

STATED TOWN BOARD MEETING

MAY 8, 2018

The Town Board of the Town of Hempstead, New York, met at the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, on Tuesday, May 8, 2018 at 10:30 A.M.

Roll was called: PRESENT:	LAURA A. GILLEN, EDWARD A. AMBROSINO, BRUCE BLAKEMAN, ANTHONY P. D'ESPOSITO, DENNIS DUNNE, SR., DOROTHY L. GOOSBY, ERIN KING SWEENEY, Members of the Town Board	Supervisor Councilman Councilman Councilman Councilman Senior Councilwoman Councilwoman
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ALSO PRESENT:	SYLVIA A. CABANA, GASPARE TUMMINELLO, JOSEPH J. RA, KEVIN CONROY,	Town Clerk Deputy Town Clerk Town Attorney Town Comptroller
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Supervisor Gillen asked Councilman Dunne to lead the assemblage in the Pledge of Allegiance to our flag.

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PUBLIC HEARINGS

CASE NUMBERS
& RESOLUTIONS

29916 594-2018 A/B	Proposed Local Law Re: "REGULATIONS AND RESTRICTIONS" to limit parking in GARDEN CITY SOUTH (To amend Chapter 202 of the Code of the Town of Hempstead)
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APPEARANCES: NONE

No one wishing to be heard on subject matter, it was

On motion of Councilman Ambrosino, seconded by Councilman Blakeman, and unanimously voted upon roll call that the public hearing be closed, and Local Law No. 34-2018 ADOPTED, pursuant to Resolution No. 594-2018

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29917 595-2018 B/DE	Proposed Local Law Re: "PARKING OR STANDING PROHIBITIONS" in OCEANSIDE, (NR) VALLEY STREAM (To amend Section 202-1 of the Code of the Town of Hempstead)
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APPEARANCES: NONE

No one wishing to be heard on subject matter, it was

CASE NO. 29917 – PUBLIC HEARING - Continued

On motion of Councilman Blakeman, seconded by Councilman D’Esposito, and unanimously voted upon roll call that the public hearing be closed, and Local Law No. 35-2018 ADOPTED, pursuant to Resolution No. 595-2018

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29918
596-2018
G/KS

Proposed Local Law Re: “ARTERIAL STOPS” in ROOSEVELT, WANTAGH (To amend Section 197-5 of the Code of the Town of Hempstead)

APPEARANCES: NONE

No one wishing to be heard on subject matter, it was

On motion of Councilwoman Goosby, seconded by Councilwoman King Sweeney, and unanimously voted upon roll call that the public hearing be closed, and Local Law No. 36-2018 ADOPTED, pursuant to Resolution No. 596-2018

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21527
597-2018
KS/A

Proposed “HANDICAPPED PARKING ON PUBLIC STREETS” in BELLMORE, ELMONT, FRANKLIN SQUARE (Bellmore Avenue, Eagle Avenue, Kirkman Avenue, Theodora Street)

APPEARANCES: NONE

No one wishing to be heard on subject matter, it was

On motion of Councilwoman King Sweeney, seconded by Councilman Ambrosino, and unanimously voted upon roll call that the public hearing be closed, and “Handicapped Parking on Public Streets” ADOPTED

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29919
Adjourned to
June 19, 2018
B/DE

Proposed creation of a new Article VIIB of the Building Zone Ordinance of the Town of Hempstead, to be entitled “GC GOLF COURSE COASTAL RESIDENCE DISTRICT (GC)” & setting forth regulations pertaining to possible residential redevelopment of certain existing private golf course properties – TOWN OF HEMPSTEAD

APPEARANCES:

CONCERNS: Felix Procacci; Rena Saffra; Peter Stein; Lauren Sobel; Marian David; Rochelle Kevelson; Meta J. Mereday; Michael Turi

No one else wishing to be heard on subject matter, it was

On motion of Councilman Blakeman, seconded by Councilman D’Esposito, and unanimously voted upon roll call that the public hearing be closed, and ADJOURNED to June 19, 2018

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May 8, 2018

29920
Adjourned to
June 5, 2018
KS/B

To consider the adoption of the Town of Hempstead's 2018 Capital Plan & the 2018 to 2022 Multi-Year Capital Plan – TOWN OF HEMPSTEAD

APPEARANCES:

CONCERNS: Felix Procacci; Richard Schurin; Meta J. Mereday;
Valerie Lampe; Mary-Ellen Kreye

No one else wishing to be heard on subject matter, it was

On motion of Councilwoman King Sweeney, seconded by Councilman Blakeman, and voted upon roll call that the public hearing be closed, and ADJOURNED to June 5, 2018

