



NEW YORK STATE SENATOR

John E. Brooks

Senator Brooks Responds to Hempstead Board's Rejection of Building Department Audit

SENATOR JOHN BROOKS July 3, 2019

| ISSUE: **SUPERSTORM SANDY, NY RISING, TOWN OF HEMPSTEAD, HOMELAND SECURITY**



For several years now, my office has received ongoing complaints about the mismanagement of duties and responsibilities of the Town of Hempstead Building Department. Recently, Town Supervisor Laura Gillen requested an outside agency be utilized to conduct an operational audit of the Town of Hempstead building Department, a proposal I fully support. Of major concern is the report that there may be thousands of homes, having been identified as “substantially damaged” and in need of elevation, that have not been made

aware of this necessity by the Town Building Department. This lack of timely notification, as well as the Building Department's mishandling of FEMA's requirements to inspect and report on impacted homes immediately following the storm, presents very significant problems to all homeowners in the floodplain:

- The cost of elevating a home is significant and can be in excess of \$150,000, and even worse, not covered under existing insurance policies.
- During the elevation process, the residents cannot reside in their homes until the work has been completed. This means that families will be forced to pay relocation expenses for the entire period their homes are in the process of being lifted or raised.
- Individuals currently residing in these particular homes have made assumptions on the market value of their property. If their home has been designated as "substantially damaged," and therefore are required to be elevated, the actual market value becomes greatly reduced. This creates an absolute negative financial impact associated with these homes. It also means the amount of equity these homeowners have in their home has been greatly reduced. This is critical information that must be provided to affected homeowners.
- Due to these discrepancies, it is likely that many who are in the process of buying and/or selling their homes are completely unaware of the expensive work that needs to be completed in order to come up to code.

These issues must be addressed immediately. I call on the Town of Hempstead to take the following actions to effectively reduce the damage being done as a result of the gross mismanagement of the Town of Hempstead Building Department:

- Notify all known homeowners whose homes have been classified as "significantly damaged" and are required to be elevated.

- Provide all known real estate agencies, title companies, and mortgage companies operating within Nassau County a listing of these properties.
- Provide the County Clerk's Office with a listing of all properties on this list.

Yesterday, the Hempstead Town Council rejected the proposal made by Supervisor Gillen to hire an independent company to conduct an operational audit of the Town of Hempstead Building Department. The Town Council also proposed to "Re-Engineer Building Department-5 Point Plan to Speed Permits, Add Weekend Hours, Resolve Disputes and Boost Innovation." The Plan Promises \$500K Savings "Compared to Administration's Review."

The members of the Town Council presented a number of arguments against the proposal made by the Town Supervisor – among them was the cost of the proposed audit. What was ignored in their argument is the cost to residents of the Town of Hempstead due to the failure of the Building Department to fulfill its duties effectively. The so-called "5-Point Plan" is one of great expense; calling for "Evening and Weekend Hours, Expansion of Overtime and Bolstering Staff," and the establishment of a "Director of Innovation." These potential actions all come with significant salary and benefit costs and can wind up costing taxpayers millions annually.

The problems in the Building Department have gone on for years. The issues associated with building permits, particularly for work associated with the repairs from Superstorm Sandy have been widely known for almost seven years. The failure to address these problems, and others, has resulted in significant expense to homeowners affected by the storm and significant hardships and frustration for many residents of the Town of Hempstead. I believe the Town Council's proposal falls short of what is needed for the residents of the Town of Hempstead, particularly those dealing with the ongoing recovery efforts from Superstorm Sandy. I applaud Supervisor Gillen for boldly attempting to fix the problems of

dysfunction she inherited.

My involvement in the press conference last Monday with the Town Supervisor and others was primarily focused on the number of homes that have been significantly damaged by the storm, thus requiring elevation, whose property owners have not yet been notified. I felt the proposed audit would have effectively addressed that issue. As I stated then, I think it is far better to address this issue locally, however, I do not believe the proposal made by the board will resolve these issues.

In this document I have made several suggestions and requests to the Town of Hempstead which I believe, if carried out, will help to address the primary issue at hand. I hope the town will act on these truly “common sense” steps.

It is my intention to continue to monitor what corrective steps are being taken to address the deficiencies of the building department.