

STATED TOWN BOARD MEETING

OCTOBER 3, 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 Wednesday, October 3, 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.

Councilman Dunne reminded everyone that "Breast Cancer Awareness Month" has begun, and asked for a moment of silence in remembrance of those who have passed from breast cancer.

Supervisor Gillen asked Town Clerk to deliver tentative budget to each Town Board member.

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PUBLIC HEARINGS

CASE NUMBERS
& RESOLUTIONS

29990 1298-2018 KS/D	Proposed Local Law Re: "REGULATIONS AND RESTRICTIONS" to limit parking in SEAFORD (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 Councilwoman King Sweeney, seconded by Councilman Dunne, and unanimously voted upon roll call that the public hearing be closed, and Local Law No. 79-2018 ADOPTED, pursuant to Resolution No. 1298-2018

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29991 1299-2018 A/KS	Proposed Local Law Re: "PARKING OR STANDING PROHIBITIONS" in ELMONT, SEAFORD (To amend Section 202-1 of the Code of the Town of Hempstead)
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APPEARANCES: NONE

CASE NO. 29991 – PUBLIC HEARING - Continued

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

On motion of Councilman Ambrosino, seconded by Councilwoman King Sweeney, and unanimously voted upon roll call that the public hearing be closed, and Local Law No. 80-2018 ADOPTED, pursuant to Resolution No. 1299-2018

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29992
1300-2018
DE/B

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

APPEARANCES:

CONCERNS: Valerie Lampe

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

On motion of Councilman D’Esposito , seconded by Councilman Blakeman, and unanimously voted upon roll call that the public hearing be closed, and Local Law No. 81-2018 ADOPTED, pursuant to Resolution No. 1300-2018

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29671
1301-2018
D/G

Proposed Local Law in relation to “ENACTING ENHANCED PENALTIES FOR VIOLATIONS OF THE REGULATIONS OF CHAPTER 121 PERTAINING TO SALE OF TOBACCO PRODUCTS, LIQUID NICOTINE & ELECTRONIC CIGARETTES” (To amend Section 121-6 of Chapter 121 of the Town Code)

APPEARANCES:

CONCERNS: Felix Procacci; Meta J. Mereday

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

On motion of Councilman Dunne, seconded by Councilwoman Goosby, and unanimously voted upon roll call that the public hearing be closed, and Local Law No. 82-2018 ADOPTED, pursuant to Resolution No. 1301-2018

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21527
1302-2018
B/G

Proposed “HANDICAPPED PARKING ON PUBLIC STREETS” in EAST ATLANTIC BEACH, ELMONT, FRANKLIN SQUARE, ISLAND PARK, MERRICK, VALLEY STREAM, WANTAGH, WEST HEMPSTEAD (Buffalo Ave., Times Ave., Lehrer Ave., Cloud Ave., Kingston Blvd., Frankel Blvd., Clovelly Dr., Bayview Ave., Langley Ave.)

APPEARANCES:

IN FAVOR Cay Fatima - Kathryn Marshall & Associates

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

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

28676
1303-2018
G/KS

Proposed amendment of Section 346 of Article XXXIII of the Building Zone Ordinance of the Town of Hempstead entitled "GASOLINE SERVICE STATIONS" in order to require existing gasoline service stations to comply with the provisions of Section 336(G)(3) of the Building Zone Ordinance – TOWN OF HEMPSTEAD

APPEARANCES:

AGAINST: Felix Procacci

CONCERNS: Meta J. Mereday

No one else 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 ADOPTED

COUNCILMAN D'ESPOSITO VOTED NO

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4939
1304-2018
KS/DE

Proposed renewal of a contract for furnishing fire protection within the territory of the MERRICK FIRE PROTECTION DISTRICT (MERRICK FIRE DEPARTMENT)

APPEARANCES:

FOR APPLICANT: Chief Paul Scolieri; Ronnie Geis, Chairman of the Board

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

On motion of Councilwoman King Sweeney, seconded by Councilman D'Esposito, and unanimously voted upon roll call that the public hearing be closed, and ADOPTED

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620
GRANTED
1305-2018
DE/G

GRANTED: Application of CUMBERLAND FARMS, INC. for a variance from provisions of "GSS" Ordinance in order to permit the construction of a new convenience store along with a canopy & dispensing islands & tanks, site improvements to parking, signage, generator, dumpster enclosure & landscaping at an existing gasoline service station located at 2962 Long Beach Rd. – OCEANSIDE - s/w corner Long Beach Rd. & Atlantic Ave.

APPEARANCES:

FOR APPLICANT: William Bonesso, Esq.; Wayne A. Muller, P.E. of R&M Engineering

CONCERNS: Felix Procacci; Meta J. Mereday

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

On motion of Councilman D'Esposito, seconded by Councilwoman Goosby, and unanimously voted upon roll call that the public hearing be closed, and "Application of CUMBERLAND FARMS, INC. for a variance from provisions of "GSS" Ordinance" GRANTED

SUPERVISOR GILLEN RECUSED HERSELF FROM VOTING

26909
Postponed
Indefinitely
KS/DE

DECISION: Application of DEKA ASSOCIATES, LLC for approval of the project plan for Grand Manor Estates & approving a “PILOT” for the Senior Housing Project affecting real property located at 2870 Grand Ave. – BALDWIN – w/si of Grand Ave., 230’ s/of Barnes Ave.
SUPERVISOR GILLEN VOTED NO

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ADMINISTRATIVE CALENDAR

25843 Resolutions (17) - Ratifying, confirming & granting applications for parade permits –

- 1306-2018 BELLMORE (ROCKING THE ROAD FOR A CURE)
 - 1307-2018 BELLMORE (CHAMBER OF COMMERCE OF THE BELLMORES)
 - 1308-2018 EAST MEADOW (MCVEY ELEMENTARY SCHOOL)
 - 1309-2018 EAST MEADOW (EAST MEADOW HIGH SCHOOL)
 - 1310-2018 ELMONT (BELMONT PARK COMMUNITY COALITION)
 - 1311-2018 ELMONT (JAMIA ZIA UI-QUARAN INC.)
 - 1312-2018 FRANKLIN SQUARE (H FRANK CAREY HIGH SCHOOL)
 - 1313-2018 LEVITTOWN (GENERAL DOUGLAS MACARTHUR HIGH SCHOOL)
 - 1314-2018 LEVITTOWN (DIVISION AVE HIGH SCHOOL)
 - 1315-2018 OCEANSIDE (DEPT. OF COMMUNITY ACT) (OCEANSIDE SCHOOL DISTRICT)
 - 1316-2018 POINT LOOKOUT (THE POINTVIEW ALE HOUSE)
 - 1317-2018 ROOSEVELT (HELPING END VIOLENCE NOW)
 - 1318-2018 SEAFORD (SEAFORD BOOSTER CLUB)
 - 1319-2018 SEAFORD (ST. WILLIAM THE ABBOT)
 - 1320-2018 UNIONDALE (UNIONDALE HIGH SCHOOL)
 - 1321-2018 WEST HEMPSTEAD (WEST HEMPSTEAD UNION FREE SCHOOL DISTRICT)
 - 1322-2018 WOODMERE (ISHEI YISROEL)
- G/DE

957 Resolution – Authorizing delinquent water rents to be levied against properties of owners as shown upon such lists – 2019
1323-2018
G/DE

176 Resolution – Approving bond covering Commissioner of Sanitary District No. 2 - TOWN OF HEMPSTEAD (CARL L. DEHANEY, JR.)
1324-2018
G/DE

13441 Resolution – Accepting monetary gifts for support of Senior Citizens’ Programs – DEPT. OF SENIOR ENRICHMENT (VARIOUS INSTITUTIONS)
1325-2018
G/DE