SENIOR COUNCILWOMAN GOOSBY VOTED NO

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4562
Adjourned to
June 5, 2018
G/DE

Application of JAS USA INC. to include premises, existing and extend premises into the GSS District to maintain existing repair bays and snack shop, installation of a 24'x 54' canopy over the existing pump islands with lighting, vacuum station, air station, dumpsters enclosure and various other site improvements including paving, curbing, landscaping and the relocation of an existing curb cut along Chester Street. located at 1198 Front Street – UNIONDALE - s/e corner of Front Street and Chester Street

APPEARANCES:

FOR APPLICANT: Kevin O'Brien, Esq.; Larry O'Brien, Engineer

No one else wishing to be heard on subject matter, it was

On motion of Councilwoman Goosby, seconded by Councilman D'Esposito, and unanimously voted upon roll call that the public hearing be closed, and ADJOURNED to June 5, 2018

COUNCILMAN AMBROSINO WAS NOT PRESENT DURING VOTING

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19953
GRANTED
598-2018
G/DE

DECISION: GRANTED Application of NASSAU LAND DEVELOPERS , LLC for rezoning from Residence "B" District to Business District located at 1184 Hempstead Tpke. – UNIONDALE – s/e corner of Hempstead Tpke. & Walton Ave.

SUPERVISOR GILLEN NOT TO VOTE

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13177
GRANTED
599-2018
G/DE

DECISION: Application of BOLLA EM REALTY, LLC for a variance from provisions of "GSS" Ordinance to operate a convenience store at an existing gasoline service station, as well as area sign parking variance relief from the Gasoline Service Station District required – (NR) WESTBURY - s/w intersection of Carman & Stewart Aves. w/frontage on Carman Ave. of 181' & 150' on Stewart Ave.

COUNCILMAN AMBROSINO RECUSED HIMSELF FROM VOTING
COUNCILMAN BLAKEMAN RECUSED HIMSELF FROM VOTING

ADMINISTRATIVE CALENDAR

20915 Resolutions (3) – Ratifying, confirming & granting permission for use of Town of Hempstead Parking Fields –
 600-2018 BELLMORE [B-2] (CHAMBER OF COMMERCE OF THE BELLMORES)
 601-2018 MERRICK [M-5] (FREEPORT MERRICK ROTARY CLUB)
 602-2018 UNIONDALE [U-1] (NASSAU COUNTY LEGISLATOR KEVAN M. ABRAHAMS)
 G/DE

6542 Resolutions (14) – Ratifying & confirming emergency posed by threat of imminent danger & authorizing special assessment in regard to open, abandoned one family dwellings – DEPT. OF BUILDINGS (MGP LANDSCAPE CONSTRUCTION LLC d/b/a M3 DEVELOPMENT GROUP)
 603-2018 BALDWIN (663 Arthur Street)
 604-2018 BALDWIN (958 Pacific Street)
 605-2018 BALDWIN (810 Wallace Avenue)
 606-2018 BALDWIN (3103 Eastern Parkway)
 607-2018 EAST MEADOW (2457 3rd Avenue)
 608-2018 FRANKLIN SQUARE (18 Semton Boulevard)
 609-2018 LEVITTOWN (17 Windmill Lane)
 610-2018 MERRICK (2896 Bay Drive)
 611-2018 ROOSEVELT (58 Bennett Avenue)
 612-2018 UNIONDALE (926 Ditmas Avenue)
 613-2018 UNIONDALE (879 Smith Street)
 614-2018 WEST HEMPSTEAD (26 Melvin Avenue)
 615-2018 WEST HEMPSTEAD (11 Scaneateles Avenue)
 616-2018 WOODMERE (8 Woodmere Boulevard)
 G/DE

25843 Resolutions (5) - Ratifying, confirming & granting applications for parade permits –
 617-2018 BALDWIN (LADY BRUINS BASKETBALL)
 618-2018 FRANKLIN SQUARE (GARDEN CITY SOUTH LITTLE LEAGUE)
 619-2018 INWOOD (OUR LADY OF GOOD COUNSEL SOCIETY)
 620-2018 UNIONDALE, WESTBURY, EAST MEADOW (FRIENDS OF NASSAU COUNTY RECREATION INC.)
 621-2018 WEST HEMPSTEAD (WEST HEMPSTEAD LITTLE LEAGUE)
 G/DE

511 Resolution – Granting the application to conduct an indoor range at the Plattdeutsche Park Restaurant – FRANKLIN SQUARE – 1132 Hempstead Tpke. (BROOKLYN SCHUETZEN CORPS)
 622-2018
 G/DE

