead, insofar as to create a new subsection 302 (R) thereof, in relation to enacting a temporary moratorium on residential development of certain golf course properties. The proposed amendment is on file in the office of the Town Clerk of the Town of Hempstead, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, Hempstead, New York, where same may be inspected during office hours.

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

Dated: Hempstead, New York

,2016.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

NASRIN G. AHMAD
Town Clerk

ANTHONY J. SANTINO
Supervisor

CASE NO.

RESOLUTION NO.

RESOLUTION CALLING PUBLIC HEARING ON
APPLICATION OF TURHAN AK FOR PERMIT TO INCLUDE
EXISTING GASOLINE SERVICE STATION WITHIN
"GSS" DISTRICT AT EAST MEADOW, NEW YORK.

ADOPTED:

offered the following resolution and moved its
adoption:

RESOLVED, that a public hearing will be held November
15, 2016 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 TURHAN AK for a permit to include existing
gasoline service station with "GSS" District with new under
storage tanks, new canopy and new rear addition for a
convenience store (street frontage & side/rear yard set
back & location of pumps variances required) on premises
located on the n/e/c of East Meadow & Stuyvesant Aves. at
EAST MEADOW, New York, and BE IT

FURTHER RESOLVED, that the Town Clerk be and hereby is
directed to publish notice thereof once a week for two
successive weeks in Long Island Business News.

The foregoing resolution was adopted upon roll call as
follows:

AYES:

NOES:

Item # 34
Case # 29272

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 November 15, 2016 at 10:30 o'clock in the forenoon of that day for the purpose of considering the application of TURHAN AK for a permit to include an existing gasoline service station within the "GSS" District with new under storage tanks, new canopy and new rear addition for a conveniences store (street frontage & side/rear yard set-back & location of pumps variances required on the following described premise at East Meadow, New York:

A parcel of land located on the n/e/c of East Meadow & Stuyvesant Ave. w/frontage of 126.36' along East Meadow Ave. & 147.38' along Stuyvesant Ave. situated in East Meadow, Town of Hempstead, County of Nassau, State of New York.

Map 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, NEW YORK.

ANTHONY J. SANTINO
Supervisor

NASRIN G. AHMAD
Town Clerk

Dated:
Hempstead, N.Y.

CASE NO.

RESOLUTION NO.

RESOLUTION CALLING PUBLIC HEARING ON
PETITION OF TURHAN AK FOR REZONING PROPERTY AT
EAST MEADOW, NEW YORK.

ADOPTED:

offered the following resolution and moved its
adoption:

RESOLVED, that a public hearing be held November 15,
2016 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 petition of
TURHAN AK for rezoning from Residence "B" District to
Business District, property on the n/e/c of East Meadow &
Stuyvesant Aves., East Meadow, 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 # 35
Case # 29773

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Section 273 of Article 28 of the Building Zone Ordinance of the Town of Hempstead, that a public hearing will be held by the Town Board of said Town on November 15, 2016 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, for the purpose of considering the petition of TURHAN AK for rezoning from Residence "B" District to Business District, on the following described premises at East Meadow, New York:

A parcel of land 100.00' n/e/c of East Meadow & Stuyvesant Aves. w/frontage of 47.38' along Stuyvesant Ave. & 137.78' along the adjacent tax lot to the n/e situated in east meadow, Town of Hempstead, County of Nassau, State of New York.

A negative declaration in connection with this petition was adopted by the Town Board on pursuant to Resolution No.439-2015.

The above mentioned petition, map and negative declaration which accompanies it are on file with the undersigned and may be viewed during office hours.

Any person interested in the subject matter will be given an opportunity to be heard with reference thereto at the time and place above designated.

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

Anthony J. Santino
Supervisor

NASRIN G. AHMAD
Town Clerk

Dated:
Hempstead, N.Y.

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF STACEY AARON
AS COMMUNITY RESEARCH ASSISTANT,
IN THE DEPARTMENT OF SANITATION.

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

RESOLVED, that Stacey Aaron be and hereby is appointed
Community Research Assistant, Non Competitive, Ungraded, at an annual salary of \$85,000, 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 22, 2016 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for
twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment
may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF JEFFERY ALLEN AS
HIGHWAY ROAD REPAIR CREW CHIEF, IN
THE DEPARTMENT OF HIGHWAY.