8339 Resolution – Authorizing refund for government marker installation – DIV. OF CEMETERIES (STACEY MCCALLUM)
1326-2018
G/DE

APPEARANCES:

CONCERNS: Mary-Ellen Kreye

26420 Resolution – Accepting the proposal & authorizing execution of a consulting agreement for professional services related to electrical improvements & treatment system design at East Meadow Well 11- East Meadow Water District – DEPT. OF WATER (H2M ARCHITECTS + ENGINEERS)
1327-2018
G/DE

CASE NO. 26420 - Continued

APPEARANCES:

CONCERNS: Meta J. Mereday

6569
22231
3003
23913
1328-2018
G/DE

Resolution – Authorizing reimbursement of reasonable & necessary expenses in connection with attendance of two Town employees at the “DS5G” wireless telecom conference – OFFICE OF THE TOWN ATTORNEY, DEPT. OF BUILDINGS (Washington D.C. - November 12-13, 2018) (CHARLES KOVIT; MARK SCHWARZ)

17437
1329-2018
G/DE

Resolution – Authorizing acceptance of a proposal for a HP Deskjet T3500 36-in postscript wide format color multifunction printer under HP NYS Contract #PM20860 & a 60-month lease for the purchase & maintenance of the printer – DEPT. OF GENERAL SERVICES, REPRODUCTION SERVICES DIVISION (GOVERNMENT LEASING, LLC)

29999
1330-2018
G/DE

Resolution – Authorizing the award of a bid for Brooklyn Avenue improvements – Phase I retaining wall reconstruction – BALDWIN – DEPT. OF ENGINEERING (LASER INDUSTRIES, INC.) PW#21-18

APPEARANCES:

CONCERNS: Meta J. Mereday

30000
1331-2018
G/DE

Resolution – Authorizing the award of a bid for road improvement – Washington Avenue – SEAFORD – DEPT. OF ENGINEERING (LASER INDUSTRIES, INC.) PW#22-18

30001
1332-2018
G/DE

Resolution – Authorizing the award of a bid for road improvement in the Lenox Avenue area, Fenimore Avenue/Maple Avenue – UNIONDALE – DEPT. OF ENGINEERING (METRO PAVING, LLC) PW#23-18

APPEARANCES:

IN FAVOR: Mary-Ellen Kreye

29995
1333-2018
G/DE

Resolution - Authorizing the Supervisor to execute a boundary line agreement affecting property located at the Reynolds Channel (NR) ISLAND PARK - (22 HOSEY LANE) TOWN OF HEMPSTEAD (ATHENA D. HOSEY)
SUBJECT TO PERMISSIVE REFERENDUM

7

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

28713
1334/1-2018
29996
1334/2-2018
28947
1334/3-2018
29997
1334/4-2018

BIVONE, DAVID (DEPT. OF PUBLIC SAFETY)
BRENNAN, ANGELA (DEPT. OF SENIOR ENRICHMENT)
DERENZE, EMILY (DEPT. OF GENERAL SERVICES, Animal Shelter & Control Division)
FABIAN, ELAINE (DEPT. OF SENIOR ENRICHMENT)

CASE NO. VARIOUS – Continued

29902
 1334/5-2018 FERRARO, ALICE (DEPT. OF GENERAL SERVICES, Animal Shelter & Control Division)

24293
 1334/6-2018 HOEFENKRIEG, KAREN (DEPT. OF BUILDINGS)
 28804

1334/7-2018 HOLLEY, JAMES (DEPT. OF SANITATION)
 29041

1334/8-2018 MCMANAMY, BRENDAN (DEPT. OF PARKS & RECREATION)
 29027

1334/9-2018 MENENDEZ, SAMANTHA (OFFICE OF THE RECEIVER OF TAXES)
 26677

1334/10-2018 RAMOS, YESID (DEPT. OF SANITATION) RESCINDING RESOLUTION NO. 1210/24-2018

26679
 1334/11-2018 STEINBACH, THOMAS (DEPT. OF SANITATION)
 G/DE

APPEARANCES:

CONCERNS: Felix Procacci; Mary-Ellen Kreye

26494
 1335-2018 Resolution - Authorizing payment for election expenses incurred in connection with the Special Election conducted by the South Lynbrook – Hewlett Library Funding District - TOWN OF HEMPSTEAD
 G/DE

APPEARANCES:

CONCERNS: Meta J. Mereday

26987
 1336-2018 Resolution - Authorizing payment for election expenses incurred in connection with the Special Election conducted by the North Lynbrook Library Funding District - TOWN OF HEMPSTEAD
 G/DE

APPEARANCES:

CONCERNS: Meta J. Mereday

26986
 1337-2018 Resolution - Authorizing payment for election expenses incurred in connection with the Special Election conducted by the North Malverne Library Funding District - TOWN OF HEMPSTEAD
 G/DE

APPEARANCES:

CONCERNS: Meta J. Mereday

969
 1338-2018 Resolution - Adopting the Tentative Budget as the Preliminary Budget & Calling Public Hearings thereon OCTOBER 16, 2018 at 2:30 P.M. & 7:00 P.M. – TOWN OF HEMPSTEAD – for the fiscal year beginning January 1, 2019
 Adjourned to October 23, 2018
 KS/DE

APPEARANCES:

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

COUNCILWOMAN KING SWEENEY & COUNCILMAN D’ESPOSITO AMENDED TO ADD A SPECIAL TOWN BOARD MEETING OCTOBER 15, 2018 AT 10:30 A.M. AND AMENDED DATE OF PUBLIC HEARINGS ADJOURNED TO OCTOBER 23, 2018 SUPERVISOR GILLEN AND COUNCILWOMAN GOOSBY VOTED NO

969 Resolution Calling Public Hearings OCTOBER 16, 2018 at 2:30 P.M. & 7:00
 1339-2018 P.M. – Proposed Assessment Roll - GREATER ATLANTIC BEACH
 Adjourned to WATER RECLAMATION DISTRICT - for the fiscal year beginning January
 October 23, 2018 1, 2019
 KS/DE COUNCILWOMAN KING SWEENEY & COUNCILMAN D’ESPOSITO
AMENDED DATE OF PUBLIC HEARINGS ADJOURNED TO
OCTOBER 23, 2018 SUPERVISOR GILLEN & COUNCILWOMAN
GOOSBY VOTED NO

29976 Resolution Calling for a Public Hearing on NOVEMBER 13, 2018
 1340-2018 Proposed Local Law Re: “REGULATIONS AND RESTRICTIONS” to limit
 G/DE parking in BALDWIN, BELLMORE, LEVITTOWN (To amend Chapter 202
 of the Code of the Town of Hempstead)

29993 Resolution Calling for a Public Hearing on NOVEMBER 13, 2018
 1341-2018 Proposed Local Law Re: “PARKING OR STANDING PROHIBITIONS” in
 G/DE BALDWIN, LEVITTOWN, WOODMERE (To amend Section 202-1 of the
 Code of the Town of Hempstead)

29994 Resolution Calling for a Public Hearing on NOVEMBER 13, 2018
 1342-2018 Proposed Local Law Re: “ARTERIAL STOPS” in LEVITTOWN,
 G/DE WANTAGH (To amend Section 197-5 of the Code of the Town of
 Hempstead)

18920 Resolution Calling for a Public Hearing on NOVEMBER 13, 2018
 1343-2018 Proposed Local Law Re: “TAXI-CAB STANDS” in BELLMORE (To amend
 G/DE Section 202-52 of the Code of the Town of Hempstead)

16214 Resolution Calling for a Public Hearing on NOVEMBER 13, 2018
 1344-2018 Proposed Public Parking Field Maps in FRANKLIN SQUARE (Field FS-3)
 G/DE