APPEARANCES:

CONCERNS: Mary-Ellen Kreye

2 Resolution – Amending Resolution No. 839-2011 to name an additional bank as an official depository for town monies – TOWN OF HEMPSTEAD (HABIB AMERICAN BANK)
 623-2018
 G/DE

27868 Resolution – Authorizing execution of agreement to provide employee assistance program – DEPT. OF HUMAN RESOURCES (LABOR EDUCATION AND COMMUNITY SERVICES AGENCY, INC.)
 624-2018
 G/DE

APPEARANCES:

AGAINST: Meta J. Mereday

16905
625-2018
G/DE
Resolution – Rejecting bid & authorizing re-bid for the construction of ADA compliant bathrooms at Bernard Brown Park – UNIONDALE – DEPT. OF PARKS & RECREATION – PW#2-18

APPEARANCES:

AGAINST: Meta J. Mereday

14301
626-2018
G/DE
Resolution – Authorizing the award of a bid for the reorganization of the Town’s network infrastructure – DEPT. OF INFORMATION & TECHNOLOGY (SATURN BUSINESS SYSTEMS, INC.)

29927
627-2018
G/DE
Resolution – Authorizing the award of formal bid for evaluation and inventory of Town real estate assets – TOWN OF HEMPSTEAD (SMITH & DEGROAT REAL ESTATE) Formal Bid #5-2018

APPEARANCES:

CONCERNS: Mary-Ellen Kreye

COUNCILMEN AMBROSINO & D’ESPOSITO VOTED TO AMEND
RESOLUTION

9620
628-2018
G/DE
Resolution – Authorizing the award of formal bid for utility and telephone auditing services – TOWN OF HEMPSTEAD (COST CONTROL ASSOCIATES, INC.) Formal Bid #8-2018

COUNCILMEN BLAKEMAN & DUNNE VOTED TO AMEND
RESOLUTION

1597
629-2018
G/DE
Resolution – Authorizing the execution of a lease agreement for a DM400C digital mailing system – DEPT. OF WATER (PITNEY BOWES)

16452
630-2018
G/DE
Resolution – Authorizing the award of TOH contract for yearly requirements for insurance consulting services – TOWN OF HEMPSTEAD (ARTHUR J. GALLAGHER RISK MANAGEMENT SERVICES, INC.) Contract #42-2018

20215
631-2018
G/DE
Resolution – Declaring certain equipment obsolete & authorizing the disposal thereof – DEPT. OF SENIOR ENRICHMENT

APPEARANCES:

CONCERNS: Mary-Ellen Kreye

17437
632-2018
G/DE
Resolution – Amending Resolution No. 1529-2015 authorizing the change in name and location of Integra Technologies International, Inc. to Elite Technical Service, Inc. - DEPT. OF GENERAL SERVICES, PHOTO DIVISION

12981
633-2018
G/DE
Resolution – Authorizing the Town of Hempstead to obtain membership in the Long Island Community Development Organization in connection with the Federally Funded Community Development Programs – DEPT. OF PLANNING & ECONOMIC DEVELOPMENT

APPEARANCES:

AGAINST: Meta J. Mereday

16976
634-2018
G/DE
Resolution – Authorizing payment of the maintenance and support services fee for the Human Resource Management/Payroll Processing System – OFFICE OF THE TOWN COMPTROLLER (PEOPLESTRATEGY, INC.)

22522
635-2018
G/DE
Resolution – Authorizing payment of Notary Public fee – DEPT. OF GENERAL SERVICES, DIVISION OF CEMETERIES (PATRICIA G. LIMA)

APPEARANCES:

AGAINST: Meta J. Mereday

18077
636-2018
G/DE
Resolution – Authorizing reimbursement to the Commissioner of General Services for payment to the Nassau Suffolk Landscape Grounds Association for an All Pro Horticulture Class – DEPT. OF GENERAL SERVICES, DIVISION OF CEMETERIES (GERALD C. MARINO)

530
DENIED
G/DE
Resolution – Amending Resolution No. 151-2000 entitled “Resolution Adopting Procedures of the Hempstead Town Board” – TOWN OF HEMPSTEAD

APPEARANCES:

CONCERNS: Mary-Ellen Kreye; Rori Gordon; Felix Procacci;
Meta J. Mereday

AGAINST: Valerie Lampe; Pearl Jacobs; Diane Madden

27490
637-2018
G/DE
Resolution – Authorizing the Town Attorney to execute an engagement letter with Debevoise & Plimpton LLP as the attorneys for Councilwoman Erin King Sweeney in the matter of Gillen v. Town of Hempstead, et al. – OFFICE OF THE TOWN ATTORNEY

APPEARANCES:

AGAINST: Rori Gordon; Felix Procacci

COUNCILMAN BLAKEMAN ABSTAINED FROM VOTING

27490
638-2018
G/DE
Resolution – Authorizing the Town Attorney to retain Lamb & Barnosky, LLP as the attorneys for Anthony P. D’Esposito in the matter of Gillen v. Town of Hempstead, et al. – OFFICE OF THE TOWN ATTORNEY

APPEARANCES:

AGAINST: Rori Gordon; Felix Procacci

COUNCILMAN BLAKEMAN ABSTAINED FROM VOTING

27490
639-2018
G/DE
Resolution – Authorizing the Town Attorney to retain La Reddola, Lester & Associates, LLP as the attorneys for Dorothy L. Goosby in the matter of Gillen v. Town of Hempstead, et al. – OFFICE OF THE TOWN ATTORNEY

APPEARANCES:

AGAINST: Rori Gordon; Felix Procacci

COUNCILMAN BLAKEMAN ABSTAINED FROM VOTING

27490
REMOVED
FROM
CALENDAR
A/DE

Resolution – Authorizing the Town Attorney to retain Rosenberg Calica & Birney LLP as the attorneys for Edward A. Ambrosino, Dennis Dunne, Sr., Town of Hempstead Civil Service Commission, Arthur J. Nastre, Michael Perry, Gennaro Cesarano & Robert W. Schmidt in the matter of Gillen v. Town of Hempstead, et al. – OFFICE OF THE TOWN ATTORNEY

APPEARANCES:

AGAINST: Rori Gordon; Felix Procacci

27490
640-2018
G/DE

Resolution - Authorizing the execution of an agreement with Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP. as the attorneys for Supervisor Laura A. Gillen in the matter of Gillen v. Town of Hempstead, et al. - OFFICE OF THE SUPERVISOR

APPEARANCES:

AGAINST: Rori Gordon; Felix Procacci

27490
641-2018
G/DE

Resolution – Amending Resolution No. 1263-2017 which authorized the Town Attorney to execute a service agreement to provide assistance with certain potential air quality, noise and vibration matters in the Town of Hempstead - OFFICE OF THE TOWN ATTORNEY (RTP ENVIRONMENTAL ASSOCIATES, INC.)

APPEARANCES:

AGAINST: Meta J. Mereday

28674
642-2018
G/DE

Resolution - Extending the Temporary Moratorium on development of certain golf course properties under Section 302 (R) of Article XXXI of the Building Zone Ordinance – TOWN OF HEMPSTEAD

APPEARANCES:

FOR APPLICANT:

AGAINST: Efrem Genszberg, Developer; Christian Browne, Esq.

CONCERNS: Felix Procacci

IN FAVOR: Rena Saffra; Peter Stein

7

Resolution – Amending Resolution No. 19-2018 Re: Various offices positions & occupations in the Town Government of the Town of Hempstead

28927
643/1-2018

AMBROISE, CAPRICE (DEPT. OF GENERAL SERVICES, Animal Shelter & Control Division)

29815
643/2-2018
26543

HARRISON, KEITH (DEPT. OF PARKS & RECREATION)

643/3-2018

LANGLEY, MICHAEL (DEPT. OF GENERAL SERVICES, Buildings & Grounds Division)

26751
643/4-2018
29234

MULLER, ELIZABETH (OFFICE OF THE TOWN BOARD)

643/5-2018
26519

SHELTON, CLARENCE (OFFICE OF THE TOWN BOARD)

643/6-2018

VACCHIO, AMY (DEPT. OF PARKS & RECREATION)