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

RESOLVED, that Jeffery Allen, now serving as Equipment Operator III, in the Department of Highway, be and hereby is appointed Highway Road Repair Crew Chief, Non Competitive, Grade 19, Step 10 (K), Salary Schedule C, \$92,101, in the Department of Highway, by the Commissioner of the Department of Highway and ratified by the Town Board of the Town of Hempstead effective October 6, 2016, and BE IT

FURTHER RESOLVED, that subject appointment is probationary for twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF MICHAEL BERTHELON AS
SECURITY AIDE, IN THE DEPARTMENT OF
CONSERVATION AND WATERWAYS.

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

RESOLVED, that Michael Berthelon, now serving as Laborer I, in the Department of Conservation and Waterways, be and hereby is appointed Security Aide, Non Competitive, Grade 8, Step 11 (L), Salary Schedule C, \$68,745, in the Department of Conservation and Waterways, by the Commissioner of the Department of Conservation and Waterways and ratified by the Town Board of the Town of Hempstead effective October 6, 2016, and BE IT

FURTHER RESOLVED, that subject appointment is probationary for twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF PETER BJORNEBY AS
LABORER I, IN THE DEPARTMENT OF
SANITATION.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that Peter Bjerneby be and hereby is appointed Laborer I, Labor Class, Grade 9, Start Step (A), Salary Schedule D, \$40,974, 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 October 6, 2016 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF VIVIAN CARPENTER AS
SENIOR CITIZENS' PROGRAM DEVELOPMENT
AIDE, IN THE DEPARTMENT OF SENIOR
ENRICHMENT.

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

RESOLVED, that Vivian Carpenter, now serving as Food Service Worker
I, in the Department of Senior Enrichment, be and hereby is appointed Senior Citizens' Program
Development Aide, Non Competitive, Ungraded, with no change in salary, in the Department of
Senior Enrichment, by the Commissioner of the Department of Senior Enrichment and ratified by the
Town Board of the Town of Hempstead effective October 6, 2016, and BE IT

FURTHER RESOLVED, that subject appointment is probationary for
twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment may be
terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF CELESTE ESOPA AS
SECRETARY TO THE SUPERVISOR, IN
THE OFFICE OF THE SUPERVISOR.

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

WHEREAS, Celeste Esopa has resigned her position as Secretary to
the Town Board, in the Office of the Town Board, Councilmanic District #2, NOW, BE IT

RESOLVED, that Celeste Esopa be and hereby is appointed
Secretary to the Supervisor, Exempt, Ungraded, at an annual salary of \$90,639, in the Office of the
Supervisor, by the Supervisor of the Town of Hempstead and ratified by the Town Board of the
Town of Hempstead effective October 6, 2016 and BE IT

FURTHER RESOLVED, that subject appointment is probationary
for twenty-six weeks and should candidate prove unsatisfactory during this period, said
appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF ANGELO
GIUGLIANO AS CODE ENFORCEMENT
OFFICER TRAINEE, IN THE
DEPARTMENT OF BUILDINGS, FROM
THE CIVIL SERVICE LIST.

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

WHEREAS, the Town of Hempstead Civil Service Commission
has certified that Angelo Giugliano has passed the examination for the position of Code
Enforcement Officer Trainee, Civil Service List No. 62-669, and is eligible for appointment
thereto, NOW, THEREFORE, BE IT

RESOLVED, that Angelo Giugliano be and hereby is appointed as
Code Enforcement Officer Trainee, Competitive, Permanent, Grade 14, Start Step (A), Salary
Schedule D, \$47,625, in the Department of Buildings, from the Civil Service List, by the
Commissioner of the Department of Buildings, and ratified by the Town Board of the Town of
Hempstead effective October 6, 2016, and BE IT

FURTHER RESOLVED, that the probationary term of this
appointment shall be subject to Rule XIV, Rules for the Civil Service of the Town of
Hempstead.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF PETER GUANDO AS
DECKHAND I, IN THE DEPARTMENT OF
CONSERVATION AND WATERWAYS.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that Peter Guando be and hereby is appointed Deckhand I, Non Competitive, Grade 10, Start Step (A), Salary Schedule D, \$42,149, in the Department of Conservation and Waterways, by the Commissioner of the Department of Conservation and Waterways and ratified by the Town Board of the Town of Hempstead effective October 6, 2016 and
BE IT

FURTHER RESOLVED, that subject appointment is probationary for twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF ALBINA KATAEVA AS
DEPUTY TOWN ATTORNEY, IN THE
OFFICE OF THE TOWN ATTORNEY.