17432 Resolution Calling for a Public Hearing on NOVEMBER 13, 2018
 1345-2018 Proposed Local Law Re: “DEPARTMENT OF PURCHASING” in order to
 G/DE provide additional guidance relative to the local contracting preference for
 eligible service-disabled veteran-owned small businesses (To amend Chapter
 62 of the Code of the Town of Hempstead)

14822 Resolution – Authorizing the renewal of the contract for relining & repairs to
 1346-2018 storm water drainage systems at various locations within the unincorporated
 G/DE areas of the Town of Hempstead – DEPT. OF ENGINEERING (EARTH
 REPAIR, LLC) PW #2-17

APPEARANCES:

CONCERNS: Meta J. Mereday; Mary-Ellen Kreye

COUNCILMAN BLAKEMAN ABSTAINED FROM VOTING

26493 Resolution – Authorizing the award of formal bid for construction to expand
 1347-2018 the existing Town of Hempstead shellfish facility – DEPT. OF
 G/DE CONSERVATION & WATERWAYS (R. KESSLER & ASSOCIATES,
 INC.) FORMAL BID NO. 15-18

APPEARANCES:

CONCERNS: Meta J. Mereday

COUNCILMAN BLAKEMAN ABSTAINED FROM VOTING

25252
1348-2018
G/DE

Resolution – Extending temporary suspension of enforcement of Section 144-3.G of the Code of the Town of Hempstead, in relation to “REGULATION OF PERMISSIBLE HOURS FOR THE CONDUCT OF STRUCTURAL WORK ON BUILDINGS” – DEPT. OF BUILDINGS

APPEARANCES:

CONCERNS: Meta J. Mereday

25252
1349-2018
G/DE

Resolution - Extending temporary period for waiver of all Building Department & Board of Appeals fees in connection with applications to repair or replace dwellings damaged or destroyed by the effects of Hurricane Sandy & expanding upon relief afforded to Hurricane Sandy victims – DEPT. OF BUILDINGS; BOARD OF APPEALS

APPEARANCES:

CONCERNS: Meta J. Mereday

25252
1350-2018
G/DE

Resolution - Extending temporary waiver of Town Clerk fees for passports & copies of birth certificates, death certificates & marriage licenses for persons whose residences were damaged by the effects of Hurricane Sandy - OFFICE OF THE TOWN CLERK

APPEARANCES:

CONCERNS: Meta J. Mereday; Mary-Ellen Kreye

4796
1351-2018
G/DE

Resolution – Authorizing the transfer of funds from the General Fund-Appropriated Fund Balance Account to the General Fund-DGS Animal Shelter & Control Division Food & Supplies, Janitorial Supplies, Medical Supplies and Fees & Services Accounts – DEPT. OF GENERAL SERVICES, Animal Shelter & Control Division

APPEARANCES:

CONCERNS: Meta J. Mereday

24970
1352-2018
G/DE

Resolution – Modifying Resolution No. 958-2018 which authorized the Town of Hempstead to retain Cameron Engineering Associates, LLP for transit oriented development (TOD) zoning analysis & study in INWOOD & LAWRENCE - TOWN OF HEMPSTEAD (DEPT. OF ENGINEERING)

APPEARANCES:

CONCERNS: Meta J. Mereday


SUPERVISOR GILLEN VOTED NO

620
1353-2018
DE/G

Resolution – Accepting a Declaration of Restrictive Covenants in connection with application of CUMBERLAND FARMS, INC. for a variance from provisions of “GSS” Ordinance in order to permit the construction of a new convenience store along with a canopy & dispensing islands & tanks, site improvements to parking, signage, generator, dumpster enclosure & landscaping at an existing gasoline service station located at 2962 Long Beach Rd. – OCEANSIDE - s/w corner Long Beach Rd. & Atlantic Ave.
SUPERVISOR GILLEN RECUSED HERSELF FROM VOTING

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

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SYLVIA A. CABANA
TOWN CLERK

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