CASE NO. Various – Continued

- 26520
643/7-2018
G/DE
- WOODSON, JEANNE (DEPT. OF GENERAL SERVICES, Buildings & Grounds Division)
- APPEARANCES:
- CONCERNS: Diane Madden
- 29923
644-2018
G/DE
- Resolution Calling for a Public Hearing on MAY 22, 2018
Proposed Local Law Re: "REGULATIONS AND RESTRICTIONS" to limit parking in NORTH BELLMORE, OCEANSIDE (To amend Chapter 202 of the Code of the Town of Hempstead)
- 29924
645-2018
G/DE
- Resolution Calling for a Public Hearing on MAY 22, 2018
Proposed Local Law Re: "PARKING OR STANDING PROHIBITIONS" in BELLMORE, INWOOD, ROOSEVELT, UNIONDALE, WOODMERE (To amend Section 202-1 of the Code of the Town of Hempstead)
- APPEARANCES:
- CONCERNS: Mary-Ellen Kreye
- 29925
646-2018
G/DE
- Resolution Calling for a Public Hearing on MAY 22, 2018
Proposed Local Law Re: "ARTERIAL STOPS" in BELLMORE, ELMONT, ROOSEVELT, WOODMERE (To amend Section 197-5 of the Code of the Town of Hempstead)
- 29926
647-2018
G/DE
- Resolution Calling for a Public Hearing on MAY 22, 2018
Proposed Local Law Re: "TRAFFIC REGULATIONS IN THE VICINITY OF SCHOOLS" in ELMONT, UNIONDALE (To amend Section 197-13 of the Code of the Town of Hempstead)
- APPEARANCES:
- CONCERNS: Mary-Ellen Kreye
- 18920
648-2018
G/DE
- Resolution Calling for a Public Hearing on MAY 22, 2018
Proposed Local Law Re: "BUS STOPS" in BELLMORE (To amend Section 202-52 of the Code of the Town of Hempstead)
- 18920
649-2018
G/DE
- Resolution Calling for a Public Hearing on MAY 22, 2018
Proposed Local Law Re: "SCHOOL BUS STOPS" in ROOSEVELT (To amend Section 202-52 of the Code of the Town of Hempstead)
- 20614
650-2018
G/DE
- Resolution Calling for a Public Hearing on MAY 22, 2018
Proposed Local Law Re: "LOADING ZONES" in INWOOD (To amend Section 202-53 of the Code of the Town of Hempstead)
- 29928
TABLED
KS/D
- Resolution Calling for a Public Hearing on MAY 22, 2018
Proposed Local Law entitled "FILLING VACANCIES IN ELECTIVE OFFICE BY SPECIAL ELECTION" (To establish Chapter 16A of the Code of the Town of Hempstead)

APPEARANCES:

AGAINST: Carl Geratto

SUPERVISOR GILLEN AND COUNCILWOMAN GOOSBY VOTED NO

15396 Resolution Calling for a Public Hearing on MAY 22, 2018
651-2018 Proposed Local Law entitled "PARKS" in order to prohibit the smoking of
G/DE electronic cigarettes within Town parks and recreation facilities, except in the
areas that have been designated as smoking areas (To amend Chapter 78 of the
Code of the Town of Hempstead)

14520 Resolution Calling for a Public Hearing on MAY 22, 2018
652-2018 Proposed Local Law Re: "STRUCTURES IN WATERWAYS" (For the
G/DE repeal & reenactment of Chapter 168 of the Code of the Town of Hempstead)

27490 Resolution- Authorizing the Town Attorney to retain Rosenberg Calica &
653-2018 Birney Llp, as the attorneys for Edward A. Ambrosino in the matter of Gillen
G/DE V. Town of Hempstead et al.

APPEARANCES:

AGAINST: Rori Gordon; Felix Procacci

COUNCILMAN BLAKEMAN ABSTAINED FROM VOTING

27490 Resolution- Authorizing the Town Attorney to retain Bisceglie & Associates,
654-2018 P.C. as the attorneys for Dennis Dunne Sr. in the matter of Gillen V. Town of
G/DE Hempstead et al.

APPEARANCES:

AGAINST: Rori Gordon; Felix Procacci

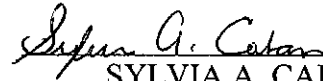
COUNCILMAN BLAKEMAN ABSTAINED FROM VOTING

19953 Resolution – Accepting a Declaration of Restrictive Covenants in connection
655-2018 with application of NASSAU LAND DEVELOPERS , LLC for rezoning from
G/DE Residence "B" District to Business District located at 1184 Hempstead Tpke.
– UNIONDALE – s/e corner of Hempstead Tpke. & Walton Ave.
SUPERVISOR GILLEN NOT TO VOTE

13177 Resolution – Accepting a Declaration of Restrictive Covenants in Connection
656-2018 with BOLLA EM REALTY, LLC for a variance from provisions of "GSS"
DE/G Ordinance to operate a convenience store at an existing gasoline service
station, as well as area sign parking variance relief from the Gasoline Service
Station District required – (NR) WESTBURY - s/w intersection of Carman &
Stewart Aves. w/frontage on Carman Ave. of 181' & 150' on Stewart Ave.
COUNCILMAN AMBROSINO RECUSED HIMSELF FROM VOTING
COUNCILMAN BLAKEMAN RECUSED HIMSELF FROM VOTING

No further business to come before the Board, it was on motion of Councilman Blakeman, seconded by Councilman Dunne, and unanimously voted upon roll call that the Meeting be ADJOURNED.

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SYLVIA A. CABANA
TOWN CLERK

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