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

RESOLVED, that Albina Kataeva be and hereby is appointed as Deputy
Town Attorney, in the Office of the Town Attorney, Exempt, Ungraded, at an annual salary of
\$95,000, by the Town Attorney and ratified by the Town Board of the Town of Hempstead effective
September 19, 2016 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for
twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment
may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF IRENE KLEBER AS
SECRETARY TO THE TOWN BOARD, IN
THE OFFICE OF THE TOWN BOARD.

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

WHEREAS, Irene Kleber has resigned her position as Secretary to
the Supervisor, in the Office of the Supervisor, NOW, BE IT

RESOLVED, that Irene Kleber be and hereby is appointed as
Secretary to the Town Board, in the Office of the Town Board, Councilmanic District #2,
Unclassified, Ungraded, with no change in salary, by the Supervisor of the Town of Hempstead,
and ratified by the Town Board of the Town of Hempstead effective September 21, 2016, and BE
IT

FURTHER RESOLVED, that subject appointment is probationary
for twenty-six weeks and should candidate prove unsatisfactory during this period, said
appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF KENDALL LAMPKIN
AS EXECUTIVE ASSISTANT TO THE
TOWN BOARD, IN THE OFFICE OF THE
TOWN BOARD.

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

WHEREAS, Kendall Lampkin has resigned his position as
Executive Assistant to the Supervisor, in the Office of the Supervisor, NOW, BE IT

RESOLVED, that Kendall Lampkin be and hereby is appointed as
Executive Assistant to the Town Board, in the Office of the Town Board, Councilmanic
District #5, Unclassified, Ungraded, with no change in salary, by the Supervisor of the Town of
Hempstead, and ratified by the Town Board of the Town of Hempstead effective September 21,
2016, and BE IT

FURTHER RESOLVED, that subject appointment is probationary
for twenty-six weeks and should candidate prove unsatisfactory during this period, said
appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF PATRICIA LIMA AS ADMINISTRATIVE ASSISTANT, IN THE DEPARTMENT OF GENERAL SERVICES, CEMETERIES DIVISION, FROM THE CIVIL SERVICE LIST.

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

WHEREAS, the Town of Hempstead Civil Service Commission has certified that Patricia Lima has passed the examination for the position Administrative Assistant, Civil Service List No. 75-358, and is eligible for appointment thereto, NOW, THEREFORE BE IT

RESOLVED, that Patricia Lima, now serving as Administrative Assistant, Competitive, Provisional, in the Department of General Services, Cemeteries Division, be and hereby is appointed Administrative Assistant, Competitive, Permanent, with no change in salary, by the Commissioner of the Department of General Services and ratified by the Town Board of the Town of Hempstead effective October 6, 2016, and BE IT

FURTHER RESOLVED, that subject appointment is probationary for twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF CARY MELTZER AS
LABORER II, IN THE DEPARTMENT OF
WATER.

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

RESOLVED, that Cary Meltzer, now serving as Laborer I, in the
Department of Water, be and hereby is appointed Laborer II, Non Competitive, Grade 11, Step 4 (E),
Salary Schedule C, \$54,015, in the Department of Water, by the Commissioner of the Department of
Water and ratified by the Town Board of the Town of Hempstead effective October 6, 2016, and BE IT

FURTHER RESOLVED, that subject appointment is probationary for
twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment may be
terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF SAMANTHA MENENDEZ
AS CLERK LABORER IN THE OFFICE OF THE
RECEIVER OF TAXES.

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

WHEREAS, Samantha Menendez has resigned her position as Laborer I,
in the Department of Water, NOW, BE IT

RESOLVED, that Samantha Menendez be and hereby is appointed
Clerk Laborer, Non Competitive, Grade 9, Step 3 (D), Salary Schedule D, with no change in salary, in
the Office of the Receiver of Taxes, by the Receiver of Taxes and ratified by the Town Board of the
Town of Hempstead effective October 6, 2016 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for
twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment
may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: LEAVE OF ABSENCE FROM THE TITLE
OFFICE SERVICES ASSISTANT AND
APPOINTMENT OF MARCIA MINER AS
SECRETARY IN THE OFFICE OF THE
SUPERVISOR, IN THE OFFICE OF THE
SUPERVISOR.

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

RESOLVED, that Marcia Miner, Office Services Assistant, in
Department of General Services, Administration, be and hereby is granted a one year leave of
absence effective October 6, 2016 and BE IT

FURTHER RESOLVED, that Marcia Miner be an hereby is
appointed Secretary in the Office of the Supervisor, Non Competitive, Ungraded, at an annual salary
of \$85,013, in the Office of the Supervisor, by the Supervisor of the Town of Hempstead and ratified
by the Town Board of the Town of Hempstead effective October 6, 2016, and BE IT

FURTHER RESOLVED, that subject appointment is probationary for
twenty six weeks and should candidate prove unsatisfactory during this period said appointment may
be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF ERINA MURACA AS
CLERK LABORER IN THE DEPARTMENT OF
WATER.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that Erina Muraca be and hereby is appointed
Clerk Laborer, Non Competitive, Grade 9, Start Step (A), Salary Schedule D, \$40,974, in
the Department of Water, by the Commissioner of the Department of Water and ratified by the Town
Board of the Town of Hempstead effective October 6, 2016 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for
twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment
may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: APPOINTMENT OF STEVEN PARTLAND AS
PERSONAL COMPUTER SUPPORT
SPECIALIST TRAINEE, IN THE DEPARTMENT
OF INFORMATION AND TECHNOLOGY FROM
THE CIVIL SERVICE LIST.

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

WHEREAS, the Town of Hempstead Civil Service Commission has certified that Steven Partland has passed the examination for the position of Personal Computer Support Specialist Trainee, Civil Service List No. 17-229, and is eligible for appointment thereto,
NOW, THEREFORE, BE IT.

RESOLVED, that Steven Partland be and hereby is appointed Personal Computer Support Specialist Trainee, Competitive, Permanent, Grade 16, Start Step (A), Salary Schedule D, \$50,858, in the Department of Information and Technology, from the civil service list, by the Commissioner of the Department of Information and Technology and ratified by the Town Board of the Town of Hempstead effective October 6, 2016 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for twenty-six weeks and should candidate prove unsatisfactory during this period, said appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: TRANSFER OF MARCI WILLIAMS,
ADMINISTRATIVE ASSISTANT, FROM THE
OFFICE OF THE TOWN BOARD TO THE
DEPARTMENT OF GENERAL SERVICES,
ADMINISTRATION.

On motion made by

the following resolution was adopted upon roll call:

RESOLVED, that Marci Williams, Administrative Assistant, be and hereby is transferred from the Office of the Town Board, Councilmanic District #6 to the Department of General Services, Administration, with no change in salary, by the Commissioner of the Department of General Services and the Town of Hempstead Civil Service Commission and ratified by the Town Board of the Town of Hempstead effective September 16, 2016 and BE IT

FURTHER RESOLVED, that subject appointment is probationary for twelve weeks and should candidate prove unsatisfactory during this period, said appointment may be terminated.

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: AMENDMENT OF RESOLUTION
NO. 1424/35-2016, JAMES SOLAR, IN THE
DEPARTMENT OF PARKS AND RECREATION.

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

WHEREAS, Resolution No. 1424/35-2016 states an incorrect Step and
Salary. NOW, THEREFORE, BE IT

RESOLVED, that the resolution should read “Grade 9 Step 3(D), Salary
Schedule D, \$48,334”

AYES:

NOES:

RESOLUTION NO:

CASE NO:

ADOPTED:

RE: AMENDMENT OF RESOLUTION
NO. 1424/36-2016, JAMES SYNNOTT, IN THE
DEPARTMENT OF BUILDINGS.

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

WHEREAS, Resolution No. 1424/36-2016 states an incorrect Step and
Salary. NOW, THEREFORE, BE IT

RESOLVED, that the resolution should read "Grade 18 Step 1(B), Salary
Schedule D, \$58,655"

AYES:

NOES: